



SELECT BOARD MEETING
Meeting Minutes
January 23, 2023
WORK SESSION 6:00 P.M.

APPROVED: 2/13/23

PRESENT: Diana Lipari, Chair; Wesley Fowlks, Member; Les Fox, Clerk; and John Markiewicz, Member

ALSO PRESENT: Town Administrator Mike Johns; Rajon Hudson, Assistant Town Administrator; Kelley Price, Administrative Assistant; Police Chief Szewczyk; and Kirby Dolak, BXBTV

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.

1. Call the Meeting to Order Noting the Time & Presence of the Quorum

At 6:00 PM, Chair Lipari called Select Board meeting to order, via ZOOM pursuant to the procedures noted.

ANNOUNCEMENTS

Chair Lipari read a tribute to Jeanne Kangas. She then read through the announcements.

COMMUNITY CONCERNS

Jennifer Campbell spoke in support of the Select Board. She stated that, while on the Board she did not always agree with every other Board member on every issue, Board members listened to and respected each other. She has found that same level of respect and willingness to listen missing in many others in the community. She stated that she was personally subjected to nastiness on a level that eroded her mental health and happiness, to the point that she needed to step down from public service after 13 years. She finds it difficult to be at peace with that decision and is still upset about the vicious attacks that she felt led her to that point where she had no choice but to step down. If someone is making a criticism, she suggested asking if this is right for Boxborough and at what cost. She noted that many people make accusations and assumptions without knowing all the facts. It can be easy to speak about a situation when one is not subject to executive privilege or other legal constraints. People have been constantly criticizing the Board on social media, through emails, and with signage. These people do not speak for her or for many in Town, who are sick and tired of bullies and bullying behavior. Enough is enough.

Mary Brolin, 153 Guggins Lane, stated that Town Administrator Johns is fantastic, and she is excited about moving forward with him. She suggested that people in Town consider how best to work with each other and build on this new year. She reminded people that it is important to work with each other, while being respectful of each other and remembering that everyone cares about the community. She stated that she loves Boxborough and is amazed by the expertise in the community. It has been difficult to see people being so disrespectful and, at times, abusive. She expressed concern that Jennifer Campbell had to step off the Select Board, due to what she experienced. She noted that, even with data and good information, people are going to have different points of view. The community is healthier with these different points of view. She also cautioned that people do not always have the full information. She stated that she is thrilled with the news regarding Chief Ryder and would love to see the Town move forward with an offer to bring him back if he would have it. She stated that there may be other things going on that the community does not know and asked people to trust the Select Board to do the right thing. People should share their viewpoints kindly and respectfully, but also understand that the Select Board may have constraints that they are working under.

Father Barbas stated that this Town has a very beautiful sense of unity, spirit, and community. He believes that the actions of the Select Board are done in the spirit of respect, openness, and transparency. Respect goes both ways, to Town officials and from Town officials back to the community that they represent. He stated that he would like to hear a report about the investigation that has been completed. The FBI has exonerated Chief Ryder and he would like to know what steps will now be taken. He stated that there has also been a private investigation, likely at the taxpayers' cost, and would like to hear more about this as well. He stated that he supports Chief Ryder and congratulates the fact that he has been exonerated. He stated that people in Town strongly look forward to immediate reinstating of Chief Ryder. He noted that new Town Administrator Johns is a great man and believes the Town will pledge to work with him very closely. The Interim Police Chief has also been wonderful, and he hopes there can be a transition back to Chief Ryder. He asked the Board for a full report of the investigation and future steps.

Amy Osenar stated that she appreciates that the Select Board has been working with great dignity, in spite of bullying. She has not heard people speak about how hard it is to speak up against a power differential, such as the Chief of Police. She hopes the Select Board considers that there may be silent people who need the Board to make sure accountability takes place. There needs to be caution moving forward.

