

APPROVED

**MINUTES
SELECTMEN'S MEETING
GRIFFIN ROOM, TOWN HALL
MONDAY, OCTOBER 28, 2013
7:00 P.M.**

SELECTMEN PRESENT: Ballantine, Cebula, Hughes, LaMantia, McManus

OTHERS PRESENT: Robert C. Lawton, Jr., Interim Town Administrator

The meeting was called to order by Chairman LaMantia at approximately 6:45 p.m. It was moved by Mr. McManus and seconded by Mr. Ballantine that the Board of Selectmen go into Executive Session pursuant to M.G.L. c. 30A §21(2), to conduct strategy session in preparation for negotiations with non-union personnel regarding drafting the new Town Administrator's contract and return to open session. It was unanimously voted Mr. Ballantine – yes, Ms. Cebula – yes, Mr. Hughes – yes, Mr. LaMantia – yes, Mr. McManus - yes. Open session adjourned at 6:46 p.m. and re-opened at 7:00 p.m.

SELECTMEN PRESENT ON REOPENING OF PUBLIC SESSION: Ballantine, Cebula, Hughes, LaMantia, McManus

OTHERS PRESENT ON REOPENING OF PUBLIC SESSION: Robert C. Lawton, Jr., Interim Town Administrator, Sheila House, Robbin Kelley, John Wheeler, Tom Johnson, Jeff LeClaire, Anne Stewart, Candace Wolcott, Ted Nelson, Cindy Eldredge, Jim Hartley, Steve Lennon, Liz Argo, Leo Cakounes, Barry Worth, and others.

PUBLIC COMMENT/ANNOUNCEMENTS

Jeff LeClaire asked to be placed on next week's agenda to discuss rededicating the Monomoy High School gymnasium to Hillary "Pop" LeClaire. Mr. McManus pointed out that this is no longer a Town facility and this request must go to School Committee. Mr. Hughes suggested that they give a presentation and if the Board agrees they can send a letter of recommendation to the School Committee.

The Board heard comments on the Route 124 proposed project and the recent workshop from Candace Wolcott, Anne Stewart and Steve Lennon.

CONSENT AGENDA

A. Approve Minutes –

1. September 30, 2013 Regular Meeting
2. October 7, 2013 Regular Meeting
3. October 7, 2013 Executive Session
4. October 15, 2013 Regular Meeting
5. October 15, 2013 Executive Session
6. October 19, 2013 Walking Tour

- B. Vote to approve the request by Nstar Electric to provide underground service to 29 Hiawatha Road
- C. Vote to award Contract for FY 14 Road Salt Contract To Eastern Minerals in the amount of \$53.00/ton delivered.

Mr. Hughes moved to approve the Consent Agenda. Mr. McManus seconded the motion and the motion carried by a unanimous vote.

PUBLIC HEARINGS/PRESENTATIONS *(Not earlier than 7:00 P.M.)*

- A. Report from Search Committee regarding new candidates for Town Administrator position

Town Administrator Search Committee Chairman, John Wheeler, provided the attached Power Point presentation to the Board.

- B. Show Cause Hearing for Annual, All Alcohol, Package Store Liquor License held by Harvest Fine Wines and Spirits

Mr. Hughes read the hearing notice into record. Mr. Lawton outlined the process to date, including all notifications made to Mr. Deegan. He reported that we have just received an incomplete application for a transfer of Mr. Deegan's license and he suggested that the Board postpone action until November 12 to allow the application to be finalized. He noted if the complete application is not received then the Board can revoke Mr. Deegan's license. Attorney Gens, representing the prospective transferee stated that Mr. Deegan has agreed to cooperate in an orderly transfer and his client has a viable commitment to lease the space from the landlord. With no one else appearing from the public, Mr. Hughes moved to continue the hearing until the 12th. Ms. Cebula seconded the motion and the motion carried by a unanimous vote.

- C. Show Cause Hearing for Annual, Wine and Malt, Package Store License and Seasonal, All Alcohol, Package Store License held by Harwich Spirits Shoppe

Mr. Hughes read the hearing notice into record. Mr. Lawton reported that there has been no contact from Mr. Gibson other than two phone calls received by the secretary and in at least one of them Mr. Gibson indicated that he would turn in the license or at least not challenge the Board on this. Mr. Lawton recommended that the Board revoke the license as it has not been exercised in some time. Ms. Cebula noted that the property has been sold. Ms. Cebula moved to close the hearing. Mr. Ballantine seconded the motion and the motion carried by a unanimous vote. Mr. Ballantine moved to revoke the license. Ms. Cebula seconded the motion and the motion carried by a unanimous vote.

