



**Wellfleet Board of Selectmen  
Minutes of January 29, 2015**  
(*postponed from January 27 due to Blizzard Juno of 2015*)  
**Wellfleet Senior Center**

**Present:** Paul Pilcher, Chairman, Dennis Murphy, Berta Bruinooge, John Morrissey,  
Town Administrator Harry Sarkis Terkanian & Assistant Town Administrator Brian Carlson

**Regrets:** Jerry Houk

Chairman Paul Pilcher called the meeting to order at 7:00 pm.

**Announcements, Open Session and Public Comment**

Pilcher thanked all of the people working during the blizzard to plow the roads and keep the community safe.

Police Chief Ronald Fisetto also thanked the parties working during the 2015 blizzard. He said that there may be a possibility for Federal reimbursement, but he will know more about this after a conference call scheduled the next day.

**MOTION 215-051:** Morrissey moved and Bruinooge seconded to revoke the declaration of emergency voted on January 26, 2015 for the blizzard of 2015. The motion passed 4-0.

Town Administrator Harry Terkanian expressed how pleased he was with departmental cooperation in handling the blizzard emergency. Terkanian also announced two upcoming Friends of Herring River meetings scheduled for February 4 and February 9, 2015.

Morrissey had concerns about erosion on Newcomb Hollow beach after the blizzard. Terkanian explained that according to DPW Director Mark Vincent the parking lot may have to be cut to correct the erosion.

**Licenses:**

**MOTION 215-052:** Murphy moved and Bruinooge seconded to approve Common Victualler license for Bocce Italian Grill, Chequessett Yacht & Country Club, Emack & Bolio's; Wellfleet Cinemas; Wellfleet Drive In Flea Market; Wellfleet Miniature Golf, Dairy Bar & Grill. 4-0

**MOTION 215-053:** Morrissey moved and Bruinooge seconded to approve Weekday Entertainment license for Bocce Italian Grill, Wellfleet Cinemas, Wellfleet Drive In Flea Market, Wellfleet Miniature Golf, Dairy Bar & Grill. The motion passed 4-0.

**MOTION 215-054:** Bruinooge moved and Murphy seconded to approve AA license for Southfleet Motor Inn. The motion passed 4-0.

**MOTION 215-055:** Murphy moved and Bruinooge seconded to approve Flea license for Wellfleet Drive In Flea Market. The motion passed 4-0.

**Use of Town Property**

Alexander Yanko, producer of the future movie Years By The Sea presented the movie plot and his request of Year by the Sea, LLC to use Main St, Bank St, Commercial St, Town Hall lawn, the Library & outside WES for 4-5 days between March 30 & April 18 for filming the movie. Morrissey wanted to know how many people will be at Town locations at any given time. Terkanian said that he

wants to see proof of insurance, arrangements for police details and payment of event fees 14 days in advance if the Selectmen were to consider approving the request.

**MOTION 215-056:** Morrissey moved to approve the Year by the Sea, LLC request to use Main St, Bank St, Commercial St, Town Hall lawn, the Library & outside WES for 4-5 days between March 30 & April 18 for filming a movie; event fee \$100 a day, contingent on providing proof of insurance; paying the fee 14 days in advance and making arrangements and paying for police details in addition to the event fee. Murphy seconded and the motion passed 4-0.

### **Request to MassDOT to consider and evaluate safety measures for portions of Route 6**

Police Chief Fisette and Fire Chief Pauley presented the proposed request to MassDOT to consider evaluating additional safety measures for three sections of Route 6 as presented on the map<sup>1</sup> in the packets. Chief Pauley gave details about the three identified sections of concern based on accidents history over 4-5 years time span. Terkanian talked about benefits of rumble strips based on literature materials he got from the MassDOT Route 6 safety meeting. Morrissey wanted to know if the strips would create a noise when making a left turn. Pilcher was pleased how quickly this process is unfolding and how fast the State is acting to take safety measures to prevent accidents from happening in the future. Chief Pauley said that this will be an experimental project and if it works has the potential to be expanded.

**MOTION 215-057:** Murphy moved and Bruinooge seconded to approve the letter<sup>2</sup> to MassDOT as provided in the packets regarding the suggested improvements to MassDOT to consider and evaluate additional safety measures for portions of Route 6. The motion passed 4-0.

### **Dredging update from Harbormaster**

Harbormaster Michael Flanagan gave an update on the dredging project. He said that some of the reports have been completed and others i.e. from the Army Corps of Engineers are still on their way. He reported that Bourne Consulting and Engineering are still testing and sampling and once the chemistry is identified then the project will go to the next stage. Terkanian said that the engineering report is available at his office and that he requested Wellfleet to be added to the State list of small harbors due for dredging. According to Terkanian Bourne Engineering should be done with testing and permitting at some point in 2016 and any potential funding requests to the State are 24-36 months away.

### **Mayo Creek Restoration Committee project update**

John Riehl, Chairman of the Mayo Creek Restoration Committee gave an update on the Mayo Creek restoration project. He said that he expects to come in front of the Selectmen again in two-three months to request authorization for run testing the project aka "Duck Bill Removal Trial". Riehl talked about possible consequences to abutting properties septic systems once the duck bill is removed. He also said that the process after the trail will depend on the data of the trial.

### **Budget update**

Terkanian said that there are no updates on FY16 budget due to two cancellations of the Nauset Regional School Committee meetings, Cape Tech Budget meeting and the Cape Cod Municipal Health Insurance Group.