Susan Reuther, Reed Farm Road, asked what the process is during Community Concerns to get an answer to questions. Chair Lipari explained that the Board hears concerns but does not answer questions during this time. Ms. Reuther stated that social media is blowing up with people yelling and name calling. She believes to stop the craziness; residents need to have facts and an understanding of what is happening. She echoed Father Barbas' questions and asked the Board to answer them tonight. This way residents can see these issues closed and begin to move forward to heal from this. She stated that she knows Chief Ryder and appreciates him. She supports the Select Board, Chief Ryder, and the Town. She would like to see all of the rumors put to bed and asked the Board to share the actual report from the FBI or the Attorney General. She also asked who the private investigator was hired through and why Chief Ryder has not yet been reinstated.

Town Administrator Johns stated that the Board plans to get the facts and truth out as soon as it possibly can. The Town does need to move on from this issue and bring closure. A lot of the issues surrounding this item deal with respect, including respect of people's views and respect for the way people are treated. Bullying has been brought up to him many times during his time with the Town so far and this is being looked into. There is no place in this community for bullying at any level. He will work to nip this in the bud and address it directly. Once the facts are available and the Board is able, it will share them with the public. People in the community need to feel safe. The Chief of Police and public safety officers serving this community need to bring that sense of safety back to the community. He noted that likely 95% of items on social media can be considered to be untrue or rumors.

Becky Neville stated that, during Budget Saturday, it was noted that the Town has been paying for one/both Police Chiefs and the Police Lieutenant salary and questions regarding this were brought up. She stated that residents have been told all along that the Town has not been paying two chiefs, but she did a public records request and, from October through the end of the year, the Town has been paying either Chief Ryder, and/or Chief DiGi, and/or Chief Szewczyk. She also submitted a records request, which she anticipates will arrive by the end of next week and requested that the Board provide minutes as to when it voted to have KP Law hire the private eye. The Board was very public regarding its vote for the FBI investigation but has consistently denied knowledge regarding a private investigator until local residents began to be interviewed. She will be happy to post the information received from her most recent records request on social media.

Mark Barbadoro stated that he keeps hearing that Chief Ryder has been exonerated by the FBI. He asked if a document stating this full exoneration could be posted, so that the Town see this as more than just speculation. He stated that residents have been waiting for over a year for some kind of answer on this item. There has not been much information brought forth regarding why Chief Ryder was suspended. The Town needs to consider if crimes were and make sure that people were not breaching their contracts or taking money that did not belong to them. He requested that the Board task Town Administrator Johns to produce some kind of a statement to let the Town know the status of this item and when there will be answers regarding Chief Ryder and the rest of the investigation. He stated that he believes the original request was not for an investigation of Chief Ryder, but of incidents that took place at the Police Department.

Chair Lipari definitively stated that the Board does not have a written report from anyone at this point. There is nothing to produce, other than original materials which were reviewed approximately a year ago in Executive Session, and which should not have been released outside of Executive Session.

Hugh Fortmiller called for calm and patience. He stated that he believes the Board will do whatever it can to bring forth whatever can legally be shared with the public. The Board must feel frustrated that its hands are tied to some degree by the law. His concern is that the issues over the FBI investigation have led to some very sad issues for the Town. Jennifer Campbell's need to leave the Board is a dramatic indication that the Town has lost its way and has allowed this issue to interrupt its ability to be patient and listen to one another. This is a great Town. He asked that people be patient, calm, kind, and listen to one another.

Rich Guzzardi stated that originally there was a need to make sure as a Town that there was trust and integrity in the Police Department. The action for this was to refer the issue to the FBI/Department of Justice. The Department of Justice has now returned confirmation to Town Administrator Johns that it will not pursue an indictment of Chief Ryder. This somewhat feels like a conclusion to these issues. From a trust perspective, the intended action of an investigation at the highest level and its conclusion, seems to lead to a natural next step of reinstating Chief Ryder. Apparently, there is another investigation ongoing, with no clear outcome yet. It is important that this investigation gets concluded in an expedited manner. He appreciates the calls for patience but asked what further concerns there could be if the highest level of investigation has been decided. If the answer is that more needs to be done, he asked that the Board provide a timeline for this. He stated that Chief Ryder was a long-term employee of the Town for over 20 years. He asked how other department heads can trust in the system and the community if this continues to happen. He noted that he is grateful for the hiring of Town Administrator Johns. He hopes that the Town Administrator will continue to grow a culture of respect,

accountability, and trust in the Town offices. There needs to be trust across the employee base and department heads. The Board should state the remaining issues and bring these to conclusion to maintain a high level of trust.

