



TOWN OF EAST LONGMEADOW
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EAST LONGMEADOW, MA 01028

TOWN COUNCIL

(413) 525-5400 ext. 1001

Kathleen G. Hill, President
Michael J. Kane, Vice President R. Patrick Henry
Donald J. Anderson Thomas C. O'Connor
Joseph A. Ford Ralph E. Page

MINUTES

Town Council Minutes
August 13, 2019 at 6:00 P.M.
Council on Aging Media Room
East Longmeadow, Massachusetts 01028

Present: President Kathleen Hill, Vice President Michael Kane, Donald Anderson, Joseph Ford, R. Patrick Henry, Thomas O'Connor, and Ralph Page.

President Hill opened the meeting at 6:00 p.m. with the Pledge of Allegiance, followed by a Moment of Silence. Announcements were made in accordance with Mass General Law, and it was noted that ELCAT was taping the meeting.

ACT ON MINUTES AND MOTIONS OF EXECUTIVE SESSION MEETING OF JULY 24, 2019

Motion: Councilor O'Connor made a motion to approve the minutes of the Executive Session Meeting of July 24, 2019. Vice President Kane seconded and all were in favor, with Councilor Henry abstaining.

COMMUNICATIONS, CORRESPONDENCE AND ANNOUNCEMENTS

President Hill said at the last Council meeting she had announced the appointment of members for the Town Council ad hoc and standing committees. At that time she had also noted that there was still a vacancy on the Bylaw Committee for two residents. President Hill was happy to say that two individuals have volunteered to be on the Bylaw Committee and they are Tom Christensen and Bill Fonseca.

President Hill said now that each ad hoc and standing committee is complete and members are appointed, they can go forward with their work. She noted that the Planning Matters Committee had a fair amount of items to address.

OLD

BUSINESS

Appointment of an Acting Town Manager

President Hill announced that the primary reason for this particular meeting was to come to a decision regarding the appointment of an Acting Town Manager. In last week's Council meeting the councilors were provided with resumés of two individuals who both had a fair amount of municipal government experience. During last week's discussion the Council referred to those individuals as Candidate A and Candidate B, per the advice of Town Attorney Kevin Maynard. Since then, both candidates have given permission to have their names made public. One of the candidates is Mary McNally, who is finishing up her contract as Hampden's Town Administrator. The other candidate is

Robert Markel, who has recently finished a short period of time as the Interim Town Manager for Richmond.

President Hill then explained that upon the recent retirement of Town Manager Denise Menard, effective August 15, 2019, the Council has to appoint an Acting Town Manager. She said Section 3 of the Charter (Acting Town Manager) states that the Town Manager should, within 90 days of their appointment, designate a Town employee to act in the absence of the Town Manager. Unfortunately, that did not happen, which leads to the Vacancy paragraph of that Section that states that the Council is charged with appointing an Acting Town Manager for up to four months, and beyond if necessary for an additional four months.

President Hill said it had been decided by the Council that she and Vice President Kane begin to search for a viable candidate who could be the Acting Town Manager. Through both calls and networking they were able to receive these two candidates with very solid resumés. She added that last week she and Vice President Kane spent a fair amount of time with town hall employees to see what their concerns were. President Hill and Vice President Kane also interviewed both candidates to get to know them better and have them elaborate on their experience and careers.

President Hill said the Council has had the opportunity to review the resumés of Ms. McNally and Mr. Markel. While both have expressed interest in the Acting Town Manager position, Ms. McNally has vehemently expressed interest in being a candidate for the permanent Town Manger position.

President Hill then gave her thoughts on the candidates being considered. She feels that after listening to the town hall employees and residents, Ms. McNally brings a wealth of experience to the table. President Hill said Ms. McNally is an attorney by trade, and has significant experience in human resources. President Hill added that Ms. McNally is also a licensed procurement officer, and per the Charter, the Town Manager is supposed to be the certified procurement officer, or can delegate to an individual. Ms. Menard had delegated that responsibility to Director of Municipal Finance and Town Accountant Sara Menard. President Hill felt that, stepping back from that, having Ms. McNally's experience as a certified procurement officer is an advantage.

