

## **BOARD OF SELECTMEN EXECUTIVE SESSION**

**Thursday May 30, 2019 – Richmond Town Hall, 1529 State Road**

**PRESENT:** Mr. Roger Manzolini, Chair; Mr. Neal Pilson, Selectman; Mr. Alan Hanson, Selectman and Ms. Dawn Hanson (via telephone conference call); Mr. Mark Pruhenski, Town Administrator; Mr. Paul A. Lisi, Jr., Town Treasurer/Collector

**ABSENT:**

**Pursuant to Massachusetts General Laws Chapter 30A, section 21(a) and not to return to public session.**

- A. For the purpose of conducting a strategy session in preparation for negotiations with non-union personnel – Treasurer/Collector

Mr. Hanson explained that he was taking the Executive Session conference call in his car and that his wife, Dawn Hanson, was present. Mr. Manzolini moved that Ms. Dawn Hanson be allowed to attend the Executive Session via telephone conference call. Mr. Pilson seconded the motion, which was adopted by unanimous vote as follows: Mr. Pilson, Aye, Mr. Manzolini, Aye, Mr. Hanson, Aye.

A roll-call vote was taken on the motion to go into Executive Session and not return to the Public Session: Mr. Manzolini, Aye; Mr. Pilson, Aye; Mr. Hanson, Aye.

Following a procedure that Mr. Pilson discussed with Town Counsel, he conducted a roll-call vote to conduct a strategy session to prepare for a negotiating session with non-union personnel. If that is approved, the Board would ask Mr. Lisi to leave the room for a brief period so that the Board can discuss their meeting with him.

Mr. Pilson moved that the Board conduct a strategy session to prepare for negotiations with a non-union employee. That motion was seconded by Mr. Manzolini and adopted by roll-call vote: Mr. Pilson, Aye, Mr. Manzolini, Aye, Mr. Hanson, Aye.

Mr. Lisi left the room and the Board began to strategize and discuss his request to renew his three-year employment agreement one year in advance so that the new term of his proposed agreement would run from July 1, 2019 to June 30, 2022. A discussion followed in which Mr. Manzolini suggested that, given the significant turnover that the Town is experiencing now with the transition from one Town Administrator to another, he felt it best not to make any additional changes, but to postpone this discussion. Mr. Pilson noted his agreement with that thought and added that he felt it ill-advised for management to enter into a new contract with a senior person who is in a subordinate position to a new person the Town is about to hire. It was his opinion that the new Town Administrator should have the opportunity to participate in the decision to extend Mr. Lisi's contract. Mr. Pilson would prefer that the Board say that it will

take another look at his request by the end of the year, at which time the new Town Administrator will have been in place long enough to be able to provide meaningful input. He also suggested that the Board be certain to let Mr. Lisi know that they value his service and his loyalty to Richmond, but that this is not the appropriate time to renegotiate his contract. Mr. Hanson agreed with putting this question off until the end of the year. He asked if it were necessary that all contracts begin and end with the fiscal year. Mr. Pruhenski explained that employment contracts do typically begin and end with the fiscal year because of budget considerations and he would recommend continuing that practice. A start date can be any time, but the end date should always be June 30<sup>th</sup> of the ending year.

The consensus was that this issue will be revisited at the end of the year although there is no specific date in mind at this time. The ensuing six-month period will give the new administrator sufficient time to work with Mr. Lisi and be able to participate in the discussion.

Mr. Manzolini moved that the strategy session come to an end and the Board re-enter the Executive Session. The motion was seconded by Mr. Pilson and adopted by unanimous roll-call vote: Mr. Pilson, Aye, Mr. Manzolini, Aye, Mr. Hanson, Aye

Mr. Lisi was invited to rejoin the meeting, which he did. Mr. Manzolini explained to Mr. Lisi that the Board had decided that, in general, it is not wise for too many changes to be made at once and, given that the Town is already going through a major upheaval with the transition to a new Town Administrator, he felt it would be wise for the Board, as managers of the Town, to postpone discussion of Mr. Lisi's proposal. He said that the Board felt it would be wiser to get through the transition period of bringing in a new Town Administrator, give that person some time to work with the staff as a team and then have this discussion no later than the end of this year.

Mr. Lisi said that all he was asking was to have his contract end date changed from 2020 to 2022 nothing else. Mr. Lisi asked the Board for comments on his performance. Mr. Pilson said that the Town's Attorney had advised him not to engage in performance discussions with Mr. Lisi at this meeting. When Mr. Lisi objected on the grounds that his position was under the direct supervision of the Board of Selectmen, Mr. Pilson corrected him that his position is under the direct reporting function of the Town Administrator and not the Board of Selectmen. Mr. Lisi quoted from the Town's bylaws, "The office of the tax collector/treasurer shall be under the direction and control of the Board of Selectmen." There was a discussion on the issue in which Mr. Manzolini suggested that this discussion be ended, that clarification of the issue of reporting function be obtained and what the reason was for Ms. Goodman's advice not to discuss Mr. Lisi's performance at this time and resume the discussion when those issues are clarified. Mr. Lisi asked whether he should bring his attorney with him for the next meeting.

Mr. Pruhenski offered an explanation of why Ms. Goodman would caution against discussing Mr. Lisi's performance at this meeting. An employee must be advised 48 hours in advance of a performance review in order to give the employee the opportunity to be represented by

counsel. It was not because there is a performance issue, but because that was not the topic of this meeting.

Mr. Lisi said that if he is deemed to not be a “fit” for Richmond, he would expect the professional courtesy from the people who oversee his work to tell him that. Mr. Pilson preferred not to respond to that statement and advised Mr. Lisi that there was no discussion in their strategy session earlier of anything related to performance. He suggested that if there was going to be a meeting on performance, Mr. Lisi should be represented by counsel and the Board should be prepared for a discussion, if Mr. Lisi requests it, on those issues.

Mr. Lisi and Mr. Manzolini agreed on the necessity for a properly set up meeting to discuss several issues. Mr. Manzolini moved that the Executive Session be closed at that time, which was seconded by Mr. Hanson and approved by unanimous roll-call vote: Mr. Pilson, Aye, Mr. Manzolini, Aye, Mr. Hanson, Aye.

Signed:

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Mr. Roger Manzolini

Chair – Board of Selectmen