



**Wellfleet Board of Selectmen
Minutes of June 9, 2015
Wellfleet Senior Center**

Present: Paul Pilcher, Chairman, Dennis Murphy, Berta Bruinooge, Helen Miranda Wilson, Jerry Houk, Town Administrator Harry Sarkis Terkanian and ATA Brian Carlson

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

Announcements and Public Comment

Helen Miranda Wilson announced that SPAT is sponsoring an informational session on vibrio management regulations on June 10, 2015 at 3:30 pm at the Library.

Town Administrator Harry Terkanian announced that on Thursday, June 11, 2015 at 7:00 PM at the Wellfleet Senior Center the Wellfleet Community Forum will host an update of the design process for the Route 6/Main Street intersection. The Town's engineering contractor will review progress to date and will answer questions about the proposed four preliminary design alternatives.

Police Chief Ronald Fisette introduced the new summer Police Officers. Fisette announced that the Sprint Triathlon will take place on June 20, 2015, and warned the public that traffic will be impacted. He also said that a marching band request for a wedding taking place on June 21, 2014 at 4:30 pm has been received and arrangements are being made for safely accommodating the request. Fisette concluded his announcements by saying that one of the unmarked police cars is available to the Selectmen for the 4th of July parade.

Lilli Green invited the public to attend an Energy Fair sponsored by the Energy Committee on June 20, 2015 at the COA from 11:00 am to 4:00 pm. She said that all of the artwork on the posters was done by the WES 5th graders and thanked them for the great work.

Curt Felix announced that the Waste Water Committee has received additional \$75,000 grant money for oyster culching.

Licenses

Jody Craven was present to answer Selectmen's questions about the request for one day beer and wine license on August 22, 2015, 2 pm – 9 pm and waiving General Bylaws Article VII, section 19. Terkanian clarified that there should be a specific liquor liability coverage on the insurance certificate. Wilson requested a \$1,000 bond.

MOTION 215-234: Pilcher moved to approve the one day beer and wine license and the request for waiving General Bylaws Article VII, section 19 by Cape Cod Bay Challenge for August 22, 2015, 2 pm – 9 pm at Baker Field subject to \$1,000 bond, liquor liability coverage and meeting all other department heads conditions on the application. Bruinooge seconded and the motion passed 5-0.

Appointments

Richard Ciotti was present and expressed his interest to serve on the Housing Authority.

MOTION 215-235: Wilson moved and Houk seconded to appoint Richard Ciotti to the Housing Authority with term ending with the 2016 Annual Town Election. The motion passed 5-0.

Wilson recognized the service of Judy Taylor to the Housing Authority.

Charles Cole was present to answer Selectmen's questions about his desire to be appointed back to the Energy Committee.

MOTION 215-236: Bruinooge moved and Wilson seconded to appoint Charles P. Cole to the Energy Committee with term ending June 30, 2018. The motion passed 5-0.

Reappointments

MOTION 215-237: Pilcher moved and Bruinooge seconded to reappoint:

- Kevin LaRocco, George Spirito, Ryan Murphy and Joseph Conroy to full time Police Officer for the period July 1, 2015 - June 30, 2016.
- Laceio De Oliveira, Scott Higgins, Jonathan Hale and Jerre Austin to Special Police Officer for the period July 1, 2015- June 30, 2016.
- Paul Cullity to Special Police Officer – Department Chaplain for the period July 1, 2015- June 30, 2016.
- Leslie Reynolds, Craig Thatcher, Steve Glaser, Christopher Anderson, W. Russell Hughes, Christopher Hartsgrove, Eric Trudeau, Timothy Morrison, Ryan Peterson and Anne Peterson of the NPS to be re/appointed to Special Police Officer for the period July 1, 2015- June 30, 2016.
- Detective Adam Bohannon and Officer Ryan Dagle of Eastham PD, Detective Sergeant David Perry of Truro PD, Detective Richard Alves and Detective Meredith Lobur of Provincetown PD to Special Police Officer for the period July 1, 2015- June 30, 2016.
- Diane Galvin and John Duane to Board of Assessors with terms ending June 30, 2018.
- Hugh Guilderson to Building and Needs Assessment Committee with term ending June 30, 2018.
- Thomas Cole, Richard Gurnsey & Jeffrey Tash to Cable Advisory Committee with terms ending June 30, 2016.
- Curt Felix to Cape Cod Water Protection Collaborative Technical Advisory Committee with term ending June 30, 2017.
- Peter Hall to the Community Preservation Committee with term ending June 30, 2018.
- Edward Simpson and Trudy Vermerhen to the Conservation Commission with terms ending June 30, 2018.
- Ernest Bauer, Maureen Schraut and Evelyn Sheffres to the Council on Aging Board with terms ending June 30, 2018.
- Madeleine Entel, Paula Erickson and Michele Olem to the Cultural Council with terms ending June 30, 2018.
- Janet Drohan and Gary Locke to the Board of Health with term endings June 30, 2018.
- Richard Elkin and Jeffrey Tash to the Energy Committee with terms ending June 30, 2018.
- Maria Burks, Lydia Vivante and Thomas Siggia to the Historical Commission with terms ending June 30, 2018.
- Paul Cullity, Robert Dubeau, Stephen Durkee, Barbara Knapp and Gary Sorkin to Local Housing Partnership with terms ending June 30, 2016.

