

**ADVISORY AND FINANCE COMMITTEE
MEETING MINUTES
March 30, 2016**

A meeting of the Advisory & Finance Committee was held on Wednesday, March 30, 2016. The meeting was called to order by Chairman John Moody at 7:00PM and was conducted in the Mayflower II Meeting Room at the Plymouth Town Hall, 11 Lincoln Street, Plymouth, Massachusetts.

PRESENT **9 members of the committee were present:**

Kevin Canty, Robert Cote, Harry Helm, Ethan Kusmin, Mike Lincoln, Marcus McGraw, Christopher Merrill, John Moody, Harry Salerno

ABSENT **6 members of the committee were absent:**

Betty Cavacco, Shelagh Joyce, Patricia McPherson, Patrick O'Brien, Marc Serrico, Scott Stephenson

Agenda Items

➤ Annual Town Meeting Article 5

Melissa Arrighi, Town Manager, presented ATM Article 5. Assistant Town Manager, Derek Brindisi, was also available for questions as he was very involved with collective bargaining this year. The town has 9 collective bargaining units. Agreements run in 3 year cycles simultaneously. Health insurance was recently removed from table bargaining and is now covered by the PEC process in accordance with Mass General Laws. All collective bargaining agreements are available on the town's website under the Human Resources page. This new cycle covers FY16, 17 and 18. OPEIU and Fire were voted on at Fall Town Meeting and SEIU was recently heard as Special Town Meeting Article 1. The remaining 6 bargaining units are included in this ATM Article 5. Those include Police Superiors, Patrolmen, DPW COBRA and then a 1 year COLA only agreement with three other COBRA units: Library, Dispatchers and Crossing Guards/Meter Enforcement. Changes to their contracts were discussed and outlined in the MOAs – Memorandums of Agreement. Changes include:

Police Superiors

7 ½% COLA over 3 years: FY16 2%, FY17 2 ½ %, FY18 3%

Added 12th holiday (day after Thanksgiving)

Increase in uniform allowance

Increase in longevity pay

Increase in night shift differential

Added a specialty position and stipend

Added a medical stipend

Added controls to limit length of time for leave of absence

Added controls on vacations in excess of 2 weeks

Added notifications for criminal action, prescription drug use, driver's license restrictions

Working towards a drug and alcohol policy

Questions:

- Will this help with issues discussed at Fall Town Meeting? (C Merrill) as far as PTSD, no language was discussed.
- Is there a social media policy in their contract? (C Merrill) That would typically fall under Conduct Unbecoming, no changes to that language in this contract.
- What are the concepts of the drug and alcohol policy that is coming? (H Helm) The Fire

Department has one in place regarding testing, that will be used as a basis for Superiors and Patrolmen, How tested, when, how often, random or set, mobile lab or other, observed or unobserved, etc. We are setting up a meeting in two weeks and will start to work through the details.

- What is the time frame to remove letters of reprimand from their files? (K Canty) This contract covered elimination, no time frame.
- I have concerns about the civil or criminal action which I have mentioned and discussed previously. (K Canty)
- Item #10 seems to have a discrepancy? (H Salerno) The official employee record stays with Human Resources but the Police Chief does keep some police related files. We need to look at the full agreement to read that language.
- The new financial increases all start in year 2 except the COLA which is in salary reserve, correct? (J Moody) Yes

Patrolmen

7 ½% COLA over 3 years: FY16 2%, FY17 2 ½ %, FY18 3%

Added 12th holiday (day after Thanksgiving)

Increase in uniform allowance

Increase in longevity pay

Increase in night shift differential

Added a medical stipend

Expanded accreditation language

Added controls to limit length of time for leave of absence

Added controls on vacations in excess of 2 weeks

Added notifications for criminal action, prescription drug use, driver’s license restrictions

Working towards a drug and alcohol policy

Added a notification requirement to take vacation

Questions:

- Why did you keep the within 24 months discipline language remains in this agreement? (K Canty)
The Superiors are easy to negotiate, as managers they have a different view and there was no debate on personnel files. With the Patrolmen, the union leaders felt very strongly about this issue in that it can be kept in the file but not used against the employee after 24 months.
- Why keep it if it can’t be used for discipline? (H Helm) It is important for management to know, to help corrective behavior, and if there is a related infraction or patter it can be linked and used.
- What is the total cost of the COLA? (J Moody)

	Year 1	Year 2	Year 3
Superiors	31,000	70,000	117,000
Patrolmen	109,000	247,000	418,000
DPW COBRA	75,000	170,000	285,000
Other COBRA	21,000	48,000	81,000

Essentially for every 1% COLA for Town and School, it equates to about \$1 million.

DPW COBRA

7 ½% COLA over 3 years: FY16 2%, FY17 2 ½ %, FY18 3%

Added ½ day holiday for Christmas Eve

Added 2% senior step after year 10

Increased longevity pay

Clarified language regarding contracting out (had 20-30 grievances regarding this in last 10 years)

Delete language regarding removing discipline from file
Added controls on vacation in excess of 2 weeks
Clarified bereavement language
Added notifications for criminal action, prescription drug use, driver's license restrictions
Extended probationary period from 3 months to 9 months

Other COBRA: Library, Dispatchers, Crossing Guards/Meter Enforcement

This is a one year rollover adding only the FY16 2% COLA

Language changes so next agreement will be a two-year agreement to keep all bargaining units on the same recurring 3 year simultaneous schedule

Questions for all COBRA units including DPW:

- The contracting out language seems vague, how will it affect the cleaning of the new restrooms? (H Salerno) The language is significantly better than the language that was in there. Cleaning the bathrooms outside of the town buildings is not COBRA work so this language will not affect it.
- Why was the probationary period tripled? (K Canty) 3 months is not enough time to really evaluate an employee's performance, 9 months is more reasonable particularly in a department of this size.