- D. Annual Meetings:
 - 1. Youth Services Committee

Jim Hartley provided the report of the Youth Services Committee.

2. Cemetery Commission

Cindy Eldredge provided the report of the Cemetery Commission.

3. Wastewater Implementation Advisory Committee – *update & report*

Ted Nelson provided a report and update from the Wastewater Implementation Advisory Committee.

OLD BUSINESS

A. Allen Harbor Access Grant – *discussion/possible vote*

Mr. Lawton reported that the requirements of having an impervious parking lot not only raises the cost but raises the height of the lot making it unusable. John Rendon reiterated Mr. Lawton's remarks and commented that the traditional route is not the way to go. Mr. LeBlanc of Allen Harbor Marine said there are issues with using Saquatucket Harbor as an alternative location but they are still interested. He further stated that they are also interested in continuing to rent the Allen Harbor lot strictly for storage with a longer lease. Mr. McManus noted that the lease would need approval by Town Meeting which isn't until May. Mr. McManus moved that we direct staff to inform the Division of Boating and Waterways Public Access Division that we will be moving ahead with the grant with the 61.2% state participation. Ms. Cebula seconded the motion and the motion carried by a unanimous vote.

B. Revised landfill solar project documents – *discussion & possible vote*

Mr. Lawton stated that we received a report from Attorneys Giorgio and Holland regarding the new agreement and the new language. He stated that three points have been brought up including security for which he noted that it is his understanding that ACE will be putting up a fence and we also have security at the site. He stated that he believes that it is not an extensive liability and we could live with the language. Mr. Lawton stated the second point brought up is the incompatible land use activities on abutting properties. He stated that in looking at the property on the map it shows that in all likelihood there is going to be nothing constructed that is going to significantly shade this area. He said that it is a manageable problem that we can handle. He noted that the third point is the physical adequacy to be able to handle the solar panel and that means can we certify or be comfortable that the site is stable. He stated that if the ground shifts we may have some liability. Mr. Lawton stated that Mr. Hooper has told him that he has had some engineering work done and he is confident that the site is stable and also there has been no movement at the site. He said Counsel has told him that the benefits are the best we are going to get. He suggested that we sign the document and have a cover letter outlining the issues we have and the clarifications we believe should be made and maybe try to negotiate something later and then we will be on record that we have issues. Mr. Hughes moved to sign the documents. Mr. Ballantine seconded the motion. Ms. Cebula recommended getting some additional insurance for example in case the ground shifts and Mr. Lawton agreed that would be a good point and suggested including it in our current policy to spread the exposure. Eric MacLean explained that the loading is very minimal and they are restricted by the DEP. He

stated that it is less than 5 lbs per square inch so the likelihood of any shifts occurring is very minimal. Mr. Worth stated that it is not going to cause any problem and urged the Board to approve this. Ms. Argo commented that it is the state incentives that is causing the take it or leave it attitude. Mr. McManus moved to amend the motion to include that we additionally authorize the Chair to sign the documents. Ms. Cebula further added an amendment that we request the Town Administrator write the letter as he outlined indicating how we were interpreting this as we sign this document. Mr. McManus included Ms. Cebula's amendment in his motion and Ms. Cebula seconded the amendment. Mr. Cakounes asked that the Board not sign this and commented that they are putting a great deal at risk as evidenced by the letter they are sending. Mr. McManus rebutted Mr. Cakounes' remarks. The motion carried by a unanimous vote.

C. Request by Golf Building Committee for approval of Contract changes for the Golf Cart Barn – *discussion/possible vote*

Mr. Lawton said he had talked with Chairman of Golf Committee and reviewed what was submitted from architect. He said he is not sure why the Board has to deal with this but it seems that the dates have been adjusted and also includes \$500 in reimbursable expenses. Mr. McManus pointed out that many of the changes are in response to remarks made by Mr. Hughes when it was first brought before the Board. Mr. Ballantine moved to sign the contract in front of us. Ms. Cebula seconded the motion and the motion carried by a unanimous vote.

SELECTMEN'S REPORT – Meeting schedule for Town Administrator Selection Process

The Board set the schedule for interviewing candidates for Town Administrator.

ADJOURNMENT

Ms. Cebula moved to adjourn at 9:45 p.m. Mr. Ballantine seconded the motion and the motion carried by a unanimous vote.

