

**Wellfleet Board of Selectmen
Minutes of the Meeting of July 17, 2012
Council On Aging Building, 7:00 p.m.**

Present: Chair Berta Bruinooge, Jerry Houk, John Morrissey, Dennis Murphy, Paul Pilcher; Town Administrator Paul Sieloff

Chair Berta Bruinooge called the meeting to order at 6:00 p.m.

Open Meeting Law Seminar: Town Counsel Elizabeth Lane from Kopelman and Paige reviewed the Massachusetts Open Meeting Law and other related documents¹ with the Board of Selectmen and Wellfleet Committee members attending the seminar.

Litigation Update: Town Counsel Elizabeth Lane from Kopelman and Paige reviewed the status of current litigation and other legal services involving the Town of Wellfleet².

APPOINTMENTS

Motion 13-0271: Murphy moved to appoint Allison Floyd as a new call member to the Wellfleet Fire Department. Morrissey seconded the motion and it passed 5-0.

REAPPOINTMENTS

Motion 13-0272: Morrissey moved to approve the following committee reappointments. Murphy seconded the motion and it passed 5-0.

- Richard Elkin – Energy Committee [term ends 6/30/15]
- Craig Meadows – Energy Committee [term ends 6/30/15]
- William Sullivan – Energy Committee [term ends 6/30/15]
- Marcus Springer – Energy Committee [term ends 6/30/15]

Presentation by BadgeQuest regarding Fire Chief RFP: Stephen Unsworth from BadgeQuest presented details from his executive recruiter proposal³ for the Wellfleet Fire Chief position. Robert Pomeroy, a retired Plymouth Fire Chief, was also present as a representative from BadgeQuest. Unsworth reviewed a list of services for a fee of \$7,500 but strongly recommended that the Selectmen consider adding an Assessment Center and detailed background investigative service for an additional fee. Pilcher asked if the Selectmen decided to choose only certain elements of the proposal, would Unsworth be willing to consult with the Fire Chief Screening Committee to complete the process. Unsworth said that he would have to assess that level of involvement. Murphy asked if the fee for service was negotiable and Unsworth said no.

BUSINESS

Selectmen meeting schedule for July 2012: The Selectmen agreed to cancel the July 24, 2012 meeting and hold a special Board of Selectmen meeting on July 31, 2012. The August BOS schedule would be determined at the July 31 meeting.

Presentation by MMA regarding Fire Chief and Town Administrator RFPs: Mark Morse from MMA presented details from his executive recruiter proposal for the Wellfleet Fire Chief and Town Administrator positions⁴. Morse reviewed the search criteria in the proposal: Identify characteristics; finding candidates by placing ads and doing outreach work; vetting candidates through existing laws and work with committees to screen; verify qualifications; meet to see if there is communications compatibility with the Town. Pilcher asked if there was a 'two for one' discount. Morse stated that MMA was negotiable on price if chosen for both the Fire Chief and TA recruitment projects as long as there was a clear scope of services outlined in the contract.

Recess: 8:55 p.m. to 9:02 p.m. Call to Order: 9:02 p.m.

BUSINESS

Select Executive Recruiter for Town Administrator and Fire Chief positions: The Selectmen discussed the merits of the BadgeQuest and MMA executive recruiter proposals. Morrissey was impressed with both groups but was experiencing 'sticker shock' from the additional services each firm presented. Murphy asked which budget line would be used to pay the recruiters. Sieloff said the money would be drawn from the Consulting budget line. Houk liked the proposal from BadgeQuest. Morrissey thought combining proposals from MMA would offer a more financially sound agreement if the scope of services was clarified and the Town took responsibility for a greater portion of the screening process. Pilcher agreed with Morrissey and suggested modifying the scope of services based on the basic recruiting needs of the Town and suggested that the screening committee to come up with Wellfleet specific questions.

Sieloff raised questions about procurement rules when the scope of services exceeded \$5,000, stating that a new RFP would need to be issued if the scope of services was significantly altered. A discussion ensued among the Selectmen about rebidding the proposal for the Fire Chief position or voting on the current proposals in the interest of expediting the search process. The Selectmen agreed to move forward and vote on the basic scope of services laid out in each respective proposal.