- Frederick Felix, Joel Fox, William Iacuesa, Alice Iacuesa, Martha Wilson and John A. Wolf to the Marina Advisory Committee with terms ending June 30, 2018.
- John Duane and Ned Hitchcock to Natural Resources Advisory Board with terms ending June 30, 2018.
- Bruce Hurter, Robert Jackson, Elizabeth McDonald, Nancy Rea, Thomas Slack, Lynn Southey and Nancy Golden to Open Space Committee with terms ending June 30, 2016.
- Arlene Kirsch to Personnel Board with term ending June 30, 2018.
- Andrew Freeman and Gerald Parent to Planning Board with terms ending June 30, 2020.
- Bethia Brehmer to the Recycling Committee with term ending June 30, 2018.
- Betsey Patterson to Registrar of Voters with term ending June 30, 2018.
- Barbara Austin, Rebecca Taylor, John Duane and James O'Connell to Shellfish Advisory Board with terms ending June 30, 2018.
- Susan Messina to Taxation Aid Committee with term ending June 30, 2017.
- Neil Gadwa and Hannelore Vanderschmidt to the Board of Water Commissioners with terms ending June 30, 2018.
- Roger Putnam, Trevor Pontbriand and Donald Palladino to Zoning Board of Appeals with terms ending June 30, 2018.

The motion passed 5-0.

Use of Town Property:

Continued from May 26, 2015 discussion ensued about the request of Charlene Weber to use LeCount Hollow Beach from June 22 until August 23 from 7:00 am to 8:30 am on Sundays, Mondays, Wednesdays and Fridays for “Well Fit” class. Miss Weber was present to answer Selectmen’s questions. Houk wanted to hear the opinion of the Beach Administrator Suzanne Grout Thomas about potential RFP in the future. Bruinooge also wanted to hear the opinion of Thomas. Thomas voiced her concerns. Wilson supported the idea for the class. Thomas clarified that the legal name of the beach is Maguire Landing. Terkanian said that previously \$350 use fee has been charged for similar events.

MOTION 215-238: Pilcher moved and Wilson seconded to approve the request of Charlene Weber to use Maguire Landing from June 22 until August 23 from 7:00 am to 8:30 am on Sundays, Mondays, Wednesdays and Fridays for “Well Fit” class. Conditions: proof of liability insurance and \$300 event fee. The motion passed 5-0.

Discussion ensued about the request of Jody Craven and Christa von der Luft to use Mayo Beach and Baker Field on August 22, 2015 from noon to 9:00 pm for stand up paddle boarding event for the Cape Cod Bay Challenge. The applicants addressed Selectmen’s and Town Administrator’s concerns.

MOTION 215-239: Murphy moved and Wilson seconded to approve the request of Jody Craven and Christa von der Luft to use Mayo Beach and Baker Field on August 22, 2015 from noon to 9:00 pm for stand up paddle boarding event for the Cape Cod Bay Challenge. Conditions: application fee has to be paid, nonprofit - no event fee, \$1,000 bond, and proof of insurance with liquor liability coverage. The motion passed 5-0.

MOTION 215-240: Wilson moved and Murphy seconded to approve the request of Voyages Bernard Gendron to use Newcomb Hollow Parking lot for a bus, trailer and a small table for lunch on June 16, October 4 and October 10 between 11:30 AM and 1 PM. Application fee paid; use fee \$100 per occurrence. The motion passed 5-0.

MOTION 215-241: Bruinooge moved and Murphy seconded to approve the request of Scott Nagle, Brohaun to use Cahoon Hollow Beach on August 9, 2015 from 9 am until 5 pm. Conditions: application fee has to be paid, no event fee. The motion passed 5-0.

Business

MOTION 215-242: Wilson moved and Bruinooge seconded to authorize Chairman Pilcher to sign the affordable housing rental restriction for the property of Laurie Frottier at 249 Gross Hill Road. The motion passed 5-0.

