

**BOARD OF SELECTMEN
EXECUTIVE SESSION
February 16, 2010**

An Executive Session of the Board of Selectmen was called to order by Chairman Joseph J. Montecalvo at 6:42 PM, Northbridge Town Hall, 7 Main Street, Whitinsville, MA, under M.G.L. Chapter 39, S. 23B #3 Negotiations and not to return to Open Session. Present: Messrs. Ampagoomian, Marzec, Nolan and Melia. Also present: Theodore D. Kozak, Town Manager and Walter Warchol, Chief of Police.

M.G.L. Chapter 39, S. 23B #3 Negotiations

Selectman Melia excused himself from the meeting at 6:43 PM due to a possible conflict of interest.

Chief Warchol provided the Board of Selectmen with some details of an ongoing police investigation.

He also mentioned that the Police Union contacted Town Manager Kozak to say that they are ready to start negotiations.

A motion/Mr. Marzec, seconded/Mr. Nolan to adjourn the Executive Session and not return to open session. Roll Call Vote: Mr. Marzec/Yes, Mr. Montecalvo/Yes, Mr. Ampagoomian/Yes, and Mr. Nolan/Yes.

Executive Session adjourned: 6:59 PM.

Respectfully submitted,



Charles Ampagoomian, Jr., Clerk

/dmg

**BOARD OF SELECTMEN
EXECUTIVE SESSION
March 8, 2010**

An Executive Session of the Board of Selectmen was called to order by Chairman Joseph J. Montecalvo at 6:32 PM, Northbridge Town Hall, 7 Main Street, Whitinsville, MA, under M.G.L. Chapter 39, S. 23B #3 Negotiations; and to return to Open Session. Present: Messrs. Ampagoomian, Marzec, Nolan and Melia. Also present: Theodore D. Kozak, Town Manager and Walter Warchol, Police Chief.

M.G.L. Chapter 39, S. 23B #3 Negotiations

Selectman Melia mentioned for the record that he contacted the State Ethics Commission regarding his former position as Chief of Police and the fact that his son-in-law is a Lieutenant for the Northbridge Police Department. He informed the Board of Selectmen that the State Ethics Commission advised him that he does have the right to participate in police matters. That said, he advised everyone that a full disclosure is on file with the Town Clerk's Office.

Town Manager Kozak provided the Selectmen with an update on the police officer that is in question. The Police Chief explained the nature of the case and then informed them of what the Town's position is on the financial package for the officer leaving.

A motion/Mr. Marzec, seconded/Mr. Nolan to adjourn the Executive Session and return to open session. Roll Call Vote: Mr. Marzec/Yes, Mr. Montecalvo/Yes, Mr. Ampagoomian/Yes, Mr. Melia/Yes and Mr. Nolan/Yes.

Executive Session adjourned: 6:40 PM.

Respectfully submitted,



Charles Ampagoomian, Jr., Clerk

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**BOARD OF SELECTMEN
EXECUTIVE SESSION
March 22, 2010**

An Executive Session of the Board of Selectmen was called to order by Chairman Joseph J. Montecalvo at 8:35 PM, Northbridge Town Hall, 7 Main Street, Whitinsville, MA, under M.G.L. Chapter 39, S. 23B #3 Negotiations and M.G.L. Chapter 39, S. 23B #3 Litigation; not to return to Open Session. Present: Messrs. Ampagoomian, Marzec, Nolan and Melia. Also present: Theodore D. Kozak, Town Manager.

M.G.L. Chapter 39, S. 23B #3 Negotiations

Town Manager Kozak reported that School negotiations are progressing and there is some cooperation between the school and town.

Town Manager Kozak mentioned that the Police contract negotiations will resume shortly.

Town Manager Kozak advised the Board that the union notified the DPW Director and him that they would like to start negotiations for their contract.

Town Manager Kozak announced that the Firefighter's Hearing in Boston on March 25th has been cancelled and will be rescheduled in April.

M.G.L. Chapter 39, S. 23B #3 Litigation

Town Manager Kozak announced that there will be a Workshop on Thursday, April 8th at 6 PM, with Jim Lampke, Representative of the City Solicitors and Town Counsel Association, to help the Board determine what types of Town Counsel service they could procure.

