

RELEASED

APPROVED

**MINUTES
SELECTMEN'S MEETING
GRIFFIN MEETING ROOM
Monday, January 6, 2020
6:30 P.M.**

SELECTMEN PARTICIPATING: Larry Ballantine, Donald Howell, Michael MacAskill, Edward McManus. Absent: Mr. Stephen Ford.

ALSO PARTICIPATING: Interim Town Administrator Joseph Powers and Finance Committee Members: Jack Brown, Jon Chorey, Dan Tworek, Mark Ameres, Tom Sherry, Dale Kennedy

CALL TO ORDER

Mr. Ballantine opened the meeting at 6:30 pm, and called to order the Board of Selectmen.

WEEKLY BRIEFING

A. Sewerage Work Improvement Phase 2 – Contract #1 – Construction Schedule – Weekly Update

Mr. Joseph Powers, Interim Town Administrator, said that he had an update for the sewage work improvement for Phase 2, Contract 1; as well as, introducing the first construction update for Contract 2.

The look ahead for Contract 1, for this week, January 6th through January 10th, the Mainline Sewer Crew # 1 will have the subcontractors performing various tasks, at various locations. Mainline Sewer Crew # 2 will continue installation on Route 137, with detours still in place. Then, on Friday only, they will continue installation on White Pine Circle. The two week look ahead for the week of January 13th through January 17th, again Mainline Sewer Crew # 1 will have the subcontractors performing various tasks at various locations and Mainline Sewer Crew # 2 will return to continue installation on Route 137, with detours. The same work will continue through January 20th and January 24th. Mr. Powers said that it is his understanding that even though January

20th is a holiday for the Town, they will perhaps be operating, and he will confirm that for the next week's update.

B. Sewerage Work Improvement Phase 2 – Contract #2 – Construction Schedule

Mr. Powers said that Phase 2, Contract 2, is the work that will be performed by RJV, Inc. They are scheduled to commence their work beginning the week of January 27, 2020. Mr. Powers said that he is working with staff, and they have established coordination meetings for next week between RJV, Robert B. Our, staff and the engineering firm. He will have updates from those meetings. Also, they are doing a coordination meeting with the Town of Chatham. This is because they have their project coming closer to the work area that they are dealing with. He will have more updates after those meetings next week.

Mr. Ballantine said that it will take some coordination, and if they need to change the schedule to help with traffic patterns, they should do that. He added that they should be sure to be in charge of that, going forward.

PUBLIC COMMENTS/ANNOUNCEMENTS

A. Ms. Carolyn Carey, Director of the Community Center, wanted to let everyone know that the light display at the Cultural Center has been taken down, she thanked the Police Department and the Doane family.

Also, as a teaser, she wanted to let them know that next month the Community Center will be 20 years old. They will have a birthday celebration with several different events happening, including; a dance, a kids pancake breakfast, find the fairy doors and a cake baking contest. The full schedule will come out soon, so stay tuned! The official date of the opening was February 5th, and clubs started February 14th. Information will be posted on the Community Center website, Channel 18, and flyers will be everywhere. She hopes that everyone will have a chance to stop by.

B. Mr. Richard Waystack, Chairman, Board of Assessors, said that from the phone calls and visits to the Assessing Department today, it would seem people have received their tax bills. He just wanted to remind everyone that they have 3 ½ weeks left to file an abatement. If someone wishes to challenge the value of their property. He will remind everyone again that the abatement process does not challenge the amount of taxes that a person has to pay. If

you wish to file an abatement, you must pay your taxes. One question that comes up, is that the bill that was received last week, is the first actual tax bill. The previous two bills were estimates. This is the first tax bill at the higher tax rate. To file, it must be to the Assessor's Department by February 1st.

CONSENT AGENDA

A. Minutes:

1. June 10, 2019 Regular Session
2. June 24, 2019 Regular Session
3. July 1, 2019 – Regular Session

B. Vote to approve and sign the 2020 Seasonal Population Increase Estimate Form

Mr. Howell confirmed that they will be holding the June 24, 2019 Regular Session Minutes.

Mr. Howell moved that they accept the minutes for June 10th, 2019 and July 1st, 2019 and vote to approve and sign the 2020 Seasonal Population Increase Estimate Form. Seconded by Mr. MacAskill. All in favor, motion carried by unanimous vote.

PUBLIC HEARINGS/PRESENTATIONS

A. Public Hearing – Finance Committee joint meeting with the Board of Selectmen and Capital Outlay Committee on the submitted 7-Year Capital Outlay Plan

Mr. Powers stated that in accordance with the provisions of the charter, the public hearing this evening between the Board of Selectmen, Finance Committee, and Capital Outlay Committee, for the draft plan, was presented by himself to the Board on December 23rd. It was also available on the Town website and in the Administration Department. All parties should have in front of them the draft plan; as most recently updated on December 23, 2019.

