



**Wellfleet Board of Selectmen  
Minutes of December 6, 2016  
Wellfleet Senior Center**

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

Murphy called the meeting to order at 7 PM.

**Announcements, Open Session and Public Comment [7:00]**

- ☐ Wilson expressed appreciation to Peter Hall for his volunteer service to the Town.
- ☐ Police Chief Ron Fisette announced a movie with Santa on Saturday, December 10 and invited the public to attend. He also said that “Toys for Tots” is going on until Sunday, December 11 and asked for participation in the program.
- ☐ Don Palladino announced bi-monthly Herring River Restoration Project (HRRP) open meetings at the Library starting in January. More publicity and details will follow. He added that in the spring there will be outreach in collaboration with WHAT Theater. The Friends of Herring River continue to meet with individual property owners and encouraged concerned residents to contact them.
- ☐ Brian Carlson said that the Town is has been classified as Class 8 with the FEMA Community Rating System and this will result in about 10% reduction on flood insurance premiums.
- ☐ Sky Freis-Cole shared a flyer about a winter stroll on Saturday from 4-5:30 pm organized by the Wellfleet Chamber of Commerce. Houk thanked Freyss-Cole for bringing the Christmas stroll back.
- ☐ Trudy Vermehren and Tim Callis gave an update on the Wellfleet Arbor Committee proposal to the CPC and said that they are going forward with the funding application and will bring more information to the Selectmen in the near future.

Murphy opened the public hearings at 7:05 pm. The Shellfish Constable had provided his recommendations in writing with the Board of Selectmen meeting materials.

**Public Hearing: Transfer shellfish grant license # 05-01 from Nate O. Johnson to Nate O. Johnson and Rodney Avery**

**MOTION 217-135:** Reinhart moved and Bruinooge seconded to approve the request of Nate O. Johnson to transfer shellfish grant license # 05-01 from Nate O. Johnson to Nate O. Johnson and Rodney Avery. The motion passed 5-0.

**Public Hearing: Renewal of shellfish grant license # 792 for a ten-year period.**

Reinhart wanted to know more information about ARC. A representative of ARC provided details about the corporation. Wilson said that under 7.8.7 there are certain requirements and asked if the regulations are followed. Bruinooge clarified that these reports go to the Shellfish Constable, not to the Board of Selectmen. The applicant had the 2015 and 2016 reports and presented them to Wilson.

**MOTION 217-136:** Houk moved and Wilson seconded to approve the application from ARC to renew shellfish grant license # 792 for a ten-year period. The motion passed 5-0.

**Public Hearing: Transfer shellfish grant license # 2000-2 from Stephen Pickard to Stephen Pickard, Iris R. Pickard and Benjamin T. Pickard and to renew it for a ten-year period.**

**MOTION 217-137:** Houk moved and Wilson seconded to approve Stephen Pickard's request to transfer shellfish grant license # 2000-2 from Stephen Pickard to Stephen Pickard, Iris R. Pickard & Benjamin T. Pickard & to renew shellfish grant license #2000-2 for a ten-year period. The motion passed 5-0.

**Public Hearing: Amendment of Shellfishing Rules and Regulations definitions, table of contents and section 7.16.**

Wilson explained the need for the proposed changes to the Shellfishing Rules and Regulations.

**MOTION 217-138:** Reinhart moved to approve to amend Shellfishing Rules and Regulations definitions, table of contents and section 7.16. Bruinooge seconded and the motion passed 5-0.

**Public Hearing: Request of Caroline J. Parlante for the Bombshelter Pub to remain open until 2 am on New Year**

**MOTION 217-139:** Houk moved to grant the request of Caroline J. Parlante for the Bombshelter Pub to remain open until 2:00 am on New Year's Eve. Reinhart seconded and the motion passed 5-0.

**Appointment: Brett Morse for appointment to Shellfish Advisory Board**

Brett Morse expressed his interest to serve on the Shellfish Advisory Board. Bruinooge endorsed the application of Morse. Wilson asked if Morse had ever attended SAB meetings, and thanked him for his willingness to serve. Barbara Austin clarified that there is a regular and an alternate vacancy on the SAB.

**MOTION 217-140:** Bruinooge moved and Reinhart seconded to appoint Brett Morse to the Shellfish Advisory Board with term ending June 30, 2019. The motion passed 5-0.

