

**MINUTES
BOARD OF SELECTMEN
November 21, 2006**

Present at the special meeting that was held at the Town Hall were Chairman Janet Wheeler and Selectmen Stephen Dungan, Carole Makary, Jason Robart, and Thomas Ruggiero.

Also present were Town Administrator William Wrigley and Administrative Assistant Susan McLaughlin.

Chairman Wheeler called the meeting to order at 7:04 p.m. Ms. Wheeler read the following:

Special Selectmen's meeting – November 21, 2007

Procedure:

1. Call to Order
2. The purpose of this meeting is for the Board to consider a Petition that requests the reorganization and removal of the Chairman of the Board of Selectmen.
3. This petition is submitted in accordance with the following Section of the Town Charter

Section 7-8: Procedures Governing Multiple Member Bodies

- (a) . . . *Special meetings of any multiple member body shall also be called within ten days after the date of the filing with the Town Clerk of a petition signed by at least fifty voters and which states the purpose or purposes for which the meeting is to be called. Except as authorized by law, all meetings of all multiple member bodies shall be open and public.*

4. Town Counsel Jon Witten has reviewed this Petition and his opinion is as follows:

It is my opinion, subject to the town Clerk's certification of signatures pursuant to the Petition, that the Petition properly complies with the Town Charter provisions of Article 7, Section 8(a) and that the Board of Selectmen should proceed with the public meeting (subject to the Open Meeting Law) as called for in the petition and as is provided for in the Charter.

5. The Petition that was submitted last Thursday and certified 80 signatures reads as follows:

We the undersigned voters of Stow, pursuant to Article 7, section 8(a) of the Town Charter, petition the Board of Selectmen to hold a "Special" Selectmen's meeting for the purpose of re-organizing the Board by selecting a new Chairperson.

During her short tenure, the current Chairperson has violated an expressed provision of the Charter, Article 3, section 2(b), by micro-managing the Selectmen's office, she has failed to communicate openly and fully with other Board members regarding Board business and her decision not to work directly with the Board's professional staff has limited her capacity to function effectively as Chairperson.

We feel the current chairperson's ineffectiveness is drastically impacting the Board's ability to lead this town and address the important issues facing our Town.

(Complete Petition available from the Town Clerk's and Board of Selectmen's offices.)

6. This afternoon, the Board received a statement urging the Board to retain the present chairman and signed by approximately 225 people that reads as follows:

We, the undersigned residents and voters of Stow, Massachusetts hereby express our support for Janet Wheeler and urge the Board of Selectmen to retain her as Chairman. We believe that the November 16, 2006 Citizen's petition seeking Mrs. Wheeler's removal is a politically motivated attempt by a small minority of Stow's residents to discredit Mrs. Wheeler to further their own agendas. The objections contained in such petition misrepresent Mrs. Wheeler's leadership and behavior as Chairman and do not provide sufficient justification to take such an unprecedented step. Furthermore, allowing a small group of people to force a change in leadership circumvents our democratic process and sets a poor precedent for similar, politically-motivated actions in the future. We believe that Mrs. Wheeler has conducted herself in a highly professional and ethical manner and should be commended for her service and commitment to the Town of Stow.

(Complete Petition available from the Town Clerk's and Board of Selectmen's offices.)

Please recognize this is a Selectmen's meeting and not a public hearing. We have heard the concerns of residents as outlined in their Petition. In addition we have heard from residents who disagree with the allegations cited in the petition.

In proceeding with this meeting, discussion will take place among the Board members. If requested by the Board others, with first hand knowledge of the statements issued against me in the Petition, may be asked to speak.

I fully trust all in this room will respect the process of this open meeting and will act with courtesy as the Board conducts its business on this matter. In addition, after the Board has reached a decision, I expect everyone will behave with dignity and respect so we, who were elected to serve on the Board of Selectmen, may continue with all due diligence with the business of this Town's government.

Ms. Wheeler invited Mr. Dungan to begin.

Mr. Dungan said he tried to put himself in Ms. Wheeler's position and that the Board needs to review all the facts and offer suggestions for improvements. He called the petition a "wake-up call" for the Board.

Mr. Robart said he could understand Mr. Dungan's position but there had been more feedback about the situation on the Board. He used the example of the Board talking about email addresses on the website instead of the pressing issues facing the town. He said the question is, "Where are we going as a Board?" It is not about political issues at all, for example, a new school or the Lower Village. He said this is about the Board moving forward.

Mr. Ruggiero said he agreed with some of what Mr. Dungan and Mr. Robart said, that this was an indictment of the whole Board. He said they knew there were problems but waited until the initiative came from the outside. He asked if the Board needed a counselor or mediator about how to work together, to come together as a group, "all seven of us."

Ms. Wheeler said a report she wrote to the paper shows that the Board is moving forward. While there is discord, they are moving ahead.

Mr. Dungan restated Mr. Ruggiero's point on coming together, saying he remembers working as a team in industry and he commits to work on this with the Board.

