

**BOARD OF SELECTMEN
Meeting Minutes
May 12, 2014**

Approved: June 2, 2014

PRESENT: Vincent Amoroso, Chair; Robert Stemple, Clerk; Les Fox, Member; Jim Gorman, Member and Raid Suleiman, Member

ALSO PRESENT: Jonathan Eichman, Town Counsel (Kopelman & Paige); Selina Shaw, Town Administrator

The documents discussed herein have been included with the file copy of the agenda packet for the above-referenced date and are hereby incorporated by reference.

CALL TO ORDER

At 5:37 P.M., Chair Amoroso called the meeting to order in the Blanchard Memorial School Library.

SELECTMEN REPORTS

Chair Amoroso commented that he did not plan to call out the Police Chief's salary at Town Meeting. The Finance Committee will be presenting their budget, which supported the salary.

OLD BUSINESS

Code of conduct/values and statement of ethics

Selectman Suleiman introduced the matter, which was based on the town of Easton's code of conduct. Board initially discussed in 2012. Selectman Fox suggested that the overarching statement from the BoS goals seemed to address many of the issues. General agreement that the statement was more a code of conduct; "ethics" was a misnomer. Selectmen questioned what the problem was that they were attempting to solve by adopting such a policy. Selectman Suleiman said that the policy summarizes appropriate behavior and interactions among members of the Board in one document, which could be shared and adopted by all committees under BoS purview. Chair Amoroso was leery of procedural resolution that would result from Board's adoption of such a policy. Matter will be further discussed when new member is on board.

NEW BUSINESS

Proposed policy on use of nasal naloxone

Selectman Suleiman recused himself.

Generally, the Board agreed that the policy made sense, but sought clarification on some issues including storage location and shelf life. Questions will be sent to Police Chief Ryder in advance of the next selectmen's meeting on June 2 when discussion on the matter will continue.

OLD BUSINESS continued

Special/Annual Town Meeting preparation

Discussion regarding Minuteman articles. Based on the voting of Minuteman communities thusfar, the correspondence received from Wayland, and the Chair's discussions with his counterpart in Needham, Dan Matthews of Needham, Chair Amoroso recommended that the town meeting vote on Article 7 (withdrawal from MRVSD) be non-binding and that Article 6 (amendments to the Agreement) be passed over. Since Article 6 is "the Region's", School Committee representative Cheryl Mahoney will move the article and has agreed to present a motion to pass over. The Chair summarized his rationale as noted in the memo that accompanied his May 11th email on the matter. The Board supported the Chair's recommendation. TA has already prepared the appropriate alternative motions for town meeting.

CONCERNS OF THE BOARD

Brief discussion on resident's complaint regarding payment of fee for bulk permit. Board will discuss matter of bulk permit fees with DPW Director at a later meeting.

Brief discussion regarding citizen's complaint concerning lack of solar initiatives provided by LELWD. TA was in touch with LELWD on the matter and read their response into the record. It was noted that LELWD already offers the lowest rates in the state and it was questioned whether solar would offer an economically viable alternative.

ADJOURN

At 6:45 PM, it was moved and seconded to adjourn.



BOARD OF SELECTMEN
Meeting Agenda
May 12, 2014
Blanchard Memorial School
Library

1. CALL TO ORDER, 5:30 PM

2. MINUTES

- a) Executive session April 28, 2014

ACCEPT & POF

3. SELECTMEN REPORTS

4. OLD BUSINESS

- a) Code of conduct/values and statement of ethics (Raid Suleiman and Bob Stemple)
b) Special/Annual Town Meeting Prep

5. NEW BUSINESS

- a) Proposed policy on use of nasal naloxene – initial discussion

6. CORRESPONDENCE

- a) Internal Communications
b) Minutes, Notices & Updates
c) General Communications

ACCEPT & POF

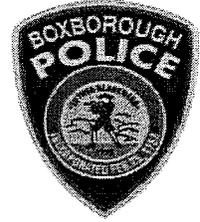
7. CONCERNS OF THE BOARD

8. ADJOURN

5a



Town of Boxborough Police Department



Warren B. Ryder
Chief of Police

To: Boxborough Board of Selectman
From: Chief Warren B. Ryder
RE: Nasal Naloxone
Date: April 24, 2014

Dear Board,

I am pleased to advise you that I have ordered the deployment of nasal naloxone in all marked Boxborough Police Department cruisers. Naloxone, commonly known by the brand-name Narcan®, is an opioid antagonist, which means that it displaces opioids from receptors in the brain and can therefore reverse an opiate overdose. Naloxone has been available as an injectable since the 1960s, but was only recently developed as a nasal spray. It is a scheduled drug, although it has no euphoric properties and minimal side effects. If it is administered to a person who is not suffering an opiate overdose, it will do no harm.

Currently, every sworn member of the BPD is receiving instruction by Sergeant Warren O'Brien who has received the official recognition to be a certified trainer under the coaching of Doctor Daniel Muse of Brockton Hospital. Officers are trained regarding the causes of opiate overdose, symptoms and signs of overdose, and the administration of naloxone using a nasal applicator. We have obtained sufficient dosage units to deploy it in every cruiser. From this day forward, a Boxborough police officer who is dispatched to assist a person in respiratory arrest due to opiate intoxication will have the ability to administer naloxone to reverse the overdose.

Today, opiate overdose is the leading cause of accidental death in Massachusetts. Fatal and nonfatal overdose can result from the abuse of opiates such as morphine, heroin, fentanyl, oxycodone (as found in OxyContin®, Percocet® and Percodan®), and hydrocodone (as found in Vicodin®). It should be noted that I have not undertaken this project due to a spike in overdoses in Boxborough, quite the contrary.

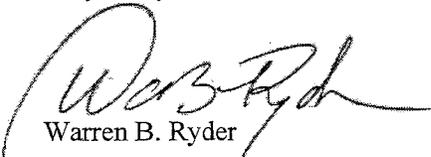
While there were approximately 80 fatal opiate overdoses in Middlesex County in 2013, none occurred in Boxborough. However, our officers responded to five non-fatal cases. Now, especially in cases where the Fire Department or ALS ambulance is unavailable, BPD officers will have the training and equipment to immediately treat the overdose.