In addition, President Hill said she was struck by Ms. McNally's passion in working as an Active Town Manager and her desire to be a serious candidate for the permanent position. President Hill felt there was an advantage for an Acting Town Manager to serve in the day to day capacity of that office, if they were hired as the permanent Town Manager. They would have endured the typical three to four month transition making less of a disruption to town government. President Hill is also going back to the sentiments shared by the town employees that they want someone in a leadership role who will communicate and interact with them and be available to them. She feels that Ms. McNally can offer that benefit to the town hall. Also, again, President Hill cited Ms. McNally's passion shown in her interview, and felt her energy and enthusiasm are reflected in her current position based on how Hampden town employees view her. In closing, President Hill thought that Ms. McNally was the best fit for East Longmeadow at this time.

Vice President Kane said he agreed with President Hill. He said he struggled with both resumés since both candidates were outstanding and very qualified. Vice President Kane said he then tried to approach his decision from a different direction, and thought of what East Longmeadow needed from a week to six month duration. He started looking at bullet points that the Council would have to deal with, including five pending lawsuits, and associated extravagant legal fees. Vice President Kane said his decision was made when he realized they could bring a candidate who was an attorney on staff

who could minimize the amount of legal work that would be passed to an outside entity. Minimizing legal fees would also help offset the expense of employing two town managers at the same time. Vice President Kane also said if Ms. McNally were to apply for the permanent position, it may give the Council the opportunity to avoid the search and save approximately \$10-12K. With all that said, Vice President Kane said the candidate they choose should be a good fit for the Town, however he looked at the financial ramifications to help decide between the two candidates. He would suggest the Council give Ms. McNally the opportunity to represent the Town as Acting Town Manager at this time.

Councilor Page said at the last Council meeting it was stated that the interim Town Manager would be a part time position, and asked if that was still true. President Hill said that was still true, and both candidates were amenable to that. She noted that she had been speaking to a representative from a search agency and he had told her that interims are typically part time for the same reason that Vice President Kane pointed out, in that the Town is still paying a salary to Ms. D. Menard.

Councilor Page referred to Vice President Kane's statement that a search for a permanent town manager could possibly be avoided, and Councilor Page is 100% against this. He felt they have to search for the best possible candidate, and he has never hired anyone based just on a resumé and not speaking with them.

Councilor Anderson said he agreed with Councilor Page, and said like Vice President Kane, he also had a chance to step back and think about this. At last week's Council meeting, it was discussed that whoever is interim Town Manager should not be precluded from being the permanent Town Manager. However, after giving this serious thought, Councilor Anderson said he has changed his position and whoever is voted as Acting Town Manager, he will not vote for as the permanent Town Manager. He felt if someone were interested in the permanent position and was competing with someone already in the "inner circle" who had already developed relationships and gone through the interim process, it appears as a "fait accompli" and you're not going to get the best quality people in that scenario.

Councilor Henry said it was a tough decision since both candidates seem qualified, but his biggest concern is the same as Councilor Anderson's. He thought it would be difficult for a potential candidate for the permanent position to feel comfortable applying when there is already someone doing the job. However, he said he does not deal with the Town Manager, and President Hill and Vice President Kane do. Therefore, it was important to Councilor Henry that they feel comfortable with whoever is chosen as Acting Town Manager. Vice President Kane said they have to look at who could best serve the Town at this time and a major difference in the candidates is that Ms. McNally is an attorney.

Councilor O'Connor said he has always weighed pros and cons in his career when making a decision, and he did a spreadsheet to compare the candidates' qualifications. He agrees with Councilor Page, but contrary to Councilor Anderson's comments, Councilor O'Connor feels the Council needs to consider all the applicants and not exclude an existing Acting Town Manager. He feels that President Hill and Vice President Kane have done a stellar job with helping with this transition and have spent a lot of time in the town hall. Councilor O'Connor feels the town employees expect the Council to make a decision fairly soon and he wants to keep the employees' morale up. He said he is in support of President Hill and Vice President Kane, and the Council has to trust their judgment. If they are recommending Ms. McNally for Acting Town Manager, he will stand with them.

