

TOWN OF FOXBOROUGH  
SELECTMEN'S MEETING  
EXECUTIVE SESSION MINUTES  
August 6, 2013

Members Present: Mark Sullivan, Chairman  
Lorraine Brue, Vice Chairman  
John Gray, Clerk  
Ginny Coppola  
James DeVellis

Others Present: Acting Town Manager Bob Cutler  
Labor Counsel Leo Peloquin  
Human Resources Cindy DePina

Documents: Final Agreement with Town Manager

A motion to enter into Executive Session to discuss conduct strategy sessions in preparation for negotiations with non-union personnel or to conduct collective bargaining sessions or contract negotiations with non-union personnel for Town Manager Contract, Fire Chief Contract and Robert Cutler Interim Town Manager was approved by role call vote, J. Gray – yes, G. Coppola – yes, L. Brue – yes. M. Sullivan – yes, J. DeVellis - yes, at 9:20 p.m.

Atty. Peloquin informed the Board that Mr. Paicos signed the agreement on August 4<sup>th</sup>, which means the seven day rescind period will be over on August 11<sup>th</sup>. He did not sign the resignation letter but will be submitting four signed copies of the letter tomorrow.

Atty. Peloquin suggests that a statement be released this evening. Mr. Paicos and his counsel do not have any objections to the final agreement and a statement being released during the seven day period.

The Board asked what to do about Mr. Paicos personal items at town hall. Atty. Peloquin suggested packing it up and sending a note to his attorney to work out pick up arrangements. The Board requested that Mr. Paicos turn in his keys to the building also.

A statement has been drafted by Atty. Peloquin, and agreed to by Mr. Paicos, and it will be read in open session that the Board has negotiated an agreement with Mr. Paicos to address the last year of his employment as Town Manager.

A motion to approve and sign the agreement reached with Kevin Paicos that was signed by him on August 4, 2013 was made by Ms. Brue and seconded by Mr. DeVellis. The motion carried 5-0-0 by role call vote J. Gray – yes, G. Coppola – yes, L. Brue – yes. M. Sullivan – yes J. DeVellis - yes.

Mr. Cutler will be acting Town Manager until further notice.

The Fire Chief has inquired about the 2% Bylaw COLA that was not given. Last year he came before the Board to receive this COLA.

A motion not to grant a COLA for Fire Chief Roger Hatfield for the current contract was made by Mr. Gray and seconded by Ms. Brue. The motion carried 5-0-0 by role call vote J. Gray – yes, G. Coppola – yes, L. Brue – yes. M. Sullivan – yes J. DeVellis - yes.

Mr. Cutler left the room and Ms. DePina joined the meeting.

Ms. DePina is here to discuss the contract for Bob Cutler as Acting Town Manager. He needs a retroactive increase from June and a salary as Acting Town Manager.

Ms. DePina is suggesting Mr. Cutler be paid at Step 3 of the Town Manager scale which has a yearly stepped salary between \$126,000 and \$158,000. She feels he deserves higher than a Step 1 due to his experience as an Attorney; Mr. Paicos received a salary at Step 7. This would make his hourly rate \$63.88 up from his current rate as Town Clerk of \$36.43; this is a difference of \$27.45 per hour.

Ms. DePina also suggested \$6,588 of retroactive pay back to the beginning of June. This is an eight week period, but Mr. Cutler is only requesting pay for a six week period.

This route is \$5,000 more than having a part time Town Manager but gets the town a full-time Town Manager. Another person needs to be appointed in the Clerk's office at 35 hours per week also with this route.

A motion to offer Bob Cutler a stipend of \$6,588 for work as the Acting Town Manager from June 8, 2013 – August 8, 2013 minus a two week period at Mr. Cutler's request was made by Mr. Sullivan and seconded by Ms. Brue. The motion carried 5-0-0 by role call vote J. Gray – yes, G. Coppola – yes, L. Brue – yes. M. Sullivan – yes J. DeVellis - yes.

A motion to offer Bob Cutler a \$27.45 per hour increase in his salary from \$36.43 to \$63.88 as a salary increase while being the Acting Town Manager was made by Mr. Sullivan and seconded by Mr. Gray. The motion carried 5-0-0 by role call vote J. Gray – yes, G. Coppola – yes, L. Brue – yes. M. Sullivan – yes J. DeVellis - yes.

An additional person will be needed in the Clerk's office at no more than \$30.00 per hour with no benefits. Mr. Cutler will find the person to do this.

Mr. Cutler returned to the meeting.

Ms. Brue inquired if Mr. Cutler had given any more thought to considering the permanent position. Mr. Cutler stated that he is still considering it.

The Board would like Mr. Cutler to let them know if he comes to a decision before the September deadline.

The Board offered Mr. Cutler the salary increase and the stipend voted on for being the Acting Town Manager and Mr. Cutler stated that it was an acceptable amount.

Ms. Brue stated that she feels the recruitment process should begin right away and this may stop her from supporting the motion to be taken in open session.

A motion to adjourn the Executive Session at 10:12 p.m. and to return to regular session was made by Mr. Gray and seconded by Ms. Brue. The motion carried by role call vote, J. Gray – yes, G. Coppola – yes, L. Brue – yes. M. Sullivan – yes, J. DeVellis - yes.

Respectfully Submitted,

Diana Gray