The Tisbury Board of Selectmen met in Executive Session on September 21, 2010 in the Tisbury Town Hall.

Present: Jeffrey C. Kristal, Chairman; Geoghan E. Coogan, Tristan R. Israel, Clerk; John R. Bugbee, Town Administrator and Aase M. Jones, Assistant to the Town Administrator.

Also Present: Fire Chief John Schilling

Motion: To adjourn to Executive Session for the purpose of discussing strategy with respect to collective bargaining, negotiations re: real estate, and approval of Executive Session Minutes, not to reconvene in Open Session. Seconded.

Voting: Mr. Coogan: Yes; Mr. Kristal: Yes; Mr. Israel: Yes.

Convened in Executive Session: 6:45 p.m. M/s/c.

Status Of Fire Chief Position: was taken up for discussion first.

Mr. Bugbee noted that the Fire Chief has requested a meeting with the Selectmen to discuss the current status of the position of Fire Chief, particularly in view of potential changes within the operation of the Town’s emergency services organizations once the new Emergency Services Facility/Fire Station is completed.

Mr. Bugbee spoke briefly about the change which occurred a couple of years ago when the stipend for the Fire Chief position was increased but noted that his status is still that of an appointed part-time Fire Chief with none of the benefits that Town employees enjoy.

Chief Schilling stated that he wanted to establish a dialogue with the Board of Selectmen regarding the status of the position of Fire Chief particularly in view of the new facility which will be occupied by three departments: Fire, Ambulance and Emergency Management.

Chief Schilling continued by stating that nothing has been codified with regard to the status of the position of Fire Chief as the Town moves forward, reiterated his request for a dialogue with the Selectmen about this matter, and added that what the Board and the public wants needs to be established, which he stated must come before the next question which is whether he as Fire Chief will now be in charge of three departments.

Mr. Coogan commented that the job description of Fire Chief exists, and asked if it includes the Ambulance service, which is currently technically under the Tisbury Police Department, but which essentially since the retirement of former Chief McCarthy has not been operated with the Chief in charge of that service. He questioned whether the Ambulance Service, once located in the new Emergency Services Facility will stand alone, and agreed that a process needs to begin to discuss the issues of how to locate three different department within one building.

Mr. Israel suggested having a small group get together to discuss this, noting that the Ambulance/EMS under Jeff Pratt at this point is pretty much standing alone. Mr. Israel stated further that there is a need to quantify all this, with the three services coming together under one roof, will there be new responsibilities etc.
Mr. Israel commented next about the failure at the polls to create a full-time Fire Chief position a couple of years ago, noting that under present financial circumstances it will be difficult to add more money for the position.

Chief Schilling then stated that he did not bring up the matter of money.

Mr. Israel pointed out that he (Mr. Israel) did, and reiterated that he feels the Board must quantify what changes will occur once the new building is occupied by the three emergency services departments.

Chief Schilling then stated that Mr. Israel jumped ahead of what he was thinking about and discussing at this point, adding that it would be what he described as “political suicide” to talk about more money for one department at this time, while others are facing layoffs.

Selectman Kristal commented that if Jeff Pratt and John Schilling are placed in the new Emergency Services Facility without one person being in charge would not work, adding that the Board of Selectmen has to make the ultimate decision on who will be in charge of the building and noted that the Board is not talking about additional compensation at this time, which agreed would be political suicide.

Mr. Coogan then stated that he does not want to wait for a study to tell the Board what to do, adding that it seems obvious that the Fire Department will dominate the new building, in terms of equipment.

Chief Schilling agreed, noting that EMS has less equipment but will have a presence in the building 24/7.

Mr. Coogan stated that someone should step up and say that they would like to be in charge, and suggested that perhaps money can be discussed later.

Mr. Israel questioned what will be different in a new building from what is being done now in terms of services, suggesting that this is what must be quantified and added that the Town has two great departments. Mr. Israel commented further that he does not think the Fire Chief should take direction from the Ambulance Coordinator or vice versa, and concluded by stating that he does agree that someone has to be “in charge of the building” but that someone must take charge of necessary infrastructure.

Mr. Kristal mentioned briefly a comparison between the Towns of Ashby and Townsend.

Mr. Israel noted that working together is not a problem now.

Chief Schilling stated that he needs some direction on how two diverse groups can work together, adding that some planning is needed to move in that direction. Mr. Schilling also noted that a building maintenance budget is also necessary as a line item, and the issue of how the building will be used must be established. He stated further that the Town must decide whether the two departments (Fire and Ambulance/EMS) will become one department – or not. Mr. Schilling continued by pointing out that the dynamic will change and
the departments and personnel will have to work out how to work together. He stated that no department has ownership of the building, added that he does not envision any problems, but feels there is a need to discuss this.

