

IN BOARD OF SELECTMEN
TUESDAY, APRIL 11, 1995

Present: Chairman Lawrence L. Blacker, John C. Drobinski, and Maryann K. Clark.

The statutory requirements as to notice having been met, the meeting was convened at 8:00 p.m. in the Lower Town Hall by Chairman Blacker.

Appointment of Executive Secretary Pro Tem

It was on motion unanimously

VOTED: To appoint Janet Silva Executive Secretary Pro Tem for the purposes of this meeting.

Joint Meeting - Town Manager Screening Committee

The Board convened a joint meeting with the Town Manager Screening Committee to discuss the final three candidates for the position of Town Manager and to receive input from the Committee and others present regarding the continuation of the process to appointment of a new Town Manager.

Those present included all members of the Town Manager Screening Committee except Susan Bistany, and approximately ten other department heads and/or residents of the Town.

Selectman Drobinski remarked about the intense discussions that were exchanged at the last joint meeting held the previous week. He clarified that Town Counsel, had confirmed his ability to, and rendered an opinion that he could, nominate Mr. Thompson. He said he had done this on his own and had been advised by no one, but he did receive legal advice from Town Counsel before taking this action. Mr. Drobinski informed that he spoke with Mr. Thompson this afternoon, and was asked by Mr. Thompson to withdraw his name from nomination. Therefore, with great reluctance, he withdrew the name of Richard E. Thompson from nomination as a finalist candidate for Town Manager. He added that Mr. Thompson's reason for doing so was because he felt it to be in the best interests of the Town, and he (Selectman Drobinski) had made the nomination in the best interest of the Town. He concluded by saying that the Town needs to support Mr. Thompson.

Chairman Blacker informed that the purpose of this joint meeting is to learn more about the final three candidates and to set a schedule for interviews, probably the week of April 24, 1995. Committee Chairman Roy Sanford said that the "Charge" to this Committee is basically over tonight, but that the Committee and its members will make themselves available to the Board regarding any questions the Board might have about the final three candidates, or to help in any way with the process.

Mr. Sanford handed out a packet of information to each Board member and explained the information enclosed, which included: 1) A one-page summary of comments received during the interviews which are comments not reflected in the resumes; 2) Resume; 3) Application, which details education, salary history, set of references, and a sign-off allowing inquiry; 4) A written document from second interview candidates only that reflects their thoughts to a question about how they would deal with an issue that directly relates to the Town, specifically Ch.131 and the existing organizational chart, asking them to speculate on how they would organize the Town to determine writing capability and thought processes; 5) Written comments as a result of contact with references.

Mr. Sanford talked briefly about each candidate, and encouraged the Board to contact them soon. The mechanics of inviting the candidates to the Town and where they would stay were discussed. Mr. Sanford supplied the Board with rating forms that were used in the first round interviews, to show what the Committee did in documenting information about the candidates. He said that the most important thing to determine in the final interviews is how the Board would feel working with the candidate--what is the candidate's personal style, management and leadership skills and sense of humor. Additional information given to the Board was the Town Manager Profile that was used in the final round of discussions and the rating matrix. With regard to how the Committee rated these three candidates, Mr. Sanford remarked that the candidates were all rated highly with no real distinction among them.

The Committee's recommendation at this point, noted Mr. Sanford, is for the Board to spend time with the candidates to determine who they are as individuals as well as what their functional skills are. He suggested ways to do this, such as showing them the Town and spending time individually with the candidates, in addition to as a Board. Mr. Blacker noted that the Department Heads have requested time with the candidates and he would like to set up some time with them as well. Several ideas were discussed concerning how this could be done. Kathleen Precourt suggested also including time for an open public forum, which might be beneficial in determining how the candidates would react to questions asked.

Police Chief Peter Lembo asked if there has been a background check on the candidates, including a psychological and physical exam and review of personnel files. He stated that the Police Department does this for all entry level positions and he thought this should be done for a Town Manager as well. Mr. Sanford informed that part of the application procedures suggested outline that a credit and criminal check be done. Ms. Evans informed that she talked with an agency that performs credit and criminal checks and she explained the procedure to the Board. Chief Lembo said his Department will do all it can to help with a criminal check. Psychological exams were discussed and Ms. Evans offered information in this regard. It was concluded that a physical exam is appropriate for the finalist only.

With regard to the interview process, Mr. Sanford commented that it is important for the Town residents to have the opportunity to meet with the candidates. Ms. Karen Palmer offered a suggestion from an experience she had in choosing the new school superintendent, to have the same persons (representatives from the schools and different departments) interview all three candidates, which would result in comparable comments. The comments would be made on one sheet of paper showing impressions, strengths, areas of concern, and overall rating. She said it recognizes in an important way that the success of the individual is very broad-based.

Chief Lembo commented that Massachusetts laws including labor relations that need to be addressed are very different from other states, and he asked why no candidates from Massachusetts were selected, because it would make the transition easier. Mr. Edward Sooper remarked that he had been in charge of calling and recruiting in Massachusetts, and explained that there was a problem with many about the perception of the incumbent in relation to the ICMA and MMA "Code of Conduct" which says they should not apply for a position that has an incumbent. He added that the "pool" of candidates from Massachusetts was not as large as they expected, because of this. Mr. Sanford responded that, in talking with a Town Manager from New Jersey, this particular Town Manager relied heavily on his Department Heads in the beginning, but had no problem assimilating Massachusetts laws in a short time.

