

TO: Town Council, Town of Mansfield, CT

FROM: Warren J. Rutherford, President, The Executive Suite



DATE: 19 November 2019

RE: Town Manager Process Review

The Town of Mansfield retained The Executive Suite to conduct a process review of the recent resignation of the Town Manager and Assistant Town Manager. Specifically, the Town engaged The Executive Suite to understand:

- *What went wrong from recruitment to resignation?*
- *How it can be systemically fixed to prevent a reoccurrence?*

The Town desired a thorough review with a quick turn-around.

Process

To that end, the Town Manager's office scheduled interviews for the consultant to interview Mayor Paul Shapiro, Deputy Mayor Toni Moran, each Town Councilor, all department heads as well as other senior staff, the Executive Director of the Mansfield Downtown Partnership, and the search consultant from The Novak Consulting Group.

These interviews were held on October 8, 21, and 22 at the Mansfield Town Hall (Audrey P. Beck Building), 4 South Eagleville Road, Storrs Mansfield, CT 06268. A complete list of Town officials interviewed is listed in Attachment A to this report. For each interview, the questions listed above served as the basis for each interview.

Background

The Mansfield Town Council, after two successive search processes selected Mr. Derrik M. Kennedy, then the Town Manager in Westerly, Rhode Island as its Town Manager on May 14, 2018. Shortly thereafter, Mr. Kennedy recruited and appointed Mr. Joshua Putman, then the Human Resources Director in Westerly, Rhode Island as the Town's Assistant Town Manager.

Mr. Putman left Town employment June 30, 2019. Mr. Kennedy left Town employment on July 17, 2019. In both instances the departures of the Assistant Town Manager and Town Manager occurred after issues from department heads were raised in Mr. Putman's instance, to Mr.

Kennedy; and in Mr. Kennedy's instance after issues from department heads were raised with the Town Council.

It is not the objective of this report to describe the issues raised by members of the Town Council and department heads nor to describe the discussion of these or other issues discussed during the three days of interviews. This report also does not provide direct attribution of comments or recommendations made to a specific Town official.

Rather, it is the objective of this report to answer the questions raised by the Town Council so that the Town Council can pursue its required duty and responsibility to recruit its next Town Manager in a more informed and effective manner.

The Recruitment Process

Mansfield had the benefit being managed by two long-term managers, Mr. Martin Berliner and Mr. Matthew Hart with only three Town Managers since the adoption of the Town Charter in 1970. When Mr. Hart left to accept a position as Town Manager in West Hartford, CT, the Town Council initiated a procurement to retain a professional search consultant to assist them in the recruitment process for its next Town Manager.

The Town Council retained The Novak Consulting Group, Cincinnati, Ohio to conduct the professional search to replace Mr. Hart. Ms. Catherine Tuck Parrish, Executive Search Practice Leader for The Novak Consulting Group coordinated the search process for the Town. The Town conducted its first search inconclusively and engaged The Novak Consulting Group to conduct a second search.

Ms. Tuck Parrish met with the Town Council to understand the needs of the Town for its next Town Manager and to understand the challenges the next Town Manager would encounter. She then developed a recruitment brochure, placed advertisements in regional and national publications, received and screened all applications, and recommended a slate of semi-final applicants to the Town Council, who then narrowed the semi-final applicants to two finalists. The semi-finalists were interviewed confidentially, as were the finalists. Ms. Tuck Parrish coordinated a tour of the Town of the two finalists by two of its department heads, who then provided feedback to the Town Council through her.

She also arranged for all department heads to interview both finalists and to submit anonymous, online comments to her which she then provided to the Town Council. She conducted reference checks on the selected finalist, Mr. Kennedy. It is noted that all interviews by the Town Council and department heads were confidential, as was the reference check process conducted by Ms. Tuck Parrish to maintain confidentiality on the candidates. The second search concluded in the Town Council appointment of Mr. Kennedy May 14, 2018, who at the time was the Town Manager in Westerly, RI.

