

Approved 5/4/2020

Town of Chelmsford  
Board of Selectmen Minutes  
50 Billerica Road, Room 204  
Chelmsford, MA 01824

RECEIVED  
2020-05-05  
3:03 PM  
TOWN OF CHELMSFORD  
PATRICIA E. DZURIS  
TOWN CLERK

April 21, 2020

**Attending:**

Kenneth Lefebvre, Chairman  
Pat Wojtas, Vice Chairman  
Emily Antul, Clerk  
George Dixon, Selectman  
Virginia Crocker Timmins, Selectman

Brian Maser, Town Labor Counsel

Chairman Lefebvre called the meeting to order at 7:00PM.

**Meeting minutes**

**Motion:** by Selectman Wojtas to accept Regular Meeting minutes of January 6, 2020, as presented. Seconded by Selectman Timmins. Selectman Antul abstained, all other in favor.  
**Motion passes, 4-0.**

**Motion:** by Selectman Wojtas to accept Regular Meeting minutes of January 27, 2020, as presented. Seconded by Selectman Timmins. **Motion passes, unanimous, 5-0.**

**Motion:** by Selectman Wojtas to accept Regular Meeting minutes of February 10, 2020, as presented. Seconded by Selectman Antul. **Motion passes, unanimous, 5-0.**

Selectman Wojtas asked that the meeting minutes for February 24 be amended to reflect the correct date for an upcoming event at the Library.

**Motion:** by Selectman Wojtas to accept Regular Meeting minutes of February 24, 2020, as amended. Seconded by Selectman Timmins. **Motion passes, unanimous, 5-0.**

**Adjourn to Executive Session**

**Motion:** by Selectman Wojtas to adjourn to Executive Session, not to return to regular session, for the purposes of reviewing draft minutes of recent Executive Session meetings, and reviewing the language of the Town Manager Employment Contract. Seconded by Selectman Antul.

Roll Call Vote:

Selectman Dixon: Aye  
Selectman Antul: Aye  
Selectman Wojtas: Aye  
Selectman Timmins: Aye

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Chairman Lefebvre: Aye  
**Motion carries, unanimous, 5-0.**

Respectfully submitted,

Pat Wojtas  
Board of Selectmen

Board of Selectmen  
April 21, 2020

Approved & Held 5/4/2020  
Released 5/18/2020

Town of Chelmsford Board of Selectmen Minutes  
Town Offices, Room 204  
50 Billerica Rd.  
Chelmsford, MA 01824

RECEIVED  
2020-05-19  
2:47 PM  
TOWN OF CHELMSFORD  
PATRICIA E. DZURIS  
TOWN CLERK

Executive Session MINUTES  
April 21, 2020

**Attending:**

Kenneth Lefebvre, Chairman  
Patricia Wojtas, Vice Chairman  
Emily Antul, Clerk  
George Dixon, Selectman  
Virginia Crocker Timmins, Selectman

Brian Maser, Town Labor Counsel

The purpose of this Executive Session was to review draft minutes of recent Executive Session meetings, and to review language of the Town Manager Employment Contract. The discussion began at 7:10PM.

During the first portion of the meeting, draft minutes were reviewed for four Executive Sessions that were conducted on January 17, February 10, February 25, and March 5, related to the Town Manager's contract extension or renewal. Selectman Wojtas will edit those minutes as discussed.

Selectman Dixon wanted to include additional information about the situation regarding the selection of the location for the new Fire Headquarters, as he had brought up during the January 27 Executive Session. He reminded the Board that he was the liaison to the Permanent Building Committee when they were searching for a suitable location to build. At that time, Selectman Dixon was confident that a new headquarters could be constructed next to Town Offices, with an exit to Billerica Road. He relayed his thoughts to the Town Manager, who assured him that he would inform the PBC. Days later, Mr. Cohen told Selectman Dixon that the PBC did not favor the idea. Selectman Dixon then approached Pat Maloney, Chairman of the PBC, with his suggestion. Mr. Maloney stated that Mr. Cohen had not said anything to the committee about that idea. A few days after that meeting, Mr. Cohen told Selectman Dixon that the PBC had changed their mind, and did like Selectman Dixon's plan after all.

Attorney Maser then reported that the Town Manager was not comfortable with some changes that were made to his Employment Agreement, specifically language in the preamble that refers to this contract extension as a transition.

Selectman Wojtas stated that she agrees with Mr. Cohen, and argued that changes to the contract should only include language that was part of the motion made and voted on March 5, 2020, in both Executive Session and regular session. She noted that Mr. Cohen had made it clear that he would work with the Board to improve communication and relationships with the Board as a whole, and with individual members.

Selectman Antul stated that a transition was part of the discussion during the meetings, and the vote would not have occurred without that understanding. Selectman Timmins agreed with Selectman Antul, and feels that without that language there is no context for the extension.

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Selectman Dixon was not in favor of the extension to June 2021. His impression was that the extension would be one year from the beginning of the contract discussions, which began in January 2020.

Chairman Lefebvre was adamant that the preamble of the contract refer to the agreement that led to the Board vote for the extension on March 5, 2020. The only reason the vote changes was there was a clear understanding that Mr. Cohen was going to be actively looking for a job and between now and October. He stated that this point is what changed Selectman Antul's and Selectmen Timmins' vote.

Attorney Maser read language for the preamble that ties the background and rationale for this contract agreement to the March 5, 2020 Executive Session discussions and minutes. The Board agreed to the language Attorney Maser read, which Attorney Maser will incorporate into the next revision of the contract.

**Motion:** by Selectman Wojtas that the third Whereas be changed to “the Town Manager’s current agreement is set to expire on June 30, 2020, and the parties mutually desire to continue to retain the services of the Town Manager for the reasons set forth in the Board’s Executive Session minutes of March 5, 2020.” Seconded by Selectman Antul.

**Roll Call vote:**

Selectman Timmins: Aye

Selectman Antul: Aye

Selectman Wojtas: Aye

Selectman Dixon: Abstain

Chairman Lefebvre: Aye

**Motion passes, 4-0.**

There was discussion of another paragraph in the Employment Agreement that Mr. Cohen had felt was detrimental to him. However, it was noted that it was not changed from any previous agreements that had been signed by both parties.

Selectman Timmins stated that the contract should not be signed until the Executive Session minutes are approved by the Board.

**Motion:** by Selectman Wojtas to adjourn the Executive Session at 9:05PM. Seconded by Selectman Antul.

**Roll call vote:**

Selectman Dixon: Aye

Selectman Timmins: Aye

Selectman Wojtas: Aye

Chairman Lefebvre: Aye

Selectman Antul: Aye

**Motion passes, unanimous, 5-0.**

Respectfully Submitted,

Pat Wojtas  
Board of Selectmen

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Supporting Document:

Draft Executive Session meeting minutes

Undated draft Employment Agreement between the Town of Chelmsford and Town Manager