



contract and allow Hoort to proceed with the process he is in with the Town of Brewster. Carlson said it would be expensive to search for a new Town Administrator (TA). Houk agreed with Bacon and said that he would not like to offer Hoort any more money right now and would like to wait to see how the current application process with Brewster plays out to put the Board in a better bargaining position. Reinhart suggested starting the negotiating process, since the Board has until this weekend to present their offer to Hoort. She asked the Board “if Hoort did not get the offer in Brewster would the Board agree to negotiate the contract?” and to begin their process there.

Wilson said that Hoort has been the best out of the 4 TA’s that she has worked with. She said that Wellfleet pays its TA easily \$20,000 less than any other town on the Cape. She said that she is impressed with Hoort, that he listens, and has made changes when asked. Hoort’s last salary check was for approximately \$120,000 and Brewster is offering \$150,000. Wilson said that he has greatly improved over his time as Town Administrator. Wilson said that this is the hardest job in town, Hoort has gotten a lot better at it. Wilson suggested offering him another \$20,000 because he knows the ropes, is experienced with the Board and he has followed the Charter.

Reinhart said that his salary started in 2016 at \$115,000, in 2017 it was increased by 2% each year, equating to \$117,000, and in 2018 to approximately \$120,000. In 2019 his salary would be \$122,039 with the 2% increase. The difference between \$122,000 and \$150,000 is \$28,000. Reinhart asked if the Board would renegotiate the contract. Houk said that he felt that the Board was not at that point yet.

Bacon asked to review the contract, starting with Article I, Section B which discusses Exclusive Employment. “The Administrator agrees to remain in the exclusive employ of the Town subject to conditions contained herein...Further, the Administrator agrees not to become employed by any other employer until said termination date.” Bacon said that if this was a corporate world, Hoort would be asked to resign. She said that he had stepped out of his contract to seek employment with another town. Bacon shared that she spoke to a lawyer and asked if Hoort seeking other employment was breaking the contract. She reiterated that the Board should wait to see how his application process with Brewster plays out.

Houk pointed out that Section II, Article B of the existing contract states that the TA can resign at any time. “Nothing in this Agreement shall prevent, limit, or otherwise interfere with the right of the Administrator to resign at any time from his position with the Town, subject only to the provisions of Article XII of this Agreement...”

There was discussion on the difference of “becoming employed” and “being employed”. Reinhart said he was not in the employment of Brewster, and that seeing employment was different than being employed. Wilson agreed with Reinhart.

Carlson said that she had never seen someone go look for a new job after two and a half years without some dissatisfaction. She suggested bringing in an outside consultant for coaching in management skills, as well as between the Board and Hoort. Wilson said that in her 20 years of experience, every TA has had internal conflicts with staff. She said that Dan has had managerial experience, not as a TA, but in other roles where he has had staff under him who have conflicts. She said that she doesn't think Hoort wants to go to another place as much because there have been normal conflicts, but that there is more money being offered. Carlson said that she recognizes that Hoort has had some frustrations with his relationship with the Board and with staff. And there are not staff meetings and procedures. She said it is always positive to bring in an outside consultant to get some feedback and suggestions for improvement. She noted that there has been a lot of turnover in staff and that this would be a really good time to call upon a consultant whether Hoort stays or leaves.

Houk said that he doesn't feel Hoort is a good leader because he has only had one staff meeting in two and a half years and that he has not had a group meeting with the Harbor Master, DPW Director, and Shellfish Constable. Houk said there are other departments that need to interact and Hoort does not hold those meetings either. He said that these were all wishes that should've been brought up when Hoort was being hired.

Wilson said that Hoort will do what you ask him to, and that he has obeyed the Charter. She said that the Board could tell Dan to meet with these departments and he would do it. Bacon brought up Reinhart's point at an earlier meeting during the evaluation process that she would like to see Hoort out in the community more. She asked what Hoort's commitment to the community is if he is looking for a job in Brewster.