I want to take this opportunity to recognize the assistance provided by Dr. Muse. I also want to recognize the work and dedication of Sergeant Warren O'Brien who managed this project for me, and who handled policy development.

The Boxborough Police Department is amongst the first of the law enforcement agencies in Massachusetts, and one of only a handful in the United States, to equip its officers with the means and training to medically reverse opiate overdoses. I am pleased that the officers of my Department have embraced this initiative, as they recognize that it is in keeping with our core mission to protect human life.

Please let me know if you have any questions.

Very Truly Yours,



Warren B. Ryder
Chief of Police

ADMINISTRATION OF NASAL NALOXONE

BOXBOROUGH POLICE POLICY & PROCEDURE NO. 1.22	ISSUE DATE:
MASSACHUSETTS POLICE ACCREDITATION STANDARDS REFERENCED: N/A	EFFECTIVE DATE:
	REVISION DATE: NA

BACKGROUND:

Opiate overdose is the leading cause of accidental death in Massachusetts. Fatal and nonfatal overdose can result from the abuse of opiates such as morphine, heroin, fentanyl, oxycodone as found in OxyContin®, Percocet® and Percodan®, and hydrocodone as found in Vicodin®.

Naloxone, commonly known by the brand-name Narcan®, is an opioid antagonist which means it displaces the opioid from receptors in the brain and can therefore reverse an opiate overdose. It is a scheduled drug, but it has no euphoric properties and minimal side effects. If it is administered to a person who is not suffering an opiate overdose, it will do no harm. Naloxone has been available as an injectable since the 1960s, but was recently developed as a nasal spray.

To reduce the number of fatalities which can result from opiate overdoses, the Boxborough Police Department will train its officers in the proper pre-hospital administration of nasal naloxone. In order to implement a safe and responsible nasal naloxone plan, the Department will establish and maintain a professional affiliation with a Medical Control Physician (MCP) who will provide medical oversight over its use and administration. The Medical Control Physician shall be licensed to practice medicine within the Commonwealth of Massachusetts. At his or her discretion, he or she may make recommendations regarding the policy, oversight, and administration of the nasal naloxone program developed and implemented by the Department.

In order to implement this policy the Boxborough Police Department relies upon the following statutes:

M.G.L. c. 94C, § 34A which states that “a person acting in good faith may receive a naloxone prescription and administer naloxone to an individual appearing to experience an opiate related overdose.” The statute imposes no limitation on who may possess and administer nasal naloxone, and only requires that it is (1) obtained with a prescription and (2) administered in good faith.

M.G.L. c. 94C, § 19 which states that “Naloxone or other opioid antagonist may lawfully be prescribed and dispensed to a person at risk of experiencing an opiate-related overdose or a family member, friend or other person in a position to assist a person at risk of experiencing an opiate-related overdose. For purposes of this chapter and chapter 112, any such prescription shall be regarded as being issued for a legitimate medical purpose in the usual course of professional practice.”

M.G.L. c. 94C, § 7 which states that “any public official or law enforcement officer acting in the regular performance of his official duties” shall not require registration and may lawfully possess and distribute controlled substances.

M.G.L. 258C, § 13 which states that “No person who, in good faith, provides or obtains, or attempts to provide or obtain, assistance for a victim of a crime as defined in section one, shall be liable in a civil suit for damages as a result of any acts or omissions in providing or obtaining, or attempting to provide or obtain, such assistance unless such acts or omissions constitute willful, wanton or reckless conduct.”

DEFINITIONS:

Opiate: An opiate is a medication or drug that is derived from the opium poppy or that mimics the effect of an opiate (a synthetic opiate). Opiate drugs are narcotic sedatives that depress activity of the central nervous system, reduce pain, and induce sleep. Police officers often encounter opiates in the form of morphine, methadone, codeine, heroin, fentanyl, oxycodone (OxyContin®, Percocet® and Percodan®) and hydrocodone (Vicodin®).

Naloxone: Naloxone is an opioid antagonist that can be used to counter the effects of opiate overdose. Specifically, it can displace opioids from the receptors in the brain that control the central nervous system and respiratory system. It is marketed under various trademarks including Narcan®.

Medical Control Physician: The Medical Control Physician, herein after referred to as MCP, shall be a designated Medical Doctor who is licensed to practice medicine in Massachusetts. The Boxborough Police department shall maintain an affiliation with the MCP.

POLICY:

Naloxone will be deployed in all marked Department vehicles for the treatment of drug overdose victims. A patrol unit shall be dispatched to any call that relates to a drug overdose. The goal of the responding officers shall be to provide immediate assistance via the use of naloxone where appropriate, to provide any treatment commensurate with

their training as first responders, to assist other EMS personal on scene, and to handle any criminal investigations that may arise.

PROCEDURE:

When an officer of the Boxborough Police Department has arrived at the scene of a medical emergency prior to the arrival of EMS, and has made a determination that the patient is suffering from an opiate overdose, the responding officer should administer two milligrams of naloxone to the patient by way of the nasal passages. One milligram should be administered to each nostril.

The following steps should be taken:

1. Officers shall use universal precautions.
2. Officers should conduct a medical assessment of the patient as prescribed by Department Policies and Procedures, to include take into account statements from witnesses and/or family members regarding drug use.
3. If the officer makes a determination that there has been an opiate overdose, the naloxone kit should be utilized.
4. The officer shall use the nasal mist adapter that is pre-attached to the naloxone to administer a one milligram intra-nasal dose of naloxone to each nostril for a complete dosage of two milligrams. Officers should be aware that a rapid reversal of an opiate overdose may cause projectile vomiting by the patient and/or violent behavior.
5. The patient should continue to be observed and treated as the situation dictates.
6. The treating officer shall inform incoming EMS about the treatment and condition of the patient, and shall not relinquish care of the patient until relieved by a person with a higher level of training.

