

**Carver Select Board
Meeting Minutes
Town Hall Meeting Room #1
September 28, 2021 - 3:30pm**

In Attendance: Chair Mark Townsend, Vice-Chair Sarah Hewins, Robert Belbin, Jen Bogart & Jim Hoffman, Interim Town Administrator Rick LaFond , Assistant Town Administrator Elaine Weston & Tim Zesson from KP Law.

Motion to adjourn into Executive Session in accordance with G.L. c. 30A §21(a)(7) to comply with or act under the authority of general law (review minutes from Select Board's August 17, 2021 executive session) and in accordance with G.L. ch.30A §21(a)(1) to discuss the discipline or dismissal of, and complaints against, a public officer, employee, staff member or individual, and to return to open session by Belbin, second by Hoffman.

Roll call- affirmative: Bogart, Belbin, Townsend, Hewins & Hoffman.

Open Session: 5:20pm

The Chair led the Pledge of Allegiance and Belbin read the community prayer.

A moment of silence was held for former Select Board member and Carver resident Jack Angley.

Minutes of 8/17/21; 9/10/21; 9/14/21 & 9/21/21:

Motion to approve minutes of 8/17/21 No Action, 9/10/21, 9/14/21, 9/21/21 with amendments to all by Belbin, second by Hoffman.

Vote 5-0

Open Meeting Law Complaint: Request for approval to have Town Counsel provide a response to the complaint.

Motion to approve Town Counsel to provide a response on behalf of the Select Board by Belbin, second by Hewins

Vote 5-0

Zoning Board of Appeals Appointment: Request by the Town Administrator to ratify the Town Administrator appointment of James Barrington as an alternate on the Zoning Board of Appeals. Barrington present. He is a long-time resident of Carver and is a retired school teacher and is looking to be involved in the town. The by-law allows for the Board to affirm an appointment rather than have to wait the 15 days. There is a Zoning Board of Appeals issue in which they need an Alternate Member.

Belbin asked how many Town meetings has he been to in the last 5 years. He stated two. Belbin asked if he has read the zoning by-laws and he stated he has the packet and has read the key ones and will be reviewing the by-laws in their entirety. Belbin asked who told him about the open position. He stated Mark Poirier told him about the opening.

Belbin asked if he has any affiliation with AD Makepeace or cranberry growers and he stated no. Belbin is asking because due to the case at hand, he wants to make sure there is no conflict.

Hoffman thanked Barrington for stepping forward.

Motion by Hewins to appoint Barrington as an Alternate to the Zoning Board of Appeals, second by Belbin.

Vote 5-0

Motion to reconvene into Executive Session at 5:35pm in accordance with G.L. ch.30A §21(a)(1) to discuss the discipline or dismissal of, and complaints against, a public officer, employee, staff member or individual, and to return to open session by Belbin, second by Hoffman.

Roll call- affirmative: Bogart, Belbin, Townsend, Hewins & Hoffman.

Return to Open session: 6:45pm

Discussion and possible vote of appointment of Town Administrator:

The two candidates that the TASC brought forward to the Board were interviewed.

Bogart is not prepared to offer anyone a contract at this time. Bogart stated the search was rushed and would like to see it continued.

Motion by Bogart to not offer a contract to either Kelley or LaFond today and continue the search, second by Belbin.

Belbin stated the process was hampered by having an Interim in the position that wanted to apply for the job. He stated some applicants may have chosen not to be in the running because of that. He stated the TASC did a good job and wants be clear that all applicants will get a fair shot at the position. He stated having a tight timeline was tough for the town and the TASC and would like to see the process not be rushed. If he had to choose, he would choose Mr. Kelley.

Hewins believes no matter how many times we look, we will not find a better Town Administrator. LaFond cares about this town and someone perfect does not exist and believes LaFond is the best the Town is going to get.

Hoffman agrees with Belbin that having the Interim as one of the candidates hurt the search.

Townsend stated that it would be detrimental to restart this process and have to bring in an Interim Town Administrator due to the fact that the current screening committee may not want

to go through the process again. The Screening Committee did a good job and cannot control who applies or does not apply for the job. He feels one of the two finalists should be chosen.

Vote 2-3

Motion fails.

Motion by Belbin to appoint Mr. James Kelley to be the next Town Administrator, second by Hoffman.

Belbin stated Kelley has a lot of experience from many different aspects of the job and thinks he would be a good change for Carver.

Hewins stated that sometimes change is good and sometimes it is the worst thing in the world. There are many important things going on in the Town and this will hurt the Town. In LaFond we have a strong TA who is able to solve a lot of these issues. Change for change sake is the wrong thing to do.

Hoffman agrees with both Belbin and Hewins on change. He stated there is a lack of communication from LaFond and the Board needs to be proactive, not reactive.

Belbin stated communication is a huge topic. He is concerned about a few instances that have come to his attention, one of which that Cranberry Village did not pay their water bill for 3 months. He would like someone who will communicate with the Board.

Townsend stated Kelley had an excellent interview and that he is well qualified and he also stated having worked with LaFond in the past year, he is also qualified. With all that is going on in Town right now, he does not feel it is the right time for change.

Vote 2-2 -1

Belbin & Hoffman- Yes

Hewins & Townsend- No

Bogart – abstain

Motion fails

Bogart suggested options of asking LaFond to stay on 6 months longer or asking the Assistant Town Administrator to serve in the interim if a search continues.

Townsend stated there are a few important things to consider. If the process has to be re-done, a new screening committee may need to be appointed. LaFond may or may not want to stay on for additional time.

Townsend feels urgency to hire a permanent Town Administrator. Bringing someone in for short-term would be detrimental given all the projects going on and the budget for the spring town meeting.

Belbin stated we need to look at people in the Town Hall that are qualified. Whoever it is needs to learn the Town. Being uncomfortable may make you more in tune with what is going on in town.

Townsend asked Belbin to clarify.

Belbin stated when you are comfortable in a position, things happen, when you are uncomfortable, you may be more likely to see things you wouldn't normally would have seen. There will always be issues in the Town and someone is going to need to learn the ropes.

Motion by Hewins to appoint LaFond as permanent Town Administrator, second by Townsend.

Vote 2-2-1

Hewins and Townsend – Yes

Belbin & Hoffman - No

Bogart – Abstain

Motion fails

Motion by Bogart to continue this discussion at the next meeting, second by Hoffman.

Vote 5-0

Adjourn at 7:05pm by Belbin, second by Hoffman.

Vote 5-0