Mr. Powers continued that he would build off of what he said to the Board on December 23rd, in his analysis memo, and said that the major items still need to have some vetting. He asked to draw their attention to page three, where it

referred to Wastewater and under the Town Administrator recommendations are two items that have yet to be voted on by Capital Outlay. The expectation is that if it is to go forward, he will be presenting that to Capital Outlay in the Spring, ahead of Town Meeting. However, the two items that have yet to be voted on by Capital Outlay, are the DHY Harwich share of treatment, for \$1.5 million, which would require the use of debt exclusion, and Phase 2, Contract 3, the additional work relative to the present phase of \$8.4 million. Otherwise, everything else has been vetted and is fully endorsed.

Mr. Richard Larios, Chairman, Capital Outlay Committee, reported that there is a total of \$11.7 million to be funded by debt exclusion, there will be 73% of the total funding mechanism. The items that are listed in the plan itself, include; the pump and ladder request, for the ladder called the Quint, under Fire Department for \$1.1 million, a five-year road maintenance plan, under public works, for \$700,000, the \$1.5 million for the DHY wastewater plan, and the Phase II, Contract 3 under wastewater for \$8.4 million. Finally, there were items added for Channel 18.

Mr. Ballantine said that they have not acted or made recommendations on the wastewater issues yet. That will be a discussion of the Board, and will be brought back. They are still trying to sort through the timing of it, and come back with recommendations. The \$700,000 needs to be debated somewhat, because there are a few things that they have control over that may affect the overall town budget, and capital outlay is one of them.

Mr. Larios said that this is a prime example about the plan being fluid, and able to change, until they get to Town Meeting.

Mr. Ballantine said that is it exactly and that it really can be underlined with wastewater. If they take the capital outlay as the first stage, then they have some flexibility on how they do the wastewater project to keep the level funding going forward. They have had some discussions and they should go back and relook at it, to make sense in the near future and the long term.

Mr. Jon Chorey said that he had a question, that he had also mentioned a couple of weeks ago, about filling in the blanks that are there for years out. He said that Mr. Larios had mentioned it was a fluid plan before going to Town Meeting and he wanted to know if there was an intent to have all of the blanks filled out, for the five years, before Town Meeting? He said that it is his understanding that once it goes to Town Meeting, the only way it can be

changed is by going back to Town Meeting for a 2/3rds vote. He repeated that his question is, if there is a plan to fill in all the blanks, for all the departments, up through year five?

Mr. Howell said that it may have been a confusing discussion for everyone. He said that what passed last year at Town Meeting still has to go through the ballot, to actually make it happen. He also added that it was for seven years, not five, and when it gets locked in next year, you will not be able to move anything. However, this year, Mr. Larios is right. It is fluid for this year's presentation to Town Meeting and basically you are starting fresh next year. If something skips the line, then it will need the 2/3rds vote, but that is presuming that it passes the ballot this year.

Mr. Chorey asked if there is any reason that they cannot do that now? Mr. Howell said no, but pointed out that the requirement for this will not begin until next year.

Mr. Chorey asked for clarification on going from seven to five, if it passes at ballot. Mr. Howell said that they thought that amendment had been made, but it was not. The actual passage last year was for seven years for the capital plan.

Mr. Larios said that this meeting is a public meeting about the plan, not the process. Mr. Howell said that Mr. Larios' plan is in accordance with what the charter calls for right now.

Ms. Noreen Donahue, Committee Vice-Chairman, Capital Outlay Committee, said that she wanted to understand the other part of Mr. Chorey's question. She said that they had a confusing conversation two weeks ago, and asked if he was suggesting that, for example, if he is looking under Administration and sees zeros, is he saying that there should be zeros in every place?

Mr. Chorey said no, but for them to be able to plan effectively, whether for five years or seven years, he thought that it should be filled out for seven years, so they can plan and know what they are doing. They can be place holders, a lot of numbers are place holders and that is what he is asking for.

Mr. Larios said he understands what Mr. Chorey is asking for. He said that there is an issue with the Finance Committee dealing with operating costs that are yearly. However, with the Capital Outlay Committee, they are looking at

anything greater than \$50,000, and what is assumed that they will be spending. It is not their Capital Plan, it is the capital plan that is coming out of the Town Administrators office, for the town at large expenses. Mr. Larios agreed that if the items can be filled in, they should be. They used to be called place holders, but if they don't have a place holders, they are not going to make up a number.

Mr. Chorey said that they are responsible for all financial matters related to the town. Mr. Larios questioned why they have two committees. Mr. Chorey said that they are there to help them and Mr. Larios said that they help the Town Administrator. Mr. Ballantine said this does not need to be debated now, and added that Mr. Chorey made some good points, but it will have to come back to be discussed.