Reporting

A complete offense report of the event shall be completed by the treating officer, or the primary responding officer, prior to the end of his shift.

Equipment and maintenance

It shall be the responsibility of officers to inspect naloxone kits stored in the AED case prior to the start of each shift to ensure that the kits are intact. Naloxone kits shall be returned to the AED storage area at the end of each shift.

Damaged equipment shall be reported to a shift supervisor immediately.

The Department's Medical Services Officer will maintain a written inventory documenting the quantities and expirations of naloxone replacement supplies, and a log documenting the issuance of replacement units.

Replacement

Shift supervisors shall immediately replace naloxone kits that have been used during the course of a shift.

Training

Officers shall receive a standard two hour training course administered by the Department prior to being allowed to carry and use naloxone. The Department shall provide refresher training every two years.

FOR DISCUSSION PURPOSES

TOWN OF BOXBOROUGH
Statement of Ethics of the Board of Selectmen

1. A member of the Board of Selectmen, in relation to his or her community should:

- a. Realize that his or her basic function is to make policy, with administration delegated to the Town Administrator.
- b. Realize that in creating and enforcing town policy, the Board of Selectmen may direct the Town Administrator in setting priorities that affect policy, but that the day-to-day operations of the town are left to appropriate department heads.
- c. Realize that he or she is one of a team and should abide by, and carry out, all Board decisions once they are made.
- d. Be well informed concerning the duties of a Board member on both local and state levels.
- e. Remember that he or she represents the entire community at all times.
- f. Realize that service on the Board is service to the community and not service for personal or political benefit.
- g. Abide by the ethics guidelines established by the State.

Comment [LRF1]: Many of the statements below are not matters of ethics, but rather of operations and practice.

Comment [LRF2]: This is not quite consistent with the current operating model where the BOS, through designated liaisons is directly involved in operational issues and management, not just policy setting.

Comment [LRF3]: See above. In the current model, the BOS sets policy and therefore priorities for departments, not the TA. This statement as well as above needs to be rationalized.

Comment [LRF4]: This needs some clarification given the role the Selectmen have adopted in managing departments and their operations, especially in regard to the role of the liaisons in working with Department heads in carrying out policy.

Comment [LRF5]: Suggest we cite most relevant statutes or guidelines.

Comment [LRF6]: In the current model, the administrative chain of command is directly from BOS to Department Head(s). In that context, who are the "appropriate members of the administration" other than BOS and departmental liaisons? Need to clarify.

Comment [LRF7]: This needs clarification, given the direct management role currently being assumed by the BOS. What specific process issues need to be addressed?

Comment [LRF8]: Do we need to state this? It is embodied in statute governing Town Meeting form of government/

Comment [LRF9]: I think there is already an agreed principle or guideline that the board defers to the Chair to make public comments "on the record", or may delegate this role to the TA from time to time.

Comment [LRF10]: This is already statute. Why do we need a separate statement?

Comment [LRF11]: This needs to be rationalized against the current model where the BOS directly manages the departments. If the Selectmen want primary rights and responsibility to directly manage departments, they need primary and unrestricted access to supporting staff. This may be in conflict with an operations management model for rationing and allocating access to support staff.

2. A member of the Board of Selectmen, in his or her relations with the Town Administrator and other primary Department Heads, should:

- a. Endeavor to establish sound, clearly defined policies that will direct and support the administration of or the benefit of the staff and residents of the community.
- b. Recognize and support the administrative chain of command and refer complaints to appropriate members of the administration.
- c. Give the Town Administrator and primary Department Heads full responsibility for discharging his or her duties.
- d. Refrain from instructing or requesting assistance from Town staff; instead all such activities should be handled through proper administrative channels through the full Board and the Town Administrator or primary Department Heads.

3. A member of the Board of Selectmen, in his or her relations with fellow Board members, should:

- a. Recognize that action at official legal meetings is binding and that he or she alone cannot bind the Board outside of such meetings.
- b. Refrain from making statements or promises regarding the outcome of matters that will come before the Board until after having a full and fair opportunity to weigh the merits of an issue during a Board meeting.
- c. Uphold the intent of executive session and respect the privileged communication that exists in executive session.
- d. Make informed decisions.
- e. Refrain from communicating the position of the Board of Selectmen to reporters or state officials without prior board approval.
- f. Be respectful of other Board members and their opinions.

4. A member of the Board of Selectmen, in his or her relations with Town staff, should:

- a. Treat all staff as professionals, with clear, honest communication that respects the abilities, experience, and dignity of each individual.
- b. Limit contact to specific Town staff. Questions of Town staff and/or requests for additional background information should be directed only to the Town Administrator, or the primary Department Heads. The office of the Town Administrator should be copied on all requests or correspondence.

FOR DISCUSSION PURPOSES

- c. Never publicly criticize an individual employee. Concerns about staff performance should only be made to the Town Administrator or appropriate primary Department Head through private conversation.
- d. Limit requests for staff support, and ensure that all requests go through the office of the Town Administrator or the Primary Department Head.
- e. Ensure that any materials or information provided to a Selectmen from a staff member be made available to all Selectmen.

Comment [LRF12]: Is this not covered elsewhere in statute?

Comment [LRF13]: See above comments. Not consistent with hands-on BOS management model.

TOWN OF BOXBOROUGH

Statement of Values of the Board of Selectmen

All citizens will be accorded respect, courtesy, and fair due process by Town employees and members of all boards and commissions dealing with the public. Policies will be created for key government functions, based upon generally accepted practices throughout the Commonwealth.

Promote transparency in town government. Continue to provide information about town government, including related documents (e.g. minutes, bylaws, contracts), on town's website.

Expand the communication channels among the BoS, department heads and boards/commissions - by instituting formal quarterly meetings with department heads and meetings at least semi-annually with all boards. Liaisons should meet with department heads on a monthly basis. Expand communication channels among the selectmen, keeping all members informed.

Reinforce a high level of accountability flowing down from the BoS to the departments by creating overall goals for the town government and flowing specific contributing objectives and priorities to the department heads. Performance reviews will be based upon an accounting of actual performance against the agreed-upon objectives and priorities. Refine performance tool.