**Appointment: Christiane Mason for appointment to Cape Light Compact (alternate) and Energy Committee (alternate)**

Christiane Mason presented her interest to serve the community as an alternate member on the Energy Committee and as a Wellfleet representative on the Cape Light Compact. Dick Elkin endorsed her application.

**MOTION 217-141:** Houk moved and Bruinooge seconded to appoint Christiane Mason as Wellfleet representative on the Cape Light Compact (alternate) and to the Energy Committee (alternate) with a term ending June 30, 2019. The motion passed 5-0.

**Appointment: David Mead-Fox for appointment on the Energy Committee (alternate)**

David Mead-Fox expressed his interest to serve on the Energy Committee as an alternate member. Dick Elkin supported Mead's application.

**MOTION 217-142:** Wilson moved and Reinhart seconded to appoint David Mead-Fox as an alternate member on the Energy Committee with a term ending June 30, 2019. The motion passed 5-0.

**Appointment: Stephen Cooney for appointment on the Marina Advisory Board**

Stephen Cooney presented his interest to serve on the Marina Advisory Board.

**MOTION 217-143:** Reinhart moved and Bruinooge seconded to appoint Stephen Cooney to the Marina Advisory Board with a term ending June 30, 2018. The motion passed 5-0.

**Reappointment: Shellfish Constable - Andrew Koch**

Wilson opened the discussion by saying that the Board should decide whether to renew Koch's contract or not. Houk said that Koch should be given the opportunity to meet in Executive Session with legal representation or have the meeting in open session. Discussion ensued where the selectmen discussed terms of renewal of the contract with Koch.

**MOTION 217-144:** Houk moved to reappoint Andrew Koch to be the Shellfish Constable for 90-day period. Bruinooge seconded. Wilson supported Houk's idea for giving Koch a choice for executive or open session, but did not find the 90-day contract extension appropriate. Bruinooge explained that the 90-day reappointment will give the Board time to make a decision. Reinhart agreed with Bruinooge. Houk reconsidered his motion to be for up to 60-day reappointment. Koch said that for the 13 years serving as Shellfish Constable he has always tried to do his best, but for all these years he had encountered a lot of back talk. Koch expressed preference for a public session, since he has nothing to hide and asked for the 60-day extension after his December 31, 2016 contract expiration. The motion passed 4-1 (Wilson). The Board verbally agreed to initiate a review process as soon as possible after the holidays.

**Reappointment: Assistant Shellfish Constable – John Mankevetch**

John Mankevetch said that he loves his job as Assistant Shellfish Constable and would like to continue.

**MOTION 217-145:** Houk moved and Wilson seconded to reappoint John Mankevetch as Assistant Shellfish Constable with a term ending December 31, 2019.

**Reappointment: Deputy Shellfish Constable – Christopher Manulla**

Christopher Manulla expressed his desire to continue to serve as Deputy Shellfish Constable.

**MOTION 217-146:** Wilson moved and Bruinooge seconded to reappoint Christopher Manulla as Deputy Shellfish Constable with a term ending December 31, 2019.

**Use of Town Property: Richard Murphy Jr. to use Mayo Beach on June 2, 2017, 2–5pm for a wedding.**

**MOTION 217-147:** Bruinooge moved and Wilson seconded to approve the request of Richard Murphy Jr. to use Mayo Beach on June 2, 2017, 2–5 pm for a wedding ceremony with a fee due \$100. Wilson said that the Recreation Department comments need to be taken into consideration. The motion passed 5-0.

**Use of Town Property: Friends of the Library to use Town Hall Driveway on July 9 and August 6, 2017 (rain dates 7/16 & 8/13), 9–11 am for annual book sale.**

**MOTION 217-148:** Wilson moved and Bruinooge seconded to approve the request of Friends of the Library to use Town Hall Driveway on July 9 and August 6, 2017 (rain dates 7/16 & 8/13), 9–11 am for annual book sale with no fee. The motion passed 5-0.

**Use of Town Property: Wellfleet Chamber of Commerce to hold a Holiday Tree Lighting on December 10, 2016, 4–5:30 pm at Town Hall front lawn.**

**MOTION 217-149:** Reinhart moved and Bruinooge seconded to approve the request of Wellfleet Chamber of Commerce to hold a Holiday Tree Lighting on December 10, 2016, 4–5:30 pm at Town Hall front lawn. Wilson referred to the gas inspector's comment for hooking up the proposed gas heater by a licensed plumber. The motion passed 5-0.

