
Select Board Meeting

Monday, August 16, 2021
Meeting Room, Memorial Hall Library

I. Call to Order

Chairperson Chris Huntress called the Select Board Meeting of Monday, August 16, 2021 to order at 6:33 PM. Other members in attendance: Laura Gregory, Annie Gilbert, Alex Vispoli, Dick Howe.

Others in Attendance: Town Manager Andrew Flanagan, Deputy Town Manager Mike Lindstrom, Assistant Town Manager Patrick Lawlor, Town Clerk Austin Simko, Town Counsel Tom Urbelis, Human Resource Director Jess Porter, and Attorney Leonard Kesten.

II. Executive Session

At 6:33 PM Dick Howe moved to vote to go into Executive Session pursuant to Purpose 3 for confidential communication with Counsel to discuss strategy with respect to litigation filed by William Fahey and to reconvene in open session and that the Chair declare that an open session may have a detrimental effect on the litigation position of the Town. The Chair so declared. Motion seconded by Alex Vispoli. Roll call: Alex Vispoli-Y, Dick Howe-Y, Annie Gilbert-Y, Laura Gregory-Y, Chris Huntress-Y. Motion passes 5-0.

II. Regular Session

The Board returned to Open Session at 7:00 P.M.

II. Opening Ceremonies

A. Moment of Silence/Pledge of Allegiance

The meeting began with a Moment of Silence followed by the Pledge of Allegiance.

III Communications and Announcements

The Town Manager announced that the Grand Opening of the Robb Center will be held on Thursday, August 26th with a day of events. He also reported that the first meeting of the Investment Advisory Committee was held last week to review and conduct a market analysis and make recommendations to the Board on how to proceed with the Pension Obligation Bond Initiative. The goal is to deliver a recommendation by late September or early October.

Mike Lindstrom reported that the 2019 Home Rule Petition before the legislature, for a land swap with 126 Tewksbury Street and Bald Hill to keep our current compost site in the current location, went before the Committee on Municipal Government on July 27th. who held a hearing on the bill and voted unanimously in favor of the petition. It is now before the House Steering Committee. We anticipate that it will be passed in September. Austin Simko reported that the Town Yard Selection Committee will be holding

interviews in September to hear all presentations from the four final proposers to develop the Town Yard on September 1st from 1:00-5:30 PM and on September 2nd from 1:00-5:00 PM. All meetings are open to the public. Depending upon how the deliberations go, the current plan is that after the second meeting there will have been a recommendation from the Town Yard Selection Committee.

The Town Governance Committee plans to have their study completed by the end of September and will then issue a draft report and send it to the Board to be placed on the Warrant for the 2022 Town Meeting. In the fall, the Board will also vote on precinct boundaries from the State that have been reviewed by the Board of Registrars twice. The boundaries and new precincts will be updated and then presented to the Board this fall and will then go to the State.

Laura Gregory reported that the Diversity Equity and Inclusion Commission is holding a Community Meeting on September 14th and also on September 30th at 7:00 P.M. to discuss the DEI Strategic Plan. The second meeting is to get to know the Committee and about the Strategic Plan. An announcement will be going out soon for the Director of DEI, more information is available on the Town's website. This Thursday's is Andover's Community Day with events scheduled for the afternoon and evening.

Chris Huntress said they adjusted the meeting agenda to place public comment after New Business to allow for the presentation on next steps on hiring the director of AYS and on August 12th they held a brief virtual meeting that was recorded and is available on AndoverTV.org by holding the meeting, they were able to clear tonight's agenda to specifically concentrate on AYS.

Chair Huntress read a statement from the Select Board regarding Andover Youth Services (INSERT STATEMENT)

As the public may be aware, yesterday afternoon the Town of Andover was informed by the four full-time AYS employees (Assistant Director Glenn Wilson, Anthony Lombardi, Jacklyn Stackhouse, and Neal Callahan) in separate letters that all are resigning from their employment. Because this coordinated resignation has raised public concerns about the delivery of essential services by AYS to our youth, the Town is issuing this response. The response will also correct significantly misleading information which has been circulated to the public regarding the alleged basis for these resignations.

First, the Town has immediately started to mobilize resources to support the Town's youth in the interim. To that end, Community Services Director Jemma Lambert has requested a meeting with the AYS Assistant Director as soon as possible to obtain information that is essential to a transition, especially given the short notice provided by the group resignation. The health, safety, and welfare of Andover's young people are the Town's top priority. The full-time staff's group resignation may have significant impacts

on seasonal staff, program participants and community members, and we hope that the resigning employees will share the Town's concern, cooperate in the transition, and help mitigate the impacts. Support services for those affected by the resignations will be made available beginning early next week. More information about this will be distributed soon.

Within the next week, the Town will be announcing a community-led process that will help shape the next steps for Andover Youth Services. If you are interested in participating in this process, please email NextStepsForAYS@andoverma.us with an expression of your interest and your contact information.

Regarding the information that is circulating about the alleged basis for the group resignation, since February 5th, AYS has remained under the administrative oversight of Ms. Lambert with day to day direction provided by the Assistant Director of AYS. During that period of more than six months, no member of the staff or anyone else has suggested to any Town official that AYS has been a "toxic" or "hostile" workplace – until this week. Instead, these allegations were first made after the Select Board stated during its' meeting on Monday evening, August 16th that it supports an independent investigation into these employees' receipt of apparently unlawful payments from the Andover Youth Foundation and other potentially serious violations of the public's trust. Those facts first came to light in texts that were contained on former AYS Director Fahey's town-issued cell phone. For the purposes of transparency and to meet the Town's legal obligation to investigate conduct of this type, the investigation into these matters will continue and the findings will be made public.

