

IN SUDBURY SELECT BOARD
EXECUTIVE SESSION
TUESDAY MAY 7, 2024
6:30 PM, LINCOLN SUDBURY REGIONAL HIGH SCHOOL
CONFERENCE ROOM "A"

Present: Chair Janie Dretler, Vice-Chair Lisa Kouchakdjian, Select Board Member Daniel Carty, Select Board Member Jennifer Roberts, Select Board Member Charles Russo, Town Manager Andrew Sheehan, Office Supervisor Leila Frank (Recording Secretary for this meeting)

Call to Order

At 6:45PM Vice-Chair Lisa Kouchakdjian moved to close Open Session and enter Executive Session to conduct strategy session in preparation for negotiations with nonunion personnel and/or to conduct contract negotiations with nonunion personnel, namely the Town Manager, pursuant to General Laws chapter 30A, §21 (a) (exception 2), and not return to Open Session.

Member Carty seconded the motion.

Roll Call

Carty - present, Kouchakdjian - present, Russo – present, Dretler – present, Roberts - present

Proposed Town Manager Contract Changes

Town Manager Sheehan handed out a red lined version of the current Town Manager Employment Agreement indicating proposed changes. He stated that Town Manager positions come with a high degree of uncertainty and that a new 3-year contract would provide him with welcome security. A discussion of proposed changes followed.

1. Clerical
 - a. Refresh dates, including when the agreement will be signed and expire
 - b. Update to title of a recently renamed conference (page 4)
2. Compensation
 - a. Reflects recent movement in the market for Town Managers compensation
 - b. Includes an increase in deferred compensation increase, vacation carryover, sick leave carryover, bonding and indemnification
 - i. in line with neighboring communities
 - c. Compensation request for next 3 years (page 2)
 - d. Dates left open for discussion
3. Term
 - a. Currently, the terms begin on February 13
 - b. Alternate option would be to begin at the start of the payroll cycle/fiscal quarter (July 1)
4. Evaluation
 - a. 360 evaluation to include Direct Reports and Senior Managers (for example, the Town Clerk reports to the Finance Director).
 - i. There are 7 Direct Reports
 - ii. The change would add 4 Senior Managers to the evaluator pool
 - b. 360 evaluation to be conducted every other year

Member Russo asked why Town Manager Sheehan is requesting to change the frequency of the 360 evaluations. Town Manager Sheehan responded that the evaluation takes up a great deal of time for those involved, referencing the process earlier in the year which spanned approximately 3 months.

Town Manager Contract Proposal Deliberation

The Board having no further questions, Town Manager Sheehan left the meeting so that the Board could deliberate regarding the proposed contract changes.

Member Russo asked for details of the conversation that precipitated the Town Manager's request for updates to his contract. Chair Dretler responded that she had told the Town Manager that the Board wanted a 3-year Town Manager contract. The presented proposed was his response to the request. She added that she had told Town Manager Sheehan that the Board would look at annual compensation and duration of contract, however he desired additional changes. She further explained that Labor Counsel David Jenkins or Labor Counsel Kevin Feely could be asked to review the proposal, with special attention paid to the Bonding and Indemnification requests.

Member Russo opined that the proposed changes seem more favorable to Town Manager Sheehan and that he'd like to better understand the request and know the total cost of the extra vacation time buyback. Member Carty responded that there is a maximum on how much vacation time can be banked. He asked to seek clarification on whether the cap increase would be 25 days per year or for the duration of employment.

Chair Dretler confirmed that clarification would be sought regarding the following:

1. 25 unused vacation day buyback accrual - annually or total
2. Cost of 5 vacation days – in the event that they be paid out

Member Carty outlined the next steps in the contract negotiation process

1. Review the proposed changes with Legal Counsel to make sure there are no holes
2. Ask questions and obtain responses
3. Form subcommittee to negotiate contract changes for a vote of the Board

Member Roberts stated that she would like to verify that a base salary increase of \$10,000 per year is in fact market rate as this is not sustainable over time. She volunteered to research Town Manager compensation data for Weston and other comparable communities.

Vice-Chair Kouchakdjian opined that the contract updates are a request and that the Town Manager isn't necessarily expecting to receive everything being requested.

Chair Dretler opened discussion of whether the increase to Deferred Compensation is a matter for Legal Counsel or for negotiation. Member Carty responded that he cannot remember what the previous Town Manager had and that he will look at the prior contract. He added that he has an issue with biennial 360 evaluations being allowed for the current Town Manager when the previous Town Manager, who was Black, was put through a review every 6 months. Member Russo responded that the reason for the frequent evaluations for the previous Town Manager was due to his inexperience in the Town Manager role.

Member Roberts stated that, at the proposed 360 assessment rate of every other year, it would be possible that the Town Manager would receive only one assessment in a 3-year cycle. She opined that this would be an undesirable outcome and should be prevented. Vice-Chair Kouchakdjian stated that an annual review would be preferable. Member Russo suggested an annual check-in and biennial 360.

Member Roberts stated that the current evaluation form didn't seem to apply to those who don't work with the Town Manager directly. She added that there were a number of respondents commenting that they didn't have sufficient interaction with the Town Manager to be able to provide a response to several evaluation questions.

Chair Dretler opened discussion regarding the request to obtain evaluations from Senior Managers rather than just Direct Reports for the 360 process. Member Carty responded that he is not ready to discuss this.

Chair Dretler stated that she will request the following from HR Director Maryanne Bilodeau

1. The total cost of 5 vacation days (increasing from 20 to 25 days)
2. Submittal of the proposed contract changes to counsel for review

It was then discussed whether KP Law Attorney David Jenkins or Labor Counsel Kevin Feeley should review the amended contract for legal compliance. Chair Dretler requested a show of hands for those who wished to request that Attorney Jenkins conduct the contract review. Members Dretler, Kouchakdjian, Carty, Roberts and Russo all raised their hands, indicating unanimous support for Attorney Jenkins.

Vote to close Executive Session and not resume Open Session.

Vice-Chair Kouchakdjian motioned to adjourn Executive Session and not resume in Open Session. Board Member Roberts seconded the motion.

It was on motion 5-0; Carty-aye, Roberts-aye, Kouchakdjian-aye, Russo-aye, Dretler-aye
VOTED: To close Executive Session and not resume in Open Session.

There being no further business, Executive Session was adjourned at 7:15 PM.