

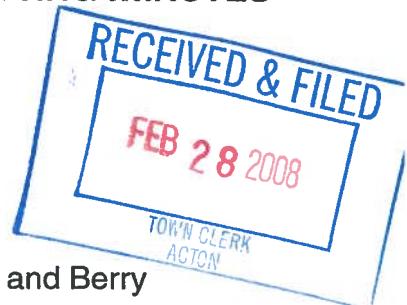
BOARD OF SELECTMEN & SEWER COMMISSIONERS' MEETING MINUTES

Francis Faulkner Meeting Room

Town Hall

December 5, 2007

7:00 PM



Present: Chairman Hunter, Selectman Rosenzweig, Magee, Knibbe and Berry
Recording Secretary Maryjane Kenney

I. CITIZENS' CONCERNS

II. PUBLIC HEARINGS AND APPOINTMENTS

DELIBERATIONS ABOUT CANDIDATES FOR THE POSITION OF TOWN MANAGER

The Chairman updated the Board on the two conversations he has had with Mr. Huggins. The first stating that with Universities being busy this time of year, he is finding a delay in getting responses to his questions. In the second conversation Mr. Huggins stated he was unable to confirm a piece of information on one of the resumes. The Chairman then asked the Board to take a look at the letters of recommendation that were included in Extra Information in the packet.

Each of the Selectmen offered their impressions on the candidates. All of the Selectmen stated that any of the four candidates were qualified, but they would want the right fit for Acton.

Chairman Hunter – John Murray He is quite impressed with John Murray and the range of his experience. I am reminded that he has been in town for 19 years and I like that connection to the Town. In addition he has run the town on two separate long-term occasions: once when Don had a death in his family and currently as the Temporary Town Manager. I have been extremely impressed with several important initiatives, such as salary parity, that Mr. Murray has taken just in the short time he has been Temporary Town Manager. Some of these issues can really be considered courageous as he is under the spotlight in his role as a temporary. In all the letters he has received none would make him not approve John. There are many positive letters and one was very well stated by Mr. Mullen in that regard.

Mr. Delaney, I found interesting. He had no questions for us which raised a flag. Even just to show interest and that he did his research I would think he would ask something. One of the character references stated that on one occasion or more he did not accept the Selectman's position and had come back and revisited it many times. Not a good trait for a Town Manager. Georgetown is a little less sophisticated and has only a 3 member Board of Selectmen.

Mr. Ledoux, I found he did not specifically answer what the most important trait for a Town Manager would be. He did answer about the correct way to respond to a policy decision the Board makes that you don't agree with which is to move on. But he went on and on and did not answer to the point. It was interesting information but not organized and not on topic. It was my time and I had other questions for him. The Board members that the Chairman spoke to about Mr. Ledoux were favorable and particularly anguished about him leaving.

Mr. Maylor, I was very impressed with him and he did have several conversations with him outside of the Board's presence. The Chairman did further research outside of the references in particular a blog on the Town site. It did come up with many negative responses so he discussed it with him and offered if he would like to make a comment. He did respond afterwards with a very good and thoughtful email to Dore' which he read to the Board. Many were opposed to the reorganization in 2002 of having an Administrator. Many years were spent with volunteers and committees running the town. The Chairman was satisfied and felt there were probably sour grapes. For personal reasons he decided not to finish his career in Swampscott, so at contract time he signed for only for two years as opposed to a five year extension. His Chairman in Swampscott spoke enthusiastically about Mr. Maylor and he would hate to loose him. Nothing was screaming out as out of place in the interviews or references the Chairman had checked for the four candidates.

Selectwoman Knibbe – Mr. Delaney, He is a persuader, a thoughtful and educated man. He has a commitment to openness and transparency and good communications skills. He has not had the experience in his role in Georgetown as would be expected in Acton. It is a smaller town. His cross Board experience, meaning collaboration with the schools, fire, police and committees, is different. Dealing with a three member board is considerably different. The role he would play in Fincom is larger here in Acton than in Georgetown. Any of them could do the job, but his would be the biggest step.

