



Board of Selectmen **Workshop Meeting Minutes** **October 25, 2016**

The workshop meeting was called to order at approximately 6:00 p.m. in the Town Hall Hearing Room by Chairman Jim Quirk. Selectmen present: Tracy Post, Mike Stone, Norman Holcomb, and Erik Tolley. Also attending: Interim Town Administrator, Peter Johnson-Staub.

1. Town Administrator Selection Committee Update

Mr. DeWitt Davenport, Chairman of the Town Administrator Selection Committee, reported that the committee has concluded their work and read segments of the committee's final report which concluded in a unanimous vote by the committee members to forward two candidates to the Board of Selectmen for consideration: Mr. Christopher Clark and Mr. Daniel Knapik.

Mr. Davenport reported that the committee received 32 applications. The Collins Center recommended that the committee consider 14 of those applicants. However, the committee reviewed all 32 applications. The committee requested to interview 8 of the applicants; 6 applicants were interviewed; one finalist withdrew his name from consideration.

Selectman Tolley thanked the committee for their work on this matter. He asked if the committee's report and the finalists are now public information. Mr. Davenport advised the Board that the committee's report and the names of the two finalists are now public information. Mr. Tolley asked the committee if they were aware of whether the two finalists applied because Mr. Johnson-Staub did not apply. Mr. David Reid responded that both finalists did apply for that reason.

Selectman Holcomb also thanked the committee for their work. He asked the committee if they inquired of the finalists their level of interest in the position and if they had other positions they were considering that might be a concern to the Board in terms of the timing of the Board's planned interviews on November 19th. Mr. Reid stated the committee did not ask the finalists if they had other offers pending at the time. He also stated the committee was a little disappointed that they only had two applicants instead of the three they wanted to recommend to the Board for consideration. Mr. Reid also urged the Board to conduct the interviews as quickly as they can to preclude other offers being made to the two finalists. Mr. Holcomb asked if the reference and background checks have been completed; Mr. Davenport advised that the Collins Center has completed all the work they were contracted for.

Selectman Stone thanked the committee for their hard work and also commented that he would like to see the Board conduct their interviews as soon as possible to avoid either candidate dropping out for another position.

Selectman Post asked of the six interviews the committee conducted, were there any other viable options available as she is disappointed in only having two candidates to choose from. Mr. Davenport commented that not all the committee members were comfortable forwarding other candidates to the Board for consideration.

Chairman Quirk also thanked the committee for their work and for their information.

2. Public Hearing: Golf Fee Schedule (2nd Hearing)

Mr. Wayne Kivi, Chairman of the Golf Enterprise Committee, Ms. Donna McGovern, and Ms. Beverly Arnett, members of the Golf Enterprise Committee, and Director of Golf Operations, Jim Armentrout, were present for the golf fee schedule hearing. Mr. Kivi and Mr. Armentrout briefed the Board on the fee schedule being proposed for 2017 which includes the recommendations made by the Board during the first hearing.

Selectman Tolley asked about the partial year fees (January 1 through March 31 being \$500, and October 1 through December 31 being \$300) and whether it would make more sense to flip the fees as it is more likely that more rounds of golf could be played from October through December rather than from January through March and should be the more expensive option. Mr. Armentrout explained that due to the range of other options available to residents, the committee felt the financial burden to residents would be eased by this option.

Selectman Holcomb commented on the wisdom of increasing fees when the playing conditions of the courses have deteriorated over the past two years. Mr. Holcomb also asked for clarification of the costs for the Bass River Restaurant renovations. Mr. Armentrout explained that the cost overruns were spread over several Golf Enterprise accounts rather than through a capital expenditure account. Mr. Holcomb again asked why, with the golf operation showing a profit of \$57,000 and the poor conditions of the courses, particularly Bayberry Hills, would we recommend a fee increase. Mr. Armentrout explained that the fee increases are to be used for capital improvements to the courses.

Selectman Stone expressed his agreement with Selectmen Tolley and Holcomb on the partial year fees and fee increases given course conditions over the past year.

Chairman Quirk opened the hearing for public comments. Mr. Steve Krintzman commented that he does not support a fee increase when the number of residents playing the courses is down over the past year. He also suggested that marketing might be an option to consider for increasing players.

Selectman Post asked what the plan would be to pay for the \$2M capital improvement costs if fees are not increased. Mr. Armentrout explained that the fee increase is expected to maintain the course conditions. Not increasing fees will not cause a default on the capital improvement loan.

