



TOWN OF NORTON
SELECT BOARD
MUNICIPAL CENTER
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NORTON, MA 02766

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Select Board
Meeting Minutes
EXECUTIVE SESSION
May 10, 2021

CALL TO ORDER

The May 10, 2021 Executive Session of the Select Board was called to order by Mr. Jack Conway, at 7:10 P.M., held remotely (Web:

[https://us02web.zoom.us/j/82902301490?pwd=U1A4KzRBcTB6NVcxRVBzTUlCbmgwZz09"\);](https://us02web.zoom.us/j/82902301490?pwd=U1A4KzRBcTB6NVcxRVBzTUlCbmgwZz09)

Phone: +1 646-558-8656; Meeting ID: 829 0230 1490 Passcode: 05102021).

ROLL CALL: Mr. Jack Conway, Mr. Michael Toole, Ms. Renee Deley, Ms. Megan Artz and Ms. Christine Deveau were present. Motion to move into executive session by Mr. Toole, second by Ms. Deley.

1. To discuss strategy with respect to negotiations with non-union personnel, i.e. Town Manager pursuant to G.L. c. 30A, Section 21(a)(2).

Ms. Deley- Town Counsel was not able to get on tonight's call. She would like to talk about next steps in regards to agenda items listed above. According to timeline, Select Board must have documents ready for review by Town Counsel before deadline. On June 1, documents should be given to Town Manager regarding renewal or nonrenewal. As a board, we do not vote in Executive Session due to Open Meeting Law. Once a final decision is made, we lose the right to discuss in Executive Session, but can schedule a meeting with Town Manager to renegotiate contract and that would occur in Executive Session.

Ms. Artz- Does the Select Board have any ability to renew Town Manager's contract for one year? After being at the Spring Town Meeting, she feels that the work the Town Manager did for all the large projects should not be overlooked. Ms. Artz would like the ability to say to the Town Manager that she is not happy with certain aspects of his role and what needs improvement. She suggests that we could consider only renewing the contract for one year with reviews every six months.

Mr. Toole- Mr. Toole added that the buildings will not be completed until 2022.

Ms. Artz- Ms. Artz stated that for better or worse the Town Manager has been a part of big movements in the town. If the Select Board recommends not to renew his contract, she wants him to be a part of the conversation for improvements in his future endeavors.

Ms. Deley- Ms. Deley posed the question "what kind of new Town Manager would the Select Board want: someone who is newer and greener or someone who is experienced with building construction etc.?" She stated that we have a clean slate to find a new Town Manager. She would like to see a search committee formed to see who might be the best for the role, even if that might be the current

Town Manager. Ms. Deley also stated if we pursued a new Town Manager that she would like that person to start at beginning of project for easy transition.

Mr. Toole- Mr. Toole agrees that the Town Manager has overspent his time in the role. He stated that the Town Manager does not see a vision for direct reports and is not managing his team well.

Ms. Artz- Ms. Artz wants to make sure we are not getting rid of the current Town Manager for a worse Town Manager.

Ms. Deley- Ms. Deley stated that we need to decide due to timing of the current contract. She offered that we could negotiate extended benefits as a part of separation if the Board went in that direction.

Mr. Toole- Mr. Toole feels like he is constantly asking the Town Manager for information. He feels that the Select Board is being purposefully left out of important town information and updates.

Mr. Conway- Mr. Conway feels like we need to know what is going on in the town and the Town Manager selectively chooses what to inform the Select Board of.

Ms. Deley- Ms. Deley stated that the Select Board's job is to write and rewrite policy. She feels that the current Town Manager might feel that he does not have to inform the Select Board of every issue in town.

Mr. Toole- Mr. Toole feels that it is inappropriate to have employees write supports for Town Manager, referencing a signed document provided by the Town Manager that was passed through Town Hall for signatures in support of the Town Manager.

Ms. Deley- Ms. Deley stated that some employees felt pressured to sign support for the Town Manager even though they did not want to support him.

Ms. Artz- Ms. Artz stated that we are a small town and pride ourselves in being a part of this community. She stated that the Town Manager has not performed up to his capability, but he has tried and could negotiate for early retirement.

Ms. Deley- Ms. Deley stated that there must be opportunities to be respectful towards the Town Manager during separation, if that occurs.

Mr. Toole- Mr. Toole stated that if we think that the current Town Manager would be better as an Assistant Town Manager, the Select Board could change the charter to add the role of Assistant Town Manager.

Ms. Deley- Ms. Deley stated that Norton is too small of a town for an Assistant Town Manager and does not need two high level positions. She stated that we could consider keeping the current Town Manager and allow the new Town Manager to work together to allow for a transition period between Town Managers. She stated that this gives options for the town to see if a new Town Manager is right for the town.