Mr. Jack Brown asked where they stand at this point, on what percent of the articles have estimates that are firm vs. not firm, and what will be going into Town Meeting?

Mr. Powers said to answer that question it goes back to his original narrative that the only items that are really in play, relative to what the Capital Outlay Committee has done, relate to wastewater and Channel 18. The Channel 18 numbers that were added are solid. Wastewater numbers will be based on two numbers, which are solid, but it is a matter if those numbers will prevail. He would agree that they are 95% there, but the vast majority are solid numbers.

Mr. Brown asked if there was some kind of tracking system to show where they will be at Town Meeting? Mr. Ballantine clarified if he is asking about these prices staying firm, and how they will be checked? He added that it is a good point to double check that.

Mr. Powers said that in the short term, he is their tracking system. He is working with the Finance Director, and if anything changes substantially, he will notify the Board of Selectmen and let it be known to the community. They will actively work the documents to make sure they are as sound as they can be.

Mr. Larios added that the numbers that they have there of the 99% that they are at, are contractual. If they buy something and the price changes between now and then, it is obvious that they will change it. They are considered rock solid, but if they go to the Fire Department and the price goes down, they will

be happy. If something goes up, it will have to go back to Capital Outlay for a vote, if it goes down, they do not need to vote.

Mr. Angelo La Mantia, Capital Outlay Committee, said that he thinks it would be helpful if the Board of Selectmen could determine how much money can be spent on these total projects. There are a lot of activities in there, and perhaps if they came up with a number, that would be effective for the budget. Then they could work on things that could perhaps be eliminated. This should be reviewed.

Mr. Howell said that he agrees with Mr. La Mantia, and was going to say something to that affect, but it is more complex than that. It is just not how much money is available, but also what is coming off the plan and how long you bonded what you are just accumulating. They really need to look in terms of the stability. To get to the point with the sewerage that it maintains some sort of a flat line. They really need to know what it is that was borrowed, and how long the bonding is, so they can have an expectation when that comes off. Also to know what is coming off, that is available to be spent.

Mr. McManus said that another item they need to know is what the revenue source is, not all bonds are paid by the tax rate.

Mr. MacAskill said first, he would like to thank the Capital Outlay Committee for submitting and vetting this plan. He also understands the question that has been asked and when this is going to come up to have an iron clad line. To Mr. La Mantia's point, the Board really needs to get involved as quickly as they can, and the Finance Committee. They are getting to a point where they really need to start saying no on a few things. Mr. MacAskill directed a question to Ms. Carol Coppola, Finance Director.

He said to point it out, when they look at the list there is \$1.446 million available in free cash, and it is spent in this plan for this year, with no money going to OPEB and no money going to stabilization, zero. He cannot remember them doing that, in the past 4 years, at least. It has all been spent in this case, for equipment. The Fire Department proved that they needed the Quint, and that it will save money. However, he asked if they say no for a few years, can they pay for some of that ladder truck with free cash, so that they are not doing a debt exclusion for that much money? Mr. MacAskill asked Ms. Coppola if the two drivers that they have been talking about on the

budget that seems to go up between 4% to 7% are the contractual obligations with the Unions and debt service?

Ms. Coppola said that she would say that is correct. The Town of Harwich has been very generous with authorizing capital projects and when that vote is taken it takes a couple of years to catch up to selling the bonds and funding the debt, which comes from tax payer dollars. There are a number of existing debt obligations that the town has currently, a number that have been authorized and not issued yet, and some being proposed this evening. She has prepared debt schedules, estimated debt schedules, that go out to the year 2078 and made an effort to try and level that debt, but she added that it is difficult. CDM Smith has provided the town with a timeline and plan for the \$292 million, but they don't know if that will come to fruition. Ms. Coppola said that she does have that document and she could share it.

Mr. MacAskill asked if she could share that with the Board, and the Chair of the Finance Committee. He would like to know what has been authorized and not borrowed, as of now, that is not included in the new tax bill that the Assessing office is getting the phone calls on?

Ms. Coppola said that the amount that is authorized and unissued as of June 30th, 2019, she estimates principle and interest as well, but just speaking of principle is \$32,790,000.

Mr. MacAskill asked if that is on top of what they already borrowed, and what is reflected on their tax bills today? Ms. Coppola said that is correct.

Mr. MacAskill said his point is that those are the numbers to look at while making decisions. If they did not hear at Town Meeting last year, with their operating budget only being passed by about 25 votes; they were not listening. People want a break. He said that he will wait to debate Wastewater. There is nothing that says that they need to win that race. As they start talking about new phases, before finishing Phase II in East Harwich, and the 8 million shortfall, they really need to look at when that money is going to hit. This should happen before approving Town Meeting this year; or even the DHY agreement, in his opinion.

