



**Wellfleet Board of Selectmen
Minutes of August 22, 2017
Wellfleet Senior Center**

Present: Selectmen Dennis Murphy, Janet Reinhart, Kathleen Bacon, Jerry Houk; Helen Miranda Wilson
Town Administrator Dan Hoort, Assistant Town Administrator Brian Carlson;

Chairman Murphy called the meeting to order at 7:00 PM.

Announcements, Open Session and Public Comment

- Bacon welcomed former Selectmen Berta Bruinooge back and all the new faces in the audience.
- Wilson thanked Jan Morrissey for her years of service on the Planning Board.
- Community Services Director Suzanne Thomas Grout provided the Selectmen with an update on the erosion at Cahoon Hollow beach and gave a report¹ on the expenditures, revenues and estimated materials needed to remedy the damage at the parking lot.
- Murphy called an emergency meeting at 4 pm on Friday, August 25 at the COA to discuss the Cahoon Hollow beach parking lot.
- Peter Tashes talked about the Cahoon Hollow beach loss from his personal point of view as a tourist.
- Bruce Bierhans representing the Beachcomber talked about the significance of the parking lot to the Beachcomber.

Public Hearing: Consider an amendment of the Shellfishing Policy and Regulations - 7.15.3. Use of Spat Collecting Devices

MOTION 218-034: Wilson moved and Reinhart seconded to amend the Shellfishing Policy and Regulations - 7.15.3. Use of Spat Collecting Devices to read as follows - *The use of spat collecting devices such as Chinese hats to catch oyster larvae in areas not licensed for aquaculture, may only be done by commercial permit holders who also hold a seed permit (section 1, Definitions) between June 15 and 30 minutes after sunset on October 20, 2017.* Murphy clarified that in the future when this becomes an annual event, dredging would take a precedent. The motion passed 5-0.

Hoort explained that the absence of the Shellfish Constable is due to a pre-arranged trip prior to her hiring.

Public Hearing: Consider a transfer of shellfish grant license #14-1

Berta Bruinooge explained the reasons for the request to transfer shellfish grant license #14-1 from Jason Lance Weisman to Jason Lance Weisman, Berta Bruinooge and Elizabeth Salen. Susan Reverby questioned the transfer request and complained about a large cooler placed by Jason Lance Weisman on Bruinooge's property. Bacon explained that according to the ZBA there is no issue with the cooler on Bruinooge's property and said that the cooler is not related to the grant transfer request. Wilson also agreed with the ZBA decision, and explained that this transfer was not a zoning issue and that requirements for being named to a grant have been met.

MOTION 218-035: Bacon moved and Wilson seconded to approve the request of Jason Lance Weisman to transfer shellfish grant license #14-1 from Jason Lance Weisman to Jason Lance Weisman, Berta Bruinooge and Elizabeth Salen. The motion passed 5-0.

Appointment of Jesse Capello as full-time Firefighter/Paramedic

Fire Chief Rich Pauley recommended the appointment of Jesse Capello as a full-time Firefighter/Paramedic.

MOTION 218-036: Wilson moved and Reinhart seconded to appoint Jesse Capello as a full-time Firefighter/Paramedic. The motion passed 5-0.

Appointment of Kristian Heyliger as an on-call member of the Wellfleet Fire Department

Fire Chief Rich Pauley recommended the appointment of Kristian Heyliger as an on-call member of the Wellfleet Fire Department.

MOTION 218-037: Reinhart moved and Wilson seconded to appoint Kristian Heyliger as an on-call member of the Wellfleet Fire Department. The motion passed 5-0.

Use of Town Property: Request to use Newcomb Hollow Beach on September 8

Jonathan Gips and Chantelle Boudreaux respectfully requested to use Newcomb Hollow Beach on September 8, 2017 for their wedding ceremony. Bacon noted her pleasure with the detailed information on the application.

MOTION 218-038: Reinhart moved and Wilson seconded to approve the request of Jonathan Gips and Chantelle Boudreaux to use Newcomb Hollow Beach on September 8, 2017 from 4:30 pm to 7:30 pm with an event fee of \$100 and conditions as listed on the use form. The motion passed 5-0.

Use of Town Property: Request of Provincetown Aquasports to use public boat launch sites

Wilson said that she went to the GUAPACA meeting over the weekend and found out that the sluice is once again in trouble. This request would create more issues with the sluice, and because of this she asked for the opinion of the Beach Administrator. Suzanne Grout Thomas agreed with Wilson for Gull Pond, but did not want to ban this kind of kayak and paddle board rentals from the entire Town. Thomas said that Chatham had required \$2M liability insurance and suggested limiting the number of companies that can do this kind of rental business in Wellfleet. Bacon felt that the applicant should be present and that the \$350 fee is not sufficient to remedy the damage done to Town beaches from this kind of business activity. Houk said that Gull Pond is overused and agreed with Thomas. Reinhart confirmed with Thomas what other ponds might be appropriate. Murphy said that about five years ago Jack's Boat Rental business was removed for the reasons being discussed and did not feel that approving this request would be right. James Hornsky Jr. in the audience objected to the idea that Gull Pond should not be used for boat rental businesses. Discussion ensued on how to handle the request.

MOTION 218-039: Wilson moved and Reinhart seconded to postpone action on the request of Provincetown Aquasports to use public boat launch sites in Wellfleet from May through September for the drop off and pick up of kayaks and paddle boards for rent. The motion passed 5-0.