Mr. Ledoux, I think he is a strategic thinker and consensus builder. His town is the closest fit to Acton and as such it would not take much for him to come up to speed. He knows all the issues; they are so similar. I like the range of towns he has worked in: Western Massachusetts and Michigan; it will bring value to the manager's position. It is good that he was a leader, Vice President, in the MMA. It gives him a broad range of contacts and awareness. He is a collaborator. He has worked with a Regional school system in Sudbury. She talked to several in Williamstown and they have a town/college split much like ours with the school. Relationships there were a tense and he calmed them. When he left that relationship he built went away. It was not just friendship; he also got them to pay for something the town needed implemented by partnering with them. Impressed by how he collaborated and partnered with everyone he worked with; part of what he does. He found solutions by looking out side the box in health care solutions, the housing authority and the water tank issue in Georgetown. He shows a strong commitment to openness.

Mr. Maylor, Mixed feelings about him. He is very ambitious and a change agent. Impressed that he is smart and can do the job. Not convinced he would be happy with the job we are offering. He has good communication skills, leadership skills and financial skills. In Swampscott he was building a new thing and he did a marvelous job. In Chelsea he rescued a town in crisis. All was very impressive. But in Acton we want changes, but not dramatic changes. His unwillingness to move and the way he defines and structures his job he wants total control. Not bad, but not how we run Acton. He wants to be the boss and in Acton we need a facilitator and collaborator. He has no history of collaboration. Has never needed it where he has skin in the game. No talk of transparency and openness. His talk about his email policy is all centered on control. He looks like a super star; not a good fit for Acton.

John Murray, It is difficult being a Temporary Town Manager, being under the microscope and running for the position. His long history with the Town has advantages and disadvantages. He has a strong financial background, a deep commitment to Acton, and a deep knowledge of the issues. He has made significant contributions with NESWC and Sewers. Impressed and pleased

with some of the things he has done in regards to environmental issues. But his history is second in command. His resume' is the weakest because he has not ever been the boss. Will local knowledge compensate for him that he has never been the boss or never seen change; that he has no experience? Continuity can be good, but sometimes so can change.

Peter Berry – All four candidates have very different backgrounds and experience and skill sets.

Andrew Maylor, Selectman Berry talked to several of his references and one thing they all stated is his transparency. He tells things how they are. He does not play politics. He is honest with people. The former School Committee member he talked to had good things to say. He has not done any collaboration experience. He is a team builder in the town. Swampscott is going through very difficult financial times. They closed a school, laid off 30 teachers and cut back on staff at Town Hall. He talked to a labor lawyer he knew and Andrew has as good as a relationship as you can have in those circumstances in dealing with the unions. Even with all the cut backs if you talk to citizens in town, it is still running well. (Controversial but running well.) The new Superintendent, Matt, controversial himself in town, and had to deal with him and significant cuts he still has a lot of respect for Mr. Maylor. His experience in dealing with unions in Chelsea is much different than what he will see in Acton. He had a hard and controversial position in being the first town administrator. He heard that his presence is very professional. Mr. Maylor has a very strong representative for the town and good sense of integrity.

John Murray, Selectman Berry stated he learned a lot he did not know about John. It opened his eyes to a lot about his skills he did not realize. His mission and value statement was a thoughtful document and he has achieved a lot for the town. His roots being here is a great plus for the town. He agreed completely with his idea of honesty being the most important trait for a Town Manager. He thought his interview was great and his environmental ideas were good. Liked that Mr. Murray wanted to go beyond Acton in solving the packaging problem and raise it to the state level. He has a lot of support in town and certainly with some people he has issues that have formed over the years. One thing I question is his ability to deal with the schools. Wrestles with the skill set of continuity versus someone new. A history of the town is important. When you look at skills I believe it outweighs the continuity. All four candidates can do the job; it comes down to what is a good fit.

Mr. Ledoux, I was impressed most by his creativity. His solution to the water tank on Museum property was interesting and getting money from the Museum to pay for it when they were complaining originally was good. In Williamstown, Mr. Ledoux wanted to find some tax revenue as the college property was tax exempt; he asked the college to reach out to the alumni and seek business ventures with the town. It was a successful drive and did bring in revenue. That was impressive. He was the first Town Administrator in Sudbury so he had to work through those barriers. Many of the issues that he faces in Westford are much closer to Acton. His ability to convert property to commercial space is good. Spoke to school superintendent and he thought he is the best manager he has worked with. He thought he did especially well in working with budgets through the ALG process and being very fair to the schools.

