

**BOARD OF SELECTMEN MEETING
WORKING SESSION
MINUTES FEBRUARY 17, 2016
APPROVED**

Present: John G. Petropoulos, Chair; Anna Eliot, Vice Chair; Stuart M. Schulman, Clerk; Peter S. Cunningham, Member; Joshua A. Degen, Member

Also Present: Mark W. Haddad, Town Manager

Mr. Petropoulos called the meeting to order at 5:30pm.

Mr. Haddad said that he sent the Board their policies and procedures prior to the meeting adding that in addition to looking at making any revisions there were a few other procedures such as abstaining from votes, meeting attendance and guidance on the annual budget that they needed to discuss and possibly add. He said that the guidance on the budget was in their financial policies and wasn't sure it was necessary to put in these procedures.

Mr. Degen asked if they could review the procedures and then discuss the new items. Mr. Petropoulos said that on page one it talked about not voting on a new policy at the same meeting and hoped that they continued to adhere to that.

Mr. Haddad said that on page 2 it stated that if one of them resigned today they would call for a special election. He asked why it couldn't be done at the annual election. Mr. Degen said that he thought there was something in the charter or bylaws that said they needed to hold a special election. Mr. Petropoulos suggested they say "may call for." Ms. Eliot said that it says "shall call for" in the Charter. Mr. Haddad said that if they added the word "may" that should clear it up.

Mr. Schulman suggested removing the hyphen between all and important on page 2. Mr. Schulman said that if something involves personnel you wouldn't always put it in writing. Mr. Haddad said that was a good point. Mr. Haddad suggested adding wording to include "by writing, email or phone when important."

Mr. Degen questions what year or years was being referred to in the last sentence of the 2nd paragraph on page 2. Mr. Cunningham said that his interpretation of it was when the renewal of the contract comes up. Mr. Degen asked how they incorporate language that says in the current negotiations. Mr. Schulman said that it had to do with the timing adding they do the best they can. Mr. Petropoulos suggested adding wording "based on these considerations." Mr. Schulman thought that it could help. Mr. Cunningham said he didn't think they should lock themselves into too much. Mr. Schulman said that the paragraph gave them that power. Mr. Degen said that the suggested change of "based on these considerations" was a good change.

Mr. Petropoulos asked if it was the responsibility of the Chairman to make liaison assignments. Mr. Haddad said that the Board has always made the assignments by consensus. Ms. Eliot suggested adding wording that say "in consultation with other Board members in an open public meeting." Mr. Haddad said that in the last sentence the Chairman should also have the right to make motions like other Board members.

Mr. Haddad said that on page 4 under the clerk they should add "and taking minutes when necessary."

Mr. Petropoulos said that on page 5 under executive session he would like to add "is called" instead of "sought." Mr. Degen said that they should also reference that remote participation is allowed and was

accepted by the Board of Selectmen. Mr. Haddad said that he would pull wording from the Open Meeting Law and reference it here.

Mr. Haddad said that on page 7 they should add the public comment period to the list of standard agenda items and renumber them.

Mr. Petropoulos said that he asked the Town Manager to circulate the agenda to the entire Board this year and asked if they found it valuable. Mr. Haddad said that he thought the first sentence in this section covered that.

Mr. Haddad asked if they should change Friday to Thursday at 12 noon in the section on agenda procedures. Mr. Degen said that they should change the time also from 10pm-9pm. Mr. Haddad said that if they were to take out the word “new” it should solve the problem. The said that the intent of this was to cut off discussions at a certain point. Mr. Petropoulos suggested changing it to say “after 3 hours” instead of listing a specific time.

Mr. Petropoulos suggested that they add their policy on reviewing their Executive Session minutes. Mr. Haddad said that they had a separate policy and could reference that they have a policy without adding the entire thing.

Mr. Degen said that they needed to address reappointments better than they currently do. He suggested adding a section that says the Board of Selectmen shall evaluate previous appointments and will contact the Chairs to see if there had been any attendance issues, etc. Mr. Petropoulos asked Mr. Degen if he could suggest specific wording. Mr. Petropoulos said that under letter b, may could be implied that someone could be prohibited from being reappointed and wanted to clean up that sentence. Ms. Eliot said that it was not automatic. Mr. Degen said that “may” was not definitive. Mr. Haddad suggested making it “shall.” Mr. Petropoulos suggested saying “may at the discretion of the Board.”

Mr. Petropoulos said that he would like to scratch the word resume from the appointments section. He said that he would like to see “additional material” be put in its place. Mr. Haddad suggested removing “one week in advance” as it wasn’t always the case because it was in their packet a few days before the meeting.