Ms. Donahue said in terms of thinking for Town Meeting, and the questions being asked, she wondered if they might be able to consider a technique to distribute the financial information at Town Meeting in a simple way, what is

in it and what is not in it. She said this is just a thought to bring it down to a level for a person that does not have time to look through everything.

Mr. Larios said that there are many people in town that understand numbers, and on the report that Mr. Powers put together, the critical one if he were not involved in specifics would be the tax impact chart, which drives it home for the average tax payer. If that can be enhanced in any way, it is in plain English, and puts it in perspective as a household expense.

Mr. MacAskill said that he agrees and tax payers need to see a lot more of a breakdown of what they are supporting, and what that tax impact is going to be. Not a chart or a graph, because he often hears that people do not understand that. Also, to keep in mind that last year they had a higher number at Town Meeting because of the pet cemetery controversy. They do not usually get a lot of people at Town Meeting and there are very few people making decisions. Mr. MacAskill added that at this table, they need to start explaining it better, and getting it out there better, to show people what they are voting for. There are things that can't be planned for, like the \$8.4 million mistake on the sewer contract, and certain things that they cannot explain.

Mr. Howell said that what they are looking at with these charts, is somewhat like getting pulled over by the police going 80 miles per hour, and telling him that you slowed down from 100. That is not really the point of the speed limit! This chart begins on 2019 and does not give the flavor of what happened in 2018, 2017 and 2016, because those are lower still, then this. He would like to give people a context. They heard last year, during discussion there, that they had brought up the indebtedness in the tax rate, to a certain level because of the sewerage, but people will get used to it. He would like to have a chart of what they are getting used to, because this is really the 100 mile an hour car going down to 80, which is not the point. They were paying their particular rate and got sticker shock this year. Mr. Howell said that they really need to give them where they came from, and where they are. He said that 2019 may look like a bargain year, but if you look at previous years, those were bargain years and this year is frightening. This is a real thing, that has to be paid with real money. There are tons of people who were raised here for generations, and don't have a 401k. The ability to expand their household budget to cover this is exhausted right now. You need to explain what is at stake, what is still backed up that has not actually been built, and what this does to them. He agrees with Mr. Larios, it needs to be simple.

Mr. La Mantia said that it strikes him sitting there, that they talked about the high level of taxes for next year, and probably higher than the letter that they wrote as a guide. However, there is more than just taxes that come up with money. There is revenue that comes up with the various departments that probably should be reviewed, to see what could be reasonably increased. Also, putting everyone into trying to get grants and trying to find cash, one way or another. He added that Mr. MacAskill is right, it is going to be a very dangerous disability of not getting the project approved at Town Meeting, unless every rock has been looked under to see if projects should be done or cash should be developed.

Mr. Larios said that they have been very fortunate financially in the past and one thing they have never learned is how to say no. He said that they are at a point where as a whole, the group needs to instill in their minds that no is a good answer.

Mr. Chorey said that he agrees with everything that has been said and added on to what Mr. MacAskill brought up with the authorized but unissued debt, to take it one step further with proposed debt. He said that Ms. Coppola stated that she brought it out to 2078, and that proposed debt number is about \$356,000,000 to 2078. If you average that out by 58 years, that is close to \$7.5 million a year, and that is just about what the chart is saying. Then there is other debt that is not showing up in issued debt and underfunded op-ed. They are not making the contributions there that they should be making. That op-ed debt when you count in water, town, schools, it is \$54 million of unfunded debt. It is not a matter of saying no, it is up to the people at Town Meeting to say no. Mr. Chorey added that their role is advisory. If they say no to everything at Town Meeting, they are still are on the books for close to a \$110 million in debt. He just wants to get the education out there to the public.

Mr. Ballantine asked if anyone else had a comment. He stated that they will close this topic and they have their job set out for them. They do have a strong advisory role and they do need to look at their expenses and debt going forward. They need to be careful they are looking at the priorities of what they are doing for the town, and they do have op-ed, stability, firehouse safety. The key though, is to put this down in a simple format to have a good public discussion. They will need a good buy in from the people in town, that is their job.

Mr. Howell wanted to add one more thing about the enterprise fund for the wastewater part of this, in its first few years is estimated to be underwater. We had said we were going to take free cash and devote it to that so that we had operating capital and hardship capital and we are not funding either of those. So there is even more than what they are talking about.

Mr. Ballantine said he wants to be careful because Harwich is a great place to live. They are going through a transition, but they have extremely strong department heads and staff. They have things to work on, but they are not starting in a negative mode, they are starting in a positive way and trying to get better. Every organization can improve.