### **Herring River Restoration project update**

Don Palladino of the Friends of Herring River talked about the upcoming Herring River Restoration Project schedule of meetings. He said that the schedule is available online at the Town's web site and will be publicized in the media as well. Paladin explained the zero design concepts, and what steps and actions need to be taken in order for the project to go forward. He also said that Friends of

Herring River are in the process of applying for Federal Grants for FY16. Tom Reinhart from the audience requested that the project maps be made available online.

### **Consideration of possible changes in fees for use of Town property**

Morrissey presented the background behind his request to revisit the Use of Town Property fees based on for profit businesses hiding under the umbrella of non profit organization in particular SPAT and Oysterfest. Bruinooge wanted to know why the film makers did not pay an application fee and requested them to pay the \$20 like everyone else does. She also had concerns about the fee revision for Oysterfest only and identified possible issues. Pilcher agreed with Bruinooge that there are issues than cannot be solved in one meeting. Pilcher asked Morrissey to write a detailed proposal in order to have a public hearing on this subject. Bruinooge noted that some of the suggestions presented by Terkanian on his memo<sup>3</sup> are good and have to be considered. Reinhart wanted to know what the exact monetary benefit to the Town is from Oysterfest. Terkanian explained the fee structure. Discussion ensued. Bruinooge agreed that festival fee might be an option to be considered. Murphy agreed that the fees should be revisited in general in order to identify new revenue sources to close budget gaps. The Selectmen agreed to revisit this matter during their February 24 meeting.

### **Award of loan monitoring contract for CDBG home improvement loans**

Terkanian explained and presented the Bailey Boyd award of loan monitoring contract for CDBG home improvement loans based on to Alice Boyd's recommendation to nominate Cape Community Development Partnership (Cape CDP). Jay Coburn, Executive Director of Cape CDP was present to answer questions.

**MOTION 215-058:** Bruinooge moved and Morrissey seconded to accept the Bailey Boyd award recommendation for loan monitoring contract for CDBG home improvement loans by awarding the contract to Cape Community Development Partnership and to authorize Terkanian to sign the award. The motion passed 4-0.

### **Continued Discussion on beach fires**

Community Services Director Suzanne Grout Thomas gave an update on beach fires and said that she is no longer recommending the beach fire concrete rings due to cost and liability concern, but recommended limiting the beach fire areas and the number of fire permits issued. Terkanian pointed the limit of the statue as presented on Thomas's memo<sup>4</sup> and the possible complications that may result if there is a fee for the beach fire permits. Pilcher wanted to know if an additional insurance may be purchased. Terkanian explained the ripple effect complications. Morrissey wanted more details. Suzanne requested one more summer without fees with her recommendations as requested together with more police control. Pilcher disagreed and said that reducing the number of permits is not the solution, and from what he heard previously and at this meeting the problem is not the people who get beach permits, but the ones that come after the permitted hours. Thomas talked more about the issue and elaborated why she recommends the new strategy. Further discussion ensued. Bruinooge supported the recommendation.

**MOTION 215-059:** Bruinooge moved to support the recommendation of Beach Administrator Suzanne Grout Thomas to reduce the number of beach permits issued and limit the area of beach fire locations as presented in her memo. Murphy seconded. The motion failed 2-2 (Morrissey & Pilcher).

Pilcher and Morrissey directed Terkanian to try to find additional \$11,400 for beach clean-up as presented by Thomas in her memo.

### **Energy Committee 2015 ATM warrant article request**

Terkanian gave a background of the Energy Committee 2015 ATM article request to reserve

transmission capacity. No action was taken and it was decided to consider placing the article in the 2015 ATM warrant when all other articles are considered for placement.

### **Town Administrator's Report**

Terkanian presented his report<sup>5</sup> of January 22, 2015 and added:

- Assistant Town Administrator Brian Carlson has been working with Departments and Committees to revisit fee schedules.
- Carlson is also working on Open Space and Recreational Infrastructure Plan
- The Treasurer Diane Midura and Terkanian have interviewed and will continue to interview vendors for OPEB investing.

### **Future Concerns**

- Terkanian announced Section 208 Wastewater Summit on February 25 & 26 and encouraged the Selectmen to attend the event.

### **Correspondence<sup>6</sup> and Vacancy<sup>7</sup> Report**

Morrissey presented the correspondence report. He specifically talked about a request from Maurice Grunberg for placing a menorah with the holiday tree. Terkanian talked about possible complications if specific religious symbols are placed. The Selectmen directed Terkanian to respond to Mr. Grunberg communication this message.

### **Minutes**

**MOTION 215-060:** Pilcher moved and Bruinooge seconded to approve the minutes<sup>8</sup> of January 13, 2015. The motion passed 4-0.

### **Executive session**

Pilcher said that the Board will adjourn from open session and enter in executive session and not return to open session. He read the purpose of the executive session and stated that discussing these matters in public meeting may have detrimental effect:

- A.** To conduct a collective bargaining session with the Teamsters Union.
- B.** To discuss strategy with respect to collective bargaining or litigation if the chair declares that an open meeting may have a detrimental effect on the bargaining or litigating position of the Board and the chair so declares.

The selectmen took a roll call vote where Pilcher, Bruinooge, Morrissey and Murphy said “Aye” and the public meeting adjourned at 8:54 pm.

Respectfully submitted,

Michaela Miteva  
Executive Assistant

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<sup>1</sup> Route 6 MassDOT Map

<sup>2</sup> Letter to MassDOT regarding safety measures on Route 6 in Wellfleet

<sup>3</sup> TA Memo on Use of Town Property fees

<sup>4</sup> Suzanne Grout Thomas, Community Development Director memo on beach fires

<sup>5</sup> TA report of January 22, 2015

<sup>6</sup> Correspondence report of January 29, 2015

<sup>7</sup> Vacancy report of January 22, 2015

<sup>8</sup> BOS minutes of January 13, 2015