Respectfully submitted,

Ann Steidel
Recording Secretary



Harwich Town Administrator Search Committee

Final Report – Round 2

October 28, 2013

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I. Introduction

With the announcement of Jim Merriam's retirement from the position of Harwich Town Administrator the Board of Selectmen (BOS) initiated an effort to find a suitable replacement. With Bonnie Therrien's (the chosen candidate from the earlier search) decision to take another position the Board of Selectmen re-launched the search process for a new Town Administrator. Five members from the previous Search Committee of the BOS remained to complete a new review and evaluation process. This report will share the Committee's given charter, membership, search approach, review and evaluation process and the names of those finalist candidates recommended for final review by the Board.

II. Committee Charter

The Committee was charged with developing a list of qualified candidates for the Harwich Town Administrator (TA) position, and bringing that list of candidates to the BOS for final review and consideration. (As such, the Committee performed a 'screening' function on behalf of the Board.) The Committee was authorized to include a review of all previous applications from the first round, if it saw that activity as relevant to the new search.

III. Committee Membership

As stated earlier a sub-committee of the BOS selected the members of the Search Committee. Following interviews with a number of individuals who volunteered to serve on the Committee the following remained from Round 1:

Leo Cakounes
Shirley Gomes
Christina Joyce (Clerk)
Tom Johnson (Vice-Chair)
John Wheeler (Chair)

In addition, the Committee utilized Robert Lawton (current Interim Town Administrator) and Mark Morse (MMA Consulting) for input and guidance.

The above individuals represent a diverse set of stakeholder groups in Harwich, including taxpayers, non-profits, the business community, local and regional government and education. Some of the Committee members also brought previous direct experience in the search process to the Committee's efforts.

IV. Search Committee Guidelines

To insure a systematic and comprehensive search process the following guidelines were again adopted by the Committee:

1. All work will be completed according to the agreed upon process and will abide by Massachusetts Open Meeting Law.
2. Candidates may come from either the Public or Private sector.
3. All candidates will be evaluated through a combination of the Desirable Town Administrator Competencies document (created by MMA), additional MMA input, and other relevant attributes deemed important by the Committee, with a focus on a candidate's demonstrated experience in each critical area.
4. The Committee will work closely with MMA Consultants (the vendor chosen by the BOS to generate candidates for the Committee's consideration) and leverage MMA knowledge of the candidates wherever possible. In addition, the Committee will use Robert Lawton (interim Town Administrator) as an advisor in the search process.
5. The confidentiality of all candidate personal information will be maintained throughout the search process. The identification of all finalists will be made public when presented to the BOS.
6. If, through the screening process, a sufficient number of 'qualified' candidates is not found by a certain date the search process will continue until that number is reached.
7. As directed by the BOS details regarding the search process were kept confidential.

V. Desirable Town Administrator Competencies

As stated above the Desirable Administrator Competencies document (developed by MMA Consultants) was used to frame the search for Town Administrator candidates. That document, developed from a comprehensive set of interviews, the Town Charter and other background research completed by MMA, detailed a number of competencies deemed critical for the Harwich Town Administrator position. They are:

1. Education, Training and Direct Experience
2. Strong Leadership skills
3. Excellent Human Relations skills and the ability to form strong relationships with a variety of stakeholder groups (both inside and outside town government). Among them are:
 - a. Town employees
 - b. Board of Selectmen
 - c. Taxpayers (Resident and Non-Resident)
 - d. Business Community
 - e. Elected officials at the regional and Commonwealth level
 - f. Other Town Administrators
4. Strategic Thinking, and the ability to align tactical efforts with a long-range town vision
5. Creative and Innovative thinking

6. Excellent oral and written communications skills
7. Demonstrated management skills in the following areas:
 - a. Fiscal management (short, long-term)
 - b. Complex organization management
 - c. Delegation (with follow up as appropriate)
 - d. Engagement with department heads in a team-oriented manner
 - e. Customer Service orientation
 - f. Communication of Town policies and plans with all stakeholder groups
 - g. Applied Commonwealth, Federal and regional policies (particularly Massachusetts Municipal Law) to Town operations

VI. Search Process

The Committee's portion of the search process was re-launched with an orientation meeting on August 7, 2013. That meeting included an update on the search process, a review of the updated charge from the BOS, a discussion on future Committee structure and agreement on a forward looking search game plan.

From a comprehensive search consisting of advertisement placement and outreach efforts by MMA a total of fifty-one (51) resumes were received by September 20, the cutoff date. The resumes came from as far away as Washington State. To insure confidentiality all resumes were again held by the Town Treasurer's office, with a sign-out/sign-in process implemented for each Committee member.