Member Fowlks noted that the investigation closed with no indictment sought for Chief Ryder. However, the original questions were discrepancies in the Police Department, not Chief Ryder. He believes this point is being conflated with the discussion of the indictment.

Cheryl Mahoney stated that this year has been very sad. People for years had each other's backs and politely disagreed in public but came together in the end to improve the community. Numerous people on this call have served on the Personnel Board and/or dealt with personnel issues. Potential issues with a staff member are never easy to handle. One of the reasons the Town Administrator and Select Board have been unable to provide updates and information is because of the rights of the parties and employees involved. If public statements were made contrary to the rights of these individuals, the Board could be found to be in the wrong and thus open to investigation by the State, and potential civil action. The Board cannot speak to specifics because of its responsibility to the rights of employees.

David McKiernan stated that residents have waited all this time for the FBI resolution, but apparently there is now more to investigate. He asked why these items were not handled in parallel.

Town Administrator Johns stated that these items were reviewed in parallel. The agencies involved have been looking into a number of items and not just one individual person. There is no formal report to share yet. He stated that he spoke with the Department of Justice, which informed him it will not seek an indictment of Warren Ryder, period, but no report was provided. He shared this information in a press release last week. The FBI's investigation was on a wider matter, not simply to seek an individual indictment of Chief Ryder. Other agencies, including a private investigator, are still actively engaged in an investigation regarding those wider matters.

Tara Tremblay, Picnic Street, stated that the Town has paid for 2-3 Police Chiefs, a private investigator, etc. She asked for specifics on how much has been billed for these items and how the Town has accrued the number of hours spent by the private investigator. AS this is taxpayers' money, she requested that these investigations be wrapped up as soon as possible.

There was no additional public comment at this time.

NEW BUSINESS

a. Town Administrator & Select Board Goals

Member Markiewicz stated that he would like to first have a general discussion regarding the proposed list. He would like to consider priorities of the items on the list. He asked if these are goals for the Select Board or the Town Administrator, or both. He stated that his short-term priorities include how the Town is actively pursuing use of ARPA funds, as there are deadlines associated with those funds. Another priority is water for the western part of the community, as there is a June 30th deadline and intermunicipal agreement needed for the Littleton Town Meeting. He also wants to put a priority on compromise and transparent discussions.

Member Fox stated that this list needs to be pared down to make progress on any item. He would like to distinguish between long-term and short-term goals. The Board needs to discuss clarity on the Police Chief matter, with the constraints put on how much can be released. The Board should also consider employee wellbeing, as there has been a lot of turnover in Town Hall.

Member Fowlks stated that his short-term priorities include a water agreement with Littleton Water and potentially moving information to the cloud. There are external deadlines with real consequences for these items. He agreed that the next priority should be the ARPA spending plan. He would also like to consider more staff appreciation events and ways to recognize individuals. He would like to pick a few small things to move forward, instead of letting many items get dropped over the years.

Chair Lipari agreed on the priorities of the ARPA funds, water agreement, employee appreciation, and a better communication strategy for all committees in Town. She noted that she would also like the Board to consider development of a financial policy, along with a review of all Board policies. It is the job of the Select Board to set policies and a more proactive stance needs to be taken. She would also like to consider creation of a Capital Committee.

Member Markiewicz agreed that it is the Select Board's role to set policies. He stated that the Board should give the Town Administrator some feedback on this list. He tried to break the list down into general areas, such as Public Relations, Communications, and Community Leadership. He would place all of those items under a larger umbrella of Communications. Before the Board can encourage respect between stakeholders, it needs to resolve concerns amongst those groups. Some concerns were heard this evening from many people. The Board and Town Administrator are interested in bringing resolution to those items, which could then lead to respect earned. He suggested bi-weekly or monthly times for citizens questions of the Town Administrator.