Mr. Petropoulos said that on page 8 there was reference to the Open Meeting Law, sexual harassment policy, etc. Mr. Degen said that any and all policies could be addressed in one sentence. Mr. Petropoulos suggested making this the last step in the process as it was all post appointment.

Mr. Petropoulos said that the first item under Town Meeting it stated 10 registered voters. He asked if they needed to specify that during the open warrant period. Mr. Haddad said that they did and should be specified. Mr. Schulman said that they have 2 annual town meetings. Mr. Haddad said that he would fix that section.

Mr. Petropoulos said that one of the new policies he wanted to discuss was an attendance policy. He said that sometimes people get upset and leave a meeting and would like to ask people to consider that all appointed committees and the BOS stay in meetings. Ms. Eliot said that sometimes it was better for someone to just leave adding that there were also times when there is a Conflict of Interest that you need to leave. Mr. Schulman said that if people are getting to that point than it might just be better to allow them to leave.

Mr. Petropoulos said that he wanted to discuss abstentions. He said that there had been instances where people had abstained from a vote without a providing a rationale for it. He said that when you abstain you are not representing those that elected you. Mr. Cunningham said that he disagreed. He said that they were beholden to the voters for the votes they take but didn’t think it was necessary to instill a policy about it. He said that it

was their individual responsibility to explain to the voters as needed adding this didn't happen much. Mr. Petropoulos said that they owe it to the voters to say why at the time. Mr. Cunningham agreed they needed to be accountable but thought it was up to them individually to address it if need be. Mr. Degen said that he understood where Mr. Petropoulos was going with this citing abstaining from the approval of minutes for a meeting he had not been at. Mr. Degen said that an abstention was sometimes as simple as you can't make up your mind. Mr. Petropoulos argued that anytime you abstain you should explain and thought there should be guidelines for when you want to or should abstain. Ms. Eliot said that it was in the statute that you don't have to explain. She said that they were all accountable on how they vote to their constituents adding that she was not going to be told how to vote by a board because of a guideline. Mr. Petropoulos said that voting rights were different from representative votes. Mr. Schulman said that he saw no harm in saying why you were abstaining. Mr. Cunningham said that he wasn't comfortable binding them to guidelines adding that they may choose not to explain why. He said that he choose to abstain from voting on Art Campbell Day so as to not rain on Mr. Petropoulos's parade because it was important to him. He said that he didn't want to vote against it and thus just abstained. Mr. Cunningham asked if there was anything under Roberts Rules of Order that addressed this. Mr. Haddad said that he could look it up. Mr. Degen said that he understood everyone's points and could support them but thought an abstention was a waste of a vote. He said that the electorate needed to know why they were abstaining and therefore would support an explanation for abstentions. Mr. Petropoulos said that under the proposal if you abstain, you explain. He said that he was not seeing an appetite for guidelines for abstaining. Mr. Cunningham said that he recognized best practice but was not sure he saw the need for it to be a policy. Mr. Petropoulos said that they could wait and see what Roberts Rules said.

Mr. Schulman left the meeting at 6:40pm.

Mr. Haddad said that they met last March to discuss Board relations and at that time decided not to bring a consultant in. He said that the dynamics of last year had done a 180 and thought they were all working cohesively adding there had only been minor blips. Mr. Cunningham said that the dynamics were fractured and they had dedicated some effort to be productive and work with one another adding it was healthy to disagree. Mr. Degen said that over all things were a lot better than they were a year ago adding that disagreement is fine as long as it was done in a respectful manner. He said that he thought it was important to treat each other with respect and not make accusatory statements in open or executive sessions. He said that moving forward, respect should be granted without aspersions being granted on any of them. Mr. Cunningham said that the period they were going into right now was ripe with opportunities for stress adding they needed to be mindful of that. Ms. Eliot said that decisions needed to be based on reality and not misinformation.

Mr. Haddad asked if the Board wanted to schedule another relations meeting. He said he didn't think they needed to and added they were all working well together. Mr. Degen said that there was an appearance that they were all working well together adding that he felt like he was walking on egg shells around here sometimes. He said that he was trying to get past it adding it was not when they disagree but how they disagree. The Board then discussed going out to dinner as a group and was suggested by Mr. Degen that Mr. Petropoulos as Chair coordinate a dinner where they could all get to know each other better without discussing town related items.

Mr. Degen moved to adjourn to the Charter Review Committee at 7:00pm and further adjourn at the conclusion of that. The motion carried unanimously.

Approved: _____

Stuart Schulman, Clerk

respectfully *submitted*,
Dawn Dunbar, Executive Assistant

Date Approved: 3/7/16