



EXECUTIVE SESSION MINUTES
BOARD OF SELECTMEN
Monday, March 23, 2021

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Executive Session - 4:45 pm

Present: Carole Julius, Chairman; David Sheedy, Vice Chairman; Peter Spagone Jr., Clerk

Absent:

Others Present: Rebecca Johnson, Assistant to the Town Administrator and Board of Selectmen and Jaime Kenny, Town Counsel

Chairman Julius announced the Selectmen were entering into Executive Session under MGL Chapter 30A, § 21 (a)(2) To conduct strategy sessions in preparation for negotiations with nonunion personnel and to conduct contract negotiations with nonunion personnel; and under MGL Chapter 30A, § 21 (a)(1) To discuss the reputation, character, physical condition, or mental health, rather than professional competence, of an individual, or to discuss the discipline or dismissal of, or complaints or charges brought against, a public officer, employee, staff member or individual.

Mr. Spagone Jr. made a motion to move into Executive Session, Mr. Sheedy seconded. Roll Call Vote: Ms. Julius: Aye, Mr. Sheedy: Aye, Mr. Spagone Jr: Aye. All were in favor, 3-0

Ms. Kenny stated the purpose of the meeting was to give an update on the mutual separation terms with Mr. Noble.

Ms. Kenny reviewed the agreement section by section with the Board of Selectmen. She stated this agreement is an amendment to the existing agreement and now governs any previous agreement going forward.

Ms. Kenny stated this is a voluntary resignation and is irrevocable once tendered.

Ms. Kenny stated that Mr. Noble is eligible for the older workers benefit protection act. This allows for a revocation period. Ms. Kenny stated, after the agreement has been signed by all parties it will be in a holding pattern for seven days. There is a revocation period effective 9/3/2021. She stated Mr. Noble will remain on the Town's health insurance and has the right to COBRA. Vacation will also be paid out on final payroll 9/3/2021.

Ms. Kenny stated, Ms. Julius will be reading section 3, a joint statement in open meeting.

Joint Statement: The Parties agree to issue the following joint statement: "Mr. Noble and the Town have mutually agreed to end Mr. Noble's employment with the Town. The Town would like to thank Mr. Noble for his dedicated service to the Town. Mr. Noble would like to thank the Boards, Committees, Department Heads, Staff and most importantly the citizens of East Bridgewater for supporting him during his tenure with the Town of East Bridgewater."

A neutral reference will also be written. There is a provision stating if Mr. Noble were to find employment elsewhere, an amended letter would be reinstated reflecting adjusted resignation date.

A Department Head meeting will be scheduled for Thursday morning 3/25/2021 to give an update on the Town Administrator. Ms. Julius will instruct the Department Heads not to speak negatively about Mr. Noble; section 10.

Mutual Non-Disparagement: Mr. Noble agrees not to publicly disparage, denigrate, or provide negative comments about the Town of East Bridgewater, its elected officials and/or any other employee of the Town. The

Board of Selectmen agree not to disparage, denigrate, or provide negative comments about Mr. Noble and will instruct its Department Heads not to disparage or speak negatively about Mr. Noble. The parties agree that this "Mutual Non-Disparagement" clause is an important part of this Agreement and is a material condition to induce both parties to execute the same.

Ms. Kenny stated the agreement will be voted on in open session.

Ms. Kenny stated she had a conversation with Board of Health agent, Bob Philbrick and gave him a copy of the report on the investigation on the Commercial Club. They are going to speak tomorrow, March 24, 2021. Ms. Kenny stated a joint open meeting with the Board of Selectmen and Board of Health may need to take place to discuss the report.

Mr. Spagone Jr. made a motion to adjourn from Executive Session at 6:00 pm, seconded Mr. Sheedy. All were in favor, 3-0

Roll Call Vote: Ms. Julius: Aye, Mr. Sheedy: Aye, Mr. Spagone Jr.: Aye. All were in favor, 3-0



Clerk

Board of Selectmen