Town Counsel David Doneski and Chairman of the Conservation Commission Wyatt Mills met with Mr. Len Jolles regarding pending legal action to remove the pile of dirt on "The Shop" property. It was agreed to suspend litigation to give the property owner time to contact the Corps of Engineers who are currently re-mapping the Town's flood plains. The property owner believes this dirt pile should be outside the flood plain boundary.

A motion/Mr. Marzec, seconded/Mr. Nolan to adjourn the Executive Session and not return to open session. Roll Call Vote: Mr. Marzec/Yes, Mr. Montecalvo/Yes, Mr. Ampagoomian/Yes, Mr. Melia/Yes and Mr. Nolan/Yes.

Executive Session adjourned: 8:56 PM.

Respectfully submitted,



Charles Ampagoomian, Jr., Clerk

/dmg

**BOARD OF SELECTMEN
EXECUTIVE SESSION
April 26, 2010**

An Executive Session of the Board of Selectmen was called to order by Chairman Joseph J. Montecalvo at 9:26 PM, Northbridge Town Hall, 7 Main Street, Whitinsville, MA, under M.G.L. Chapter 39, S. 23B #3 Contract Negotiations; not to return to Open Session. Present: Messrs. Ampagoomian, Marzec, Nolan and Melia. Also present: Theodore D. Kozak, Town Manager.

M.G.L. Chapter 39, S. 23B #3 Negotiations

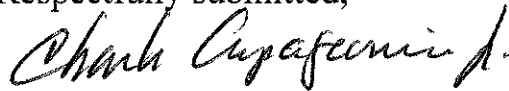
Town Manager Kozak informed the Board of Selectmen that negotiations resumed for the Department of Public Works employees.

Town Manager Kozak also mentioned that he had a meeting with Attorney Jack Collins to propose language for the Police Contract and will meet with the Police Union on Friday to discuss this with them.

A motion/Mr. Marzec, seconded/Mr. Nolan to adjourn the Executive Session and not return to open session. Roll Call Vote: Mr. Marzec/Yes, Mr. Montecalvo/Yes, Mr. Ampagoomian/Yes, Mr. Melia/Yes and Mr. Nolan/Yes.

Executive Session adjourned: 9:43 PM.

Respectfully submitted,



Charles Ampagoomian, Jr., Clerk

/dmg

**BOARD OF SELECTMEN
EXECUTIVE SESSION
MAY 10, 2010**

An Executive Session of the Board of Selectmen was called to order by Chairman Joseph J. Montecalvo at 8:40 PM, Northbridge Town Hall, 7 Main Street, Whitinsville, MA, under M.G.L. Chapter 39, S. 23B #3 Contract Negotiations; not to return to Open Session. Present: Messrs. Ampagoomian, Marzec, Nolan and Melia. Also present: Theodore D. Kozak, Town Manager.

M.G.L. Chapter 39, S. 23B #3 Negotiations

Town Manager Kozak discussed with the Board of Selectmen his compensation as provided in his contract and due to the fact he is in negotiations with several collective bargaining units he proposed tabling an increase in compensation at this time.

Town Manager Kozak provided a summary to the Board of Selectmen regarding the Teacher's Contract. Selectman Melia recused himself from the meeting at 8:45 P.M. [and did not return] because his daughter is a teacher in the school system.

The Town Manager also informed the Board on what is happening with the teacher's contract negotiations despite what was written in the newspaper. He informed the Board that both sides are at an impasse and will use the services of a mediator to try to resolve their differences.

A motion/Mr. Nolan, seconded/Mr. Marzec to adjourn the Executive Session and not return to open session. Roll Call Vote: Mr. Marzec/Yes, Mr. Montecalvo/Yes, Mr. Ampagoomian/Yes, and Mr. Nolan/Yes.

Executive Session adjourned: 9:04 PM.

Respectfully submitted,



Charles Ampagoomian, Jr., Clerk

/dmg

**BOARD OF SELECTMEN
EXECUTIVE SESSION #2
AUGUST 2, 2010**

REDACTED

An Executive Session of the Board of Selectmen was called to order by Chairman James Marzec at 9:23 PM, Northbridge Town Hall, 7 Main Street, Whitinsville, MA, under M.G.L. Chapter 30A, S. 21 #2 Contract Negotiations with Non-Union Personnel – not to reconvene in Open Session. Present: Messrs. Nolan, Athanas, Melia, Ampagoomian and Marzec. Also present: Theodore D. Kozak, Town Manager.