Formalize a personnel and capital resource planning activity in order to effectively prioritize potential personnel additions, infrastructure requirements, capital equipment purchases, and other large discretionary acquisitions such as land purchases in an environment of limited and possibly shrinking resources. This will require department heads, boards and commissions to carefully forecast personnel, infrastructure, capital, and real property needs and priorities. These individual forecasts will be integrated and prioritized from a town-wide perspective in order to constitute comprehensive five-year and ten-year plans that will form the basis for effective town meeting actions.

Establish several realistic goals and participate in regional and statewide municipal organizations working toward improvements in local revenue distributions, effective development policies, regional management of emergency services, affordable housing policies and other resource management issues. Review potential for consolidation of services within the town.

Code of Conduct: Can't We All Just Get Along?

January 20, 2012
MMA Annual Meeting & Trade Show

Applying the Code of Conduct to Conflicts
among and between Elected Officials,
Supervisors, Employees, and the Public

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"Can't We Get All Just Get Along"

Focus on:

- understanding conflict sources, including dynamics and attitudes,
- steps to resolve conflict,
- preventive measures to keep it from reoccurring,

•1

Elected Officials are more than Politicians

Elected Officials are:

- Leaders
- Department Heads
- Administrators
- Supervisors
- Managers

Elected Officials are considered supervisors under the law with respect to harassment and discrimination

•2

What is workplace conflict?

A sharp disagreement or opposition of interests or ideas.

What are the costs of workplace conflict?

• 3

What are the Costs of Workplace Conflict?

- **increased absenteeism**
- **increased turnover**
- **increased stress**
- **increased costs for employee assistance programs (EAPs)**
- **Increased workers' compensation claims**
- **increased risk for accidents / incidents**
- **decreased productivity and motivation**
- **lower morale**
- **reduced image and customer confidence**
- **poorer customer service**
- **Increase in complaints, grievances, and lawsuits**

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Sources of Conflict

- Poor Communication
- Different Values
- Differing Interests
- Scarce Resources
- Personality Clashes
- Poor Performance

*5

7 Steps to Avoid Conflicts

1. Gain Knowledge
2. Avoid Ignorance
3. Be an Effective Administrator and Supervisor
4. Build Positive Meaningful Relationships with Employees
5. Adopt, Implement, and Enforce a Code of conduct Policy
6. Effectively Address Performance Issues
7. Be A Real Leader

*6

Steps to Avoid Conflicts

Step One: Gain Knowledge!

- What are your duties and responsibilities?
 - In many cases, an Elected Official's authority is very limited – Do not Abuse!!!!
 - Members of Boards and Committees have no independent authority or power
- Find out what is going on.
- Obtain the 3D's: data, details and documents.
- Don't make assumptions!
- Don't make comments or pronouncements without the facts to back them up!

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Steps to Avoid Conflicts

Step Two: Avoid Ignorance!

•Nothing in the world is more dangerous than sincere ignorance and conscientious stupidity.
Martin Luther King, Jr.

•There is no darkness but ignorance.
William Shakespeare

•The doorstep to the temple of wisdom is a knowledge of our own ignorance.
Benjamin Franklin

•Ignorance, the root and stem of all evil.
Plato

•People always fear change. People feared electricity when it was invented, didn't they? People feared coal, they feared gas-powered engines... There will always be ignorance, and ignorance leads to fear.
Bill Gates

•All I know is just what I read in the papers, and that's an alibi for my ignorance.
Will Rogers

•Blinding ignorance does mislead us. O! Wretched mortals, open your eyes!
Leonardo da Vinci

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Steps to Avoid Conflicts

Step Three: Be an Effective Administrator and Supervisor

- Appoint, hire, and promote the best qualified people for the job. Avoid hiring friends, relatives, political supporters
- Set clear and reasonable expectations.
- Hold yourself and employees accountable.

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Steps to Avoid Conflicts

Step Four: Build Positive Meaningful Relationships with Employees

Key: Knowing what employees want!

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What do Employees Want?

- Feeling In On Things
- Full Appreciation for Work Done
- Good Wages
- Good Working Conditions
- Interesting Work
- Job Security
- Promotions/Growth Opportunities
- Personal Loyalty to Workers
- Tactful Disciplining
- Sympathetic Help with Personal Problems

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What Supervisors Thought Employees Wanted Most

1. Good Wages
2. Job Security
3. Promotions/Growth Opportunities
4. Good Working Conditions
5. Interesting Work
6. Personal Loyalty to Workers
7. Tactful Disciplining
8. Full Appreciation for Work Done
9. Sympathetic Help with Personal Problems
10. Feeling In On Things

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What Employees Actually Wanted Most

1. Interesting Work
2. Full Appreciation for Work Done
3. Feeling In On Things
4. Job Security
5. Good Wages
6. Promotions/Growth Opportunities
7. Good Working Conditions
8. Personal Loyalty to Workers
9. Tactful Disciplining
10. Sympathetic Help with Personal Problems

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What can Elected Officials, Department Heads, and Supervisors control?

- 1. Interesting Work**
- 2. Full Appreciation for Work Done**
- 3. Feeling In On Things**

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Steps to Avoid Conflict

Step 5: Adopt, Implement, and Enforce a Code of Conduct Policy

Eliminate workplace conflict by implementing a policy of mutual respect

Prohibits conduct that would be construed as:

- Inappropriate
- Offensive
- Rude
- Disrespectful
- Bullying
- Intimidating

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Steps to Avoid Conflict

Step 5: Adopt, Implement, and Enforce a Code of Conduct Policy

• Covers any inappropriate and offensive conduct that may not amount to Harassment and Discrimination

• Strictly Enforce in a Consistent Manner

• **Applicable to All Personnel: Elected Officials, Supervisors and Employees**

• **Distribute Annually to Everyone – Sign Acknowledgement Form**

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Step 5: Adopt, Implement, and Enforce a Code of Conduct Policy

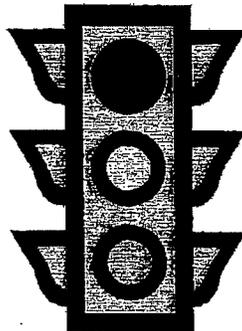
Examples of "offensive" conduct that may violate the "Code of Conduct" policy:

- Unwarranted or invalid criticism
- Gossiping or spreading rumors
- Blaming without factual justification
- Treating an employee differently than the rest of the work group
- Use of profanity
- Exclusion or social isolation
- Shouting or humiliating
- Playing practical jokes or making the employee the butt of jokes
- Off-premises conduct
- No feedback on work performance
- Ostracizing
- Excessive monitoring

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Effectively Implementing and Enforcing a Code of Conduct Policy:

First: Use the TRAFFIC LIGHT!