Councilor Ford said there is one candidate with massive experience as an interim town manager, which is much different than being a permanent town manager. If you look at that, Mr. Markel would

be the clear winner from a resumé standpoint. However, Councilor Ford agrees that it has to be the right fit. He said he chaired the original search committee, and there were some good, viable candidates who withdrew because Ms. D. Menard was the interim Town Manager and was allowed to apply for the permanent position. Councilor Ford would not go to the level of not voting for the interim for the permanent position, but you do have to think about losing some good candidates. Councilor Ford added that Mr. Markel has an unbelievable amount of experience, much more than Ms. McNally; however, they are both good candidates for different reasons. He asked if the interim is just keeping the seat warm, or trying to accomplish goals. If they are accomplishing goals, what are those short term goals?

Councilor Ford said tonight the Council is laying the foundation for a permanent search, and Ms. McNally already said she was interested in the permanent position. He would assume she would still pursue that interest if Mr. Markel was chosen as the Acting Town Manager. Councilor Ford said he is in favor of a more experienced candidate for the interim to stabilize the Town right now. He would highly encourage Ms. McNally to apply for the permanent position and feels she would be a serious candidate to consider. At the end of the day he wouldn't be disappointed with either candidate, but there are other things to consider.

Councilor Anderson said he would choose Mr. Markel since he was actually a Town Manager, and not an Administrator. Mr. Markel was a city councilor so he understands the Council's position. He was also the Mayor of Springfield and understands the difference between an "administrator" and a "manager", since he has served as both. Councilor Anderson said people may not be likely to apply for permanent Town Manager and jeopardize their current position if they knew Ms. McNally already had an "in" with East Longmeadow. He said as far as looking for what the Acting Town Manager job really is, he thinks Mr. Markel would be that person and Ms. McNally and other individuals could apply for the permanent position. Councilor Anderson wants the best person available and thinks that his approach will get the Town to that point.

Vice President Kane wants to avoid another change for the Town, and if Mr. Markel was chosen, it will be another change since everyone knows he is temporary until the search is over for a permanent town manager. Vice President Kane added that he can't see how anyone would disagree that it would be good if the opportunity for change is lessened. However, he would not keep the wrong person to avoid change, and feels fortunate that they have two good candidates to choose from.

President Hill said the Charter restricts the Acting Town Manager from a fair amount of authority, and there will be a limitation of power. The position will spend a great deal of time keeping the day to day business running smoothly. Regarding the previous search process, President Hill said she would agree with Councilor Ford in that two candidates withdrew when they learned that Ms. D. Menard was also a candidate for the permanent position. However, Ms. D. Menard did rise to the top of the finalists and did not do the Town any disservice leading the Council through the transition to the new form of government. President Hill said she would not be against an interim Town Manager applying for the permanent position. She feels that if a potential candidate for the permanent position withdrew their name because they knew the interim was also applying, it says something about their belief in themselves.

Councilor Page commented that President Hill and Vice President Kane did a great job and both applications were phenomenal. He thinks that Councilor Anderson has a good point, being that when you compare the two, if the Council is only looking at an interim at this point Mr. Markel jumps to the top with his experience.

Councilor O'Connor said that Councilor Anderson is correct that Mr. Markel has a lot of experience in being an interim town manager, and some of those stints are four months and some are a year. However, that experience is in much smaller towns, with populations of 2,000-3,000, and East Longmeadow's population is 16,000. There is only one community, Southampton, where Mr. Markel has served that is comparable to East Longmeadow. Councilor O'Connor added that East Longmeadow has a lot of public safety employees and those smaller towns do not.

Councilor Ford said he doesn't agree with Councilor O'Connor, in that Ms. McNally comes from Hampden, which is much smaller than East Longmeadow. Mr. Markel is taking interim positions because of his retirement status, and he is working at something he is passionate about, with helping out towns that are available for his expertise.

