

**Board of Selectmen's meeting  
February 11, 1999**

Those present: Joyce Tolman, Valerie Mulvey, Christopher Petrini, Charlie Sisitsky, John Kahn and Mark Rees, Acting Town Manager

The meeting was called to order at 7:42 p.m.

The Chairman recognized the Firefighters and Police Officers who exhibited bravery and courage in connection with the December 16, 1998 fire at 16 Anzio Road. A Proclamation was read and distributed to each firefighter and police officer who was at that fire.

Chris Petrini informed the Board that he had been approached by Mr. Archie Lyon requesting a non-binding budget request for the agenda this evening. Mr. Lyon asked the Board to put a non-binding public opinion ballot question on the April ballot. Mr. Lyon stated that the Board does not need to endorse it but he would like them to do so. Mr. King has told him that the format is satisfactory. The concern was nuclear weapons that are not being taken care of and this would be an advocacy that a convocation be assembled within the next few years to work up a treaty with nations such as Russia to address this danger

**Motion** by Joyce Tolman to place this non-binding public opinion question on the April ballot. Seconded by Valerie Mulvey. Vote: unanimous. Mark Rees will inform the Town Clerk and it will be on the agenda for February 25 to see if the Board wants to actually sponsor it.

**Conferences:**

**1. Boston Properties Update: Paul Galvani**

Paul Galvani and Jim Rosenfeld appeared before the Board. Paul stated that he was here a year ago on this project and he has just submitted to Mr. Rees, a plan for re-zoning of the parcel for the Annual Town Meeting warrant. Boston Properties has now entered into formal agreement with the Massachusetts Turnpike Authority for land at interchange #12 for a first class office and hotel complex. The hotel would be 150 rooms geared toward the business traveler and 2 office buildings of 150,000 sq.ft. each. The buildings fit within the current by-laws of Framingham. They would propose to move the Ruggs Gates House to the front of the parcel, rehabilitate it for re-use. There is no zoning on this particular parcel of property. He proposed "M-1" designation because it would be consistent with the 9/90 property. In light of comments/concerns from town officials regarding traffic concerns, VFB Traffic has been retained and is doing a lot of work on that. The By-Law would require a 3% off-site mitigation improvement which would amount to approximately \$1,200,000. Some intersections were discussed and he further noted that \$165,000 would be used by Department of Public Works for water/sewer. Real estate taxes were projected at \$1,400,000-\$1,500,000 annually plus a hotel room tax of \$175,000 to the town. Paul stated that he will begin meeting with various town boards and beginning the process. Re-zoning to "M-1" would require a special permit by the Planning Board. They had an initial meeting with the Planning Board one year ago. Paul said that at this point he will give them notice that he has filed a warrant article. Construction would proceed for a while and could be done either all at once or in 2-3 phases. This project is not looking for any tax concessions from the town.

**2. Downtown Redevelopment: David Kutner, William Skinner, Haley and Ward Engineers.**

David Kutner stated that they have been working with a committee that the Selectmen had appointed to address parking needs in the downtown area and addressing revitalization efforts. David talked about mixed-use zoning in the downtown area and attempted to provide implications and opportunities that are available in mixed use

zoning. He has met with the DePetrie's, Rizzo Associates and Feingold Alexander to prepare a presentation to legislature and appealing to five different state agencies for funding. David noted that Framingham has a locational advantage and has experienced tremendous economic growth in the last 7-8 years. He noted that 1,600 people get on and off the train at the Framingham station every day but the town has never been able to translate that into an economic opportunity. David stated that the opportunity now is here to take advantage on capitalizing on the development of what is happening in town. He noted Downtown Solutions, the Downtown Charrette as two groups of individuals who are coming together to work on the downtown like never before.