Motion 13-0273: Bruinooge moved to hire BadgeQuest for the Fire Chief recruitment search for \$7,500 as specified in their proposal, and negotiate with MMA for an altered scope of services on the Town Administrator proposal. Houk seconded the motion. No vote was taken. Bruinooge moved to withdraw the motion. Pilcher seconded and the withdrawal was passed 5-0.

Motion 13-0274: Houk moved to hire BadgeQuest at \$7,500 for the Fire Chief position as specified in their proposal. Murphy seconded the motion and it passed 5-0.

Motion 13-0275: Morrissey moved that Town Administrator Paul Sieloff and Selectman Paul Pilcher negotiate a fee with MMA for Town Administrator executive recruitment search. Bruinooge seconded the motion and it passed 4-1 (Murphy).

Approval of Water System Operations contract:

Motion 13-0276: Murphy moved to approve the water system operation contract with Whitewater, Inc.⁵ Houk seconded the motion and it passed 5-0.

Approval of revised Bank Street and Commercial Street project engineering contract: The Selectmen discussed the merits of the revised Bank Street and Commercial Street project engineering contract⁶, which would delay a portion of work along Holbrook Ave. to Kendrick Ave. until a new culvert was installed. Houk stated that he would like to vote on the original contract, as funding for the project was already approved at Town Meeting in April 2012, guaranteeing the completion of the portion of work in question. Houk said that section of road from Holbrook Ave. to Kendrick Ave. was in need of repair, especially for the elderly and handicapped trying to navigate the sidewalk, and reasoned that the work would be delayed indefinitely because of culvert impact studies. Houk also mentioned that a grant may be available in the future that could negate the extra cost of repaving that particular section of road. Murphy explained that the installation of the new culvert would necessitate repaving the road, and moving ahead with the original contract means the work might be done twice and at have to be funded twice if a grant was not available in the future. Murphy also noted that the lead engineers, Environmental Partners Group (EPG), suggested that Wellfleet should not move forward with construction on that section of road.

Motion 13-0277: Houk moved to approve the Bank Street and Commercial Street project engineering contract as originally proposed by EPG. Murphy seconded the motion and it passed 5-0.

Approval of Fire Chief Screening Committee: Pilcher informed the Board that Ira Wood was unable to serve on the Town Administrator Screening Committee and that he would speak to Dale Donovan about serving in Wood's

place. Pilcher requested that Donovan's appointment be placed on the July 31, 2012 agenda. The Selectmen then reviewed their candidate list for the Fire Chief Screening Committee⁷.

Motion 13-0278: Pilcher moved to appoint Timothy King, Ron Fisette, Liz Sorrell, Richard Robicheau, Preston Ribnick and Janet Loewenstein to the Fire Chief Screening Committee. Murphy seconded the motion and it passed 5-0.

MINUTES

Motion 13-0279: Pilcher moved to approve the amended minutes of June 18, 2012 and June 26, 2012. Houk seconded the motion and it passed 4-0-1 (Morrissey).

John Morrissey asked that the Proposed Residential Tax Exemption be placed on the August 14, 2012 BOS meeting agenda for discussion.

ADJOURNMENT

Motion 13-0280: Murphy moved to adjourn the meeting at 10:10 p.m. Pilcher seconded the motion and it passed 5-0.

Respectfully submitted,

Amy Voll, Executive Assistant

¹ Open Meeting Law G.L. c. 30A sec 18-25; Kopelman and Page memo: Open Meeting Law – A Checklist and Sample Notices and Votes January 19, 2012; Open Meeting Law Guide, February 10, 2012; Kopelman and Page memo: Top 10 Changes to the Open Meeting Law; Kopelman and Page memo: Reasons for Convening Executive Session

² Town of Wellfleet Legal Status Report from Kopelman and Paige, July 17, 2012

³ BadgeQuest Proposal for Wellfleet Fire Chief position

⁴ MMA Proposals for the Wellfleet Fire Chief and Town Administrator positions

⁵ Whitewater Contract for Water Systems Operation Aug1, 2012-July 31, 2015

⁶ Revised Civil Engineering Contract – Bank Street and Commercial St. Sidewalk and Paving Project July 13, 2012

⁷ Fire Chief Screening Committee candidates list