Harry Helm made a motion to recommend ATM Article 5 to Town Meeting. Harry Salerno, second.

Discussion:

- I am concerned by a few things including the notice of arraignment for criminal or civil violation as well as the different language for the personnel files within the same department for superiors and patrolmen. After 2 years the slate should be wiped clean. I will vote in favor but wanted to flag these issues. (K Canty)
- We are seeing a lot of material in a very short period of time. I do not want to deny raises, these are not excessive, they are fair. I will vote in favor because these were negotiated by management, it seems very rushed but the majority of these expenses are COLAs, employees are expensive. (H Salerno)
- The average 2016 pay raise in the United States was 3% so this is not unreasonable. Employee pay is a huge part of where taxpayer money goes to, we have to find a way to get employee costs under control, this needs a closer look. (H Helm)

The motion carries unanimously (8-0-0).

Old/New/Other Business

- **ATM Article 8 – Departmental Equipment**

Lynne Barrett, Director of Finance, explained that the funding sources for Article 8 are being changed because additional funds from previous Article 8 and Article 9 balances were made available. The grand total of \$487,826 remains unchanged. The funding sources are now: \$8,580 from Sewer Enterprise Retained Earnings, \$7,590.76 from Waterways Fund, \$11,636.29 from Cemetery Perpetual Care, \$9,851.39 from other unspent article funds, and \$450,167.56 will be funded from Raise and Appropriate.

Christopher Merrill made a motion to recommend ATM Article 8 as amended to Town Meeting. Marcus McGraw, second. The motion carries unanimously (8-0-0).

- **ATM Article 9 – Capital**

Lynne Barrett, Director of Finance, explained that the funding sources for Article 9 are being changed because additional funds from previous Article 8 and Article 9 balances were made available. The totals remain unchanged. The General Fund Capital projects total \$11,487,591 to be funded with \$3,403,972.51 from Free Cash, \$393,791.59 from other available funds, and \$7,689,826.90 from debt. The Enterprise Fund Capital projects total \$8,220,000 to be funded by \$558,769.25 from Sewer Enterprise Retained Earnings, \$191,230.75 from other available sewer funds, \$6,000,000 from Sewer Enterprise Fund Debt, \$203,079.50 from Water Enterprise Fund Retained Earnings, \$446,920.50 from other available water funds, and \$820,000 from Water Enterprise Fund Debt.

Marcus McGraw made a motion to recommend ATM Article 9 as amended to Town Meeting. Kevin Canty, second. The motion carries unanimously (8-0-0).

- **ATM Article 10 – Environmental Affairs Fund**

Chairman John Moody reported that since the Advisory & Finance Committee heard ATM Article 10 and voted unanimously to not recommend the article to Town Meeting, there has been a change to the article. Instead of 100% of revenues from PILOT agreements going into the Environmental Affairs Fund, it is now 75% with the other 25% going to the General Fund. The Advisory & Finance Committee's Standing Rules state that after the first Precinct Caucus or Presentation Forum for that Town Meeting has commenced, a motion to reconsider may only be taken up if a minimum quorum of two-thirds (2/3) of members are present. Since there isn't 2/3 in attendance tonight, this article will come before the committee again Saturday morning.

Questions:

- Did they add a sunset clause to the article? (Christopher Merrill) No, there is no provision for a sunset clause.
- If we do reconsider it Saturday morning our recommendation in the book will be out of date so how will that be handled? (H Helm) John Moody said that if the committee reconsiders the article on Saturday morning, he will have a chance to update his speaking points and share the information when he presents the recommendation to Town Meeting.
- There is no change in the Act language that is to be voted on? (M Lincoln) Correct, the language has not changed but reducing the amount from 100% to 75% is within the scope of the existing article.

Comments:

- I can not support this article. It is incomplete and can be completed correctly and come

- back to Town Meeting in the Fall. (M Lincoln)
- If Town Meeting rejects the article, it may come back in the Fall. It is difficult to support verbal affirmations when the warrant and article says something different. We may discuss it further Saturday. (J Moody)
 - **Additional Old/New/Other Business:**
 - Harry Salerno asked if there were any other items on the agenda for Saturday morning's meeting? John Moody said that as of this point in time, there were not.
 - Christopher Merrill reported that at the Precinct 11 and 13 caucuses, they were asked why Article 26 (Zoning – Public Safety Buildings) was not tabled by Advisory & Finance so they could email the Town Meeting Members to seek their input. John Moody explained that that is not the process. Advisory & Finance hears from proponents, opponents, and do our own research regarding each article. Our role is to consider the information and make a recommendation to Town Meeting. Town Meetings has its say on every article at Town Meeting. It would be duplicative to reach out to Town Meeting Members first.
 - Harry Helm stated that Town Meeting Members, as well as all members of the public, are welcome to attend our meetings and have their opinions heard.

ADJOURNMENT

**Kevin Canty made a motion to adjourn. Harry Helm, second.
The motion for adjournment carries unanimously (8-0-0).
The meeting adjourned at 8:20PM.**

Respectfully submitted,
Kere Gillette