David referred to the launching of a Downtown Sign/Face Program and Memorial Square improvements which will begin in the spring. He stated relocating the MBTA Station approximately 700 ft. farther down will be undertaken in the spring. He noted the town's resources in ownership of the Hollis Court Parking Lots and Franklin Street lot. Those two are combined for a total of 450 parking spaces and if you would combine it with mixed-use zoning, it would be tangible, marketing of mixed-use zoning. He noted that the distance between the Dennis Building and the MBTA Train Station is the same distance between Sears from Filenes in the Natick Mall and thought we ought to address making the walk more attractive to entice people to walk the distance. David said that with 650,000 sq. ft. of new development into downtown, it translates to bringing over 1000 new employees into the downtown. David stated that he has asked the state agencies to consider 4 projects which he believes will bring real economic growth into downtown and one of them was a garage. He referred to the possibility of building a 2,000 parking space parking garage where the Big D property is located. He also has asked the State to release the 1994 funds that are still in the bond bill for the Route 135/126 project. He noted that John Stasik has been working very actively with different agencies to set up meetings, etc.

David asked the Board, if they agreed with these efforts and projects, to come together to show unanimity of redevelopment of downtown. He said it was important to lobby strongly as one body.

Valerie Mulvey read a statement from Helen Lemoine who has been meeting regularly with Joyce Tolman, and herself to discuss mixed-use zoning.

**Motion** by Valerie Mulvey and seconded by Joyce Tolman that the Board of Selectmen appoint a representative of the community to expand the committee presently studying mixed-use zoning and ask the Board to consider appointing either Christopher Burgland, Margo Deane, Maureen Dunne, Dorothy Fitch, Elsa Hornfischer, Bruce Leish, Mary Parcher or Anna Cross. Vote: unanimous.

**Motion** by Valerie Mulvey and seconded by Joyce Tolman to draft a letter to our state representatives and legislature that we are committed to the revitalization efforts of downtown Framingham in the four components outlined by David Kutner. Discussion: The question was raised on the definition of "unify" because all Board members have been supportive of downtown revitalization efforts. Generally, ask representatives from state agencies to come out and see Framingham, perhaps a walking tour. Joyce asked about Brownfields? David will look into that. John Kahn thanked David for his informative and in-depth report but stated that David had mentioned 9-10 major projects and one of the important aspects is to preserve the character of our community and thought further consideration should be given to the impact of those projects. Mr. Sisitsky agreed that the Board needed to take a unified position and felt the Board has done that in supporting the decision to hire a Downtown Manager and funding of the position. Maureen Dunne addressed the Board and said that the Block Grant Committee did take action on hiring of a Downtown Manager but since she was at this meeting (Selectmen's) she was not at that committee's meeting going on at the same time to discuss whether or not they took action on the budget. She was not at liberty to divulge the Manager's name at this point. She said the EDIC would issue a press release on behalf of the EDIC expressed her thanks to all the members of the Selectmen for their support of a Downtown Manager. Chris Burgland of the EDIC stepped forward and said

that they had approved the Facade Budget and another portion of the budget and anticipates it to go before Town Meeting this spring. Charlie expanded the motion to look forward to proposed mixed-use by law changes for the April Town Meeting. Amendment accepted. Vote: unanimously carried.

**Motion** by Valerie Mulvey and seconded by John Kahn to send appropriate letters to our state officials that we are prepared in conjunction with Mr. Kutner's presentation this evening re: MBTA funding, Brownfield survey, action planning and the release of initial funding of the Route 1235/126 for revitalization efforts in the downtown area. Vote: unanimously carried.

The Chairman asked if it was premature to have a motion that the Board of Selectmen send a letter seeking support and funding by CDBG. Discussion: to develop a plan to move in that direction and work jointly with CDBG but perhaps it was too premature at this point. John suggested having the Charrette in at an upcoming Selectmen's meeting to show what they've done and perhaps having schematics and designs ready for display at the upcoming town meeting.

**Motion** by Valerie Mulvey and seconded by Joyce Tolman to invite the Charrette to come to one of our meetings to make a presentation and ask that they prepare appropriate schematics and designs for display at the town meeting in April. Vote: unanimous.