Wilson said that if the Board agreed on something by vote then it is an order to Hoort, individual suggestions are not enough. Carlson noted that Hoort has done two coffee meetings at the Library. Carlson stressed her point on bringing in a consultant to help build the organization and said that these issues are common in a small town. Wilson and Houk disagreed that this would be effective, after reflecting on previous experiences with bringing in consultants. Bacon said that this is an avenue we could pursue in the future. Reinhart said that education and consulting could be included in his contract.

Reinhart asked what makes a good TA. Bacon said that she knows someone who could step into this role right now, Suzanne Grout Thomas. She said the community feels that what is missing right now for this role is someone with a connection to the community. Reinhart said that Thomas had applied in the past and was not a favored candidate. Bacon said that Thomas could provide as the interim TA should Hoort leave. Reinhart shared her experience being on the last search committee and that it is an extensive process with not many candidates with an understanding of the Lower Cape. She said that it is the Board's job to work on these issues with Hoort to improve their relationship and to get him to be better. Houk said that recommendations from the Auditors made 1 or 2 years ago had not been addressed yet. Wilson said that Hoort has made good appointments. Reinhart said that for Hoort's performance review, he got high marks and even when he got bad marks they were

not that bad. She said that no one really knows why Hoort applied for the other job in Brewster.

Wilson felt that the Town is getting a lot of “bang for its buck” with having Hoort as TA. She said that the Board can provide feedback in the form of orders. Carlson said that there needs to be healing between Hoort and the Board. She suggested an open meeting that is more strategic and allows for bonding between the Board and TA.

Houk feels the contract is not good. He would like to see the TA in the office working more, rather than teleworking, and not taking Fridays off in the summer.

Bacon asked why the members do not want to see Hoort go through the process with Brewster. Wilson said that she would like to have him understand that even if Hoort gets the job, that the Town still wants him. There must be more desire to work with him in a positive way. Carlson said that if there was a formalized work-from-home policy it might be a non-monetary benefit to Hoort. Bacon pointed out that it is in his contract already that he can work from home in Article VIII “it is recognized that the Administrator must devote time outside of normal office hours to the business of the town, and to that end the Administrator will be allowed to take time off as he shall deem appropriate during said normal office hours, provided the taking of such time does not interfere with the proper discharge of his duties.” Carlson would like to tighten up this clause and offer him a formal amount of time that he can be at home.

Wilson asked that the monetary piece of the contract be addressed. She thought that, even before Brewster was in the picture, \$140,000 would be a good salary, stating that another \$20,000 is a healthy indication that the Board thinks he is worth it.

Reinhart asked for a motion to negotiate the TA’s contract. Wilson asked to decide on an amount tonight and draft new ideas that need to be clarified in the new contract. Carlson said she would not give him more money and more time out of the office. Wilson and Bacon agreed that it should be one or the other. Wilson said that Hoort has saved the Town money so far.

**I move to renegotiate the Town Administrator’s contract for another three years.**

**Motion: Reinhart**

**Second: Wilson**

**5-0-0. Motion carries.**

**Roll Call Vote**

**Reinhart yea**

**Wilson yea**

**Bacon yea**

**Carlson yea**

**Houk yea**

*Approved February 12, 2019*

Reinhart asked to meet again to discuss the salary and contract of the TA. The Board agreed to do so on Friday, January 25 at 9:00 am.

**I move to come out of executive session and not to reconvene in open session.**

**Motion: Reinhart                      Second: Bacon                      5-0-0. Motion carries.**

**Roll Call Vote**

**Reinhart yea**

**Wilson yea**

**Bacon yea**

**Carlson yea**

**Houk yea**

**I move to adjourn.**

**Motion: Reinhart                      Second: Bacon                      5-0-0 Motion carries.**

The executive session was adjourned at 4:30 pm.  
Respectfully submitted,

Courtney Butler,  
Executive Assistant to the Town Administrator