Chief Schilling then asked what the Board envisions for his role with regard to his appointment as Chief, noting that if he continues to do what he is doing now, that is one thing, but if more, then this must be discussed.

At this point Selectman Kristal inquired how many of the firefighters are EMT certified, adding that he feels that everyone in the building should be Firefighter I trained.

Mr. Israel stated that he disagrees with that, adding that this is “too complicated”, and proposed that a small committee with Town Administrator John Bugbee, Ambulance Coordinator Jeff Pratt and Fire Chief John Schilling, sit down to discuss these and other related issues. Discussion followed.

Mr. Israel commented that the building is not even up yet and added that the Ambulance Department budget has increased “exponentially” over the past several year. He stated further that at the moment he sees departments that a generally working well, but conceded that the Board can look into new ways of doing things.

Selectman Kristal suggested the need to look forward 2-5 years, noted that Chief Schilling is looking for re-appointment to the position of Fire Chief while also pointing out that the Board of Selectmen sets policy and concluded by asking of the Board can require everyone in the building to be Firefighter I certified.

Mr. Israel questioned why making any changes as both departments are now working well.

Mr. Kristal suggested the Fire Chief give a “vision”.

Chief Schilling stated that there are short-term and long-term issues to be addressed, and then suggested that the Selectmen need to get involved to see how this will work, but noted that the Selectmen and the voters will make the decision(s). He stated further that a commitment to serve is necessary.

Mr. Coogan stated that there are two separate issues: daily management of the building and who is in charge, adding that the latter must be established. Mr. Coogan then asked why in Tisbury the Ambulance service is under the Police Department.

Mr. Israel explained that under former Police Chief John McCarthy, the Chief took an active part and played an important role in the Ambulance Service. He added that under subsequent Chiefs that has not been the case.

Mr. Coogan pointed out that if the Ambulance Service becomes part of the Fire Department, that would change the job description of the Fire Chief.

A discussion followed on establishing a committee to discuss cost, budget, etc., for the Fire Department once the new building is occupied.
Mr. Israel suggested focusing on short-term goals, including budget matters for now and then later embark on further discussions with the Chief on long-term issues.

Mr. Kristal concurred, adding that the organizational study will be perfect to address this issue. He pointed out that the Chief and the Selectmen have to be willing to come before the townspeople to present long-term goals, and noted that the organizational study will be out in about 6 months.

Mr. Israel noted that the Fire Chief has not requested re-appointment as Chief at this point, and stated that he doubts that answers to many of his questions will come within the next year, and asked if more money for the Fire Chief position is involved, would that involve the elimination of the Ambulance Coordinator position? Mr. Israel continued by stating that he hopes that John Schilling will remain Fire Chief and “re-up”, adding that short-term and long-term discussions will begin soon.

Mr. Coogan stated that he thinks the Selectmen are “overthinking” this a little bit, noting that the Ambulance service is working well now, and if it only moves from being located within the Police Station to the new Emergency Services Facility, nothing really changes. He conceded that maybe later things may change. Mr. Coogan then stated to the Fire Chief that what troubles him about not appointing the Fire Chief now has nothing to do with his present role (as Chief).

Chief Schilling then stated that he wanted to begin this dialogue with the Selectmen now, adding that he needs to consider his personnel and their respective roles, and noted that he has already started having these discussions with Jeff Pratt.

Chief Schilling then stated that he wanted to begin this conversation now to have the attention of the Board, so this can move forward, adding that nothing will happen before May of next year. Mr. Schilling described discussing money as “ridiculous” at this point, but pointed out that the Board and the Fire Chief has never come to a formal arrangement regarding the job as Fire Chief, and that now, with a new era which will start with moving into a new Emergency Services Facility this dialogue has to begin, so that whatever the relationship is, and who is in charge (of the Ambulance service) will be determined.

Mr. Schilling continued by stating that the way the position of Fire Chief is structured is not realistic and suggested that if looking for a future for the position, parameters need to be formalized. Chief Schilling stated further that he has no expectation for a 9-5 regular person to hold this position, which he stated would limit the ability to find someone to fill the position. He commented further that looking for more volunteer hours to do the job is not a formula to succeed. He concluded by stating that he has made a big commitment and serves at the Board’s pleasure.