Analysis

The process of looking back and analyzing the recruitment process for the Town Manager is done through a perspective of disappointment at the results after one year, hence the question: what went wrong? By all accounts, the Town Council followed a deliberative process guided by the expertise of the search consultant. The Town Council made a good faith decision in its hiring decision to appoint Mr. Kennedy as the next Town Manager. The Council did not appear to do anything wrong in appointing Mr. Kennedy to the position. In fact, the Council gave Mr. Kennedy a positive evaluation on his one-year anniversary in May 2019.

So, what went wrong? It's easy to second-guess a recruitment process and the results, especially when the result ends in the resignation of the Town Manager a little over one year after his appointment.

Consensus developed during the process review in several areas:

- Confidentiality,
- Reference and background checks,
- Residency,
- Involvement of department heads. in the recruitment process,
- 360-degree assessment, and
- Collaboration.

Confidentiality

During any professional search confidentiality assurances to candidates is an important element in attracting qualified applicants for the position so that Town Manager applicants do not jeopardize their existing employment. In the Mansfield search process, confidentiality was ensured up to the point when the Town Council announced the hiring of Mr. Kennedy. Applicants for the Town Manager position were kept confidential in both the first and second search effort.

Confidentiality assurances can vary depending on each State's open meeting law requirements. In Connecticut, meetings are required to be held in open or executive session, and the State has explicit guidelines for each. However, the meeting definition "does not include: Any meeting of a personnel search committee for executive level employment candidates."¹ In the instance of the recruitment process for the Town Manager, the Town Council met as a personnel search committee thus ensuring the interview process remained confidential.

Reference Interviews

The search consultant, as part of its professional services agreement with the Town, performed reference interviews with five individuals, including someone they worked for and someone who worked for them. The results of these reference interviews were provided to the Town Council as part of their selection decision process. The search consultant indicated that she did

¹ Connecticut General Statutes 1-200 – Definitions.

offer the Town Council to speak with another elected official in Westerly, RI, once the Town Council had decided on offering Mr. Kennedy the position, but to her knowledge, the Town Council elected not to exercise that opportunity.

Residency

The Mansfield Town Charter does require residency during tenure of office². This concern was raised as it may inhibit applications for the position.

Department Head Involvement in Recruitment Process

Department heads expressed frustration that they did not participate more fully in the recruitment process to provide the Town Council more comprehensive feedback on Town Manager applicants. Managers indicated that the interview in which they did participate was not enough to evaluate the candidates and provide the Town Council more thorough feedback on both finalists due to the need expressed for confidentiality in the recruitment process.

It's further noted that department head involvement in the recruitment and selection of the Assistant Town Manager, while following some prior practice and involvement, where managers interviewed applicants for the Assistant role, did not effectively address department head concerns about Mr. Putman's appointment, as the selection criteria emphasized qualifications that Mr. Putman possessed.

360-Degree Assessment

There was considerable discussion amongst department heads about the need for a 360-degree assessment during the first year of the next Town Manager. Concerns focused upon the need to provide the Town Council structured feedback at a 3-month, 6-month, and 1-year intervals.

Collaboration

Two thoughts come to mind:

- What you see is what you get.
- Looks (and words) can be deceiving.

By all accounts Mr. Kennedy presented strong credentials. His relationship with the Town Council was quite strong and positive. It appeared that his leadership and management style and approach however were not complimentary with the needs or expectations of the Town's management team and staff and led to a deterioration of the Town Manager's relationship with senior and other Town staff. Department heads and staff had developed a strong collaborative culture under the leadership of the two prior Town Managers, a culture that has created strong bonds and support to each other.

It's difficult to criticize the culture, as it appears to have yielded strong, positive results in the community. Given the culture, the longevity of department heads and staff, and a new

² Mansfield Charter § C501. Appointment and removal of Town Manager. A. Appointment.

Manager who had a distinctly different management style, it is not surprising that there were disagreements and conflict. It is rare for a newly appointed Town Manager to not encounter resistance in this type of management environment.

This lack of alignment, the Town Manager's decision-making and communication style, as well as the Assistant Town Manager's decision-making and communication style however, resulted in a significant breakdown in department head and staff support for the Town Manager and Assistant Town Manager's actions during the year.

Recommendations

- How it can be systemically fixed to prevent a reoccurrence?