Steve Delaney, sees him as an intellectual and maybe not able to deal with the issues in Acton. He liked his sense of humor in dealing with his staff. He feels the others have stronger skills. Did not talk to anyone about Steve Delaney in Georgetown but felt that other candidates were better suited.

Andy Magee – All seemed to be good choices. Andy Maylor is very bright and capable, an urban guy. The two Steves are both good both Town Managers. John alone is very good. So, I had to ask, what am I looking for. My initial thought puts Andy high on the list because I felt he was very bright, to bring Chelsea out of receivership, that is huge. But does that fit here? Is that what we need here? Cities do grow and maybe we need a more regional guy. In the end I backed away from that. Then I focused on the environmental things that concern me and which of the candidates really holds the concept in their hearts. Only two candidates fit, John Murray and Steve Ledoux. John's response was very strong saying he would like to bring it to another level.

John Murray, Acton – He has been very impressed to see him emerge from D Johnson. What he is seeing is the open office and his message is openness. In this short time I see change and a very different message. Just in his door being opened shows openness to the staff; it sends a different message. His green initiatives are good and turning to the staff to ask ideas for energy savings is certainly a good idea. It takes a lot of courage to take on salary parity when he knew he would take heat. I was very impressed with that. He knew he would take the heat for it and he went ahead and did what he believed in. He worries because everyone that has been interviewed has people in their background that don't like them. That weren't happy with some decision in the past. That I don't worry about. But I worry about making a change. Can John move from Assistant to Manager and make affective change.

Steven Delaney, Georgetown - He liked him very much. He was a bright person. He liked his approach, his humor. Did not feel it was in his heart he wants to be here. He did have the right answers. In his reference checking he told everyone that this was the first change for Acton in 20 years and then asked how do you think the candidate will handle this. Selectmen Magee feels this is critical. In this case it would play to his strength. He is very personable and has a great sense of humor, excellent communicator. But in environmental issues and collaboration he does not have the experience.

Steve Ledoux, Westford - He liked him and felt he was a collaborator and what moved him to the top were the Williamstown example and the land purchase issues - particularly pulling in the Trust for Public Lands. These are the issues that face us, the Selectmen, as project managers. This is a person who can work to move projects forward. We have the fire station, the COA expansion, the BFRT and others. And he felt this guy works with teams.

Andrew Maylor, Westford - This is the brightest of the bunch. To go to Chelsea and set it up to get out of receivership, what a job that is to accomplish. But will he be happy here? Swampscott was not a fit for him; it was the challenge of setting up the government. He won't be happy here day to day.

Selectwoman Rosenzweig – I will do in alphabetical order.

Steve Delaney, Georgetown – She did research by actually seeing how the Town was run. They completed the new Library which is extraordinary. His references rated him quite high. They appear to have very high standards for their town manager position. He has spent time as a manager consultant in public works. He has done workshops in time management. He is very professional and has a good sense of humor; he knows how to listen, he prioritizes well, and is known as a team builder. He gives 100% and takes his job seriously. Confronts others frustration well and is helpful. He is very ethical and good at hiring. His expectations are high. Highly regarded by the Selectmen she spoke to also. She liked him, but it did not appear he had researched the Town of Acton in any depth.

Steve Ledoux, Westford - She liked his interview and in his reference checks he did very well. Comments she heard were he was very reasonable, very loyal to the Selectmen, good at keeping confidences; he is a good emotional thinker meaning he reads people well and he is not a hasty thinker. He has good understanding of municipal law. He is up on current events throughout the

commonwealth and understands how it operates. Very diplomatic and professional in her references describing his role in the major land purchase in Westford. He was said to be a very good family person. She did not have enough time to look fully at him but did get those comments. She would like to have more time to look into his background and speak to people in Sudbury.

