



Board of Selectmen **Workshop Meeting Minutes** **December 15, 2015**

The regular meeting was called to order at 6:00 p.m. in the Town Hall Hearing Room by Chairman Tolley. Selectmen present: Norm Holcomb, Jim Quirk, Tracy Post, and Michael Stone. Also attending: Town Administrator, William Hinchey. The Board of Selectmen gave the Pledge of Allegiance.

1. Snow & Ice Equipment Update / Policy Authorization

Department of Public Works Director, Jeff Colby, and Highway Superintendent, Rick Kelley, gave an update on the town's snow and ice equipment policy. He outlined the goals of the snow and ice policy as maintaining emergency services throughout a storm event, improve road clearing times, increase the availability of equipment to clear roads while allowing rest for road crews, and improving communication to the public. Some of the initiatives being implemented to improve communication with the public include using existing town resources to ensure the public can contact the Highway Division during storms, begin using "Request Tracker" and "Notify Me" online tools on the Highway Division's web page, and working with YPD to link Highway's web page to YPD's Facebook page when needed to disseminate information more quickly.

Updates to the brief provided to the Board over the summer include additional contract equipment has been added, "Request Tracker" and "Notify Me" are now operational, Highway's web page will be updated throughout a storm, and salt/sand will be available to residents at the Disposal Area by December 22, 2015. A comparison of available equipment from the 2014-2015 season to the proposed equipment for the upcoming season includes an increase in contract loaders, 10-11' plows, 10-11' and 8-9' contract equipment, increased town and contract equipment, and additional facility truck usage. Additional contractors and equipment have been added to clear sidewalks on Routes 6A and 28 and around schools as a priority. Some capital and office improvements have been made such as a magnetic white board to allow for "at a glance" accounting of routes and trucks; ground speed control units have been added to the sanding trucks to allow for accurate accounting of discharge of material, and a snow blower for the skid steer machine that will be able to handle larger storms. Larger maps with magnets have been added to track progress of snow clearing.

Selectman Post asked what criteria Highway Division would use to determine if sidewalks will be plowed. Mr. Rick Kelley explained that if roads are being plowed, sidewalks will be plowed as well. Selectman Holcomb asked if we are able to locate where each truck is at any given time. Mr. Kelley explained that we cannot do that without GPS tracking equipment which would cost approximately \$145,000. Selectman Stone asked how they determine when pre-treating of roads is to be done. Mr. Colby explained that various factors are taken into consideration before pre-treating is begun (temperature, anticipated severity of the storm) but generally, pre-treating is done for each storm. Mr. Stone asked what increase in efficiency can be expected with these improvements. Mr. Kelley stated he expects between 15-30% efficiency increase in all snow and ice operations over past years.

Chairman Tolley asked about the town or possibly the state running out of salt and/or sand due to the volume of snow and ice the state received last winter and have we prepared for this

if a town administrator is not appointed in a timely manner. Mr. Holcomb also commented that any potential candidates might look at a Select Board that is not in agreement and likely would not want to put their careers at risk with a divided Board.

Selectman Quirk commented that his vote is not a vote against any candidate but a vote for the most qualified candidate. Further, he stated the appointment of a town administrator is a very important appointment and he wants the Board to appoint the very best candidate for the position.

The Board continued to discuss the expected results of another search, the qualifications of Mr. Johnson-Staub, and the Board's decision to conduct a search with the anticipated result of several qualified candidates to interview and choose from. Selectman Post commented that the Board's failure to appoint a town administrator is a disservice to the town and town staff. Selectman Stone stated that he contacted the Collins Center to discuss conducting a national search and what that would entail and the costs involved. Since much of the work has already been completed by the Collins Center, another search on a national level would cost somewhere in the \$5K-7.5K range. Mr. Hinchey reported that other agencies have quoted an estimated price of \$20K to conduct a national search. Mr. Hinchey further explained that conducting any search when a qualified internal candidate is being considered is likely to result in a smaller than expected pool of candidates. As the initial search has resulted in the so few candidates with the Board being in disagreement on any candidate, further searches will not likely yield better results.

Selectman Holcomb asked if the Board would consider including relocation costs to a candidate if a qualified and agreed upon candidate from out-of-state is located. Mr. Hinchey explained that option is certainly a viable one if the Board is amenable to including that option in the scope of services from a recruiting firm.

Chairman Tolley asked Mr. Johnson-Staub to step up to the podium. He then apologized to Mr. Johnson-Staub for putting him in this position but asked him to withdraw his name from candidacy. Selectman Post stated she felt that was an inappropriate request to make. Mr. Johnson-Staub stated he would consider it and let the Board know his decision. Chairman Tolley explained that as long as there is a viable candidate, he would not consider spending any additional funds for a new search. He further explained that if Mr. Johnson-Staub remains a candidate, any additional candidates are not likely to exceed the qualifications that Mr. Johnson-Staub possesses. Selectman Holcomb mentioned that he would rather look at other options that going through another search process that is not likely to result in a pool of acceptable candidates. He suggested that a change to the town charter might be an option to consider as one other town has done recently. Chairman Tolley asked if Mr. Holcomb was suggesting a change of votes required to appoint a town administrator be changed from a super majority of 4-1 to a simple majority of 3-2. Selectman Stone explained the reason for the town charter requiring a super majority rather than a simple majority is to ensure deep support from the Board of Selectmen of the individual appointed to town administrator given the enormous power of that position. Chairman Tolley stated he does not support a change of town charter in that it can be perceived as changing the rules after the fact because of the outcome of a vote.