Open the Recruitment Process Up

There is no one best way to conduct a recruitment for a Town Manager, yet it is different than hiring a department head, town or school employee. The Town Council has, under the Charter, the responsibility to hire the Town Manager, and it takes its responsibility seriously. The Town Council, department heads, staff, and the community benefit from a productive collaborative culture. Designing a process that values this culture will be important for the next Town Manager recruitment, hence the recommendation to open the process up. There are several factors to this recommendation:

Facilitated Workshops

1. Involve the Town Council and department heads to help develop a profile for the next Town Manager – this does not assume that department heads will determine who the Town Council will select, but it can help identify the personality and decision-making characteristics that the Town needs in its next Town Manager. This can be developed through a facilitated process – asking the Town Council members and the department heads to identify the decision-making, leadership, management, and personality characteristics of the Town Manager. These facilitated workshops can be held with both the Town Council and department heads participating in the same workshop or they can be held separately. It should be the Town Council's decision on which it prefers.
2. Involve the community in a similar facilitated process where community leaders and members of the community can participate in and discuss the same decision-making, leadership, management, and personality characteristics of the Town Manager.
3. As part of this facilitated process, further engage the Town Council, department heads, and community members in a process to identify the priorities and challenges upon which the next Town Manager should focus her/his energies.
4. Results of the facilitated processes would then enable the Town, with or without the assistance of a search consultant to prepare a position and community profile that identifies the decision-making, leadership, management, and personality characteristics of the next Town Manager as well as identifying the community priorities and challenges that the next Town Manager will be expected to develop work programs on.

Challenges and Opportunities for the Next Town Manager

Clearly, the Town has an experienced management staff. This experience should be leveraged by the Town Council in the identification of challenges facing the organization and the Town over the next 10 years and made part of the interview and selection process for the next Town Manager.

During the development of an organizational and community profile it is strongly recommended that the Council develop, during the recommended facilitated workshops the need for succession planning for department heads and other staff. Many communities are facing this challenge in recruiting qualified managers and staff. Additional challenges to consider during the facilitated workshops include the Town's financial health and outlook, as well as capital budgeting and infrastructure planning, and economic development to name a few.

Relative to hiring key staff such as department heads, it's recommended that the process which the prior Town Manager used be continued, and that the Council structure part of its interview process to discuss with candidates their approach towards recruiting and selecting key staff. The process used previously includes involving managers from other communities and other department managers to interview applicants for department manager and other key staff positions so that the Town Manager receives input into the hiring process. In this regard it will be important for the Council to understand a candidate's decision process in hiring of key management staff.

Confidentiality

Preliminary Screening

If the Town Council elects to retain a search consultant, it is customary for the search consultant to receive all applications and to evaluate which candidates should be forwarded to the Town Council for semi-finalist interviews. There are also search processes where the Town Council could serve as a screening committee and would evaluate which candidates should be selected for semi-finalist interviews. In either instance, the Town Council or the search consultant would notify those candidates not selected for semi-finalist interviews and their application would remain confidential.

Semi-final Candidates

Confidentiality in a Town Manager recruitment is important in attracting qualified candidates. The confidentiality should be assured for those who are involved in the semi-finalist candidate pool. If the Town Council uses the personnel search committee process to interview semi-finalist candidates, it should do so in a confidential setting.

Finalist candidates

The Town Council should elect to interview finalist candidates in an open session meeting of the Town Council. Candidates should be notified as part of the recruitment process that finalist candidates will be interviewed in an open session meeting of the

Town Council. Those candidates who believe their current positions may be at risk by having their names published as finalists should be given the opportunity to withdraw their candidacy at the semi-finalist stage.

Some may argue that the loss of confidentiality at the finalist stage will deter qualified candidates from otherwise applying for the position. As an example, you only need to look over the border in Massachusetts to understand that open meeting law requirements require that finalists be interviewed in open meeting sessions. Municipalities in Massachusetts do not have a shortage of qualified candidates for open executive positions.³

Reference Checks

References from candidates are generally acquired during the application stage and are not contacted unless the candidate becomes either a finalist or is the selected candidate for appointment. It's common for applicants to list references that can provide a strong and supportive reference. Whether the search consultant or a Town Council member conducts the reference calls is not important – the references need to be contacted. Social media and other Internet searches are also common and are encouraged. References should also be solicited from finalist candidates that reflect a candidate's ability to perform each of the Town Manager's position description responsibilities.