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Effectively Implementing and Enforcing a Code of Conduct Policy:

Second: Apply the "Reasonable Person Perspective!"

- The Intentions of the Alleged Wrongdoer do not Count!
- Look at from the perspective of the message receiver!

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Steps to Avoid Conflict

Step 6: Effectively Address Performance Issues

Positive/Effective

- **Collaboration:** working together to find a mutually beneficial solution.
- **Compromise:** finding a middle ground.

Negative/Harmful

- Avoidance
- Competing
- Accommodating: Surrendering our own needs and wishes to please the other person.

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Steps to Avoid Conflict

Step 6 Effectively Address Performance Issues

If Conflict related to an **Employee's Performance**, use SMART Guidelines:

Specific, clear, and observable facts regarding the employee's failure to meet job standards should be discussed and documented.

Mutual goals should be developed and agreed to by the manager and the employee to address performance deficiencies and to help the employee meet and/or exceed job expectations.

Actions that will need to be taken if the employee continues to fail to meet job expectations should be established.

Revise and discuss any concerns and suggestions made by the employee regarding the ability and resources needed to improve performance and meet job expectations.

Time frames should be established for improved performance and status checks.

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Steps to Avoid Conflict

Step 7: Be A Real Leader

Walk the Walk!

Talk the Talk!

Lead by Example!

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Edward R. Mitnick, Esq.

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CREATING A CIVIL



DIALOGUE:

WITH EMPLOYEES, DEPARTMENTS AND THE PUBLIC

By JANE DE COLGYLL



Y

ou are a town manager, and over the last two years you have worked with your board of selectmen as well as town departments, committees and commissions to come up with recommendations to save money in the municipal budget. You used an exhaustive and fair process to decide where appropriate cuts should be made. As a result, your town's finance department has been scaled back from five employees to three.

While the affected employees were all part of the process, it comes as no surprise that the surviving employees are having some difficulty. Overwhelmed by the amount of work that now must be done by fewer people, the remaining employees are exhibiting symptoms of disengagement and anxiety. You find them complaining about how much work they have to do, gossiping, and comparing their situations with other departments that have remained fully staffed. You notice more absenteeism, abuse of sick leave, and low morale. Their negativity is spilling over to their interactions with other departments and the public, as evidenced by curt answers to questions posed by other staff and less-than-stellar customer service. More formal complaints are filed over issues that years ago would have been settled directly between the conflicted parties.

Other departments continue to make demands on the finance department, but the other employees feel unwelcome in the negative environment and seek answers to their questions through other means in order to avoid contact with the finance employees. There is a risk of all town departments developing a "silo" mentality, thereby weakening communication among departments. It has become hard for all teams to see and understand the bigger picture.

Residents, meanwhile, find that it takes longer for the finance department to do its job, and they have witnessed poor customer service or uncivil behavior. As we know, it only takes one bad experience in town hall for negative public opinion to be formed and generalized to all departments.

As a town leader, what can be done to turn this situation around? There is a tendency to want to throw up your hands, say, "It is what it is!" and go on with the important work of managing the budget process, putting aside the frustrating human drama around you. To do so, however, is to neglect an important leadership opportunity. You have the ability to set the tone of civility for your entire organizational structure. You can help employees move through their disengagement and anxiety to engagement and civility. You can encourage departments to create collaborative relationships with other departments, boards, committees and commissions, and help your residents appreciate the excellent work your town employees are doing for the community.

Local officials have the ability to set the tone for community discourse by effectively communicating up, down and across—up to residents, down to each employee, and across to departments, boards, committees and commissions.

Jane de Colgyll is an employee assistance program consultant with AllOne Health EAP (www.allonehealth.com), which works with more than 270 municipalities in Massachusetts.

CREATING A CIVIL DIALOGUE



Communicating Down

Let's look at that theoretical finance department employee: disengaged, anxious, worried about losing his or her job, fretting about the amount of work he or she has to do, poorly motivated, and complaining about others. No community can afford to have unhappy, unproductive workers. So what can be done to turn this situation around? As a community leader, you have an opportunity, through communication, to create an atmosphere where employees feel important and motivated.

The following are some strategies you may use to keep employees engaged, reassured and productive:

- No matter what your position within the organization, get to know every employee by name and talents. They will feel valued and connected.
- Make sure you keep the "big picture" in view for all employees, establishing board, town hall, departmental and employee objectives that support the larger goals of the town.
- Honestly explain how the decisions in city or town hall affect every employee's work and life.
- Maintain regular all-staff meetings and departmental huddles.
- Share information, and repeat it when necessary. When they are feeling overwhelmed, it's hard for employees to take in information; repeating the message is vital for understanding.
- Be sure to clear up misinformation quickly.
- Invite a collaborative process with employees that values input from all.
- Promote an "open door" policy and be there to listen. Some town leaders have identified certain hours during which they will be fully available for one-on-one discussions.
- Publicly recognize individual employee contributions to the work of the city or town. This may be done in a public meeting, a news article in the local paper, or in your remarks on cable TV.
- Encourage a culture of creativity from bottom to top. Seek ideas from employees on projects you have in mind. Make sure all stakeholders have the opportunity to share their knowledge and expertise before final decisions are made.
- Build morale with employee-driven, low-cost or no-cost fun activities. While these creative opportunities for social interaction may appear to be time-consuming fluff, they can actually be productive in fostering a feeling of well-being and trust among employees that is hard to measure in dollars and cents.
- Promote employee career development by encouraging cross-training among under-resourced departments.
- Model fairness and equity in your words and deeds.