Chairman Quirk commented that he recalls when the Golf Enterprise was a bigger town meeting issue than the schools are today. He supports the Golf Enterprise being a self-sufficient operation and supports the fee increases.

MOTION: To move that the Board of Selectmen close the public hearing.

Motion by: Norm Holcomb

Seconded by: Erik Tolley

Yea 5

Nay 0

MOTION: To move that the Board of Selectmen approve the 2017 Golf Annual Fees as submitted.

Motion by: Tracy Post

Seconded by: Erik Tolley

Yea 3

Nay 2

3. Recycling and Solid Waste Advisory Committee (RASWAC) Update

Mr. Charles Spooner, Chairman of the RASWAC Committee, Co-chair Jill Talladay, and Mr. Jim Cullen were present for the update. Mr. Spooner briefed the Board on the history of the committee, its purpose, and its ongoing activities. Among the past activities of the committee, a

"pay as you throw" program was reviewed; a recommended expanded hazardous waste collection program was considered; and the use of a license plate reader at the Recycling/Disposal Facility was recommended.

Ms. Talladay briefed the Board on the initiatives the committee would like to accomplish in 2017. Specifically, RASWAC wants to continue to assist the town in providing convenient, efficient, and cost-effective waste management. Additionally, having identified waste reduction and increased recycling as the most viable ways to keep future sticker prices down, RASWAC will work to establish these as continuing goals in Yarmouth in an effort to reduce sticker costs. The committee will continue its outreach efforts to provide greater awareness of opportunities for the public and more acceptance of recycling by Yarmouth institutions as well as seeking allies in the committee's work.

Selectman Tolley thanked the committee for their work and expressed interest in hearing the pro's and con's of a license plate reader versus a sticker system. He also asked how many members are authorized to serve on the committee, as written in the committee's charge. Mr. Spooner was not certain but indicated there was a need for additional committee members.

Selectman Post asked if the committee looked at ideas or concepts from other communities that could be incorporated into Yarmouth's recycling program. Mr. Spooner stated the committee is looking constantly for improvements to our program but also believes recycling is a mindset.

Chairman Quirk thanked the committee for their hard work.

4. Proposed Bylaw: Bring Your Own Bag

Ms. Susan Starkey, member of the Cape Action Group, Ms. Carol Ewing, and Mr. John Reeve were present to brief the Board on this proposed bylaw. Ms. Starkey explained the issue as the littering of disposable plastic bags is the cause for harm to marine life, long-term damage to human health, and pollution that impacts tourism. Ms. Ewing explained the Group's two-pronged approach as educating the public, working with the Recycling Committee, and reaching out to local merchants through the Chamber of Commerce. To that end, the Group is requesting the Board's support for a bylaw which would ban the use of plastic bags. The proposed bylaw is patterned on the Barnstable bylaw; does not include plastic bags used for dry cleaning, produce, damp items, and newspapers; includes a provision for a free reusable bag for those with WIC vouchers; would be effective 12 months after passage; and would include a hardship extension for establishments unable to comply within a year. Mr. Reeve discussed a survey of local merchants their Group conducted and found a great deal of support for the initiative.

Selectman Post expressed a few concerns, particularly if merchants are in favor of alternatives to plastic bags, why don't they just discontinue using them - why do they need a bylaw. Additionally, she commented on styrofoam as a larger issue, in her view. Why does this bylaw only address plastic bags and does not address other disposable items that are littered around the community. Ms. Ewing explained that this bylaw begins to address the behavior change of recycling.

Selectman Stone asked about people being able to bring their own disposable plastic bags to a store for use and asked, if this bylaw were to pass, if merchants will not be required to provide any sort of bag to consumers, which he does not support. He also does not support the town publishing those merchants fined for non-compliance. Though he does support the bylaw overall, those are some of the issues that would have to be worked out. Mr. Stone also asked why the

Group is stopping at just these types of bags. Ms. Ewing stated that the Group is starting with this type of bag because they are so prevalent in all stores.

Selectman Holcomb stated that he is generally in favor of this bylaw but also asked why we are not going further with the bylaw to include other types of disposable items. He suggested that perhaps including a provision in the bylaw that future initiatives under this bylaw would require only a public hearing might be considered, if feasible.