Mr. Ballantine asked for any further public comments, there were none, he then adjourned the public hearing.

NEW BUSINESS

A. Vote - Annual Entertainment License Renewals 2020 – as listed in the packet

Mr. Powers stated that these are the annual licenses that were in the packet last meeting, but were not on the agenda. They have been vetted by staff and he would ask that they approve as presented.

Mr. MacAskill said he had a question in going through the packet and he saw some listed as pending approval; which he is ok with. However, he wanted to know if they have been voted on? He said that some say inside, some say outside, and he wanted to know if they are opening it up so that they can do outside entertainment? He also asked if what they said last year was looked at? Mr. MacAskill said he is a little confused with the times because he thought that they voted with the Police Chief last year, to stop everything at 12 midnight, to get everyone out of the bars.

Mr. Ballantine said that was his question last week, they are not uniformed and he wanted to double check that. Are they different, because that is what they did last year? Or should they go back and double check?

Mr. Powers said that what staff did was to compare the licensees for renewal based on what was mailed out, who responded back, and compared it to what was approved last year.

Mr. Ballantine asked about the follow-up discussion they had several months ago, and if they should bring that back to the Board and make an overall statement on it?

Mr. McManus said, by his memory on it, that if they grant a license and they get a renewal, it is voted like this, if it is the same as the previous year. If they change any of the conditions they have to come back with a new application.

Mr. Ballantine asked what they want to do, if they want to make it more unified.

Mr. Howell added that one concern is that the Hot Stove Saloon shows weekday entertainment going from 9:30 pm - 12:30 in the afternoon the next day, that would mean they could have entertainment all through the wee hours.

Mr. MacAskill said that those are the two very obvious ones. Though they can do the motion to change those. They can bring it back to discuss making it unified, but right now they are being asked to approve those and they can fix the typos.

Mr. Powers confirmed that the typo occurred in the application and staff carried it over. He added that he likes the direction this is going, and he would ask that the Board approve them and the staff could continue to work and vet.

Mr. MacAskill moved that they approve the Annual Entertainment License Renewals 2020, fixing the typos and pending approval from Fire Department and Board of Health. Seconded by Mr. Howell. All in favor, motion carried by unanimous vote.

B. Discussion and possible vote for a request to fill potholes on Seth Whitefield and Round Cove Roads

Mr. Ballantine said that he asked Mr. Powers to contact legal on this because he thought there was a pending lawsuit.

Mr. Powell said yes, he had spoken to counsel and the response was that the Board needs to tread lightly on this, and have a general discussion because much of what is on the agenda relates back to pending litigation in Superior Court. So the board is allowed to talk about the concept of the request to fill

potholes, but not much beyond that and not make any commitments of the town to do anything.

Mr. MacAskill said that the request has been made to fill potholes, not to widen or pave the road. The road is now being used as a cut-through, because of the road work, and the road has deteriorated a lot. He knows there is pending litigation, but the request is to fill the potholes and he believes the road will be used a lot more as the construction moves closer. He would support the request to fill the potholes.

Mr. Howell said, to tie this into what these minutes state, if they have huge potholes, then it is not passable. They agreed to keep the road passable, not to upgrade or widen it; but they agreed to keep it passable. If they have developed to the point that it is not passable, then fixing it is within the guidelines that they had voted on last time.

Mr. Ballantine suggested that they just confirm that, and it seems to be a minor thing to fill the potholes.

Mr. Powers said that based on what counsel had advised, they may be better off having a discussion next week, in Executive Session, to discuss the status of the litigations.

Mr. Ballantine asked if anyone had a sense of the status of the litigation? What is the timeliness of it to happen?

Mr. Powers said that he received a correspondence, which will be shared with the Board tomorrow. It will give the Board a full update on the actions of the litigation, which generally speaking is still pending.

Mr. MacAskill would like to ask the Board and counsel what filling the potholes would have to do with the litigation? That does not spell out potholes. It is litigation between a resident and the Town of Harwich. It is a town road, not the resident's road, correct?

Mr. Powers said that he would not feel comfortable answering that based on what he has read about the Town's strategy to the litigation.

Mr. Ballantine said that they will need to walk away from it now, and bring it back in Executive Session, if they need to.

Mr. McManus said he is looking at the material in the packet, but he does not see in any documentation the recent request to fill the potholes.

Mr. Ballantine confirmed they will bring it back in Executive Session, next week.

OLD BUSINESS

A. Discussion, clarification and possible vote – David Harris, Planning Committee - remote participation

Mr. Ballantine said that they discussed this at the last meeting and he wanted to be sure that they understood that Mr. Harris would be gone for several months, not several weeks. He is still a very viable member, but looking for comment.