Business: Consider designating September 7, 2017 as "Samaritans on Cape Cod and the Islands Day."

MOTION 218-040: Bacon moved and Reinhart seconded to designate September 7, 2017 as "Samaritans on Cape Cod and the Islands" day and sign the proclamation as provided with the meeting materials. The motion passed 5-0.

Business: Consider designating September 10-16, 2017 as a Suicide Prevention Awareness Week.

Wilson shared information about the sobering statistics about the higher suicide rate on the Cape which is 1.4% higher as compared to the State's rate.

MOTION 218-041: Reinhart moved and Bacon seconded to designate the week of September 10-16, 2017 as a Suicide Prevention Awareness Week and sign the proclamation as printed. The motion passed 5-0.

Business: Approval of a Letter of Support for the Solarize Plus Program

Dick Elkin refreshed the Board's memory from two weeks ago and said that most likely the Town of Orleans would not be participating in this program due to time-frame limitations.

MOTION 218-042: Reinhart moved and Bacon seconded to approve the Request of the Energy Committee for a letter of support to be sent to the Massachusetts Clean Energy Center for Wellfleet's participation and to sign attachment A as amended. The motion passed 5-0.

Business: Request for "Slow Down & Share the Road" sign on Long Pond Rd

Brent Harold presented his request for placing a "Share the Road" sign on Long Pond Rd. He said that the road belongs to everyone and not just the cars. He suggested taking an example of Nantucket by adopting a speed limit of 25 miles/hour to become a slower town. Police Chief Fisette said that cautionary signs can be placed by the Police Department, but a change in the speed limit requires a policy recommended by the Board of Selectmen and adopted by the voters. Fisette was concerned that if this kind of sign is placed in one spot it would multiply and there would be no funds budgeted for this purpose. Several people from the audience spoke in support of the idea. There was unanimous consensus among the Board that "Slow Down" sign would be a good idea, but changing the speed limit would require further discussing and a public hearing. In the meantime, the Police Chief will work with the DPW to place "Slow Down and Share the Road" signs Long Pond Rd and Cahoon Hollow Rd.

Business: Vote to close the Herring River on August 31, 2017 for shellfishing.

Wilson explained why the vote to close the Herring River area for shellfishing was required by our regulations. Bacon asked Wilson to describe the specific area for the closure and Wilson explained.

MOTION 218-043: Wilson moved and Reinhart seconded to close the Herring River Area on August 31, 2017 for harvesting of shellfish as defined in the Town's Shellfishing Policy and Regulations. The motion passed 5-0.

Town Administrator's Report² - Wilson made comments on the upcoming meeting with the NPS.

Topics for Listing on Future Agendas

- Wilson requested placing a sign to have the boats cleaned before being put in the ponds.
- Wilson suggested providing cards for nonresident shellfish employees working on shellfishing grants to be able to park at Town beaches during their time working as a commercial fisherman.
- Bacon requested considering keeping John Mankevetch and Chris Manulla at a higher pay rate during the eight weeks of training of the new Shellfish Constable Nancy Civetta.
- Reinhart felt that it would be beneficial to have a meeting with the Community Services Director to discuss how to protect the Town's beaches in the future.
- Houk said that a sticker should be available for Board and Committee members who have dealings at Town Hall to avoid getting parking violation tickets.
- Reinhart asked reviewing the parking at Town Hall in the future.
- Fred Armstrong asked for reviewing zoning C2 issues on Old Kings Highway.

Correspondence³ and Vacancy Report⁴

Wilson talked about the Carl Sussman letter on the C2 zoning issues on Old King's Highway and said that this is an issue for the Building Commissioner and the ZBA. Discussion ensued.

Minutes

Wilson offered amendments to the minutes of August 8 and August 14, 2017.

MOTION 218-044: Wilson moved and Reinhart seconded to approve the minutes⁵ of August 8, 2017 as amended by Wilson. The motion passed 5-0.

MOTION 218-045: Wilson moved and Bacon seconded to approve the minutes⁶ of August 14, 2017 as amended by Wilson. The motion passed 5-0.

Executive session and Adjournment

MOTION 218-046: Murphy moved to adjourn the public meeting at 8:37 pm and enter in executive session for the following reasons:

1. Pursuant to G.L. c. 30A, §21(a)(3) to discuss strategy with respect to collective bargaining and litigation, because an open meeting may have a detrimental effect on the Town's bargaining and litigating position, the Board will review and discuss a strategy regarding the grievance of the Wellfleet Communications Union for a health insurance stipend denial to Eileen McCarthy.
2. Pursuant to G.L. c. 30A, §21(a)(6) to consider the purchase, exchange, lease or value of real estate, because an open meeting may have a detrimental effect on the Town's negotiating position: Pleasant Point bulkhead land disposition.

The board will not reconvene in public session after the executive session. The motion passed by a roll call vote where each Murphy, Reinhart, Bacon, Wilson and Houk said "Aye".

Respectfully submitted,

Michaela Miteva, Executive Assistant

Public Records Materials

¹ Report on Cahoon Hollow Beach parking lot by Suzanne Grout Thomas dated August 22, 2017

² TA Report of 8/18/17

³ Correspondence of 8/18/17

⁴ Vacancy Report of 8/18/17

⁵ Draft minutes of 8/8/17

⁶ Draft minutes of 8/14/17