Item #2:

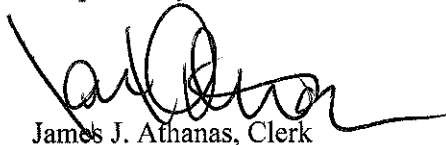
M.G.L. Chapter 30A, S. 21 #2 Contract Negotiation with Non-Union Personnel.

Town Manager Kozak wants 3-year contract through FY2014 looking for same outline of agreement currently making \$107,120 for FY2011 (also FY2010). Town Manager Kozak is asking for more on his deferred comp. \$120/year. In FY 2012, if the law changes, the \$120 would go toward income and not deferred compensation. Mr. Kozak mentioned that it's better for tax purposes and he is looking for a one-time longevity bonus of \$1000.00 after 5 years. A motion/Mr. Melia, seconded/Mr. Nolan to approve Town Manager Kozak's increase of \$120/year on his deferred compensation for FY2011. Roll Call Vote: Mr. Melia/Yes, Mr. Ampagoomian/Yes, Mr. Athanas/Yes, Mr. Nolan/Yes and Mr. Marzec/Yes.

A motion/Mr. Athanas, seconded/Mr. Nolan to adjourn the Executive Session and not return to open session. Roll Call Vote: Mr. Ampagoomian/Yes, Mr. Athanas/Yes, Mr. Nolan/Yes and Mr. Marzec/Yes.

Executive Session adjourned: 10:14 PM.

Respectfully submitted,


James J. Athanas, Clerk

/dmg

LIST OF DOCUMENTATION

BOARD OF SELECTMEN'S MEETING – EXECUTIVE SESSION #2

August 2, 2010

EXEC. SESSION #2 AT THE CONCLUSION OF THE OPEN MEETING:

Item #2:

UNDER MGL CHAPTER 30A, S. 21 #2 CONTRACT NEGOTIATIONS WITH NON-UNION PERSONNEL:

- A Copy of the Town Manager's Contract was provided to Board Members

**BOARD OF SELECTMEN
EXECUTIVE SESSION #1
AUGUST 30, 2010**

REDACTED

An Executive Session of the Board of Selectmen was called to order by Chairman James Marzec at 6:18 PM, Northbridge Town Hall, 7 Main Street, Whitinsville, MA, under M.G.L. Chapter 30A, S. 21 #3 Negotiations - to reconvene in Open Session. Present: Messrs. Nolan, Athanas, Melia, Ampagoomian and Marzec. Also present: Theodore D. Kozak, Town Manager and Attorney Brian Maser, Kopelman & Paige.

Item #2:

M.G.L. Chapter 30A, S. 21 #3 – Police Grievance

Selectman Melia returned at 6:56 PM for discussion on the Police Grievance.

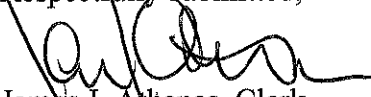
Family Medical Leave Act vs. Sick Time.

If a Police Officer is out of work because of injury/sick, use vacation time before sick time. Town enacts Family Medical Leave Act [FMLA] to protect employee. The Town's Personnel Policy Manual states the employee has to use vacation time first, saves money to Town, because we need to have people fill the shifts. FMLA is to protect both employee and Town. Town can dictate an employee to take FMLA. This discussion will need to go to the Personnel Board to review current policy and modify to reflect current conditions. Suspend 7.56 of Personnel Policy Manual to allow time for the Personnel Board to meet, discuss, review and change as they deem appropriate. Discussion continued that Police never followed current policy, but other departments did. A motion/Mr. Ampagoomian, seconded/Mr. Melia to place under decisions to suspend a section of the Personnel Policy concerning the Family Medical Leave Act. Vote yes/Unanimous.

A motion/Mr. Ampagoomian, seconded/Mr. Nolan to adjourn the Executive Session and return to open session. Roll Call Vote: Mr. Melia/Yes, Mr. Ampagoomian/Yes, Mr. Athanas/Yes, Mr. Nolan/Yes and Mr. Marzec/Yes.

Executive Session adjourned: 7:30 PM.

Respectfully submitted,



James J. Athanas, Clerk

/dmg

LIST OF DOCUMENTATION

BOARD OF SELECTMEN'S MEETING – EXECUTIVE SESSION #1

August 30, 2010

Item #2.

