

**BOARD OF SELECTMEN
MINUTES
Town Hall, Selectmen's Office
September 18, 2012**

EXECUTIVE SESSION

Present: Mr. Comtois
Mr. Thomo

Excused: Mr. Heller

Guests Present: Ms. Sheila Frangiamore, Town Treasurer

At 6:02 pm, Mr. Comtois called the Executive Session to order under Exemption Three of the Open Meeting Law:

Exception Three - "To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares."

Agenda:

Health Insurance:

Chairman Comtois reported having attended a meeting with School Committee members where it was pointed out that the teacher's union is not pleased that the Selectmen did not sign the document they submitted to the Town that would have added to the union contracts and locked the Town into certain insurance information for a two year period.

Mr. Comtois said that Attorney Dolan of Kopelman and Paige believes that the Town has opened itself up to a lawsuit because it may not have "bargained in good faith". Mr. Comtois felt that the Town did negotiate but it was not a formal negotiation and the Town implemented the insurance changes. Mr. Comtois' meeting with the School Committee was to determine the next step.

Mr. Comtois wants the Selectmen to handle the two-year mandate from the union. Note that the two-year mandate came from the Union and that neither the teachers nor their representative discussed this with the Insurance Advisory Committee (IAC).

Mr. Comtois recommended sitting down with the teachers and without counsel – a "listen only, no action" meeting. He suggested giving them the two year commitment (until 6/30/2014) but address who is the carrier. Once something is in the contract though, it is difficult to remove.

Ms. Sheila Frangiamore, Treasurer and member of the IAC negotiating committee, reinforced that the IAC had bargained in good faith.

It was felt that by the Union asking to amend their collective bargaining agreement (they don't want the Town to adopt Chapter 32B), they are "strong arming" the Town to prevent us from doing what we want to do. Ms. Frangiamore said that because the premiums have gone down so much in the new insurance program, a finding against the Town should cost us very little. The employees are saving a good amount in their premiums and the only difference is in their co-pays.

Mr. Comtois entertained a motion to allow the Board of Selectmen to deal with the issues with the School Committee, to hold a joint meeting with the IAC and representatives of both school unions; Mr. Thomo so moved; Mr. Comtois seconded; so voted with Mr. Thomo voting aye and Mr. Comtois voting aye.

At 6:14 pm Mr. Comtois entertained a motion to adjourn the Executive Session and to return to Open Session to handle matters on the agenda; Mr. Thomo so moved; Mr. Comtois seconded; so voted with Mr. Thomo voting aye and Mr. Comtois aye.

Respectfully submitted,

Donna L. Neylon, Administrative Assistant

Date approved by Board: October 17, 2012
Released: December 11, 2012