Mr. Hinchey explained that the process going forward now is that the Board needs to hold further discussions on an appointment or other alternatives. Chairman Tolley restated that he will not vote in favor of spending funds for another search when a qualified candidate already exists. He suggested that the Board take the holiday break to allow the remaining candidate to decide what he would like to do, allow the Board to review and reflect on options available to them, and take up the discussion after the new year. Selectman Holcomb asked if Mr. Johnson-Staub withdraws his

name from consideration would he be ineligible for future consideration if another search is conducted. Chairman Tolley stated that Peter would be eligible for consideration should another search be authorized but in order to get the process moving again, he cannot support expenditure of funds for a search when a viable candidate already exists.

Selectman Stone reminded the Board that previously, a candidate search for the town accountant position resulted in a pool of candidates that the Board was not satisfied with and proceeded with another search until they found Mr. Bienvenue. Though the town administrator position is a more significant position in terms of hierarchy, the process is the same.

The town administrator discussion will be added to the agenda for the January 5, 2016 Board of Selectmen meeting.

4. Board of Selectmen

a. Board and Committee Actions. Selectman Quirk commented that he wanted to wait on the agents of the licensing authority appointments so he can check on the rules and possibly making some changes.

b. Approval of Minutes.

MOTION: To move that the Board of Selectmen approve the Board of Selectmen Minutes for December 1, 2015.

Motion by: Jim Quirk Seconded by: Norm Holcomb Yea 4 Nay 0 Abstain 1*
***Chairman Tolley abstained due to being absent for that meeting.**

c. Individual Items.

Selectman Stone commented that he has received feedback from many constituents relating to the previous meeting and specifically the town administrator discussion item. He then read a statement he prepared explaining his position and his vote, and his opinion on the Board's actions. His statement included his rationale for supporting and voting for Mr. John Salomone as town administrator.

5. Town Administrator's Items

a. Consent Agenda

Donations:

• YPD	
- George and Ethel Poulos	\$100.00
- John and Effie Lagadinos	\$100.00
- Cape Cod Cycling Club, Inc.	<u>\$250.00</u>
TOTAL	\$450.00

• Annual license renewals and 2 a.m. closings for New Year's Eve.

MOTION: To move that the Board of Selectmen approve the Consent Agenda.

Motion by: Norm Holcomb

Seconded by: Tracy Post

Yea 5 Nay 0

b. Town Administrator Updates. Mr. Hinchey commented that the School Committee received word that the Massachusetts School Building Authority has approved funding consideration for Mattacheese Middle School.

6. Adjourn to Executive Session

MOTION: To move that the Board of Selectmen enter into executive session pursuant to MGL c. 30A, § 21(a)(1) to discuss the discipline or dismissal of, or complaints or charges brought against, a public officer, employee, staff member or individual, not to return to public session.

Motion by: Tracy Post

Seconded by: Norm Holcomb

Roll Call Vote: Stone - aye; Post - aye; Holcomb - aye; Quirk - aye; Tolley - aye.

Respectfully submitted,



Linda Dennehy

DISTRIBUTED MATERIAL AGENDA PACKET

- Memo to BOS from Town Administrator dated December 10, 2015 re: Town of Yarmouth Snow and Ice Policy with proposed policy
- Collins Center Presentation from Town Accountant
- Agents of the Licensing Authority 2015-2016 Appointments
- Board of Selectmen Meeting Minutes of December 1, 2015
- Memo to Licensing Chair from Director of Parks and Recreation dated December 15, 2015 re: Renewal of Entertainment License for Lorusso Lodge at Flax Pond with additional documentation
- 2016 Annual License Renewals for BOS Approval
- 2015-2016 Liquor License 2 a.m. New Year's Eve Closing Requests
- Memo to BOS from YPD dated December 10, 2015 re: Donation Approval Request ICO George and Ethel Poulos
- Memo to BOS from YPD dated December 10, 2015 re: Donation Approval Request ICO John and Effie Lagadinos
- Memo to BOS from YPD dated December 10, 2015 re: Donation Approval Request ICO Cape Cod Cycling Club, Inc.
- Memo from Director of Cemeteries to Assistant Town Administrator dated November 24, 2015 re: Status Report
- Memo to BOS from Administrative Supervisor, Parks, Recreation and Cemeteries dated December 8, 2015 re: Cemetery Find Software Implementation
- Cape Cod Healthcare 25th Annual Joshua Sears Memorial Blood Drive Flyer
- Letter to Mr. David P. Akin from Town Administrator dated December 3, 2015 re: Veteran's Day Events