

**TOWN OF WINCHENDON  
BOARD OF SELECTMEN  
EXECUTIVE SESSION MINUTES  
MONDAY, FEBRUARY 25, 2019  
Robinson-Broadhurst 4<sup>th</sup> Floor Conference Room  
109 Front Street, Winchendon, Mass.**

Present:

Audrey LaBrie, Chairwoman  
Michael Barbaro, Vice-Chair  
Barbara Anderson

Keith R. Hickey, Town Manager  
Linda Daigle, Executive Assistant

Guest:

David Walsh, Police Chief

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List of Documents Presented at Meeting:

- Mass.gov information on "Civil Service Police Departments" (filed)
  - Mass.gov information "What is Civil Service?" (filed)
  - North Adams New Story on "Withdrawal from Police Civil Service dated Sept. 26, 2018 (filed)
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Exemption #3 to discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body.

Executive Session was called to order at 7:30 p.m.

Hickey informed the Board that he and Chief Walsh had received an email regarding the Geoffrey case and notified we have a court date of April 29<sup>th</sup>. The attorney for Geoffrey has reached out to our attorney and asked if there was any indication the Town would settle. The terms offered were to reinstatement the officer to his last position and receive a monetary settlement in the amount of \$500,000 or to reissue his retirement ID, give a positive employee reference and a one-time cash amount of \$850,000.

Hickey noted Mr. Geoffrey hasn't been a police officer for nine years now. The attorney had given them some background that this has gone before the court and a number of charges he brought forward have been dismissed. There are two charges left, defamation and retaliation, and we believe neither is true. Our Attorney feels the same and believes mediation isn't necessary with the attorney from the other side being totally unreasonable. They don't believe they will come to a reasonable settlement. The Chief and he had a quick conversation with the Attorney today and we concurred this is unfounded and there is absolutely no merit doing research based on trial. We would consider settling for \$5,000 to \$10,000 for it to be done as it would cost more to go to court.

On the next topic, the Town Manager noted that Chairwoman LaBrie had sent out some information to them to be put in the meeting materials that give a historical perspective of civil service. Hickey said he didn't want to bring up to the police union yet during collective bargaining without getting a sense from Board members. At the last Executive Session, he felt the Board wanted more information if they were to provide a warrant article to remove police from civil service.

Hickey said Chief Walsh is here to explain the civil service process. Chief Walsh said the whole process of hiring a police officer is long and tedious. It requires physical fitness tests, physical assessment tests and psychological tests and for the officer to be accepted in the Police Academy, which is six months. The process altogether is nine months to a year. The advantage is, in his opinion, is that there is merit to the fact in hiring that it encourages but what happens now, it limits who we can hire. Looking at Winchendon applicants exclusively, regarding what qualifications they have, test scores may not be as high, residential preference is being given through the civil service process. Being restricted makes it difficult. The advantage we would have if we weren't civil service is to still offer some type of exam and still give weight to residency, but we could stipulate what pre-qualifications there would be, for instance a Bachelor's degree.

Hickey added having some sort of secondary education plays a larger role in hiring different town staff, certainly police officers. Right now with civil service you can't say I want a minimum of an Associate's Degree. We want to identify minimum qualifications. His point and the Chief's point are to hire the best police officer. If there are two people applying that are equal, one from the Town and the other not, he would hire the Winchendon resident. Weighing residency deserves weight but shouldn't be the number one priority in his opinion.

LaBrie agreed. Until she did some research, she had no idea how specific it was to the type of person and order you would have to consider them. It was eye opening for her and understands when it was first put in place, was to help who needed it but wondered if we still need it now. Is it too restrictive?

Walsh pointed out in Westminster, who is not civil service, their officers must have a degree or obtain one within a number of years. He thinks that would be invaluable bringing in the most qualified candidate. You could have full time academy, six months of pay and \$3,000 for civil service fee but we can't consider them unless they are on the list.

It was confirmed if the Board agreed to this, they would be agreeing to sponsor an article on Town floor for the community to vote on. Also, the Board asked the Town Manager to seek support from the Union. Hickey said he could propose this to them on Thursday.

LaBrie asked if we would do exams if we were out of civil service. Chief Walsh responded that a consultant would do the exams. We could add a degree and say we are only interested in academy people. We could do some type of test, restrict it and rank them.

Anderson mentioned she liked the Police officer being local. Hickey agreed adding people like to have local police officers and they respect them.

LaBrie said personally she would cautiously endorse this and take it to the union. If they felt this was the best way and there are no feelings against it, she would neutrally support it.

Chief Walsh said he would like to see how the union feels, what their perspective is. He believes they will understand the process and expedite this process. Civil service is helpful, but just restrictive; there have been no bad experiences.

Anderson also felt it would be easier with the union's support. If the union doesn't support it, Chief Walsh said he also wouldn't want it.

Hickey said he could bring this back to Executive Session in March. He would be sitting down with the union but cautioned he may not have a definitive answer.

Hickey informed the Board he received an email late afternoon from the state informing the Town of a meeting to discuss Brandywine's removal of the dam. The meeting in March will be attended by him and the DPW Director, the Planning & Development Director, Conservation Commission Agent and the Health Agent.

Lastly, Hickey informed the Board he forwarded them a copy of potential threatening litigation from Mellon Road residents.

**Barbaro moved to adjourn from Executive Session; Anderson seconded. With a roll call vote of all aye, Executive Session was adjourned at 7:59 p.m.**

**Barbaro moved to adjourn from public session; Anderson seconded. With a vote of all aye, the meeting adjourned at 7:59 p.m.**

Respectfully submitted,



Linda Daigle  
Executive Assistant

