

**TOWN OF PALM BEACH
PUBLIC EMPLOYEES RELATIONS COMMISSION**

TOWN OF PALM BEACH

Employer,

Case Nos. SM-2011-001

v.

FLORIDA STATE LODGE
FRATERNAL ORDER OF POLICE, INC.,

Union.

**ORDER ON EMPLOYER'S MOTION TO ACCEPT THE REPORT AND
RECOMMENDATIONS OF SPECIAL MAGISTRATE WILLIAM RICHARDS AS
TIMELY FILED AND IN COMPLIANCE WITH THE TOWN'S RULES**

PANEL: Before Ellen Tansey, Chair, Alan Miller and Peter Graves,
Commissioners (Mr. Graves appearing by telephone)

APPEARANCES: Anthony Livoti, Esquire, Florida State Lodge Fraternal Order of
Police.
Jeffrey Mandel, Attorney for Respondent Town of Palm Beach.

ORDER

The Town of Palm Beach filed its Employer's Motion To Accept The Report And
Recommendations Of Special Magistrate William Richards As Timely Filed And In
Compliance With The Town's Rules, and the Union opposed this motion. A hearing was
held on December 15, 2011 at Town Hall, with notice to all parties, and with all parties
present and represented by legal counsel, and argument was heard by the Commission.

Having considered the argument of counsel and otherwise being advised on the premises in this matter, the Commission finds that Employer's Motion To Accept The Report And Recommendations Of Special Magistrate William Richards As Timely Filed And In Compliance With The Town's Rules is GRANTED. The Report and Supplemental Report of the Special Magistrate shall be deemed to be timely filed, effective the date of this Order.

IT IS SO ORDERED.

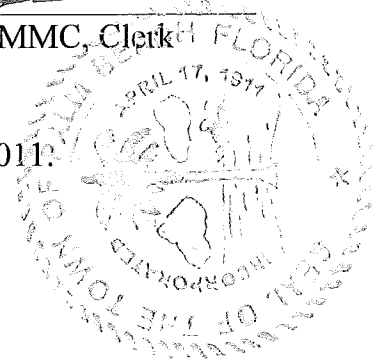
Tansey, Chair, and Commissioner Miller, concur.

Commissioner Graves dissents, noting that the recommendation of the Special Magistrate, as a recommendation only, does not have the weight of an arbitration award, and further, that the Special Magistrate did not meet the Commission's deadline as set forth in the prior Order on this matter, and thus was untimely. Thus, Commissioner Graves would deny the Town's motion.

TOWN OF PALM BEACH
PUBLIC EMPLOYEES RELATIONS
COMMISSION

By: 
Susan A. Owens, MMC, Clerk

Date Issued: December 15, 2011.



Copies furnished this date by facsimile transmission and U.S. Mail to:

Anthony Livoti, Esquire, for Florida State Lodge Fraternal Order of Police.
Jeffrey Mandel, Esquire, for Town of Palm Beach.