Communicating Across

Collectively, city and town departments need to know what is happening on all levels of local government. The open sharing of information helps to build a sense of connectedness throughout the organization, which promotes collaboration among departments and creative problem-solving.

The following are some ideas that may help to keep information moving across departments, boards, committees and commissions:

- Make it a priority to meet monthly with department heads, no matter how disparate their locations, in order to keep everyone "in the loop." Hold these meetings in various department settings and provide food to encourage attendance.
- Offer a clear agenda, allowing time in each meeting for discussing the future.
- Share examples of challenges that departments have overcome.
- Applaud individual department and intradepartmental successes.
- Expect conflict, but move quickly to find common ground and resolution when conflict occurs.
- Demonstrate your willingness to be open to ideas from all department heads.
- Offer incentives to departments for finding creative, low-cost or no-cost ways to work together.
- Create intradepartmental electronic tools for clear communication on a weekly basis.
- Visit each department for a few hours at least twice per year, working side-by-side with employees to learn what they do.
- Plan an annual department-head retreat to focus on the best ways to build teamwork and collaborate effectively across departments.

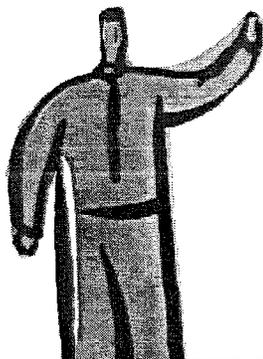


Communicating Up

In his article "Community Building: How to Do It, Why It Matters," published by ICMA Press, Ed Everett points out that people need to feel that they belong to something bigger than themselves. This is not a new concept, but Everett shines a spotlight on ideas that help to move us toward civility and the civilizing force of true community. He discusses the evolution of local government and public involvement, pointing out that town halls in early history were viewed as the center of the community. At that time, citizens were active in their own governance. Since about 1970, however, citizens have been more likely to treat town hall like a vending machine, Everett says, expecting services for their tax dollars just as we expect a product when we put money in a vending machine. What do we do when the vending machine is out of candy? We shake it, and maybe kick it! How can we change this view back to that of vitally interested citizenry engaged in the life of their community, proud of its city or town hall, invested in making their hometown a safe and fun place to live?

The following are a number of strategies for addressing this issue and improving the city or town's image in the eyes of the public. (Many of these ideas were offered by local officials during the workshop "Best Practices for Top Recurring Municipal Problems," which AllOne Health presented during the MMA's Annual Meeting in January.)

- Make sure the public is not only informed about the positive contributions of municipal employees to the operations of the city or town, but also that their opinions are heard and respectfully considered.
- Make the city or town website accessible and interactive 24/7 for local residents to communicate with municipal offices, voice concerns, learn what each department is doing, find forms, etc.
- Collect email addresses of residents and use them periodically to send important news items touting municipal successes and challenges.
- Institute an "open door" policy for residents, with specific times that department heads will be available.
- Make sure every department responds directly and quickly to resident complaints.
- Conduct sit-down interviews highlighting a variety of municipal employees on a regular basis for viewing on cable and/or print follow-up articles in the local paper.
- Create and promote special events unique to your city or town (e.g., a farmers market or holiday parade).
- Erect a highly visible electronic community bulletin board, near the city or town entrance or on main intersections, reminding residents and the visiting public of important local events.
- Share some aspect of local history at key municipal meetings, publish historic notes in the local newspaper, or set aside a special section of the city or town website for historic notes.
- Include local history in the grade-school curriculum.
- Plan an open house where department heads describe what each department is doing.
- Promote good-natured competitive community involvement in a "cleanup day."
- Confer annual volunteer awards for community service/civic involvement.
- Hold a student artwork contest on the theme "What I like best about my city or town," and use the winning submissions to produce a city or town calendar.
- Plan a historic house and garden tour in your city or town.



Meeting Human Needs

In the last few years, AllOne Health has worked with municipal leaders on the human challenges they face as they trim local budgets and attempt to meet the growing expectations and challenges from residents, governing bodies and employees. The list of top recurring problems cited by municipal leaders is daunting, but on closer inspection, some human themes emerge.

Municipal officials can take the lead to model the voice of reason and civility at every level of human interaction—with employees, in departments and with the public—by effectively communicating up, down and across. Once the basic human need to feel valued has been met, employees, departments and the public can become increasingly civil and engaged in the work of the city or town. ■

With regard to Articles 6 & 7 (Minuteman), I propose the following:

- 1) That we consider them in reverse order Tuesday night after Articles 8 & 9,
- 2) That the vote on Article 7 (Withdrawal) be non-binding, and
- 3) That we pass over Article 6 (Proposed Agreement) until a future STM or TM.

I believe this is in the best interest of the Town because it would maximize our options and is more likely to enable us to withdraw, if we so desire, or to remain under the most acceptable terms.

My reasoning is as follows:

1) Deferring consideration until Tuesday night would allow us to be the last member town to vote, as all others will have voted except Weston, which is scheduled to vote Monday night. Voting last allows us to have a more complete understanding of the options available to Boxborough.

2) Reversing the order of Articles 6 & 7 makes sense because the decision to withdraw or remain is a threshold question that informs the Town's consideration of whether the Current Agreement or the Proposed Agreement best suits its purposes.

3) Making the vote on withdrawal non-binding would not prejudice voters if it is their collective desire to remain, as it simply preserves the status quo. Moreover, it would give us the widest range of options if the Town wishes to withdraw, because it would then allow us to decide if it is better to do so under the Current Agreement, or the Proposed Agreement.

a) A binding, simple majority vote to withdraw would initiate the process under the terms of the Current Agreement, which requires unanimous approval from all members plus approval by the Commissioner of DESE.

b) A non-binding vote would allow us to vote later to withdraw under those terms or under the terms of the Proposed Agreement. Initiating withdrawal under the Proposed Agreement requires a two-thirds vote by Boxborough at STM or ATM. It then requires approval by a simple majority of the other remaining member towns plus approval by DESE. Withdrawal would be effective on July 1 three years after we vote to withdraw.