UNDER MGL CHAPTER 30A, S. 21 #3 FMLA ISSUE:

- a. Email from Attorney Brian Maser, K &P on FMLA Policy**
- b. Copy of Town's current FMLA Policy**

**BOARD OF SELECTMEN
EXECUTIVE SESSION #2
AUGUST 30, 2010**

An Executive Session of the Board of Selectmen was called to order by Chairman James Marzec at 9:40 PM, Northbridge Town Hall, 7 Main Street, Whitinsville, MA, under M.G.L. Chapter 30A, S. 21 #2 Contract Negotiation with Non-Union Personnel; not to reconvene in Open Session. Present: Messrs. Nolan, Athanas, Melia, Ampagoomian and Marzec. Also present: Theodore D. Kozak, Town Manager.

M.G.L. Chapter 30A, S. 21 #2 Contract Negotiation with Non-Union Personnel - Town Manager Kozak mentioned that he sent his new contract and the proposed changes to Town Counsel, who said he had no issues with its content. A motion/Mr. Melia, seconded/Mr. Nolan to accept the contract of Theodore Kozak as written. Roll Call Vote: Mr. Melia/Yes, Mr. Ampagoomian/Yes, Mr. Athanas/Yes, Mr. Nolan/Yes and Mr. Marzec/Yes.

A motion/Mr. Ampagoomian, seconded/Mr. Nolan to adjourn the Executive Session and not return to open session. Roll Call Vote: Mr. Melia/Yes, Mr. Ampagoomian/Yes, Mr. Athanas/Yes, Mr. Nolan/Yes and Mr. Marzec/Yes.

Executive Session adjourned: 9:47 PM.

Respectfully submitted,


James J. Athanas, Clerk

/dmg

LIST OF DOCUMENTATION

BOARD OF SELECTMEN'S MEETING – EXECUTIVE SESSION #2

August 30, 2010

EXEC. SESSION #2 AT THE CONCLUSION OF THE OPEN MEETING:

3) UNDER MGL CHAPTER 30A, S. 21 #2 CONTRACT NEGOTIATIONS WITH NON-UNION PERSONNEL:

- a. Email from Town Counsel stating he has no problems with the revised contract.**
- b. Copy of Town Manager's contract showing revisions.**

**BOARD OF SELECTMEN
EXECUTIVE SESSION
September 13, 2010**

An Executive Session of the Board of Selectmen was called to order by Chairman James Marzec at 8:46 PM, Northbridge Town Hall, 7 Main Street, Whitinsville, MA, under M.G.L. Chapter 30A, S. 21 #3 – Strategy with respect to Collective Bargaining – not to reconvene in Open Session. Present: Messrs. Nolan, Athanas, Melia, Ampagoomian and Marzec. Also present: Theodore D. Kozak, Town Manager and Gary A. Nestor, Fire Chief.

M.G.L. Chapter 30A, S. 21 #3 - Strategy with respect to Collective Bargaining (Fire Dept.)


Town Manager Kozak went to Boston to meet with the state mediator to try to work out an agreement with the Firefighters Union. He explained to the Board that for the last two years he has tried to get the Firefighters on the 75%/25% Health Insurance split that the other town employees are currently paying in exchange for a 3% wage increase for each of those years. In addition, the Town Manager also wanted to institute a 15-mile residency requirement. The open issue was guaranteed overtime. The resolution was to have full-timers called in for the first eight days and part-timers after that for up to six months. After that time, overtime would get split between the full-time and call firefighters. Other items bargained were: 1) a \$50 increase for tuition and clothing reimbursement; 2) a \$5 increase for ambulance calls; 3) Probationary period would extend until training period is completed. An agreement was reached by both sides.

In the future, drug testing for Fire, Police, and DPW employees will be put on the table.

A motion/Mr. Melia, seconded/Mr. Nolan to adjourn the Executive Session. Roll Call Vote: Mr. Melia/Yes, Mr. Ampagoomian/Yes, Mr. Athanas/Yes, Mr. Nolan/Yes, and Mr. Marzec/Yes.

Executive Session adjourned: 9:04 PM

Respectfully submitted,



James J. Athanas, Clerk

/dmg

LIST OF DOCUMENTATION

BOARD OF SELECTMEN'S MEETING – EXECUTIVE SESSION

September 13, 2010

UNDER MGL CHAPTER 30A, S. 21 #3 Strategy with respect to Collective Bargaining

-No documentation provided.