Mr. MacAskill said that he gets the request from Mr. Harris to miss five meetings, according to his letter, but maybe they should relook at the policy. He said that they continue to make exceptions to the policy, and he did listen to the discussion from the Board that Mr. Harris is a good member of the Planning Board, and an important member, and he agrees with that. However, he would like to point out that they do have an alternate now. They do have someone that is attending the meetings every week, and how often will they make an exception? If the public comes in to get an approval and have to try and listen to someone that is remote, he thinks they need to tread lightly on approving these.

Mr. Howell said that generally he agrees with Mr. MacAskill. However, the Planning Board is governed by State law and the alternate on the Planning Board can only vote on special permit, nothing else, so their ability to actually function with an alternate is limited.

Mr. MacAskill clarified that he is saying that the alternate should be made a full member. They have someone that wants to be a full member, that does not want to have the five weeks off, and he knows that Mr. Harris does this every year. Again, Mr. Harris is important, and he does not want to diminish that.

Mr. McManus read from the packet that the Selectmen's vote is that it was for "5 meetings", not "5 months". He asked which is it? Mr. Ballantine said that he read it as five months. So, Mr. McManus concluded that it would be 10 meetings that Mr. Harris wants to remotely participate in.

Mr. MacAskill said the only other thing that is missing in his mind, is to know what the Chairman and the rest the Planning Board think? He said that he thinks a part of it should be their decision. What does the Planning Board want, and what does the Town Planner want?

Mr. Ballantine said that he would like to see two actions; one he would like feedback from the Planning Board, and two, he thinks it would be good for them to draft a policy, or a change in policy, for this going forward. However, if they do that, they cannot have half of the Board take off.

Mr. MacAskill said the policy allows for four meetings and this would be for a change in policy. He thinks the policy is a good policy, and he thinks they are making an exception to a current policy. Before they look at changing the policy, he said that this case seems to be the only one and also Mr. Larry Brophy from the Affordable Harwich Trust, was a second one, this year. He thinks right now they should ask the Planner if she is ok with the remote participation, and ask the Planning Board to take a vote on whether they want to give their alternate a full seat.

Mr. Ballantine said that they will follow up on this.

B. Discuss and possible vote for Town Administrator Search Committee Proposed Timeline

1. Timeline

Mr. Powers said that the first item they have is a proposed timeline for the 2020 Town Administrator Search. The timeline also identifies some key actions that the Board wants to be aware of and take. Those are also delineated on the agenda as well. He was able to obtain salary information late this afternoon that he forwarded to the Chairman. Also, he added that Ms. Patti Macura, Administrative Secretary, had provided information on the search firms and regarding the position description and job advertisement, he would defer to them on.

Mr. Ballantine said that he would underline and emphasize that all of these items are proposed or draft items. He said that he had not had a chance to review the salary information, and asked if Mr. Powers could forward the information to the whole board.

Mr. Howell said that there is zero percent possibility of this having an impact for this Town Meeting; so he is not worried about adhering to the timeline. It is not imperative.

Mr. McManus said in his mind it seems incredibly rushed. The process of picking a search firm and knowing what type of person they are trying to look for. He also added the other thing is the need for doing a site visit for people they may be considering.

Mr. MacAskill said that he is comfortable, but does think that they need more time. He hopes that they do their due diligence with site visits etc.

Mr. Ballantine said he was trying to be quite aggressive, but their points are well taken. He will work with Mr. Powers and make some corrections and changes

2. Discussion and possible vote on search committee composition

Mr. Ballantine explained about putting together the five member search committee. He said that to get started would be for each member to nominate someone for the committee. He added that Mr. Ford had provided him his nomination since he was absent. Mr. Ballantine asked if the process sounded ok?

Mr. Howell said that Mr. Ballantine had alluded to the fact that someone's recommendation might not be well received by the board and the charter calls for a 4/5th vote to actually hire a Town Administrator. He would suggest to have that safety valve if they have that same 4/5th rejection vote, that would make sense. He also thinks it is important that they have 4/5th or more to hire someone that everyone feels comfortable and that they have some voice at the table. Mr. Ballantine said that was agreeable to him.

Mr. MacAskill added that this has to be a very public process and they need to know what the public wants for a Town Administrator. He said that he looked at 25 towns today, that recently went out for Town Administrator searches and he is not that interested in hiring a search firm to give three people to look at, without public input. Mr. MacAskill added that Brewster just went through the process and they included public input, and Department Head input, as well.

Mr. Ballantine agreed that they had promised everyone that the process will be completely transparent.

Mr. McManus asked about the process and wanted to know what part of the process that the public and Department Heads participate in?