Ms. Makary said this is very difficult for her because she has been subjected to intimidation and harassment and incurred a \$12,000 legal bill as a result. "With regards to staff in the building, part of the job descriptions entails that you support and get along with the sitting selectmen. There are 7 of us, 8 including the Town Clerk. We all have to understand that we are elected or paid to do a job and it is our responsibility to do so."

Mr. Robart again cited the discussion of email addresses on the website, saying the Board is "exhibiting the most passion about minutia" and the question to the Board is, "What do we do about it?"

Mr. Dungan asked Mr. Robart, as the Board's "resident HR expert," for direction, suggesting that the Board must move quickly and employ the services of someone outside the Board. Ms. Wheeler said she had two recommendations for consultants.

Mr. Robart proposed the following course of action: identify the issues negatively affecting the Board, address and resolve them; and put this in a timeframe. He suggested that Mr. Dungan, as Clerk, work with the Chairman to go through these steps and come back to the Board with an update in January. "Ms. Makary related the recent experience that the Bolton BOS had with mediation – it was fruitful time spent. We need an outside consultant – someone who will ask the right questions."

Mr. Ruggiero said the Board is "fractured; with Mr. Robart and Mr. Ruggiero on one side and Ms. Makary and Ms. Wheeler on the other. He emphasized that he and Mr. Robart are their own people, not substitutes for previous Board members.

Mr. Dungan noted there are more participants than the selectmen, for example, the Town employees. Ms. Wheeler replied that the consultants recommended starting with the Board members before moving outwards toward staff and others..

Asked how long the process took Bolton, Ms. Wheeler and Ms. Makary said it was a fairly brief process, noting Bolton has only a three-member Board.

Mr. Wrigley noted that the Town's insurer offers mediation services, also.

Mr. Robart asked what the Board is asking the external party to do. Ms. Wheeler said the mediator would take them off site for an afternoon or a few hours to hash out the source of the conflict, "as simple and as complex as that." Mr. Dungan said the outside party would facilitate helping the Board identify the issues and "help us manage each other."

Mr. Wrigley recommended that a simple scope of services be written, which Ms. Wheeler said she would do as a broad outline. Ms. Makary said it needs to involve the Admin Assistant, Town Administrator, and Town Clerk, in order to reach a successful conclusion. Mr. Robart recommended they start with the Board initially (Phase 1), and then see if a Phase II is needed.

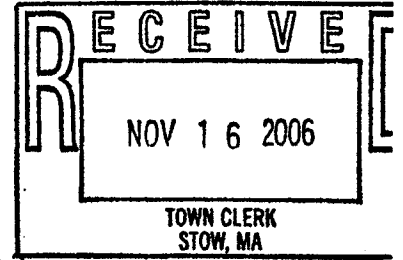
Mr. Dungan moved to ask Janet Wheeler to draft a list of objectives to work with the Board, with the draft available by the next meeting (November 28); Ms. Makary seconded, and all voted in

favor.

At approximately 8:15 p.m., Ms. Makary moved to adjourn, Mr. Dungan seconded, and all voted in favor.

Respectfully submitted,

Approved as amended, January 23, 2007



Citizens' Petition to the Stow Board of Selectmen

We the undersigned voters of Stow, pursuant to Article 7, section 8(a) of the Town Charter, petition the Board of Selectmen to hold a "Special" Selectmen's meeting for the purpose of re-organizing the Board by selecting a new Chairperson.

During her short tenure, the current Chairperson has violated an expressed provision of the Charter, Article 3, section 2(b), by micro-managing the Selectmen's office, she has failed to communicate openly and fully with other Board members regarding Board business and her decision not to work directly with the Board's professional staff has limited her capacity to function effectively as Chairperson.

We feel the current chairperson's ineffectiveness is drastically impacting the Board's ability to lead this town and address the important issues facing our Town.

Received this morning and processing the signatures.

Have the required 50 signatures of Registered VOTERS.

*Linda Hathaway
Town Clerk*

CITIZENS' PETITION

**Stow Board of Selectmen
380 Great Road
Stow, Massachusetts 01775**

We, the undersigned residents and voters of Stow, Massachusetts hereby express our support for Janet Wheeler and urge the Board of Selectmen to retain her as Chairman. We believe that the November 16, 2006 Citizen's petition seeking Mrs. Wheeler's removal is a politically motivated attempt by a small minority of Stow's resident's to discredit Mrs. Wheeler to further their own agendas. The objections contained in such petition misrepresent Mrs. Wheeler's leadership and behavior as Chairman and do not provide sufficient justification to take such an unprecedented step. Furthermore, allowing a small group of people to force a change in leadership circumvents our democratic process and sets a poor precedent for similar, politically-motivated actions in the future. We believe that Mrs. Wheeler has conducted herself in a highly professional and ethical manner and should be commended for her service and commitment to the Town of Stow.