4) Passing over Article 6 both preserves our options and enhances the likelihood of achieving our ultimate goal, whether that is to withdraw or to remain under the most favorable terms.

a) In order to become effective, the Proposed Agreement must be approved unanimously by all sixteen member towns. Wayland has already voted to reject it. All other members that have voted either approved or voted to pass over. Accordingly, Boxborough's vote at this point is moot, whether it wants to approve or reject the amendments.

Moreover, Wayland's Liaison to Minuteman and Vice Chair of their BoS has written to the remaining members saying Wayland would reconsider its vote if the Proposed

Agreement is changed. Wayland has specifically proposed to amend the withdrawal procedure as follows:

Withdrawal: we propose removing the requirement for approval from DESE. In addition, if existing member towns have expressed interest to withdraw in advance of the new regional agreement, then explicit acceptance of withdrawal by all members should be part of the proposed regional agreement. (see attached letter from Anthony Boschetto)

b) Becoming the second member to reject the Proposed Amendments now will not accomplish anything constructive, and could deter any effort to revise them further in a way that could benefit Boxborough. Moreover, we could risk alienating those towns that have voted to approve, and could thereby reduce the likelihood that we would obtain a unanimous vote if we choose to withdraw under the current agreement.

Anthony Boschetto

April 17, 2014

To: Minuteman Vocational Technical School (MMVTS) - **VIA Email**

Superintendent Ed. Bouquillon; Alice Deluca, Chair, Minuteman School Committee; Kevin Mahoney, Assistant Superintendent of Finance; Carrie Flood, Chair Regional Agreement Amendment Sub Committee; Ed Lenox, Attorney Representing the RAAS

CC: Jeff Wulfson, Deputy Commissioner at DESE; Christine Lynch, Office of Regional Governess at DESE; Steve Hemman, Mass Associate Regional Superintendents; Maryellen Castagno, Wayland Member of the MMVTS School Committee; Gill Wolin, Finance Committee Liasison with MMVTS; Robert Mercier, Interim Town Administrator Town of Wayland- **VIA EMAIL**

From: Tony Boschetto, Vice-Chair Wayland Board of Selectmen and Liaison with MMVTS

As you may be aware, the Wayland Town Meeting voted on April 10, 2014 as follows: to approve a Non-binding vote in favor of leaving the district (Article 29) and to reject the proposed changes to the Regional Agreement (Article 30).

We are hopeful that we can continue to work together to resolve the many unresolved issues that prompted these decisions, This will enable us to bring new agreements to Town Meeting for passage with our full support. Below are some guidelines we believe will help facilitate a process to achieve those goals.

The most critical first step in the process is to come to resolution on the capital plan and future size and scope of the school. We understand that a new facility is necessary for the long term viability and success of the school's programs. However, the size, scale and costs of the facility need to be clearly defined and provided before we can make any determination on the revised regional agreement. We expect that a capital plan will be provided to our residents at the same time as a revised regional agreement, and that they could be approved together. This will allow clarity and transparency on the future direction of the school.

If the consensus is to build a school that is properly sized for current member communities' projected needs for approximately 500 students, then Wayland would be encouraged to remain a member community under appropriate terms of a revised regional agreement.

However, if consensus is to continue to build a school to support the existing population, including out of district (OOD) students, for approximately 800 students, then Wayland may consider requesting to withdraw from the district. That will depend on proposed changes to the regional agreement. Those should require contractual commitments from existing nonmember communities for their long term commitment to the school, as well as bearing an appropriate share of capital expenses. If we can secure such commitments from current OOD towns either to join the district or to agree to pay a proportionate share of the capital costs in addition to ODD tuition; and this is presented to member towns for consideration in tandem with the revised regional agreement, then I would expect our residents would consider continuing to participate as a member community.

Anthony Boschetto

To reiterate: all of these decisions and contractual documents need to be considered collectively as part of one vote at Town Meeting, to provide our town assurance regarding the future costs and operations of the school district.

Ultimately, if the future direction of the district is not consistent with our educational and financial goals, we would expect our residents to consider withdrawal. Consequently if we anticipate withdrawing, we would expect that any proposed changes to the regional agreement will include explicit language enabling us to withdraw under agreed upon terms, as well as an intergovernmental agreement that enables our students to attend MMVTS for a defined number of years after such withdrawal to facilitate our long term planning for Wayland's vocational students. We would expect this courtesy for all potential Town's expressing interest in withdrawal.

With respect to the regional agreement, we would propose the following items to consider.

- **Withdrawal:** we propose removing the requirement for approval from DESE. In addition, if existing member towns have expressed interest to withdraw in advance of the new regional agreement, then explicit acceptance of withdrawal by all members should be part of the proposed regional agreement.
- **Upon Withdrawal:** the withdrawing town's share of long term liabilities should be offset by their proportionate share of current market value of existing assets. They would then owe MMVTS the net of those two numbers.
- **Representation:** we require continuing with the 1 town/1 vote approach.
- **Operating and Capital Cost allocation-** we are willing to pay our proportionate share of operating and capital costs based upon total attendance, including out of district students. We look forward to working on terms that are fair and reasonable for all members.
- **Approval of new debt:** We certainly appreciate the flexibility for member communities to opt out of new debt; however this flexibility leads to great uncertainty at the time of adoption on exactly the debt obligation of remaining Towns.

In Closing, we believe that the most critical first step in moving forward is to provide clarity on the long term plan for the school. The size of the school, the amount of new debt to be incurred, the method for allocation those capital costs to both Member and OOD schools should all be completed prior to the drafting of a new regional agreement. Once these details are finalized, the details of the new regional agreement will all fall in place.