Andrew Maylor, Swampscott - She did have a reference response from a character witness who was not someone he worked with and they had the best things to say about him. She felt he gave some good answers to some very complicated questions. She liked that he did research the town. He stated Swampscott is like Acton and she really relates to that comment. It does have a flavor that is like Acton. It is a growing town that still wants to be small and it values the schools and sports and achievement is important. She drove up to Swampscott and it looks like a well run town with good signage and a professional demeanor. She liked he was a government junkie and was into the job. He attended his Veterans' Day ceremony which is a good reflection. She felt it was important that he stated work environment is important. His reputation was he was someone who gets things done. Her concern is when he comes in the big press for the GIC worries her as she is more cautious in her approach as saving the town money is not always best for the town. Also, they did not get all the unions to agree so she would like to look into it more. He seemed very interactive. Did some collaborative coalition work and gave department heads responsibility and empowered them.

John Murray, Acton - He has very much surprised me. She has never seen anyone work so hard and give so much to his community. His professionalism, his knowledge, his depth of information has been key to prodding us forward as a Board so we can make decisions and come to consensus. It helps us organize information and come to conclusion. He has been inclusive of staff in lateral decision making. Management skills building and willingness to take risks have surprised me. He took a lot of heat in making decisions as in center roadway. It is very satisfying to see what he has accomplished for the Town's morale in how the center looks with the prominent cross walk. After his interview many people stopped to say "WOW" how thoughtful he would be as a Manager in Acton. He still needs to overcome some relationships where he had to be the bad guy. There is room to grow in that area. He has great financial strength. People are extremely loyal to John and that tells you something. He is easy to work with; very open and I have been very impressed.

Further Deliberations:

Chairman Hunter commented. John Murray does have an extraordinary work ethic and is here at 6 A.M and to late evenings for meetings. He has been through several Town Managers. Ultimately we have our own opinions, but we will need to come to agreement so the town does not suffer. We also do not want to choose someone who will leave soon. We need someone who will respect us even in times that they don't agree with all our choices. He doesn't feel the issue with John Murray is continuity but predictability. I think that Bill Mullin wrote an excellent letter that there is less risk with John. John has been an agent of change in many ways. He was extremely successful with NESWC and sewers. He did an unbelievable job. It was very collaborative and financing it was very difficult and it was John's doing. Truly his ability to successfully guide us through this was a great gift to the town.

Mr. Ledoux – The Chairman has dealt with him in meetings regarding Mutual Aid and emergency issues on the Acton/Westford line. They did come to an agreement which happens, but he did not see any skill or analysis of the situation that was impressive. He only put one solution up and it was for two unions, one from Acton and one from Westford and build a fire station on the line. He

would not move from it. It could have been what he was told to do. Andy said it showed it strength as he did what the Selectmen ordered him to do. The Chairman is also concerned with not having a manager near or in Acton. It would be perceived as he is not a member of the community of Acton. Nothing else said at the table is a big surprise. The Chairman felt the two Steves were in the middle he would feel more comfortable with Mr. Ledoux just because the size of the community was more comparable to Acton.

Where do we go from here, how do we decide what we are looking for. Where do we go from here?

The Chairman updated on reports from Mr. Huggard. It is not going to go as quickly as we hoped. Mr. Huggard will be a while collecting data as it seems with the holidays it is taking longer for responses to come in. We could eliminate some, which will help or we can sit and wait and do nothing till all the information is gathered.

Selectman Magee – I heard from this evening that Steve Delaney could be eliminated. I heard a very mixed range on Mr. Maylor. He is bright and energetic but he is the biggest risk. So, I come up with Mr. Ledoux and John Murray as the two with the strongest feelings.

Selectwoman Rosenzweig stated her two top choices would be Andrew Maylor and John Murray. But she is tempered by the fact that Mr. Maylor lives too far away. She is not as comfortable with Mr. Ledoux and still needs time to further research Mr. Maylor. You really need a good match. She is leaning very heavily towards John Murray.

Selectman Knibbe – I agree could cut Mr. Delaney loose. She is reluctant to let Mr. Maylor go yet. She doesn't like the opinion of categorizing as high risk Mr. Maylor and low risk Mr. Murray. History cuts two ways and people have long memories that might make him high risk as he has generated opposition; is that fair, probably not.

