The Board of Selectmen met in Executive Session on May 7, 2013 in the Tisbury Town Hall.

Present: Jeffrey C. Kristal, Chairman; Jonathan V. Snyder; and Tristan R. Israel Clerk; John W. Grande, Town Administrator and Aase M. Jones, Assistant to the Town Administrator.

Also Present: Police Chief Daniel T. Hanavan (for police department issues); and Building and Zoning Inspector Ken Barwick and attorney Jeffrey Ugino (via telephone conference for Barnes litigation).

Motion: To go into Executive Session to discuss strategy with respect to collective bargaining, litigation, contract and real estate acquisition negotiations, not to reconvene in Open Session. Seconded.

Voting on the Motion: Mr. Kristal: Yes; Mr. Israel: Yes; Mr. Snyder: Yes.

Convened in Executive Session: 8:05 p.m. M/s/c.

Town Administrator Jay Grande stated that there are three items to be discussed in Executive Session: (1) Hiring of a new lieutenant in the Police Department; (2) Kelly Kershaw status; and the present litigation with Clarence A. Barnes about his use of property on State Road.

Police Department Lieutenant Position: was taken up first. The Selectmen and the Police Chief discussed the wages to be offered to the candidate selected by the search committee. Chief Hanavan noted that the plan is to have the new lieutenant on board by mid-June.

A discussion followed on what the salary he makes in his current position as Sergeant in Florida, and the Chief reported that he is earning mid-70’s, also pointing out that cost of living in Florida is very different from the Vineyard. He commented further that it would be hard to start a lieutenant earning less than a Sergeant here, adding that he has a BA degree for which he will get an additional 10% educational incentive.

The Town Administrator and the Selectmen noted that the Lieutenant position, after the Town Meeting vote is on the Managerial and Professional Classification Plan at Grade M-9. It was suggested that Step 4, M-9 would give an annual wage of $91,204.

Mr. Israel asked if the Chief has the funds to offer that salary, and was informed by the Chief that he does.

Mr. Israel then asked how the Chief found this individual interested in the position and was told that the search committee, consisting of Neal Maciel, Edgartown Chief Tony DeBettencourt, West Tisbury Chief Dan Rossi, Robert Wasserman, and himself received the application, which actually is from a former employee in the department.

Mr. Israel inquired if any “insiders” in the department applied. Chief Hanavan explained that an applicant was required to have served a minimum of 3 years as a Sergeant to meet qualifications, but added that one person in the department was disappointed not to have been considered.
Mr. Israel also asked if the new hire would be on probation, and was informed that he would.

After further discussion on what wage the new lieutenant would be offered,

Motion: That the new lieutenant to be hired be offered to start at M-9, Step 4, effective upon hiring, June 15th. Not seconded.

Further discussion followed on whether a raise should be offered after 6 months or not.

Mr. Israel suggested that the new hire be offered M-9, Step 4, and that he would go to Step 5 the following July 1st.

After further discussion,

Motion: That the new lieutenant be offered the position at M-9, Step 4, with the option of negotiating going to Step 5 after 6 months. M/s/c.

Kelly Kershaw Update:

Other Legal Business - Scott Ogden Grievance Hearing @ Step 2 (December 18, 2012): At this point Aase Jones requested that Chief Hanavan provide two letters from officers Marathas and Ballotte that were presented at the Ogden Step 2 grievance hearing on December 18, 2012. Aase Jones explained that she does not have these in the Ogden grievance file from that date and copies of the letters have been requested by the grievant. Chief Hanavan stated that he believes that he has these letters in his files and will provide copies for the Town’s file.

8:35 p.m. - Telephone Conference Call with Jeff Ugino of Kopelman & Paige, the Selectmen and Building and Zoning Inspector Ken Barwick re: Clarence Barnes, III Legal Issues: was taken up next.
There being no further business in Executive Session,
Motion for Adjournment:  9:12 p.m.  M/s/c.
Respectfully submitted,

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Jeffrey C. Kristal, Chairman Aase M. Jones, Asst. to Town Adm.

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Jonathan V. Snyder   Tristan R. Israel, Clerk