

BOARD OF SELECTMEN  
Executive Session Minutes of March 4, 2020  
Bourne Veterans' Memorial Community Center  
239 Main Street  
Buzzards Bay, MA 02532

**Town Administrator**

Anthony E. Schiavi

**Assistant Town Administrator**

Glenn D. Cannon

**Selectmen**

Judy Froman, Chair

James Potter, Vice Chair

George Slade, Clerk

Peter Meier

Jared MacDonald (arrived at 6:10 p.m.)

*All items within the meeting agenda are subject to deliberation and vote(s) by the Board of Selectmen.*

Meeting called to Order.

Chairman Froman convened the meeting in open session at 6:04 p.m.

Selectman Meier made motion, seconded by Selectman Potter and voted in a roll call vote 4-0-0 (Meier – YES, – Potter – YES, Slade – YES, Froman – YES) to enter into Executive Session to conduct strategy related to Town of Bourne and Town of Bourne Fire Chief vs Local 1717 International Association of Firefighters.

Town Administrator Schiavi gave an overview of an Agreement between the Town of Bourne and Local 1717 International Association of Firefighters on a Global Settlement with the Union to settle all current cases including the Arbitration cases as well as a Superior Court Civil Action suit.

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TOWN CLERK BOURNE

RECEIVED

Motion by Selectman Meier, seconded by Selectman MacDonald and voted in a roll call vote 5-0-0 (Meier – YES, MacDonald – YES, Potter – YES, Slade – YES, Froman – YES) to approve an Agreement between Local 1717 and the Town of Bourne the terms of which are set forth in a document attached hereto and incorporated therein and to authorize the Town Administrator to execute the Agreement on behalf of the Town and further to authorize Town Officials to take any and all action necessary to implement this vote.

Motion by Selectman Meier, Seconded by Selectman MacDonald and voted in a roll call vote to adjourn the Executive Session. (Meier – YES, MacDonald – YES, Potter – YES, Slade – YES, Froman - YES)

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AGREEMENT BETWEEN LOCAL 1717 AND THE  
TOWN OF BOURNE FIRE DEPARTMENT

Now come the parties, Local 1717, representing Bourne Firefighters (hereinafter "The Union," and the Town of Bourne Fire Department, acting through the Town of Bourne Town Administrator and the Interim Chief of the Town of Bourne Fire Department (hereinafter "The Town.")

- 1) The parties wish to resolve differences of opinions regarding certain practices within the Bourne Fire Department outside of litigation and therefore agree to the following modifications in practices at the Bourne Fire Department along with dismissal of claims brought by the parties against each other at the Department of Labor Relations and the Barnstable Superior Court.
- 2) Issue of "Details." The Town agrees that it will modify the current policy on Details as follows:  
The Fire Chief will offer details approved by the Fire Chief in accordance with the current Collective Bargaining Agreement to Members of Local 1717; Call Firefighters in the Bourne Fire Department; and Sandwich Fire, Onset Fire and Wareham EMS, in this order of priority. After the Fire Chief offers the detail assignment to the above listed personnel and agencies, and the detail has not been filled, The Union will be ordered to fill the detail. Local 1717 will develop an internal policy approved by the Chief to determine how the Union will fill the detail request.
- 3) Issue of "Sick Notes." The Town agrees that it will modify the current policy on "Sick Notes" as follows:  
Doctor's Certificates will be required when in excess of 24 hours of consecutive sick leave is utilized. Additionally, the current regulations in the Collective Bargaining Agreement regarding suspected abuse of sick leave will be enforced.
- 4) Issue of "Live Burn Training." The Town agrees that it will modify its current practice by requiring "Live Burn Training" as a requirement of Article XI, Section 20 of the Collective Bargaining Agreement and that all new employees will receive such training before being counted towards Minimum Staffing in the Collective Bargaining Agreement.
- 5) Issue of "Recruit Training." The Town agrees that it will prospectively send all new employees to the Massachusetts Fire Training Academy Career Recruit Firefighter Program or its designated substitute in accordance with Article XI, Section 10 of the Collective Bargaining Agreement.
- 6) The Town and the Union will enter into an Agreement for Judgment upholding the Decision of the Arbitrator in Barnstable Superior Court Civil Action 1972CV00103.
- 7) The Union will withdraw and request the Department of Labor Relations to withdraw all pending actions including, but not limited to, DLR6838, DLR6969, the Appeal of DLR Hearing Officer's Decision to deny deferment of Count IV of DLR6969 to the CERB. The Union waives and releases the Town from any and all claims for monetary damages relating to any and all pending actions.

- 8) The Town and the Union agree to enter into and execute Mutual Releases for all causes of actions up until and including the date of this Agreement.

Town of Bourne

Local 1717

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