Selectman Tolley stated he agrees with most of what the other Board members stated and liked the idea Mr. Holcomb suggested about including a public hearing option in the bylaw for future items considered for banning and generally supports the concept of the bylaw and even expanding the provisions of the bylaw.

Chairman Quirk commented that the Board should run the proposed bylaw through the Health Department and Health Board for their input, as well as town counsel to see if changing the language is feasible. Chairman Quirk is not in favor of some of the language currently in the bylaw but is generally in favor of the concept.

5. Energy Committee Update

Joyce Flynn, Chair of the Energy Committee, and five members of the committee (Steve Krintzman, Regina Wood, Sandy Cashen, and Steve Gavin) were present for the committee update to the Board. Members offered information to the Board members on the focus of the Energy Committee being a resource for information and programs. Ms. Flynn explained the committee's mission, as well as its objectives, which are to increase energy efficiency of the town's infrastructure; find opportunities for the town to purchase energy at lower costs while promoting development of local renewable energy sources; and inform residents of opportunities to increase their energy efficiency.

Ms. Flynn reminded the public that the Energy Committee's meetings are open to the public and they are looking for a couple more committee members.

Selectman Holcomb asked what the savings would be per square foot were the town to be interested in using town property for the use and storage of photovoltaic energy. The committee commented that several factors would need to be taken into consideration on a specific piece of town property in order to determine the savings. Mr. Krintzman commented that the state limits the amount of energy anyone or any organization can produce.

Ms. Wood commented on a scholarship program the committee established in the name of George Allaire which funds students to participate in science related subjects during the summer months.

A member of the public asked about wind-generated energy and if the committee has looked into wind energy. Mr. Krintzman explained that due to the negative publicity surrounding the Falmouth wind energy initiative recently it is not feasible at this time.

Selectman Post asked if the Committee is able to help residents understand their energy bills as the data can be very confusing. Ms. Flynn mentioned that the "office hours" the committee is instituting at the senior center should be able to help residents with any concerns or questions they may have. Additionally, Cape Light Compact's website offers a wide variety of information and tools to help the public understand the rates on their energy bills.

6. Town Meeting Attendance Discussion

Mr. Johnson-Staub explained that this agenda item was at the Board's request and a legal notice was placed in the *The Register* to encourage residents to offer their views and suggestions. Selectman Stone read the legal ad into the record. Town Clerk Phil Gaudet provided historical data on town meeting attendance over the past six years which clearly shows attendance at town meeting is issue driven.

Chairman Quirk opened the hearing to public comments. Mr. Tom Nickinello commented that perhaps eliminating some of the superfluous information at town meeting might help speed things along so the necessary business of the meeting can be addressed more quickly. He also suggested that providing transportation for seniors to and from the meetings would be helpful for those who do not drive or do not drive at night. Mr. Krintzman commented that perhaps some residents feel the Board is not receptive to what the town people have to say on certain issues.

Chairman Quirk read a letter into the record from a resident and business owner. The issue, as he sees it, is whether to leave the town meeting on Saturdays or move it back to a weekday. Selectman Tolley stated he does not agree with the gentleman who suggested the Board does not listen to the residents nor is a low town meeting attendance indicative of the Board not listening to the residents. He also commented that he does not believe the particular day of the week makes much of a difference. He believes that people's lives are so busy that it is difficult for them to make the time to attend town meeting given the many demands on their time.

Selectman Holcomb also commented that town meeting attendance is issue driven. He feels that town meeting should remain on a Saturday for another year or two before making a decision that it isn't working.

Selectman Stone commented that he spoke to many residents who stated they could not attend a Saturday meeting due to work or child-related commitments. He also suggested that moving town meeting to a weeknight, starting a 6 pm, and providing transportation to senior residents would be helpful for attendance.

Selectman Post asked Mr. Gaudet about electronic voting for town meeting and commented that the town of Orleans instituted electronic voting and she asked if that increased participation in town meetings. Mr. Gaudet commented that he is not aware of the statistics and would have to get back to the Board with that data though he did not think it increased turnout in Orleans given conversations he has had with his colleague in Orleans.

Mr. Tom Sullivan suggested that having satellite locations with designated assistant moderators is an acceptable means to conduct a town meeting. Chairman Quirk stated that there would not appear to be a need for satellite locations given the small number of residents who turn out for the meetings. Mr. Sullivan also commented on looking into a representative town meeting concept, which other communities have adopted.