Mr. MacAskill confirmed that they were involved in the process about what type of Town Administrator they were looking for, as the town, not part of the interview. Mr. MacAskill added that a second part to this, is they could have a citizen's form for people to come in and fill out that are interested. He is fine with either one, if the public is very involved.

Mr. Ballantine would like to go ahead with nominating someone at this time. He said that he will get the ball rolling with Mr. Ford's nomination, which is Julie Kavanagh. Mr. Ballantine added his nomination of Linda Cebula. Mr. Howell said that his nomination is Chief Norm Clarke. Mr. McManus said that his nomination is Mr. Dan Wolfe and Mr. MacAskill nominated Mr. Michael Hurley.

Mr. MacAskill did note that they have all selected known people, who are past selectmen or past employees, who have been involved in the town and not a lot of new faces. He is not sure if the other way would be better to have people fill out an application, to get different people.

Mr. Ballantine said that at this point they need to move ahead from where they are, but he appreciates the comment from Mr. MacAskill. He said that their charge now, is to be sure to have open discussions going forward.

Mr. Howell said that he will repeat this, as the process goes on here. In his role in the Federal Government, he hired people that were trainees

for things; as opposed to hiring on the basis of experience. Given his experience now, he would personally feel that it is much more important to get an outstanding individual that is truthful, motivated, who wants to find out things and be collaborative, with an average or above average skill. Those things can be filled in, as opposed to someone who can take a test and get a 99 on it, but is a mediocre leader. Leadership should be on the top of everybody's criteria.

3. Information on Salaries

Mr. Powers said that he would like to ask the Board some follow up questions on the information on salaries. The email that the Chairman has, he can send to the Board tomorrow. He wanted to explain that the resource he was able to tap into today, is both good and bad. It is the Mass Municipal Association (MMA), which they are a member and in his role he has access to their HR portal. The portal has a number of salary surveys which he was able to access this afternoon, but it was not as robust as he would have thought it would be. He did an initial query for the Board, for any town that responded to the MMA survey, which had a position of Town Administrator and only 33 responses came back. The second survey he ran was for communities that were of similar size and that yielded five communities. Neither contains any Cape Cod towns. There is some baseline information with a range for salary, but it does not touch back to Cape Cod and to his knowledge there is no available database that covers of municipalities.

Mr. Ballantine said that he would like to know Cape town's. He would like to get from each town a position descriptions and salary, plus benefits, because sometimes the surveys are reported in different ways.

Mr. Powers said that Chatham did a survey about a year ago, which could be a good resource, and they could take a look to see how dated it is. Mr. Ballantine said that would be good to be able to compare.

Mr. MacAskill added that Mr. Ford had put together some numbers too, and he hopes that they can come up with a range in salary so they are not disqualifying people.

4. Information on Search Firms

Mr. MacAskill asked if they had three firms lined up to present on January 13th?

Mr. Powers said that the three firms are committed to present, if that is what the Board wants. Mr. Ballantine said that there is one reason that they would not have that happen, which is because one additional firm was not available. Mr. Powers said that the firm was not interested.

Mr. MacAskill asked if they will move forward next week, so the public knows? Mr. Powers said, from a procurement stand point, that they would be looking for the Board to ask general questions , not relative to price and things like that. The presentation would be meant to be more of a meet and greet, and to get an understanding of styles and how they approach searches.

5. Draft position description and job advertisement

Mr. Ballantine said that he gave them a draft position description, and he received some comments asking him to identify more on the leadership part and the financial leadership. In response to that, he has another draft, which he will email to everyone. He added that the purpose of this is not to give the description of the new hire, but it was for them to have a discussion of what they think is the most important going forward. So that they will have the same talking points. Mr. Ballantine also said that he put together a draft job advertisement, which he basically plagiarized from Brewster. He did add modifications to broaden it for the search committee to open up to possibly hiring somebody that might have a wealth of experience and leadership skills, but might need training with government aspects. They do not want to close the door and that is why he did the draft.

Mr. MacAskill wanted to ask if they could come to some sort of agreement, that when they hire a search firm, that they are looking at all the applications. The committee they just put together, should review all the applications. He said that other towns have hired search firms that bring forward three names, and report back saying that there are very few candidates. They have also done this in Harwich, where they have thrown away applications for very good people because the applicant did not meet one criteria. He said that they should have a pile “B” that they can look back on, if needed. They should not have the

notion that they are hiring a company to vet it all for them. In a lot of cases, if you go back and look, they bring forward the same names, for the same jobs, in different towns.

Mr. Ballantine said that is easy, they can request the search firm to bring them three names, but include all the applicants.

Mr. McManus asked if the draft documents were in the packet? Mr. Ballantine said that he emailed them the documents, but they were missed in the packet. They are all drafts, and he is looking for feedback

Mr. Howell said that he would like to back-up to what Mr. MacAskill had said, and thinks that one of the biggest mistakes the firms make, because of the process they follow, is they miss the point.