**2. 9/90 update. David Kutner, Bill Skinner, Robert Sims from Haley and Ward.**

Mark Rees reviewed the project to date. There are two aspects of 9/90 - one is sewer extension and the other is roadway and intersection improvements. Regarding sewer extension project: On May 27, 1998, Town Meeting authorized funds; July 16, 1999 bids were opened. The bid price would only leave a contingency of \$78,000. Mark stated that at that point, red flags should have gone up. Haley and Ward thought they were going to be paid from other sources than the original funding, therefore there was a \$356,000 deficit possible. He noted that some anticipated expenses may change and reviewed what the major factors contributing to this deficit were: unit cost overruns, railroad issues and construction related issues. Unit cost overruns, i.e., if they have to run extra pipe than what the contract projects, you pay a unit price. That amounted to \$192,000 in additional costs. Additional regulatory expenses: 4 by Mass. Turnpike Authority and 1 by MWRA for a total of \$113,000. Railroad: Con-Rail delayed us about a week at a cost of \$116,000. Construction related issues: \$57,560. Mark stated that there were a variety of options: go back to the state and ask for additional CDAG money for this project; he noted the TIF Agreement with NDNE which states if the town is unable to secure additional money from the state, they would pay up to \$200,000; approach the Mass. Turnpike to commit some money to loaming and seeding; approach other businesses that will benefit from the new sewer interceptor. Mark noted there is \$300,000 in the sewer budget earmarked for pump station and it could be moved to this. Mr. Rees' recommendation would be that we take it from sewer enterprise funds and if other money came in we would reimburse the sewer enterprise funds. It does not require Town Meeting vote.

Mark stated that regarding the roadwork status, the town is in better control of our destiny because there are the Route 9/Country Club Lane improvements that have not been awarded or bid yet. Improvements to various intersections, where the bids have been opened but contracts not yet signed. Most of the mandated changes came from the state and addressed what could be done to address the shortfall. 1) Request additional state aid in a PWED grant; 2) access \$110,000 from TIF Agreement with Natural Micro-Systems; 3) using Chapter 70 funds (as a last resort). He noted that this would need to be coordinated with the Planning Board and Planning Department. The construction is continuing and the resolution of funding will not delay it's completion.

Mark suggested that if we do need to spend the money, they would come back to the Selectmen on terms of where to take the money from; all agreed. Chris noted that at that point we could have a legal opinion. Some discussion centered on the fact that some change orders happened because other people wanted them and why things happen in the middle of a project. Bill Skinner stated that there are unknowns with any project. This was a fast tracked project and yet they ran into Sprint cable under the ground when it wasn't even shown on any Mass Pike drawings - that created an additional expense. Charlie Sisitsky said that we can't award a unit price contract with such a small contingency and the permits should have been in place before the project started; not having an approved bridge design before the start of construction was a major contributing mistake. Mark Rees was commended for his presentation and addressing the problems with solutions and urged to pursue every option available.

Haley and Ward's engineer stated that while they provided Mr. Marcoux with weekly job reports, financial details were not addressed because it was never asked for nor did they see it as part of their function. It was noted that the Public Works should write a policy guide for future use. The appropriateness of the funds available through the TIF Agreement with NDNE be referred to Town Counsel was discussed. If that was necessary as part of the funding of this overage, Chris would ask for opinion of counsel.

Sue Bernstein noted that when the bids went out for this project there was one high, one low and a cluster of bidders in the middle and hoped that whoever is responsible for negotiating the contract with the low bidder, tells the contractor that we expect them to come in at that price.