Selectman Berry - John Murray has best financial skills of the candidates. I am reluctant in that Andrew Maylor has such strength that he would like to address everyone else's concerns. His not living in town could be explored. It does not go to his skills. My nature is not to go with what is comfortable. I am very impressed with John Murray's abilities and what he has taken on here. These other managers have skills too. He votes for change. He agrees that Mr. Delaney is not the same as the others.

The Selectmen discussed having the candidates come to town and tour or meet in a less formal situation, personality matters

Selectwoman Knibbe asked if each of the Selectman could go to one of their BOS meetings.

Mr. Kadlec stated that apparently any of the four can do the job, but the five of you don't know what you want. You five must decide.

Chairman Hunter replied that he had a good suggestion. What are we looking for?

Mr. Magee commented to Mr. Kadlec that it was not that we don't know what we want. We all know what we want. The discussion speaks to the fact that we were given four very good candidates and we must now try to determine which the best is for Acton. This is the purpose of our deliberations.

Chairman Hunter is looking for continuity with some change (thinking outside the box), but not wholesale revision and starting all over again.

Selectwoman Rosenzweig stated that if we mix the three, we would have the perfect manager, each of them have strengths and weaknesses. We need to look at the match for Acton.

The Chairman told the story of Don being the building commissioner and very strong in engineering matters but possibly weak in personnel and administration. Now he has developed into an excellent manager. A person can fill in the gaps if they are strong.

Selectman Berry feels the town is very well run, but is an opportunity to take a fresh look. Maybe there are new ideas to make the town more efficient. I do not say that John can't do it. We need a communicator, a team builder, a person who can work with staff and out side boards, good personnel skills and financial skills.

Selectwoman Knibbe feels all of the above comments are very important. She is comfortable with change; it is an opportunity. She does not want total change. The town is so well run; I don't want to lose that. It is going to change some no matter who is hired. Management skill is key; manage the people you have. Communication is big and collaboration important.

Selectman Magee liked Selectwoman Knibbe's opening remarks at the beginning to describe the candidates such as strategic thinker, Selectman Berry's comment to be team builder and Chairman Hunter's comments that we want an innovator but not huge change. It is getting down to words we are using. We need someone who can move projects. We have the sewer projects financing, 40 Bs and collaboration with neighboring towns, the fire station and regionalization.

Chairman Hunter - Maylor and Murray

Selectwoman Knibbe - Ledoux and Murray

Selectman Berry – Maylor and Ledoux at this point, but I question Maylor

Selectman Magee – Ledoux and Murray

Selectman Rosenzweig - Murray and Maylor We are an extremely well run town with a great Finance committee and great Boards. I like our management and I like to think in part that is due to John Murray.

Chairman Hunter -Can we say that Mr. Delaney can be off the list. Selectman Magee - it will make our job a little easier. The idea was debated and Selectman Berry moved to have the Chairman notify Mr. Delaney that he will not be going forward in the final pool for Town Manager. Selectwoman Rosenzweig seconded the motion. All voted in agreement for Mr. Hunter to notify Mr. Delaney he will be off the list for Acton Town Manager.

The Selectmen will do further research on the candidates including visiting their towns, talking to references and speaking with the candidates themselves.

Selectman Magee noted that this is normal for complicated deliberations, and that while it would have been nice to come to a quick decision, the fact that we can't reflects the quality of the candidates. It was decided to meet on Wednesday, December 12th at 7PM in Town Hall to resume deliberations.

III. SELECTMEN'S BUSINESS

OTHER BUSINESS

None

IV. TOWN MANAGER'S REPORT

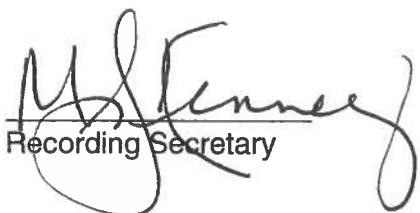
V. CONSENT AGENDA

BOARD OF SELECTMEN SCHEDULE FOR JANUARY OF 2008 TO APRIL 2008

The Board of Selectmen opened the meeting discussing the consent calendar and the available dates. It was decided to move the meeting of March 24th to March 17th. With that change the schedule was approved.

VI. EXECUTIVE SESSION

None



M. J. Kenney
Recording Secretary



Andrew D. Magee, Clerk

25 February 2008
Date