Selectman Israel commented that the Board has had this discussion with Mr. Schilling before, when the Board submitted an Article to fund the position of full-time Chief.
Chief Schilling pointed out that there is no place on the Managerial and Professional Classification Plan for a Fire Chief position, not benefits and no future prospects, etc.

Mr. Israel noted that that the Town rejected this concept.

Mr. Schilling pointed out that Town Meeting voted in favor of establishing a full-time Fire Chief position, but that the override (to fund the position) failed at the ballot. Mr. Schilling reiterated that money is not his concern at this point, adding that what he feels is at stake is the relationship. He stated further that the Town has not made a commitment for the long term, adding that $53,000/year does not pay for much – no vacation or sick time, no personal time and no retirement. He pointed out that time off is covered within the Fire Department budget, but added that he personally pays for his training on his days off. He concluded by stating that if additional responsibilities are added to his duties, that is not a problem, but these are his concerns under present circumstances.

Mr. Israel pointed out that the Selectmen added another Assistant Chief with specific compensation for coverage when the Fire Chief is away, adding that he does understand the number of hours that the Chief puts in and the exasperation experienced due to the existing situation.

Chief Schilling stated that this is why he wanted to initiate this dialogue with the Selectmen.

Mr. Kristal noted that he would consider shifting some additional money towards a full-time Chief position in a few years, adding that there may be some grants available for that purpose.

Mr. Israel suggested that at some point the Selectmen should consider looking at combining departments.

Mr. Schilling acknowledged that he is very aware that the position of Chief is a part-time job, noting that the number of calls for service is what dictates the role (of Chief). He then added that 24/7 response is what takes precedence which he stated is a full-time responsibility and that needs to be recognized by the Board of Selectmen beyond a one-year appointment.

Mr. Israel pointed out that even as a full-time Chief, the appointee would still be subject to the “whim” of the Board of Selectmen.

Mr. Coogan noted that funding for the full-time Chief position failed at the ballot, but pointed out that instead the salary line item in the Fire Department budget was increased to be the same as that proposed in the Ballot question.

Chief Schilling agreed that this was correct, but asked that the Selectmen take a look at the position and codify the role of Chief.

Mr. Israel noted that the Selectmen addressed the wage inequities by increasing the Fire Chief’s stipend to $52,000/year.

Mr. Kristal suggested that the Fire Chief could be made a Town employee, and suggested establishing a plan, adding that the Chief should have sick and vacation days, etc.
Town Administrator John Bugbee noted that the reason that the Fire Chief position has not been established as a “Town employee” with benefits is that there is a reluctance by the Town to do this and because we have a system that works well.

A discussion followed on how to proceed if the Ambulance department will no longer be part of the Police Department once the move to the new Emergency Services Facility takes place some time next year. The discussion focused on whether the Ambulance Department would become an independent separate entity or whether it would come under the Fire Department.

Mr. Israel commented that it seems that Jeff Pratt now pretty much operates the Ambulance Service on his own.

Mr. Bugbee agreed that Mr. Pratt does run his own show, most of the time, but added that regarding personnel issues he gets the Chief and the Town Administrator involved, and in particular uses the Chief to settle some of the personnel issues in his department.

Chief Schilling suggested that this discussion take place between the Town Administrator, Jeff Pratt and himself before doing anything else.

Mr. Israel suggested that the day-to-day operation of the new Emergency Services Building should be discussed at some point, adding that Joe Tierney has provided enormous assistance to the Chief as point-person for the Emergency Services Facility during the construction period.

Mr. Coogan suggested that the Emergency Services Facility Building Committee could continue to exist after the building is completed.

As the discussion wound down Mr. Schilling summarized the points of agreement:

- The Town Administrator, the Fire Chief and the Ambulance Coordinator will get together to discuss various issues, including respective budgets and impact of moving into a new building;

- Short and long-term issues.

Mr. Israel stated that the Town Administrator and the Personnel Board need to look at some personnel issues, noted that a grievance process is needed, and added that the Town has come a long way during the past several years.

Mr. Kristal stated that he has some ideas of where he would like to be in 4-5 years.

Mr. Bugbee stated that he can come up with some proposals.

Mr. Schilling agreed with Mr. Israel that the Town has indeed come a long way, has invested heavily in infrastructure and improved training for personnel, which he described as working well and presenting a good value for the Town. He added that at this point personnel issues within his department are practically non-existent and noted that the shift-coverage system, with 49 days off for the Chief, is working well. Chief Schilling noted that he has other people within the department groomed to take charge as needed in
addition to the Assistant Chiefs, and added that now some of these things need to be formalized.