Mr. Sanford's final recommendation in terms of process was to conduct visits to the candidates' towns, which might include going to the local coffee shop and, if possible, gaining entrance into personnel records. Also suggested was the possibility of obtaining past news clippings relating to the candidates.

Mr. Lembo expressed concern over high turnover rates for Town Managers in other towns, leaving some towns operating in disarray. He said Sudbury has been very stable for several years and things have worked well and there has been very little turnover of department heads. Chairman Blacker empathized with Mr. Lembo's concerns, and concurred that there has been a good working relationship between the department heads, much to the credit of Mr. Thompson, but he said he wants to think that a careful selection of a new manager would result in the continuation of that rapport.

Town Planner Jody Kablack said she believes the Town will lose without Mr. Thompson as manager. She said the department heads have had a good working relationship with him and they see his leadership in ways most people do not see it. Personally, she added after reading some of the resumes, she believes that Mr. Thompson is up there with all of them. With regard to the final three candidates, she said she hopes there is sufficient opportunity for observation and time spent with the candidates, because a wrong decision could result in very serious consequences for the Town.

Mr. David Wallace asked that the Board now scrutinize the final three candidates. He said, even though they come highly recommended by the Committee, there may be some things the Board will discover that the Committee did not. Mr. Blacker commented that it would be nice to be able to spend days with the candidates, but the Board will not because the search committee was chosen to do a major part of the screening and the Board accepts their collective judgment to mean that any of the three finalists could and should do a good job as the new Town Manager. The point was mentioned that the new Town Manager may or may not be able to take office on May 8, according to the Statute. Mr. Blacker noted that the Town may need to appoint an interim or assistant manager. In any case, the longer the delay in making this decision, the more likely this situation might occur. The Board will clarify options on such an interim appointment with Town Counsel.

Mr. Wallace said that the Committee knew there was not much time, thus the reason for pushing the process to come up with the candidates. Mr. Wallace said he wished to publicly compliment Mr. Thompson for his grace in handling a difficult situation and stated that he is a fine individual. With regard to the candidates, he said the Board needs to put in the time to get to know them as individuals and to determine if they feel comfortable with them--basically to get to know their personalities.

Mr. William Cossart complimented the Screening Committee for its accomplishment, but said he is a very strong supporter of Mr. Thompson. He noted that there is another dimension involved regarding Mr. Thompson's performance and the fact that he is a performer and that is the reason why he is still Sudbury's Executive Secretary. He added that past Selectmen have expressed surprise by the fact that Mr. Thompson is not a final candidate, but in no way would intervene or second guess what the Screening Committee or the Board has done. Mr. Cossart continued that he believes Mr. Thompson withdrew his name because he did not like what was happening--he was uncomfortable with it. He asked that the Board reconsider and unanimously place Mr. Thompson's name for candidacy, so he could at least go through the final process, whether or not chosen. Mr. Cossart expressed concern that the department heads are feeling a lack of loyalty and support after years of dedication.

Chairman Blacker responded that all of Mr. Cossart's prefatory remarks are accurate, but why would the department heads feel contrary to the work and concern of the Committee. The Committee's

work included a process not to get rid of Mr. Thompson or anything negative. He added that he does not think the Board will concede to his request to add Mr. Thompson's name for candidacy. Mr. Cossart added that there is one thing not to overlook and that is the natural law that says when there is a very visible or conspicuous candidate, and if the decision is made not to select that candidate, you must be prepared to face that issue with that candidate.

Selectman Clark responded that the Board has faced this issue and has been very open with Mr. Thompson from the beginning when the Committee was first established and stated, in summary, as follows: The Board had expressed its specific interest that the Screening Committee would accept applications, screen the candidates and do the interviewing for the first and second level and anyone that made an application to the Committee would be so screened. She continued that there is always going to be comparisons made whenever anyone makes application along with others, and everyone is being compared with the same criteria. Mr. Thompson took that risk when he made application, due to the passage of the Town Manager Act. The Board did not conceal any motive or agenda. Ms. Clark agreed with all of the accolades given Mr. Thompson this evening.

Mr. Wallace commented for the benefit of the department heads, that many will feel a sense of grief and loss and will have to cope with it. He added that he believes the right thing was done and that it was done in an objective way. He said he will miss a great friend.

Mr. Sanford expressed that the other 119 candidates also deserve the Town's concern. He said that the process of being fair extends beyond the bounds of Sudbury, and will influence the Town's ability to drive good candidates to this Town. He added the Town must be very careful how it is viewed by neighboring communities and states, in terms of process put forth, how it conducts the process, and how it drives the outcome to fruition.

Mr. Edward Sooper thanked the Board for his appointment to the Screening Committee, saying that the process was brand new to him and that he had never before volunteered to be part of a government committee. He said he learned something from everyone and made a wonderful group of friends. Mr. Sooper concluded that if all other Town committees are as open, honest and hard working as this one, then the Town is in good shape with all its volunteers.

Marketing Recyclables - Letter of Intent

The Board signed a letter of intent to market recyclables which agrees, on behalf of the Town of Sudbury, to solicit interest - cooperatively with other regional member communities through CONCEWM INC. - in long-term contracts for the sale of recyclables collected by the town.

There being no further business to come before the Board, the meeting was adjourned at 9:30 p.m.

Attest: Janet Silva
Janet Silva
Executive Secretary Pro Tem