Matching each candidate's background with the Desirable Candidate Competencies document and coupled with referential checks MMA identified fifteen (15) individuals as "strong candidates."

On October 10 the Committee completed an exhaustive review of **ALL** candidates, with particular focus on the "strong candidates." MMA provided additional feedback on several candidates; thereby adding value to the evaluation process. Robert Lawton provided additional insights on specific TA candidates and the search process. From that review six (6) individuals were chosen for face-to-face interviews. MMA coordinated the scheduling of those interviews for the Committee.

To insure a systematic and consistent review of all candidates the Round 1 question set was again used. It was agreed that all candidates would be asked the same questions, enabling Committee members to better evaluate each candidate on a similar basis.

On October 23 all face-to-face interviews were completed in the Executive Conference Room at the Harwich Information Center. Each interview lasted sixty (60) minutes. At the conclusion of the interviews an extensive discussion of each candidate's qualifications was undertaken. From

that discussion the Committee reached unanimous agreement on which candidates would be presented to the BOS for final review.

VII. Finalist Candidates

From the initial list of fifty-one (51) resumes three (3) individuals were deemed to have competencies best aligned with those necessary to perform the Town Administrator duties successfully. The finalists are:

1. Sharon Lynn (currently the Town Manager in Provincetown, Massachusetts)
2. Christopher Clark (currently the Town Manager in Southbridge, Massachusetts)
3. Allan Chiocca (currently the Town Administrator in Rockland, Massachusetts)

Additional information on each finalist can be found in Appendix 1.

VIII. Summary

With the announcement of Jim Merriam's retirement from the position of Harwich Town Administrator the Board of Selectmen (BOS) initiated an effort to find a suitable replacement. With Bonnie Therrien's (the chosen candidate from the earlier search) decision to take another position the Board of Selectmen re-launched the search process for a new Town Administrator. Five members from the previous Search Committee of the BOS remained to complete a new review and evaluation process.

The Committee, comprised of a diverse group of five (5) Harwich residents, worked with MMA Consulting to generate a list of at least three (3) qualified candidates for the Town Administrator position. The Committee's efforts were guided by a systematic review process, consisting of a predefined set of desirable competencies (developed by MMA), additional candidate input from MMA and Robert Lawton, resume reviews and face-to-face interviews. From a total fifty-one (51) candidates the Committee identified six (6) individuals as having competencies required for the TA position. Each was scheduled for a sixty (60) minute face-to-face interview.

Based on the above review, feedback and extended discussion by Committee members three (3) individuals are being forwarded to the BOS for final consideration. Recommendation of these candidates to the BOS is based on a comprehensive review of each candidate's competencies, background information and other information uncovered by the Committee. Although the Committee is confident that the candidates being submitted to the BOS are highly qualified The Committee believes that the final decision on the next TA should include any/all additional reference information and input that can be obtained on each candidate.

Appendix 1. Biographies of Harwich Town Administrator Finalist Candidates

SHARON LYNN

Sharon Lynn has 30 years of town management and municipal policing experience. She has been the Town Manager of Provincetown, Massachusetts for 6.5 years. Prior to the assignment in Provincetown, Ms. Lynn was employed by West Goshen, Township, Pennsylvania for more than 20 years. She began her career as a police officer and served as a detective for 13 years. Ms. Lynn served for approximately 11 years as the Assistant Town Manager and Town Manager of West Goshen.

CHRISTOPHER CLARK

Christopher Clark has 20 years of municipal experience and has been the Town Manager of Southbridge, Massachusetts for the last five years. Prior to working in Southbridge, Mr. Clark was the Town Administrator in Vernon, Connecticut for two years and had worked as the Assistant Executive Director and Acting Executive Director (Town Administrator) in Wellesley, Massachusetts for approximately six years.

Earlier in his career, he worked as City Administrator in Tonganoxie, Kansas and Assistant Town Administrator in Walpole and Assistant Town Coordinator in Westborough, Massachusetts. He holds a Bachelor of Arts Degree and a Master of Business Administration Degree.

ALLAN CHIOCCA

Allan Chiocca has been the Town Administrator of Rockland for five years. Prior to his employment in Rockland, Mr. Chiocca had been in private business for approximately 20 years. Mr. Chiocca served one term as Selectmen in Bridgewater from 2001 to 2004, and served as a State Representative for two terms from 1981 to 1984. Earlier in his career, he served as a legislative aide in the Massachusetts House of Representatives. He has been active in community affairs and has served on town government committees.

Mr. Chiocca holds a Bachelor of Science Degree and a Master of Public Administration Degree.