Mr. Kristal stated that the Board will have the Town Administrator work on some of these issues.

Mr. Coogan commented that although he can see what the Chief is talking about, he does not see that these problems cannot be overcome, adding that the new building will change some things for the two departments.

Mr. Israel suggested that let the building first get built and then take another look at a full-time Fire Chief position.

Mr. Kristal suggested that if the Fire Chief is made a Town employee with benefits, this would step up the process. Mr. Kristal then stated to the Chief that he has been given a commitment from the Board of Selectmen to look at all these issues that were discussed, and added that now the Board wants him to accept re-appointment to the position of Fire Chief. Mr. Kristal also pointed out that Emergency Management will also be located within the new building.

Emergency Management Director Position: was discussed briefly as it relates to the current status of appointment to that position, which Richard Townes has declined to accept for the coming year. Mr. Bugbee reported that late last week a letter came in from Mr. Robert D. Honey, offering to serve in that position. After a brief discussion the Board agreed that Town Administrator John Bugbee will meet with and interview Mr. Honey and report back to the Board.

The Selectmen in conclusion agreed that John Bugbee, Jeff Pratt and John Schilling will meet to further discuss occupancy and issues related to sharing the new Emergency Services Facility.

Mr. Coogan reiterated that it appears to him that the Fire Department will dominate the new building.

At this point Chairman Jeff Kristal again asked the Fire Chief for a commitment to accept appointment as Fire Chief for another year. Chief Schilling responded by stating that he is proud of what has been accomplished and is willing to serve.

Mr. Kristal then stated that he is proud to know Chief Schilling and what he has done in terms of service and personal sacrifice.

At this point Selectman Coogan commented that he hopes to not see a media headline stating that the Fire Chief declines re-appointment as Fire Chief unless he is appointed as a full-time Chief.

Chief Schilling stated that he will accept a one-year appointment and will confirm this via e-mail. He left the meeting at 7:40 p.m.

Real Estate Acquisition: was taken up next. Mr. Israel suggested that the Town should explore obtaining ownership of the Superintendent’s office building at the corner of Pine and Spring Streets for Town Hall use. After a discussion on ownership and value of the building and what the Town would have to pay to take possession of the building, the Selectmen agreed that Mr. Kristal will talk to Dr. Weiss about this matter.

Residential Exemption Policy: was discussed briefly.
Police Union Arbitration Settlement: was discussed briefly as it relates to a letter received from Michael Gately in which Mr. Gately states that prior to the arbitration, the Selectmen had agreed to change the longevity for police officers to be at the same level as that of Managerial and Professional personnel. Mr. Gately’s letter dated June 7, 2010 is hereby incorporated by reference.

Mr. Bugbee reported having spoken to both Tim McLean and Suzanne Kennedy who were on the Town’s negotiating team, and added that neither one remembers that the Town at any time had agreed to the M&P longevity provision being included for police officers. He added that neither Ms. Kennedy or Mr. McLean remembers this being mentioned at the arbitration hearing in Boston either.

Mr. Bugbee estimated the cost of including that provision at $10,000-$15,000, and then suggested that this could be brought up at the time of contract renewal negotiations which will begin soon. He further noted that this could be made retroactive or 50-50 as the negotiations move forward.

At this point Selectman Israel stated that if the Police Union comes in with a 10-15% wage increase demand this time, there will be a problem. Mr. Kristal cautioned against saying no at this point, adding that the Town might be willing to go back one year retroactively, adding that the Selectmen cannot control what the union will present initially. Mr. Kristal commented that he heard about conflicts between Officer Gately and Selectman Israel during the negotiations.

Mr. Coogan concurred with Mr. Kristal’s statement that the Board cannot control what the officers will ask for.

Mr. Israel reiterated that the last time the union presented a 10-15% wage demand, and added that he does not want to make any offers up front, with this longevity demand on the table from the get-go. Mr. Israel stated further that he wants a “reasonable” up-front request that is relevant under present financial circumstances.

Mr. Coogan suggested that the Town Administrator inform Officer Gately that the issue of longevity has been discussed by the Selectmen, who may be open for discussion on the longevity issue.

In conclusion Mr. Israel noted that most of the time the Union negotiators for the police officers do not communicate with the union membership.

There being no further business,

Motion for Adjournment: 8:15 p.m.  M/s/c.

Respectfully submitted,

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

Geoghan E. Coogan Tristan R. Israel, Clerk