Consider and act on a revised charge of the Building and Needs Assessment Committee

Hugh Guilderson, Chair of the Building and Needs Assessment committee talked about why the revised charge is needed in terms to keep the process clear and transparent and to provide funds for maintenance of public buildings. Discussion ensued. Concerns raised were that there was no consistent funding mechanism for repairs and restorations of historical and public buildings. Murphy expressed his support and said how pleased he was with the Committee's activities so far. The other Selectmen unanimously agreed with the proposal.

MOTION 215-243: Wilson moved to approve the changes in the charge as specified in the Building and Needs Assessment Committee letter of request. Murphy seconded and the motion carried 5-0.

Herring River Restoration status update of MOU III and recommendation of design alternative for High Toss Road

Terkanian opened the discussion on the current draft of Herring River Restoration Project (HRRP) MOU III dealing with alternatives for High Toss Road¹ and briefly went over how the project is intended to be implemented. He clarified that this project does not commit the Town to any funding other than what the taxpayers will vote to appropriate. Pilcher had concerns about future maintenance costs. Wilson also expressed her concerns and said that she will distribute a memo with suggestions. Donald Palladino of Friends of Herring River presented the High Toss Road design alternative as presented in MOU III. He talked about the three public hearings held so far. Murphy also had concerns on the future maintenance of the road and said that it would put burden on the Town and the taxpayers. Bruinooge wanted to better understand the recommended option referred to A+. Laura Runkel said that she would like to see a solution for community access. Brant Harold talked about a historical research of the area he had done. Terkanian referred to a letter² from Jody Birchall received via email on the afternoon prior to the meeting. Palladino explained the natural restoration process and how that might impact the road. He also explained the urgency for a Selectmen's decision in terms of funding opportunities for the design process. Murphy talked about 1973 repair of the road by the DPW when the old dike blew out. Wilson gave an example about a similar tidal situation on Lt. Island. Curt Felix wanted to know if similar to Lt. Island solution has been explored. Pilcher directed Paladin to provide a recommendation for some sort of access aka Option A+. Bruinooge supported this idea. Stephen Spear of the Friends of Herring River clarified that access to High Toss Road could be seen in two ways: 1) legal access, and 2) physical access that is already addressed in three out of the four alternatives. He also explained complications of leaving the elevated area of the road and encouraged the Selectmen to make a decision.

MOTION 215-244: Murphy moved and Bruinooge seconded to eliminate options B, C and D and direct Friends of the Herring River to further explore option A+ of the the Herring River Restoration Project. Wilson proposed to amend the motion to not use treated lumber. No one seconded the amendment, Pilcher opposed it and the original motion passed 5-0.

Preschool Voucher Program review and approval of program forms³

Bruinooge had some suggestions to the language on the preschool vouchers application letter to say “enrolled” instead of “attending” an accredited preschool program. Community Services Director Suzanne Grout Thomas agreed with the proposed amendment.

MOTION 215-245: Bruinooge moved and Murphy seconded to approve the Preschool Voucher Program letter and forms as amended. The motion passed 5-0.

Status report from the Citizens Economic Development Committee.

Judith Stiles gave a presentation to the Selectmen about the many programs and activities of the Citizens Economic Development Committee. Pilcher expressed his appreciation the the Committee. Wilson said she also appreciates the activities of the Committee, but wanted to know why the Committee could not take their own minutes. David Rheault, Chair of the Committee answered the question by saying that historically the Assistant Town Administrator Rex Peterson has been taking the minutes. Houk talked about previous success of the holiday stroll back in the 80’s and suggested revisiting this.

Recess at 8:37 PM. The meeting resumed at 8:43 PM.

Re-landscaping proposal for Town Hall lawn

Terkanian presented the first cut plans⁴ for re-landscaping the Town Hall lawn. The Selectmen decided to revisit this matter at a future meeting.

Appeal of Murro Van Meter regarding award of Newcomb Hollow concession contract

Murro Van Meter withdrew his appeal of the original decision. He also brought to the Selectmen’s attention the fact that the winning bidder has not been present on site on regular bases and said that he thinks this can be used as a way to dismiss the bid award and re-award it. Terkanian presented information about the mean weather temperature in May and the first week of June in terms of beach weather. He confirmed that the Town has been paid by the vendor Winterbottoms for the full bid award. Suzanne Thomas confirmed that she had a conversation with the Winterbottoms on how many days they have been on site. Van Meter referred to a contract provision requiring the winning bidder to be present on any given beach day. Houk spoke about the importance of being consistent. Wilson gave her interpretation of the contract provisions for being present. No action was taken by the Selectmen.

Discussion of Selectmen’s goals for FY 2016

Each of the Selectmen presented their goals for FY16 as follows:

Berta Bruinooge: 1. Overall increase in FY 2017 operating budget to be within Proposition 2½;
2. Each department to review current fees and to suggest feasible increase; 3. Maintain current level of service without hiring additional full time employees

Helen Miranda Wilson: 1. Go through all BOS policies, add new as needed and reorganize their content; 2. Begin a cycle of forensic reviews of Town departments; 3. Improve methods of financial intake and output.