Internal Communications and Outgoing Communications
May 12, 2014

1. Letter from resident, Doug Miller, received May 1, 2014, regarding his issues with the Bulk Item Disposal Voucher process. #
2. Copy of a certified letter from Conservation Commission, dated May 8, 2014, to Robert Stanley regarding the status of the Tamarack Fields. *
3. News release from the Central Mass. Mosquito Control Project, dated May 1, 2014, regarding the EPA awarding the CMMCP the EPA's Environmental Merit Award for 2014.
4. Memorandum from MART Deputy Administrator, Bruno Fisher, dated April 10, 2014, to MART Member Communities Council on Aging Directors (cc. Member Communities BoS) regarding COA Responsibilities of MART Assigned Van and Expectations.
5. Letter from Ben Pearlman, xfinity [Comcast]'s Sr. Mgr. Govt. & Regulatory Affairs, dated April 17, 2014, the Board of Selectmen regarding Changes to MultiLatino Services.
6. Comcast's Operational Reports for their Fiscal Year ending 12/31/13, coverpage dated April 24, 2014, to the Board of Selectmen.

Indicates that the item had been previously distributed.

* Indicates that the item is included in the agenda packet as well as in the general notebook.



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Boxborough Conservation Commission
29 Middle Road, Boxborough, Massachusetts 01719
Phone: 978.264.1722
www.boxborough-ma.gov

David Follett Charlene Golden Norm Hanover David Koonce Dennis Reip, Chair Hoff Stuart

Mr. Robert Stanley
535 Stow Road
Boxborough, MA 01719

Via Certified Mail # 7009 2250 0002 2561 9732

May 8, 2014

Dear Bob,

This letter documents our discussion at the Commission meeting on April 16, 2014 regarding the status of the Tamarack field and your recent farm structure additions at the end of the field near Stow Road. Both topics have been discussed in the past and we continue to meet, when needed, to evaluate the current status of your agricultural activity with regard to the regulatory requirements of the State Wetland Protection Act and Town Wetlands By-Law.

Tamarack Field Status:

At our on-site meeting in October of 2013 you indicated your intent to file a Notice of Intent (NOI) for your proposed agricultural crop activity in the buffer zone. At our April 16, 2014 meeting you provided an update stating that you have been waiting a long time for the NRCS to become available to conduct the site soil survey which is a required first step for preparing an NOI.

You further clarified that you anticipate that NRCS will be out in the field in the next week or two and, as part of the survey work, they will stake out the 100 ft buffer line on the ground so that there be markers clearly showing the area of the field that can and can't be used for agriculture. We agreed that the previous ANRAD/NOI plan information filed by MMAF, which delineated wetlands and 100 ft. buffer zone lines, is still considered to be reasonably accurate and can be used for this purpose. We also noted that there may be some existing wetland flags still in place which should agree with the plans on record. We further clarified that the degree of precision in placing the markers is probably on the order of a few feet either way given the scale of the available drawings. You agreed to notify the Building Inspector when the buffer zone staking by NRCS would take place so that the Building Inspector could independently verify the delineation.

You further described the expected 60 to 90 day time frame for NRCS to complete the documentation for submission of the NOI. This would put your filing out several months from now and well into the growing season. We clarified that during this extended period of time you could utilize the field outside the 100 ft. buffer (since this is not jurisdictional under WPA and Town Wetlands By-Law), but the buffer zone must remain undisturbed until you receive an Order of Conditions issued by the Commission.

Stow Road Farm Structure(s):

We asked about the observed alteration of the farm structure(s) at the end of the field along Stow Road. You described three separate structural alterations. The first, yet to be fully constructed, is a planned 16' x 20' shed structure for milking cows. The second was a small (less than 20 square feet) corn crib attached to one of the existing accessory shed structures. We discussed and agreed that both of these structures are specific to agricultural production and, as such, are allowed activities per the agricultural exemption under the Wetlands Protection Act.

The third structure was characterized as a temporary (seasonal) farm stand consisting of an 8' x 10' table top for the purpose of selling various agricultural products. As discussed at our meeting June 12, 2012 we reiterated that farm stands in resource areas are explicitly not included in the agricultural exemption, and typically require an RDA and/or NOI filing to be allowed. We reconsidered our concern with the location of this farm stand with respect to the jurisdictional wetland resource area. We also discussed and agreed that, although the true location of the intended farm stand with respect to the buffer zone was uncertain, it was probably near the outer limits of the resource area and that any possible impact to the resource areas would be negligible. We further discussed hypothetically that given the minimal size and temporary seasonal character of the farm stand, if reviewed under an RDA or NOI, we would likely allow this activity. Given this very limited activity with no apparent impact to wetlands interests, we agreed that no further review would be required for the farm stand activity as described above.

We appreciate your recent clarification of both of these on-going concerns and hope that your efforts with NRCS to prepare and submit an NOI for the Tamarack field proceed as anticipated. Thank you for your cooperation and taking time to meet with us.

Sincerely,

Dennis Reip, Chair
Boxborough Conservation Commission



CC. Minute Man Air Field
Boxborough Board of Selectmen
Boxborough Agricultural Commission
Sen. Jamie Eldridge
Rep. Jennifer Bensen

6b



Minutes, Notices and Updates
May 12, 2014

Minutes

1. Minutes of the Personnel Board meeting held March 24, 2014.

Notices

1. Notice of Finance Committee meetings
 - a. Held May 6, 2014
 - b. To be held May 12, 2014
2. Notice an Energy Committee meeting held May 7, 2014.
3. Notice of an Agricultural Commission meeting held May 7, 2014.
4. Notice of a Personnel Board meeting to be held May 12, 2014
5. Notice of a Library Board of Trustees meeting to be held May 12, 2014
6. Notice of a Steele Farm Advisory Committee meeting to be held May 22, 2014.
7. Legal Notice – Board of Selectmen to hold a Public Hearing on June 2, 2014 to consider the application of Oscar's Burritos Mexican Grill, Inc. for a Common Victuallar's licenses for the premises located at 34 Mass. Ave.

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**General Correspondence
May 12, 2014**

1. Flyer/Posting Boxborough One Room School #2 Spring Tour schedule.#

