

Reading Municipal Light Board of Commissioners
Executive Session
230 Ash Street
Reading, MA 01867
June 15, 2005

Start Time of Executive Session: 9:02 p.m.
End Time of Executive Session: 9:34 p.m.

Attendees

Commissioners: Messrs. Herlihy, Kearns, Pacino, and Hahn
RMLD Staff: Mr. Cameron, Ms. Antonio
Guest(s): None

Chairman Herlihy called the meeting to order at 9:02 p.m.

Executive Minutes – June 1, 2005

Mr. Pacino made a motion, seconded by Ms. Kearns, to table the approval of the June 1, 2005 minutes.

Motion carried 3:1:0.

FERC ISO Return on Equity Issue

Mr. Cameron stated he had explained the outcome on this issue during Regular Session.

Mr. Hahn asked if there would any more appeals?

Mr. Cameron said he was not sure if the adders would be appealed.

RMLD Vehicle Fringe Benefit Tax Issue

Mr. Cameron explained the history of this issue that involves RMLD employees taking vehicles home. He said that taxes could be computed on the employee's use of the vehicle using either a Commuting Rule or a Lease Value Rule. Mr. Cameron stated that when the Town was made aware that they were not following the IRS rules properly on taxing these fringe benefits, the Town decided to use the Lease Value Rule, which then imposed a cost to the employees who took vehicles home. Mr. Cameron stated the employees filed an unfair labor practice through their union with the State Labor Relations Board. He then said that he, Ms. Antonio, the union, the attorneys, and employees met prior to meeting with the State LRB to see if an agreement could be reached. He said that an agreement was reached contingent upon RMLD Board approval, and he is now explaining that agreement to the Board. He noted the agreement is for a two-year period only, and is not renewable.

Discussion ensued on what constitutes a fringe benefit, the methods of computing taxes on fringe benefits, in what context the law was violated, why an agreement was needed, what the vehicles are used for, if the Town was a joint employer, and whether or not the Board should agree to the settlement.

Ms. Kearns asked to review the legal papers.

Ms. Antonio stated she had forwarded a brief on the matter to Ms. Kearns.

Mr. Pacino suggested that the issue be discussed when the full board is present.

The Board members agreed.

Release of 2003 and 2004 Executive Session Meeting Minutes.

Mr. Cameron stated that some of these minutes include either the names or position of employees. He said portions of the minutes could be redacted.

Release of 2003 and 2004 Executive Session Meeting Minutes.

Mr. Hahn stated employee's names should never be included.

Ms. Kearns said that if a settlement has been reached with an employee or former employee, there may be a confidentiality agreement included.

Mr. Herlihy asked how many minutes are to be released?

Mr. Cameron responded five.

Discussion ensued on whether "RMLD Commissioner" could be designated in the minutes.

It was the consensus of the Board that the Open Meeting Laws be reviewed before the release of the minutes.

Motion to Adjourn

At 9:34 p.m. Mr. Pacino made a motion, seconded by Ms. Kearns, to return to Regular Session for the sole purpose of adjournment.

Motion carried by a show of hands 4:0:0.

The Chair called for a poll of the vote:

Mr. Pacino, Aye; Ms. Kearns, Aye; Mr. Hahn, Aye; and Mr. Herlihy, Aye.

A true copy of the RMLD Board of Commissioners minutes as approved by a majority of the Commission.

Ellen C. Kearns, Secretary
RMLD Board of Commissioners