

Town Council-Elect  
**Saturday, October 17, 2009**

**Town Council Members:** William Alexopoulos, Andrew Azer, Ken Clifton, Paul Fernandes and Paul Meoni. Not present: Richard Brewer, James Burgess, Arthur Goldstein and Maureen Pasquantonio.

**Audience Members:** Roz Vineberg, Bob Gass and Tom Dugan

Meeting opened at 9:24 a.m. by Mr. Alexopoulos.

The purpose of this meeting is to go over timelines and think about putting rules and regulations in place and how the council will govern. Brian Howard has arranged for the Town Administrator of Franklin, Mr. Nutting and the Town Manager of Walpole and former Councillor from Franklin, Mr. Boynton, to meet with the Town Councillors-Elect on Monday, November 2<sup>nd</sup>. This will give the councillors a better understanding of the role of the Town Manager before conducting interviews of the three candidates. Mr. Alexopoulos suggested that the Council hold meetings on Mondays, since that is the day the Selectmen have traditionally held meetings. He suggested interviewing the candidates on Monday, November 9<sup>th</sup>. Mr. Meoni stated that he thought the deadline was November 4<sup>th</sup>. A discussion between Mr. Alexopoulos, Mr. Azer and Ms. Vineberg took place about the deadlines and how they are addressed in the charter. Mr. Alexopoulos said that there is proposed language to correct the charter, with the intent of giving the Town Council the authority to hire a Town Manager prior to January 4<sup>th</sup>. Mr. Alexopoulos stated that there is an article going before Town Meeting to address the issue, and there is language written by House and Senate Counsel that addresses it. Mr. Fernandes asked if everyone was familiar with the language. Mr. Clifton asked to whom the language was distributed. Ms. Vineberg stated that it was sent to all Town Meeting Members. Mr. Fernandes said that there is additional language other than what is printed in the warrant. If it is voted on at Town Meeting on October 26<sup>th</sup>, it will take a few weeks to be finalized once it goes through the House and Senate.

Mr. Gass was present as a member of the Town Manager Search Committee. He stated that the Committee worked hard to meet all of the time frames set out in the charter. The transition piece was discussed by the Search Committee, and the Committee felt very strongly that the Council-Elect should meet with the candidates as soon as possible and then work with the sitting Board of Selectmen to select someone as soon as possible. He urged the councillors not to get too hung up with the language and to do as much as possible to choose one of the candidates.

Mr. Meoni stated that he is concerned with the legitimacy of the action. If the charter says to act by November 4<sup>th</sup>, and they do not, it is not a good way to begin the new form of government. Mr. Meoni said he would rather change the language altogether so the council is not restricted. Mr. Fernandes stated that the article before Town Meeting is the first attempt at correcting the language, but there has been additional language drafted by the Senate and House Counsel, and it is still being worked on to date. Mr. Fernandes suggested that the councillors receive the

correct language giving them the legal right to interview and select a Town Manager prior to January. The language in the warrant is a placeholder for the correct language. Mr. Alexopoulos will work on getting copies of the proposed language distributed to the Councillors. Mr. Meoni asked if it was possible for the Governor to intervene and Mr. Alexopoulos said that it would still have to go through the proper committees before landing on the governor's desk.

Mr. Vineberg asked about the possibility of meeting with Mr. Nutting and Mr. Boynton on November 2<sup>nd</sup> and interviewing the candidates on the 4<sup>th</sup> and Mr. Azer suggested doing the presentations from 6-8 pm, and conducting interviews from 8-10 pm. Mr. Clifton asked what the purpose of the meeting on the 2<sup>nd</sup> is. Mr. Alexopoulos said it is to get an idea of the interactions between the Council and the Town Manager.

Mr. Meoni asked if it would be possible to make the meeting on the 2<sup>nd</sup> the interviews, and meet with Mr. Nutting and Mr. Boynton at a later date. Ms. Vineberg stated that the council should meet with Mr. Nutting and Mr. Boynton first.

Mr. Azer stated that this would be one of the biggest decisions the Council makes, and he believes that having as much information as possible is a good idea. Ms. Vineberg asked how long the Council would spend interviewing the candidates. Mr. Clifton said that the council, as the elected officials, will make the determination as to how to proceed with the selection process and the duration of the interviews and nature of the questions. He does not believe it should be subject to debates at this point. He suggested dealing with the immediate issue of the selection process, as opposed to getting general information from Mr. Boynton and Mr. Nutting.

Mr. Gass stated that he assumed that the Committee was discharged, but he has learned that they are not discharged until the Council makes a decision. He said that the town manager presentation would be helpful, but he does not believe that it is necessary before interviewing the candidates. Ms. Vineberg believes it will help to do it all in one night.

Mr. Meoni said that he has already read through the interviews and compiled his list of questions. He does not believe that an hour and a half with two individuals will change his questions much. Mr. Azer said he would rather have too much information than not enough. Mr. Azer does not see how a great resource such as this one can be turned down. Mr. Meoni stated that he has all the resources he needs. He does not feel doubtful about the three candidates.

Mr. Clifton stated the questions, the scoring, and how an objective evaluation of the candidates will occur needs to be determined. Mr. Alexopoulos stated that he has sat in on many interview processes and told the Council what has worked well for him in the past. Mr. Clifton said that he respects what the Board of Selectmen did in the past, but stated that it should not automatically translate into what the Council will do.