It's also common in executive recruitments for reference checks to include educational, criminal, and credit checks often performed through a subscription service. It's recommended that once the Council's finalist candidate has been selected, that Council members conduct reference checks that involve a community visit – that is, a visit by members of the Town Council to that candidate's current community to interview members of the Town Council or members in the business community.

Thorough reference and background investigations are important elements to a successful search. Guidance on conducting effective reference and background checks can be provided by search consultants and others who are skilled in this process.

Residency

While concerns were raised during the interview process that the residency requirement may inhibit otherwise qualified Managers from applying to the position it is most likely that Managers who currently work in the region would be the individuals most likely to not want to relocate. Where residency is not required, it's not uncommon for Managers to commute an

³ MASSACHUSETTS OPEN MEETING LAW, G.L. c. 30A, §§18-25, Section 21. [EXECUTIVE SESSIONS] (a) A public body may meet in executive session only for the following purposes... 8. To consider or interview applicants for employment or appointment by a preliminary screening committee if the chair declares that an open meeting will have a detrimental effect in obtaining qualified applicants; provided, however, that this clause shall not apply to any meeting, including meetings of a preliminary screening committee, to consider and interview applicants who have passed a prior preliminary screening;

hour or more for work. The Town Council should evaluate the need to modify this Charter requirement against 1) the need for a larger, regional applicant pool, and 2) the impact of re-opening the Charter for this change and the prospect of other Charter change proposals being advanced.

Department Head Involvement

If department heads are provided the opportunity to participate in efforts to help describe the decision-making, leadership, management, and personality characteristics of the next Town Manager and to identify the priorities and challenges upon which the next Town Manager should focus her/his energies, the Town Council will be able to evaluate this information in the selection process.

Provided that finalist candidates are interviewed by the Town Council at an open meeting session, department heads can be invited to provide feedback to the Town Council through a Survey Monkey or equivalent online assessment instrument similar to a ranking and evaluation template that the Town Council could use for its own finalist candidate evaluation, should the Town Council determine this level of involvement would assist them in their decision process.

360-Degree Assessments

It is not recommended that 360-degree assessments be incorporated into the next Town Manager recruitment process unless the next Town Manager expresses interest in receiving structured feedback from department heads about her/his performance during the first year and beyond and the Council and Manager agree to this evaluative method as part of the Manager's contract.

If the Town Council structures an open and deliberative process to recruit its next Town Manager, which I believe it will, the fear of failure and disappointment that characterized the department head's comments during the process review should not require a backup strategy involving a 360-degree assessment to assure the Town Council and department heads that the Town Council made the right choice in selecting its next Town Manager.

Conclusion

Upon your review of this Town Manager Process Review I look forward to discussing the contents of this report with the Town Council.

Thank you for the opportunity to assist you in this important review and allocating your valuable time to discuss it.

Attachment A

Town Council:

- Mayor Paul Shapiro,
- Deputy Mayor Toni Moran,
- Councilor Terry Berthelot,
- Councilor David Freudmann,
- Councilor Peter Kochenburger,
- Councilor Ron Schurin,
- Councilor Ben Shaiken, and
- Councilor Betty Wassmundt.

Town Staff:

- Interim Town Manager John Carrington,
- Acting Assistant Town Manager Robert McCue,
- Animal Control Officer Noranne Nielsen,
- Assistant Parks and Recreation Director Jay O'Keefe,
- Audrey Conrad, Human Resources Specialist,
- Building & Housing Director Michael Ninteau,
- Director of Finance Cherie Trahan,
- Director of Human Services Patricia Schneider,
- Executive Assistant to the Town Manager Tasha Smith,
- Facilities Director Allen Corson,
- Fire Chief Fran Raiola,
- Information Technology Director Jaime Russell,
- Library Director Leslie McDonough,
- Noelle Shepard, Temporary Human Resource Specialist,
- Parks and Recreation Director Curt Vincente,
- Planning and Development Director Linda Painter,
- Senior Planner/Inland Wetlands Agent Jennifer Kaufman, and
- Town Clerk Sara-Ann Chaine.

Mansfield Downtown Partnership:

- Cynthia van Zelm, Executive Director.