Town Administrator Johns stated that he has made notes regarding the items addressed by the Board. He asked the Board to prioritize the items on the list, including those suggested by other Board members. Member Fowlks suggested that timelines for these priorities also be considered.

Town Administrator Johns stated that he believes these goals are the goals of the Town. The Select Board sets the priorities for these items, creating a roadmap for the Town Administrator to then implement them. He would then assign certain goals to Department Heads, to still be considered as the Town's goals. One of the goals he proposed is to establish a long-term strategy for the Board. The Board could review the Town's Master Plan and consider a 10-year strategy that it can review each year. Chair Lipari asked the Town Administrator to create a framework for this long-term strategy for the Board's review.

Member Markiewicz stated that the Board will need to agree as to what the definition is for short-term versus long-term. He noted that there are a number of volunteers in the Town doing great work. Many have sought external funding for projects and the Board should consider how to get extra volunteers/employees to fulfill those projects. Encouraging more grant funding is a good idea, but there then needs to be people and tools in place to continue that forward.

Town Administrator Johns stated that there are many items on the list which will need to happen to make other goals possible, such as morale building, regionalization, and conflict resolution. These items will help staff and volunteers in Town to continue to work collaboratively. Organizational sustainability is extremely important. Employees need to be cross-trained, so that the Town can continue to move forward in a sustainable fashion. Some of these smaller items will continue to be worked through while the larger goals are being considered.

Chair Lipari noted that she would like to have volunteer handbooks considered for guidance moving forward. Town Administrator Johns explained that this item has been added to the goals list.

Member Fox stated that succession planning is very important. This should be considered as part of the Board's strategic planning. He asked about consideration of a handbook on how to prepare for Town Meeting.

In response to a question from Member Fox, Town Administrator Johns stated that cloud-based storage can help to organize minutes and other information on the Town website. This will make information more easily accessible. Member Fowlks explained that this will allow for a centralized place for anyone with proper security to access information and documents.

Chair Lipari asked that this item be placed on the Board's agenda in two weeks.

BOARD & ADMINISTRATOR COMMENTS & REPORTS

Town Administrator Johns stated that he attended the annual MMA meeting, along with administrative staff. This was a good learning opportunity. The State's budget will likely be available March 1st and the Town's State Aid will be known at that time.

Member Fowlks noted the communication shift between the Board and the public. He stated that Town Administrator Johns has been helpful in encouraging the Board to be as communicative with the public as much as possible, once it is able to be. He stated that he appreciates people's patience in this matter, as there may be other items under the surface occurring.

Member Fox stated that the webinar from the Water Resources Committee was broadcast on the 19th and attended by over a hundred people. This included an overview of the materials previously presented, with additional detail from State agencies. He will be compiling answers to any questions broached that evening and will publish these, once available.

Town Administrator Johns stated that he spoke with Town Counsel regarding the intermunicipal agreement with Littleton and will come back to the Board with a draft IMA. He suggested that the Board consider drafting a letter of intent to enter into an IMA, to allow Littleton to move forward with this item. Chair Lipari stated that this should be included on the Board's next agenda, as she does have some questions.

Town Administrator Johns stated that he is a graduate of the Leadership Matters program through the Lincoln Land Institute. The Director of the program has requested a team from Boxborough to participate in the program next year. There may be grant funding available to partially pay for a team of four department heads to attend this program. He will present more information on this item at the Board's next meeting.

Member Markiewicz gave praise to the Town Planner, Alec Wade. He thanked all residents involved for their comments this evening.

Chair Lipari stated that she wishes the Board could be completely transparent about all items at this time. She thanked everyone for their civility this evening. She understands how frustrating this issue is and noted that the Board is frustrated as well. The Board will work to be fully transparent, so that people can understand the process thus far.

ADJOURN

Member Fowlks moved to adjourn the meeting at 7:40 p.m. Seconded by Member Markiewicz.

Approved: 4-0-0 by Roll Call Markiewicz, “aye,” Fox “aye,” Fowlks “aye,” Lipari “aye.”

Item#	Exhibits
	Agenda
	Boxborough Select Board/Administration Goals – 11/7/22 – 11/6/25