Mr. Clifton said that as part of his professional life, he deals with the interview process and that he understands the need to be able to justify the selection in terms of taking notes, being able to justify to state and federal authorities, so he does not think just formulating questions should be done since any one of the decisions can be challenged. He sees it as a very important process that must be done carefully. Mr. Alexopoulos asked who Mr. Clifton thought could challenge the decision. Any candidate can challenge the process.

Ms. Vineberg stated that the Search Committee had a number of questions and each person chose which question they wanted to ask each candidate. If the question was similar to another question, they skipped it and asked another question. She suggested that the Council use the same score sheet used by the Search Committee. She stated that she thinks the Council is getting hung up on the procedure.

Mr. Clifton stated that he is not hung up on procedure -he is expressing a view. He suggested that when the Council begins their meetings, they should have expectations for the meetings, since he does not have any interest in engaging in arguments with folks from the public over agenda items.

Tom Dugan was present from the Charter Committee. Ms. Vineberg stated that they are here to make sure that the information and intent of the Charter is being followed. Mr. Fernandes stated that the Council will do whatever it takes to hire the Town Manager.

Mr. Azer recommended setting the agenda for November 2. Mr. Clifton agrees that interviewing the candidates should be the only thing on the agenda for that day. The only person who has not confirmed availability on November 2 is Ms. Pasquantonio. A vote cannot be taken, but all agree on November 2<sup>nd</sup> for interviews. Mr. Fernandes recommended scheduling each candidate on the hour, at 7:00, 8:00 and 9:00. Mr. Azer suggested interviewing the candidate from Ashburnham first, since he has the longest travel, then Plymouth, then Quincy. Mr. Clifton suggested 6:30, 7:30 and 8:30. Mr. Alexopoulos stated that the interviews may be televised and that in the past, final interviews have been televised. Mr. Clifton believes that they should be televised in the interest of the public. The interviews would be conducted in open session, and they would have to be held in either the Selectmen's Meeting Room or the School Committee Studio.

Mr. Meoni recommended asking the candidates to come a half hour to prepare a writing sample. The Councillors discussed the relevance of a writing sample and expressed their opinions on whether or not to require one.

Mr. Dugan suggested requesting that the candidates bring a writing sample to the interview. Mr. Clifton said he likes the idea, but there is no proof that the candidate actually wrote the sample. A discussion about whether it is necessary for the original job posting to state that a writing sample will be requested took place. Mr. Meoni read, "Candidates must possess excellent written and verbal skills," from the advertisement.

Mr. Meoni recommended telling the candidates that they will be responding to a written prompt for the first half hour of their interview. Mr. Fernandes suggested having them bring in a writing sample from their current position, and then confirming that it was actually prepared by the candidate. Mr. Azer asked that everyone was in agreement that the candidates would be requested to bring a written sample and write an essay in 30 minutes, in response to a question to be determined, depending on legal opinion. Interviews will begin at 6:30, so the first interviewee will arrive at 6:00 to begin his essay. The Councillors were all in agreement. Setting up a laptop and printer was discussed.

Mr. Fernandes asked that the Selectmen's Office forward the invitation to the MMA annual meeting in January to the Town Council-Elect. He suggested that the Councillors check with the office.

Zoning Master Plan Meeting for 10/20 – Mr. Meoni asked if the meeting can be kept brief so that the Council can begin gathering interview questions. Mr. Azer asked if Mr. Sullivan would be able to attend their meeting for his legal opinion on the questions.

Mr. Clifton asked if Mr. Sullivan's appointment is also up to the Council. Mr. Alexopoulos stated that the Town Manager, Town Accountant, Town Attorney and Board of Registrars are the positions appointed by the Town Council. Mr. Clifton asked if the Town Attorney position will be posted soon for the job, so that someone will be in place. Mr. Alexopoulos stated that everything stays in place until the appointments are made. The Selectmen made it clear that all appointments were only until the end of January to give the Town Council and Town Manager the time to make appointments. Mr. Meoni asked about the appointing authority of the Town Clerk and the Clerk of the Council. Mr. Fernandes and Mr. Alexopoulos stated that they are two different positions and that the Clerk of the Council is appointed by the President and confirmed by Town Council. The Town Clerk is appointed by the Town Manager. Mr. Dugan stated that anyone who was in an elected or appointed position prior to the new form of government has had their position extended to January 31<sup>st</sup>.

Mr. Fernandes asked Mr. Alexopoulos to speak to Mr. Burgess about postponing the Master Plan meeting. Mr. Azer stated that changing the intent of the meeting should be posted. If the meeting is posted as an open meeting, we can meet to discuss the interview process.

A Rules and Regulations Manual was discussed. Franklin and Watertown's language was referenced. The Council needs to put together a procedures manual.

Mr. Azer suggested planning the next two months worth of meetings and appointing a President-designee and School Committee-designee as soon as possible, and then reaffirm their decision after the Council is sworn in.

Mr. Clifton stated that he finds it impossible for 9 of them to agree on anything without the aide of someone from the outside to facilitate and get meetings set up instead of appointing a President to do it. Mr. Azer said that he would rather appoint the President.

Mr. Clifton has an issue with the fact that according to the Charter the President shall sit on the School Committee or a designee of the President. The President would first have to decline that position before it goes to the councillors. Mr. Dugan stated that the intent of the charter was to provide the framework. Either the President or his/her designee or the Council or its designee. Once the President declines, it is up to the Council to determine if the council will appoint a designee or if the President will appoint a designee from the council.

Meeting adjourned at 11:14 a.m.