Councilor Henry wanted to add to his previous comments that he had conversations with people regarding Ms. McNally and Mr. Markel. Generally speaking, those that spoke of Ms. McNally were way behind her, and some that spoke of Mr. Markel were not behind him. Councilor Henry said that weighed into his thinking and was an issue with him. Vice President Kane said he did the same as Councilor Henry and people that had worked with Ms. McNally were very much in support of her and were very happy with what she had accomplished in a short amount of time.

Councilor O'Connor said, as part of the original search committee with Councilor Ford, he would own his mistake of looking at different factors in choosing a town manager. He feels now that the Town needs someone who can manage and lead, and Ms. McNally's resumé shows that. Councilor O'Connor emphasized that a town administrator takes orders from a board of selectmen, but doesn't take the lead.

Motion: Councilor O'Connor made a motion to appoint Mary McNally as Acting Town Manager, and Vice President Kane seconded.

There was discussion amongst the Council on whether the appointment should be made through a motion or a poll. Attorney Maynard advised the Council that if the motion on the table was not approved, the Council could make a different motion. Councilor Page noted that either way, a poll is being taken, and Councilor Henry suggested the Council now needs to talk about what the deal would be with the potential Acting Town Manager.

President Hill said the deal would be the same for either candidate. In speaking with the search agency representative she asked what the typical rate would be for an interim town manager and the answer she received may be out of the Town's financial capacity. She added that salary was never discussed with either candidate; however, each of them made it clear that money was not a driving force in their interest in the position.

Councilor Page questioned the use of the term "acting" versus "interim", and after discussion it was advised by Attorney Maynard that the Charter states "interim" is used when the Town Manager is absent, and "acting" is used when there is a vacancy.

Referring to the recent motion made by Councilor O'Connor, President Hill added that this is with the understanding that she and Vice President Kane will negotiate the parameters of the short term agreement with the appointed Acting Manager.

A roll call vote was taken: Councilor Ford – nay; Councilor Page – nay; Councilor Anderson – nay; President Hill – aye; Vice President Kane – aye; Councilor O’Connor – aye; and Councilor Henry – aye. The motion to appoint Mary McNally as Acting Town Manager was passed, 4-3.

President Hill said she and Vice President Kane will now enter into conversation with Ms. McNally regarding the agreement parameters, and with the help of the Council will move forward as quickly as they can. She then thanked the Council for their insight and discussion.

Discussion Regarding Search Process for Permanent Town Manager

President Hill said, knowing Longmeadow is also involved in a search for a permanent Town Manager, she reached out to Marie Angelides who is the Chair of Longmeadow’s Select Board. Ms. Angelides recommended to President Hill the search agency they are using. President Hill talked with the contact of that agency, and they currently have ten active municipal searches they are conducting. One thing he advised President Hill about is the timeline of a search, and ninety days was given from the start of the search to when the Council could appoint someone. This would put the Town into the early holiday season by the time they could appoint someone. The agency contact also gave President Hill the recommended salary of an interim town manager.

President Hill then said the monetary requirement of an RFP (request for proposal) is the value of a service not to exceed \$10K. She said if they go out for proposals it will take a month, which is a disadvantage, and it could take an extra 30-45 days to find a search agency. President Hill then asked the Council if they wished to conduct a professional search, and they all agreed they should.

Councilor Ford said, given the way the search agencies are set up, the Collins Center being one of them, the cost is more than \$10K. He added that the agencies are certified in such a way that you can use them without going through an RFP. Councilor Ford felt it would be a complete waste of time and not necessary. He thought the Collins Center did an excellent job. They may be one of the more expensive agencies but he liked their work. President Hill said the Collins Center search cost \$18.5K, and felt the cost would be close to that now, three years later. Vice President Kane said he is definitely in favor of connecting with more than one agency, in addition to the Collins Center.

After discussion the Council agreed to meet on August 21, 2019, at 6:00 p.m., and the only purpose of the meeting would be to choose a search agency for the permanent Town Manager position.

Summary: Action Items for Next Meeting

President Hill said she and Vice President Kane will have proposals from three search agencies ready for the August 21 meeting.

Motion: Councilor Henry made a motion to adjourn at 7:06 p.m. Councilor Page seconded and all were in favor.

Respectfully submitted,

Jeanne R. Quaglietti
Assistant Town Clerk