The Board discussed adding a future agenda item to further discuss this topic and that the Town Moderator, Dan Horgan, be invited to participate in that discussion.

Mr. Gaudet took the opportunity to remind residents of early voting hours and briefed the Board on the number of early voting ballots cast to date.

7. Collective Bargaining Agreement Approvals

Mr. Johnson-Staub explained to the Board members the three agreements before the Board this evening for their approval: the Sanitation Workers Association; SEIU Unit B; and the Firefighters Union. Mr. Johnson-Staub provided an overview of each contract, the COLA increases included in each contract, the years the contract was voted for, and other minor changes each contract contains.

Selectman Holcomb discussed projected revenues for FY18 and the town's unfunded liability of \$24M for employees' healthcare benefits though he does not support not honoring contracts with the town's union employees. He feels very strongly that the town needs to begin now to fund future healthcare costs. He also discussed the benefits of paid days off (vacation, sick, and personal time) included in the contracts that he believes directly affect productivity.

MOTION: To move that the Board of Selectmen approve the three collective bargaining agreements before the Board: the Sanitation Workers Association, the SEIU Unit B, and the Firefighters Local 2122.

Motion by: Tracy Post

Seconded by: Mike Stone

Yea 5

Nay 0

8. Board of Selectmen

a. Upcoming Agenda Review. The Board discussed adding a town charter review to an upcoming meeting. Chairman Quirk advised that after the new town administrator is appointed and in place, this item will then be added to a future meeting.

Chairman Quirk asked Board members if they are interested and able to move the town administrator candidate interviews to an earlier date. Mr. Johnson-Staub will contact the candidates to see if they are available on November 8th.

b. Individual Items

1) Selectman Stone commented on a resident who is blind but wanted to vote on a regular ballot as opposed to an absentee ballot. This resident's daughter commended Phil Gaudet on the extra measures taken to assist this resident by providing headphones with audio instructions for processing her ballot.

Mr. Stone also mentioned a private airline company, Rectrix, that houses jets at Barnstable Municipal Airport that is now flying to Nantucket and offering a promotional rate of \$13.00 each way for a limited time. Additionally, Mr. Stone mentioned Jet Blue served either 17,000 or 19,000 passengers over the summer season flying from Barnstable Municipal Airport to New York. The last flight of the season was on Columbus Day. Jet Blue is reviewing their schedules to determine future summer schedules and whether service during the shoulder seasons makes good business sense for them.

9. Town Administrator's Items

a. Consent Agenda: Mr. Johnson-Staub advised the Board members that the Interim Town Administrator employment agreement with Mr. Robert Lawton is ready for review and signature by the Board.

MOTION: To move that the Board of Selectmen approve the Interim Town Administrator Employment Agreement with Mr. Robert Lawton.

Motion by: Norm Holcomb

Seconded by: Erik Tolley Yea 5 Nay 0

b. Town Administrator Updates. Mr. Johnson-Staub stated that, as this is his last Board of Selectmen meeting, he has had a great 16 years with the town and values the professional and personal friendships he has established within the town.

10. Adjourn

MOTION: To move that the Board of Selectmen adjourn the meeting.

Motion by: Norm Holcomb

Seconded by: Mike Stone Yea 5 Nay 0

Respectfully submitted,



Linda Dennehy

DISTRIBUTED MATERIAL AGENDA PACKET

- Town Administrator Screening Committee Agenda for October 25, 2016
- Golf Fee Schedule (2nd hearing)
- Recycling and Solid Waste Advisory Committee 2016 Report to BOS
- Bring Your Own Bag (BYOB) Initiative PowerPoint Presentation
- BYOB Proposed Bylaw
- BYOB FAQs
- Energy Committee Annual Update to BOS
- Legal Notice for Town Meeting Attendance Hearing
- Letter to BOS from Ms. Evelyn W. Barlo, undated, re: Town Hall Meeting Suggestions
- Collective Bargaining Agreements
- BOS Projected 2016 Agenda Items
- Memo to BOS from Interim Town Administrator dated October 20, 2016 re: Petition for Joint or Identical Pole Locations
- October 2016 edition of The "CAT"
- Cape & Islands Workforce Investment Board Public Notice for Request for Proposals
- Letter to BOS from The Open Doorway of Cape Cod, Inc., undated, re: Letter of Thanks