Jerry Houk: 1. Better planning for maintenance of municipal buildings. It may involve hiring a separate maintenance crew

Dennis Murphy: 1. Find a funding source for maintenance and repair of public buildings; 2. Conduct a performance audit on one of the Big 3 budgets per year; 3. Create open communication with the Board of the Water Commissioners to work together on updating the Master Plan of the Wellfleet Municipal Water System.

Paul Pilcher: 1. Marina Dredging; 2. Continue to look for new options for revenue; 3. Collaborate with other Outer Cape Towns and Community Development Partnership (CDP) to create “Outer Cape Summit” for housing, employment, jobs, planning and zoning.

Pilcher said that he will assemble a list of prioritized goals for the next meeting.

Coast Guard request⁵ for resident beach stickers rates to guardsmen stationed at Provincetown
MOTION 215-246: Bruinooge moved and Murphy seconded to approve the Coast Guard request that the Town offer beach stickers at Wellfleet resident rates to guardsmen stationed at Provincetown. The motion passed 5-0.

Request for waiver of claims against the Commonwealth associated with railroad right of way taking by Massachusetts DCR

Terkanian presented the request for waiver of claims against the Commonwealth associated with railroad right of way taking by Massachusetts DCR⁶ and gave a historical background of the request by referring to documents⁷ in the meeting packet.

MOTION 215-247:

Bruinooge moved and Wilson seconded to approve the request for waiver of claims against the Commonwealth associated with railroad right of way taking by Massachusetts DCR. The motion passed 5-0.

Review and approval of extension to the IT support contract with Barnstable County

MOTION 215-248: Murphy moved and Bruinooge seconded to approve the extension to the IT support contract with Barnstable County IT. The motion passed 5-0.

Town Administrator’s Report

Terkanian presented his report⁸ and added three additional items:

1. The FY15 budget is on schedule
2. He reported that he is working with the BWC on master plan update. Possibly an engineering intern from Tufts will be used to research alternatives to traditional Water System expansions.
3. He will be appointing the Executive Assistant to be also the Water System manager.

Future Concerns

Terkanian proposed the following for consideration for future Board agendas

- Accepting MGL Chapter 32B sections 21-23
- FY15 transfers are expected to be available for June 23, 2015 meeting; the deadline for transfers is July 15, 2015.
- Public hearing on snow and ice removal and maintenance of private roads will be scheduled for June 23 or July 14 meeting.
- The Marina Advisory Board is working on combining Mooring and Marina regulations in single document. A public hearing will be scheduled for the Selectmen to consider the change.

- Mayo creek restoration committee would like to be on June 23 meeting agenda
- Public hearing on amending Shellfish Rules and Regulations on gear heights limits for one of the meetings in July.
- July and August meeting schedule

Correspondence and Vacancy Report

Wilson presented the correspondence⁹ report. Terkanian suggested advertising or sending a press release to the media about the upcoming board and committee vacancies¹⁰.

Minutes

Pilcher had two changes to the minutes¹¹ of May 26, 2015: 1. Add the vote to motion 215-227 and 2. Item 5 on Future Concerns should read duck bill not duct bill.

MOTION 215-249: Bruinooge moved and Murphy seconded to approve the minutes of May 26, 2015 as amended. The motion passed 5-0.

Executive session & Adjournment

Pilcher read the purpose of the executive session in public meeting: *To conduct a grievance hearing involving the Wellfleet Police Officer's Union* and stated that discussing it in open session may have a detrimental effect.

MOTION 215-250: Bruinooge moved and Wilson seconded to enter into executive session and not go back into public session. The motion passed by each Pilcher, Murphy, Bruinooge, Wilson and Houk saying "Aye". The public meeting adjourned at 9:20 pm

Respectfully submitted,

Michaela Miteva, Executive Assistant

Public Record Documents

¹ Herring River Restoration status update of MOU III and recommendation of design alternative for High Toss Road

² Email letter from Jody Birchall regarding HRRP and High Toss Road dated June 9, 2015

³ Proposed letter and forms for Preschool Vouchers

⁴ First cut of plans to re-landscape the Town Hall lawn

⁵ Coast Guard request for resident beach stickers rates to guardsmen stationed at Provincetown

⁶ Documents related to the request for waiver of claims against the Commonwealth associated with railroad right of way taking by Massachusetts DCR

⁷ Supporting documents on Railroad taking from Mass DCR

⁸ TA report of June 5, 2015

⁹ Correspondence report of June 9, 2015

¹⁰ Vacancy report of June 5, 2015

¹¹ Minutes of May 26, 2015