### **3. FY2000 Operating Budget, Mark Rees**

Mark Rees stated that tonight's presentation was in summary format. The Chief Financial Officer Act states that it has to be 60 days before Town Meeting and noted this is a little early but we need to move forward as quickly as possible. He stated that there was an estimated 4.2 million dollar deficit. In December he met with the Board of Selectmen and talked with them about the budget and the Board set some parameters. Budget policies approved that the town continue with phase out of projecting free cash; debt service and it's relationship with the capital budget - it should not exceed 5% of operating budget; stabilization goal should reach 5% of operating budget. A Financial Task Force recommended looking at fee for services and that the regulating/permitting fees are accurate. He also looked at parking lot fees. Another concept was to limit growth and expense to growth and revenue. Priorities for funding were established with safety first. He noted there was consensus on the Board to fund the second year of the Downtown Manager position; Phase 2 of school field athletic improvements; and third was improvements to school buildings.

On the revenue side: increase by 5.8% over 1999 to a total of 134,000,000. Property tax is largest revenue; second is local receipts. Mark recommended that Board of Health fees be increased, parking rates be doubled at town owned parking lots. State aid is predicted to increase to 11% - largest portion of that is the reimbursement of the Wilson School project. The figures he used for state aid is based on the latest budget recommended by the Governor last week. Mark stated that regarding free cash, he would recommend that we use the remaining 2/3 that was certified in June.

On the expense side: 6 million dollar overage; his presentation shows it has been reduced; needs to be coordinated with the school department's budget and the library budget. Municipal budget: Mark stated that he reviewed line item by line item and categorized each request into different areas. He is recommending to reduce each department's personnel line item by 5.7% and charge division managers to live within those cuts. This would be achieved through temporary lay-offs, overtime reductions, saving from operation expenses to fund personnel; eliminating positions and a hiring freeze. The second option would be to reduce specific positions and services; 13 positions would not be funded and some services would be cut. He did recommend that a key position in the Treasurer/Collector office be restored and for the Human Resources

Department to move forward with an updated Wyatt Study. There was a 3% salary adjustment increase for non-union employees for FY00 due to the fact that all unions currently will receive those raises.

Discussion revolved around Option 1 and Option 2 and the criteria of 5.7% across the board for non-public safety departments. It was asked of Mark that he ask to hear from department heads on how they would like to accomplish taking budgetary cuts to which areas of budget. Charlie wanted a greater detail of when the Board would be hearing more in depth budget matters. There were several schedules attached to Mark's handouts on the budget and on January 25th there will be a more lengthy discussion on the budget. Temporary lay-offs would be an option for a department where an individual would be laid off for only a short time, perhaps a few months and then called back. Mark stated that he is meeting with the School Committee on January 23rd to review his budget recommendations. Mark stated that he would expect the Division Heads to accept his recommendations but the Board of Selectmen and Manager have to work together. John asked if Mark had considered picking up Park and Recreation funds in the Revolving account? Mark said that because the money comes in June for services provided in July it is already encumbered. Mark was asked to provide a type of analysis that would show revenue sources which might have been overlooked or revenue bridging type of document that addresses the impacts. Mark felt his revenues were concrete and he has used the same process this year as last.

Suzanne Ames, Vice Chairman, Framingham School Committee addressed the Board. The School Committee had met earlier in the week and the Superintendent stated and committee concurred that anything at the 5% would be detrimental to the school system. She noted there are many mandates for special education, bilingual mandates, and 4.85% would certainly not be enough to maintain programs or personnel in our school district. In response to a question from a Board member, she stated the School Committee is hoping for 8.8% and that would maintain the school district status quo.

#### **4 Rules of Procedures, Public Hearing**

Mark Rees reported that Town Counsel had responded with a letter that the Board of Selectmen should go forward with tightening up procedures but perhaps the proposed document is too complicated for the types of hearings the Board of Selectmen will be conducting. Town Counsel made some suggestions of deleting some portions and suggested he work with a member of the Board to define the procedures.

**Motion** by Valerie Mulvey and seconded by John Kahn for purposes of discussion to accept the Town Counsel's recommendation set forth in his February 9, 1999 memorandum with respect to moving forward with post hearing regulations and come back with a further draft that clarifies language and as appropriate, further discussion on the sections that have been deleted. Discussion: John stated that he did not think the discovery portion should be deleted; discovery would allow the taking of statements from minors as was needed in the Polly Esta's matter.

