



*clear that I fully support competitive wages and benefits for these departments. My concern is with the expediency in which the contents and need for tonight's meeting was shared. These are contract negotiations that have been in the works for a long time and there should not have been a need for an emergency meeting to be called. It is unfair and unrealistic for the Town Council and public to be given less than 48 hours notice about the special meeting to review and understand the implications of the changes to the contract. The timing is unacceptable. I fear we continue to shoot ourselves in the foot with decisions like this that cause some in the community to doubt the integrity of our process and management of their tax dollars. It promotes unnecessary scrutiny and criticism.*

*With all of that said, I support the changes proposed tonight and enthusiastically thank our public safety departments for their service.*

*Regards,*

*Katy Foley  
Scarborough Town Council”*

The second email was from resident Don Hamill:

*“Dear Scarborough Town Council Members and Town Manager,*

*I wanted to express my profound dismay at the Council's action to hold a special town council meeting this evening including an executive session to review and approve the proposed settlement for the Scarborough Police Benevolent Association (SPBA) collective bargaining agreement.*

*The timing of this is questionable. There is no evidence of any effort by the Town to educate or seek input from the public on this settlement. Perhaps most troubling of all – we have not seen any detailed analysis of costing and the total financial impact of this commitment. How can this be? There is no chance for any public input prior to the executive session when the approval recommendation will be made. This is an example of a last minute, ad hoc, ‘on the fly’ decision which is unsettling to the average citizen.*

*I attended four of the “listen and learn” sessions for the budgeting process – during which the presenters for both the municipal and school sides of the budget lamented the size of the ‘people cost’ part of the budget, and suggested there was little that could be done to control expenses here primarily due to ‘contractual commitments’. Labor cost is often referred to as a ‘semi-fixed cost’. The town appears to view this as a fixed cost and seems to be writing a blank check to the bargaining unit during this negotiations cycle.*

*We estimate the proposed agreement represents approximately a 10.5% wage increase over 3 years or an increase of over \$600,000 – not including step increases. This figure is a rough estimate - which does not factor in movement of individuals across steps in the wage scale nor does it include the benefits cost impact of 16 hours of additional personal time off and the rising costs of an extremely generous health insurance package.*

*Other questions include the following:*

- 1) Who negotiated this agreement for the town?*
- 2) Were there any management objectives contemplated or negotiated? (e.g., work rules changes, flexibility in hiring and assignment, increased benefits cost-sharing by*

employees?) There is no evidence of any in this proposed settlement. Did the Council or the Finance Committee have any input in this process prior to now?

3) Was there any representation of taxpayer interests at the bargaining table?

4) How does this compare to other town police contract settlements in the area? (MMA data should have been used and made available for the public)

In the last bargaining cycle (2015) there was a list of town objectives as well as reference to a comprehensive wage survey which was used to achieve a more modest increase (7.5%) as well as health care cost concessions (see attached). Tom Hall mentioned in the recent budget sessions that he had ideas for benefits cost reductions. Where are they?

We have a town ordinance which requires prior authorization by voters for amounts in excess of \$300,000 proposed for bonding. The amounts involved in contract negotiations are much larger and have a far reaching impact. Should we not follow a similar effort for review and approval of labor contracts? This is a serious structural obstacle that is preventing us from gaining control of our financial future.

The town leadership has failed in its obligation to inform and notify citizens in a timely fashion of contract negotiations plans, process, progress and proposed settlement as well as the financial impact and implications.

Why can we not get out in front of major issues like this? Until then, unfortunately, the public's trust and confidence in town leadership will continue to decline.

Many thanks,

Don Hamill  
3 Bay Street  
Scarborough, ME 04074"

Motion by Councilor Babine, seconded by Councilor Caterina, to move approval on the request to ratify the collective bargaining agreement between the Town of Scarborough and the Scarborough Police Benevolent Association.

Council discussion ensued. Councilor Caterina stated that should would like to read her response to Mr. Hamill's email. It reads as follows:

*"Thanks for reaching out, Don. It is my understanding that collective bargaining is a confidential matter and does not include public input. I believe that is covered under federal labor relations law. I could be wrong, but I have never seen the public represented directly at the table in this or any other collective bargaining by public employees. The public is represented by its elected officials and town management. I happen to believe in the ability of our (Town) bargaining reps to negotiate in good faith in order that all parties to the agreement are satisfied. As you can imagine, I believe strongly in union representation and the collective bargaining process. I have confidence in the process and feel no need or desire to interfere in that process.*

*As for the so called "rush" to meet, the contract expires on June 30. There is a portion of the suggested negotiation that requires a start date of July 1. This portion is of benefit to the town.*

*Thanks again for expressing your concerns. I hope this helps you understand that, at times, we need to meet quickly on some matters in order to do our job as representatives of all of the people of Scarborough.*

*Best,*

*JMC*

*Jean-Marie Caterina  
Scarborough Town Council”*

Further comments were made by the Town Council.

Vote on motion: 6 Yeas.

**Order No. 18-049. Act on the request to approve for participation in Special Plan 3C for all current and future Law Enforcement Offices, for future service only. Service rendered prior to July 1, 2018 remains under Special Plan 1C and authorize the Town Manager to sign any and all related documents.** [*Human Services*] Liam Gallagher, Human Resource Director, gave a brief overview on the Order.

Motion by Councilor Babine, seconded by Councilor Caterina, to move approval on the request to approve for participation in Special Plan 3C for all current and future Law Enforcement Offices, for future service only. Service rendered prior to July 1, 2018 remains under Special Plan 1C and authorize the Town Manager to sign any and all related documents.

Vote: 6 Yeas.

**Item 4. Adjournment.** Motion by Councilor Rowan, seconded by Councilor Babine, to move approval to adjourn the special meeting of the Scarborough Town Council.

Vote: 6 Yeas.

Meeting adjourned at 8:15 p.m.

Respectfully submitted,

Yolande P. Justice  
Town Clerk

[Not present at meeting - Transcribed from meeting video.]