Ms. Deveau- Ms. Deveau stated that the town has a tough time with change. She believes that the town needs a new Town Manager with changing times. She stated she wants someone who works for the best interests of the town and the Select Board.

Mr. Conway- Mr. Conway stated that the Town Manager has never openly lied to the Select Board, but has left information out, a lie by omission. He stated that we always need to ask the right questions to get the whole answer from the Town Manager.

Ms. Deley- Ms. Deley stated that she is upset about Nine Lives shelter and the land swap issue.

Mr. Toole- Mr. Toole stated that nobody likes being left out when discussions of changes occur. He stated that the Town Manager did not ask and assumed Nine Lives would like the new building. He said that after the Spring Town Meeting he received a compliment about how this Select Board is the most honest board in a while.

Mr. Conway- Mr. Conway stated that communication is key to having a healthy Select Board. He reiterated that a notice of contract renewal needs to be in by June 30, 2021, but there needs to be negotiations by June 1, which is a date the Select Board chose. He stated that the Town Manager's contract ends June 30, 2022.

Mr. Toole- Mr. Toole stated that it is too dangerous to leave current Town Manager in position during transition period if we chose to do that.

Mr. Deley- Ms. Deley stated that we can add exceptions in the current contract for last year only so the Town Manager does not do anything damaging to the town, i.e. raises, budgets.

Mr. Conway- Mr. Conway stated that we could provide a notice of nonrenewal, but want to work with Town Manager over the last year with goals and objectives then encourage him, if we feel he has changed, to reapply for the position. He stated that we have a competent Town Manager, but has to change certain aspects of himself for the role.

Ms. Artz- Ms. Artz stated that the qualifications and uniqueness of Town Manager position is a dime a dozen and it might not be as easy to hire.

Ms. Deley- Ms. Deley stated that there are agencies specifically supporting searches for town managers, with a pool of people who don't want long-term positions, but have experience and can step in for a year or two during transition.

Mr. Toole- Mr. Toole stated that Mansfield and Easton hired young and very good Town Managers recently. He stated that we will find someone for the job.

Ms. Deveau- Ms. Deveau stated that we do need to have someone who has not been around for a while due to possibility of corruption or set in ways for one system fits all. She stated that having a younger Town Manager might not be the best idea for the town.

Ms. Artz- Ms. Artz stated that she wants to have someone with experience and time in the position. She also wants to explore all options before making a decision about current Town Manager.

Ms. Deley- Ms. Deley confirmed some questions for Town Counsel: we want to see what options are available to add language to current Town Manager's contract, what a health care benefits package would look like for current Town Manager if separation is necessary, and what other extension of benefits could we offer.

Mr. Conway- Mr. Conway gave a hypothetical scenario asking if the Town Manager leaves after six months into new negotiated contract, in exchange for leaving early could we give him extensions of benefits and pay?

Ms. Deley- Ms. Deley stated that we need to ask Town Counsel about safeguards for the town if we do not extend Town Manager's contract.

Mr. Toole- Mr. Toole stated that he is scared with what we would do with Town Manager if he stays for one year. He would like to look at buying him out for the last year of his contract instead.

Mr. Conway- Mr. Conway stated that there is risk with having Town Manager on the job after nonrenewal, but that is something we have to deal with. He stated that if the Town Manager does something that warrants termination, then we let him go on the spot.

Ms. Deley- Ms. Deley stated that she wants to have a conversation with Town Counsel about what options are available. She stated that the first step is to see what we can do about renewal notice.

Mr. Conway- Mr. Conway stated that the only hard, set date is June 30 for contract renewal and all other dates are Select Board made dates. He stated that he would like to have Executive Session to discuss all outstanding legal cases the town is involved in.

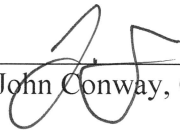
Ms. Deley- Ms. Deley stated that she is asking for a meeting with Town Counsel for 7:00 PM Thursday 5/13 for Executive Session then move into open meeting.

Adjournment

MOTION was made by Ms. Renee Deley to adjourn 8:24 P.M. Seconded by Ms. Artz Vote: Ms. Deveau – Yes; Ms. Artz – Yes; Mr. Toole – Yes; Ms. Deley – Yes; and Mr. Conway – Yes. MOTION CARRIES.


Respectfully Submitted by: Christine Deveau, Clerk

**SELECT BOARD
EXECUTIVE MINUTES OF MEETING
MAY 10, 2021**

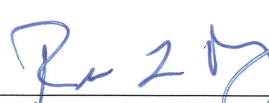


John Conway, Chair


Michael Toole, Vice-Chair



Christine Deveau, Clerk



Renee Deley, Member



Megan Artz, Member

Minutes Approved by Board on: April 27, 2022