Joyce Tolman agreed that the document need to be consistent so that all are treated the same and was concerned that the Board is setting policy that will be too cumbersome or technical. Some discussion revolved around how to determine whether the matter was serious enough to warrant following the policies or if it was a judgment call for each case. Valerie noted that she would like Town Counsel's opinion of choosing/not choosing to use the policies. Valerie stated that she would like to see John work with Aaron but would like to see points made by Aaron as to his reasoning for deleting certain sections. Chris suggested to vote the motion as stated and if Mr. Kahn wanted to work with Aaron and have Aaron send his explanation, that would be fine but he would prefer to follow the recommendation of Town Counsel. He stated that the policy places a lot of responsibility on the Chairman. Vote: all in favor. Mr. Rees will notify Aaron of this action.

#### **5. Town Counsel Compensation**

The Chairman turned the discussion over to Valerie Mulvey and Charlie Sisitsky who were the sub-committee looking into this. Charlie stated that they had met with Aaron previously and then again yesterday. Based on the last meeting with Aaron they were prepared to make two separate recommendations. Valerie reviewed what had happened since this topic came up for Joy Tolman's information due to Joyce's absence. Valerie and Charlie had discussed increasing Aaron's hourly rate to \$110.00 per hour which they reasoned was fair for the services rendered. If the Board were to increase the salary this year to \$110.00 it would also be tracked to other services to the firm and attorneys who work for the firm for special education, collective bargaining, workers compensation matters, etc. The other option was settling the rate, retroactive to 1997 at \$90.00 per hour. Charlie restated that the contract which was signed 3 years ago called for \$75.00 per hour and provided for increases each year with the Board of Selectmen's approval. It was increased in FY97 and FY98 without formal negotiations with the Board. Joyce raised the issue of the Board's desire for Aaron to reimburse the town the amount of money which was overbilled in FY97 and FY98. Charlie and Valerie both agreed that both of the options they were proposing, would negate the need to collect that amount of money that was originally determined to be overpaid. Valerie and Charlie stated they could support either one of the options. The issue of whether raising the rate to \$110.00 an hour would impact the School Department's budget. Valerie stated that there are reasons to vote for either option and thought it best to bring both options to the full Board. Joyce asked why Aaron had not approached the Board in FY97 or 98. Valerie stated that they had not discussed the past with Aaron because it had already been a topic of discussion earlier. Mark Rees stated that the Town Counsel's salary has been level funded for the last 2 years. He has not been paid above what was already slated for salary in his legal budget. Valerie and Charlie agreed that setting the rate at \$90.00 retroactively to FY97 and not increasing it to \$110.00 was Aaron's preference. John raised the issue that from a cash flow aspect, it might be better instead of getting one large bill at the end of the year, to have more realistic current billing on a shorter term from Aaron. Valerie stated that they did not discuss method of lump sum payments since they were to discuss the hourly rate with him. She said they were simply trying to settle this one area. John asked Mark Rees about the impact on the budget if the payments were to be broken down, in addition to Aaron's monthly stipend, to something less than a once a year lump sum payment. Mark said without his calculator he was hesitant to make any kind of projection of the impact. Valerie stated that the Board would not be forgiving past history but we were keeping a cap on lower charges for services provided and stated the Board should agreed that the amount of \$75.00 was low for the value of his service to the town. It was unanimous by Board members to take no action on this until a future time when Mark has some time to talk to the School Department and provide an analysis of impact. This item will return on a future agenda.