He does not care about them writing a dandy memo, or a terrific resume. The reality is, if they get pushed to the side initially, you are never going to see anybody, or their ability to be a galvanizing force, or to demonstrate if they have leadership skills. That would not come out until you actually talk to them. He agrees with Mr. MacAskill, there have been a number of people that were not able to show up in the room because the paper they submitted may not have looked as good as another person. That misses the point of what this job is going to do.

Mr. Ballantine said that they have given him good notes to go back and draft another document. He will try to define some items that the search committee should check and take care of.

Ms. Elaine Shovlin, said that she wanted to reinforce what Mr. MacAskill mentioned before. She had served on search committees for major universities, for high level positions. Their process was to invite alumni representatives, invite staff, and to invite anyone who would have any part in the game. They cannot please all the people, all the time, but at least no one can come back and say that they were not asked for their opinion. Ms. Shovlin agreed with Mr. MacAskill, that this is one of the first things that should be done.

Mr. Gary Conroy, Harwich resident, Bay Road, said that he has been listening to this, and has worked his whole life in the private sector, so he does not know how town government works. However, one of his

observations of the town, is that they should be looking and thinking of the Town Administrator as a CEO of the town. They are the Board of Directors, and they have all the Department Heads running their piece of the pie. He thinks that the CEO of the town needs to be visible, have those leadership qualities, but also very hands-on. They should know how the person will elevate the town government from a standards and execution standpoint. Mr. Conroy said that he was just in Centerville and Cotuit, and the public spaces there seem a lot more important to them; then it does in Harwich. He thinks the CEO has to have a vision of where he or she wants the town to go, and lead the team to get there.

Mr. Ballantine said just to follow up on that with Mr. Conroy, the goals and objectives did not make it in the packet tonight, but it will be included, so that he can provide more input.

Mr. MacAskill said that he wanted to expand on the last two people that spoke. He thinks that it is important that everyone in town knows, that they are elected officials, they are elected by the people. The public's comments are extremely important. Every member of the Board has an email address and they can be reached with any input or questions. He encourages everyone in town to get involved in this process.

TOWN ADMINISTRATOR'S REPORTS

A. Budget/Warrant Timeline FY 2021

Mr. Powers said that the only thing he has to bring up is following tonight's hearing on the Capital Outlay Plan, the next major deliverable on the timeline relates to procurement to get accurate bid pricing. The internal deadline for that is Friday, January 24th. He will be reminding the Department Heads of that later this month. The Finance Director and himself will be picking up where they left off last year to get back into the budget in anticipation of the February 3rd deliverable.

Mr. Howell said he does not want this to get lost in anything. This is where the wheels have fallen off the cart in the past, and he wants to make sure they have a timeline deadline for things that are going to be capital items. They need to have a solid number sitting in front of Town Meeting, as opposed to

the speculation of what things might cost, if they were thinking about it. This would go a long way in trying to restore credibility.

SELECTMEN'S REPORT

Mr. MacAskill asked for an update on what he referred to as the pet cemetery. He asked if they can get an update, because people overwhelmingly want to do something with that land. He was asked three times this week what someone has to do to put something back on the table for it. They can get an update from Open Space, and then the Board should have a discussion. Also, he asked for an update on Bank Street Firehouse, and water collaborative financial planning. He said that they should have a conversation, for two quarters of the rental tax should be available. The Board should have a conversation on that too. Those are important and he would like an update or an agenda item on them.

Mr. Howell said that the Wastewater Management Board has already made one decision on this, which is the criteria for dispersing the money, which is going to really be contingent on how mature their plan is. A comprehensive wastewater management plan will count more than just an idea of a project.

Ms. Elaine Shovlin, Chair, Real Estate and Open Space (REOS) Committee, said that on their agenda for their next meeting on January 17, 2020, Mr. Dan Pelletier, Superintendent, Water Department, is attending to discuss the former Pet Cemetery property, as they are interested in maybe using that property. They will have that discussion with him and make their recommendation back to the Board of Selectmen.

Mr. MacAskill asked when and where the meeting will be held. Ms. Shovlin confirmed that it will be in the small conference room at 8:30am on January 17th.

Mr. MacAskill asked if the agenda item also covers someone else coming that might have an idea for the space, or is it just the Water Department? Ms. Shovlin said she has not posted the agenda yet, so she could amend it. If others are interested they should contact the Real Estate and Open Space Committee.

ADJOURNMENT

Mr. MacAskill moved that they adjourn at 8:09 pm. Seconded by Mr. Howell All in favor, motion carried by unanimous vote.

Respectfully submitted,

Lisa Schwab
Board Secretary