One issue that has been raised involves the Town's decision to not appoint a member of the existing staff to the role of Interim Director instead of following the Town's typical assessment and selection process to find and select a qualified individual to serve in the interim capacity. As noted, there is an investigation underway to look into potential violations of law and improprieties by current AYS staff. In those circumstances, it simply would not have been appropriate to appoint a member of the existing staff.

Finally, at no time has the Town Manager had any interaction with the AYS staff, with the sole exception of offering support to the Assistant Director and asking him to provide a plan for the future operation of AYS. The staff's union representative was present for this discussion. The Assistant Director rejected the offer of support and did not follow up on crafting a plan for the future of AYS. During this discussion, he made no mention of a toxic or hostile work environment. The Town offered resources to the AYS staff if needed on several occasions over the past several months following the departure of the Director. Those offers were rejected.

Over the past several months, we have heard and listened to comments from many people about the decision to terminate Bill Fahey, and seven hours of comments. Our

inability to comment has been difficult. In response to comments made over the last several months, they have read the investigative report by Atty. Regina Ryan and the recommendations and fully support the Town Manager's decision to fire Bill Fahey.

Regular Business:

1. Appointment of Youth Services Director

Jessica Porter, HR Director provided information on the plan to appoint an interim director of for AYS.

The role will provide leadership and operational oversight for an organizational transition program. They will oversee daily operations, support staff during the transition, lead budget development and capital planning and advocate for resources necessary.

Participate in internal meetings with three other Community Services divisions and other Town departments as appropriate. They will evaluate operations and management systems, serve as liaison to external stakeholders, community groups, and appropriate agencies.

They will prepare recommendations and an organizational overview for an incoming permanent director.

Selection Process

1. Solicit interest by advertising the position beginning August 17th ending on September 10th.
2. Establish an Interview Committee which will be facilitated by the Director of HR.
3. Interview Committee to include: Director of Community Services, Youth Services professional from another community, a representative from the Town Manager's Office, a representative from the Commission on Diversity, Equity and Inclusion, and a representative from the Andover Public Schools.
4. Facilitate Assessment Center designed to evaluate core competencies.
5. Town Manager to make recommendation to the Select Board on or about October 4th.

Questions from the Select Board

Is there a proposed timeline for the actual tenure for the interim?

Response. It will be as needed and depends upon when the individual starts and has had an opportunity to look to see what went well, what needs tweaking, and give us feedback and suggestions going forward.

Will the process for a permanent director be the same? Yes, they will have a panel selection with various stakeholders participating.

Public Comment

Janet Nicosia, Director of Facilities, speaking as a Department Head and as a member of the Administration's Senior Staff, said the public needs to know that the Dept. Heads are a very tight group who support and challenge each other. Also, there are misconceptions in the newspaper on how people are hired. The process is a very thoughtful, fair, and one that includes an assessment center which is a rigorous process. She asks that people use their voices for good.

Mike Meyers, 416 South Main Street from a proud family in Town for many years. Has doubts about Mr. Flanagan's prudence regarding the outgoing managers who were given non-disclosure agreements.

Joe Cartwright, 39 Green Street, Shelburne Falls, Massachusetts spoke on behalf of the Youth for the Town of Andover. Over the past 25-years, he has been a trainer at AYS. There is no mention of a young person to be involved in the search process for an interim-director of Youth Services. Where are the young people and the community in this process who have been part of this organization since the inception?

Allison McCarron, 33 Marland Street: Look at the bigger picture, the young leaders raised \$5 Million to help build the AYC. We have progressed beyond the removal of Bill Fahey, the Select Board and Town Manager can repeatedly say AYS is not in danger; AYS and CYC will never will be about money, profit or personal gain. The Town should feel lucky to have such fiercely, talented individuals who put their efforts into running Youth Services for the students every day. The Town will not realize the trickle-down effect of loss. Consider what direction you are leading AYS.

Glen Wilson has been at AYS since the beginning working along-side Bill Fahey. There is no one else more suited to serve as the Director of Youth Services.

Judy Rich, 11 Bateson Drive: With Bill Fahey gone and changes looming for AYS, we are losing something that makes Andover unique. The situation has made people aware that they need to pay attention to who is running for office.

Heather Fahey finds it unfathomable how all of these people are talking to the Board about 25-years of experience and the Board is not hearing what they are saying. She is disappointed that they read a report that only had one purpose, which was to harm Bill Fahey. Listen, before you ruin something that is amazing.

Chris Huntress said the Select Board has unanimously supported Youth Services and will continue to do that.

Neil Edward Callahan, 9 Stevens Circle, works with young people and when they are under great stress, he encourages them to speak the truth. Bill Fahey offered

encouragement to young people and that they always try to be themselves Billy made the difference. He taught me to speak, look at people's actions not their words, and to give more than I get. Bill has been unfairly targeted since 2017. None of the AYS staff were interviewed. The fact that Glen Wilson has not been named interim, or director, shows you have no idea what the young people need. We were told not to take our jobs personally and to remember who signs our paychecks. It is hard to trust those in front of me whose actions don't add up to what is best for AYS and the citizens of Andover.

The Chair ended public comment at 8:01 PM.

IV. Adjournment:

At 8:01 PM on a motion by Alex Vispoli and seconded by Dick Howe, the Select Board Meeting voted 5-0 to adjourn

Respectfully submitted,

Dee DeLorenzo