#### **6. Y2K Contingency Planning**

John stated that he had made available a memorandum from himself and his attendance at the MMA Conference and the attention given to the issue of the situation municipalities may find themselves in if there is a catastrophic failure of services that towns/cities provide. He noted that Ms. McCarthy has looked at our Y2K compliance and the fact that our systems do or do not have the capability to respond to a 2 digit year. He raised the issue of power utilities, telephone company, fuel oil distributions, wholesalers or retailers have a problem it will impact our community and what are doing to ensure the safety of our residents. John suggested the Board of Selectmen constitute a committee to 1) develop a program or assuring the continuity of town services in the event of such catastrophe; 2) detailed survey of each of the key departments and having them identify all areas of their departmental operation that would be effected. Discussion centered among Board members that these systems are already in place for other types of emergencies and this may be a duplication of the process. Mark Rees stated that Ms. McCarthy's efforts have been to make sure the internal computer systems are compliant. Charlie suggested asking the Fire Chief, Police Chief, Acting Director of DPW if they have disaster plans in place before we establish committees. Chris suggested having Ms. McCarthy come into a Board Meeting with the Fire Chief and Police Chief at an

appropriate time. Mr. Rees suggested circulating Mr. Kahn's memorandum to department heads and determine action once the Board has their comments.

**Public Participation:**

Esther Hopkins addressed the Board and said she had talked to people who had expressed great concern regarding the process of the Search Committee for a Town Manager. She said she understood the candidates had been reduced to 12 semi-finalists and suggested the Board ask for a presentation of ranking done by the Committee.

**Acting Town Manager's Report**

Mark Rees stated the Town Clerk put the schedule together for deadlines for Town Meeting.

**Motion** by Joyce Tolman and seconded by Valerie Mulvey to accept the memorandum from George King with the subject of Town Meeting Schedule of Deadlines. Discussion: John asked if the Board wanted to determine ahead of time what articles the Board may or may not want to sponsor. Mr. King stated that one would only need 10 signatures to have an article placed on the warrant but sometimes individuals do want the Board of Selectmen to sponsor theirs. Chris stated it would be a policy decision of the Board and the Board's sponsorship is not necessary. John Kahn suggested that when the Town Clerk sends out his schedule, it states somewhere on the notice that the individual must get 10 signatures. It was raised that it may be appropriate for departments that have Boards, exhibit that they have majority support of their Board for the article. Vote: all in favor.

Mark Rees stated his recommendation for Acting Human Resource Director would be Sheila Chamberlain. She has 21 years of service to the town and has acted as Interim the last 2 times there has been a vacancy.

**Motion** by Charlie Sisitsky, seconded by Joyce Tolman to move concurrence of Town Manager with regard to the recommendation of Acting Human Resources Director. Vote: unanimously carried.

**Selectmen's Reports:**

Valerie Mulvey read a letter from Downtown Solutions regarding their Winter Wonderland event planned for this Saturday, February 13th. They are requesting the Board waive the fee for the Memorial Building to allow those who come to the event, use of restroom facilities.

**Motion** by Valerie Mulvey, seconded by Charlie Sistiky to waive the fee on Saturday, February 13, 1999 for Downtown Solutions to enable them to use the building for restroom facilities. Vote: unanimously carried.

**Action Items:**

1. Blue Cross Blue Shield Litigation

Mark stated that both Town Counsel and the town's health consultant has recommended that we do not go forward with joining with this suit at this time. Town Counsel had spoken to the Blue Cross Blue Shield representative and there didn't seem to be any real urgency to the deadline.

**Motion** to table litigation against the tobacco industry until further information has been provided. Motion made by Valerie Mulvey, seconded by Charlie Sistisky. Vote: unanimously carried.

2. School Crossing Guards Contract

Mark stated that this has previously been negotiated and approved by the Board, however signatures had not been acquired. This item does not need a vote from the Board since it was already approved.

3. Side letter of Agreement, Daniel Nau promotion

The Board tabled this item last week and asked Town Counsel to prepare a Side Letter Agreement which would allow the personnel action item that is contemplated.

**Motion** to accept the recommendation of the Personnel Director adjusting Daniel Nau's classification upon execution of the agreement dated February 9, 1999 that Mr. Bikofsky had pared. The motion was made by John Kahn and seconded by Joyce Tolman. Vote: unanimously carried.

**Review of Correspondence**

1. Letter from Board of Public Works re: water and sewer rates

The Board of Public Works is working diligently in preparing recommendations for water and sewer rates and they ask that the Board of Selectmen do not make any decisions until they get a report from them. Normally this is done in June but from a practical point of view, the Board of Public Works stated they started reviewing them now. The Chairman suggested the Acting Town Manager write a letter stating we have received the Board of Public Works' letter and we would like to see their review by March 1st.

**Motion** by John Kahn and seconded by Charlie Sisitsky that the Board of Selectmen would not like to postpone the process and would suggest that the Town Manager write a letter to the Board of Public Works commissioners that we would like to see their findings sooner, rather than later, with perhaps March 1 as a deadline to report to the Selectmen. Discussion: In light of overbillings, perhaps the Selectmen should know what the Board of Public Work's policy is for handling same? Amended by Charlie Sisitsky that we would further like to see a policy and information on how the Board handles abatements. Amendment accepted. Vote: unanimously carried.

2. Letter from Planning Board re: training seminars

The Planning Board is looking for \$500.00 for a training seminar by Mark Bobrowski. Valerie stated that she knew he was well qualified but was the price inclusive of all materials and did it cover all members of the Board or other Boards as well if they decided to attend? The letter is requesting funds because their budget is tight.

**Motion** by John Kahn and seconded by Charlie Sistisky that the Board of Selectmen authorize the funds necessary from the Selectmen's budget for the training seminar of the Planning Board. Vote: unanimously carried.

3. Letter from Celebration Committee re: participation in Flag Day Celebration Weekend.

**Motion** by Valerie Mulvey and seconded by Joyce Tolman that the Board of Selectmen authorize the Acting Town Manager to complete the form and return it on behalf of the Board of Selectmen. Vote: all in favor.



**New Business**

John Kahn stated that he attended a Search Committee meeting and stated they are apparently planning on three more meetings to wrap up their work and discussing what sort of report they will be making Board of Selectmen.

**Motion** by John Kahn to formalize what we expect of the Search Committee and ask the Search Committee, when it renders it's final report to give us not less than 4 panelists among whom we should attempt to make a choice, that the four panelists be ranked 1 through 4, that they provide us with the reasons for the rankings and that they provide us with a summary statement of the criteria that they have followed at the various stages of moving people forward in the search process. Discussion: Charlie felt that the Board of Selectmen has been "hands-off" with the Search Committee and did not think we should be telling them what they should be doing. Valerie was concerned there may be bias as a result of the rankings if provided by the Search Committee. Joyce was not sure if ranking was necessary by the Search Committee. Chris said he was going to be meeting with the Director of Personnel for the School Department tomorrow to prepare a list of questions we may want to ask the candidates when the Board interviews them. Joyce suggested he speak to Don McCallion and his opinion of ranking. Valerie stated the Search Committee is on the agenda for the Selectmen's meeting of February 25th and believed they would come in with a report outlining their process. John stated he thought it would be helpful if the Board knew the reasoning for the Search Committee's reasoning. The motion was never seconded therefore was never voted on.

**Motion** by John Kahn and seconded by Valerie Mulvey to move from Open Session into Executive Session for the purposes of litigation. The Board would convene in public session for purposes of adjournment. Roll call was taken with all members voting in the affirmative.

**Motion** by Charlie Sisitsky and seconded by Valerie Mulvey to close Executive Session and return to Open Session. Roll call vote was taken with all members voting in the affirmative. No votes were taken during Executive Session.

**Motion** to adjourn this evening's meeting by Valerie Mulvey and seconded by Joyce Tolman. Vote: unanimously carried.

Respectfully submitted,

Nancy Starr-Ferguson  
Temporary Recording-Secretary

  
VALERIE W. MULVEY, CLERK