**Business: Discussion of vacant parcels of land with authorized Planning Board members**

Gerry Parent, Planning Board Chair and Alfred Pickard, member of the Planning Board said that the purpose for this discussion is the former Edwina Wright's property on School Street. They explained that there was a proposal for a preliminary subdivision brought to the Planning Board and the resulting complications with this proposal. Parent said that the Planning Board has voted unanimously to recommend to the Board of Selectmen to review the land and consider purchasing the property to use it for additional parking. Parent said that the Congregational Church has also expressed a desire to purchase it, possibly in partnership with the Town. Houk wanted to know which lot would be the considered for purchase with the church. Parent explained that the purchase could be structured contingent on access through the church parking lot. Parent said that CPC funds are not available for parking lots, but if the property was purchased for affordable or

senior housing, then CPC funds could be appropriated. Houk wanted to know if the Conservation Trust could be involved in determining the use of the property and its restrictions and possibly purchase it. Bruinooge liked the Planning Board's proposal, but wanted to know how much acreage is involved. Parent answered the question. Reinhart also found the idea good, but suggested first finding out if the Church has any interest for collaboration. Wilson said that the Board has not received any information in advance with the meeting packets and requested compliance with the meeting materials and agenda protocol. Pickard said that this is an opportunity to possibly acquire the last vacant lot in down town. Murphy said that the Board needs to establish a direction and decide how to proceed. Wilson wanted to confirm that there was a consensus for purchasing it, and the Board verbally expressed desire to further pursue this matter. The discussion concluded without any action taken by the selectmen.

**Business: Update on progress of Route 6 and Main Street intersection design.**

Jill McLaughlin, P.E. of Stantec gave an update on the progress of the Route 6 and Main Street intersection design. The highlights of the presentation included a project timeline, the proposed design, areas of environmental sensitivity concerns, road safety audit findings and proposed design considerations, including an upgrade of the signal equipment, left turn lanes and improved drainage and pavement, together with design alternatives. In conclusion McLaughlin said that MassDOT is in agreement with the proposed designs. She clarified that before construction can begin, temporary right-of-way access will have to be secured. She also said the MassDOT has asked for evaluation of roundabout at the intersection and determination of whether it would be more beneficial than a traffic signal. The findings will be presented to the Town and MassDOT and the decision will be based on the study findings. McLaughlin said that the initial submission will be in the spring of 2017. Murphy suggested that a long trailer making a left turn should be considered when studying and evaluating the options. Murphy wanted to know if any land takings will be needed for adding sidewalks. Wilson wanted to find out how bicycles will be accommodated. Bruinooge said that cars will have to slow down considerably to about 25 miles an hour if there was a roundabout and said that there is a big difference at this intersection during the summer. The Board did not support the rotary option. Police Chief Fiset said that the MassDOT needs to be informed about the Town's position on the bike lanes. All feedback was appreciated by McLaughlin, who will bring it to the engineering team. The consensus of the Board was to move on with the bike lanes. Elkin suggested that there should be a public forum to inform the community about the plans sometime in January.

**Business: Disposition of town land to the care and custody of the Conservation Commission. Map 8 Lot 270 and Map 41 Lot 189. [Open Space Committee]**

ATA Brian Carlson presented the request of the Open Space Committee and referred the Board to his memo<sup>1</sup> on the subject.

**MOTION 217-150:** Wilson moved to direct the TA to begin the process for disposition of town-owned land Assessors Map 8 Lot 270 and Map 41 Parcel 189. Bruinooge seconded and the motion passed 5-0.

**Business: Citizens for Community Policing/Recovery 349 – request for funding for Mental Health/Substance Abuse Navigator**

Dennis Cunningham presented a request for funding for a Mental Health/Substance Abuse Navigator. He explained that a Mental Health/Substance Abuse Navigator is a person who assist people to get through the healthcare system and talked about the benefits of having such Navigator. He said that the request was to direct the TA to reach out to OCHS to find out what it would take to hire a Mental Health/Substance Abuse Navigator. He also said that the State has just updated their study *My Choice Matters* and the new findings about substance abuse in Massachusetts. Bruinooge wanted to know if this was more of a health issue and should it be under the Health Agent purview. Wilson shared her understanding of this position based on information she got about Provincetown. She suggested having multiple navigators all over Barnstable County. Reinhart said that OCHS Director Barbara Prazak is in support of this. Wilson wanted to find out

what the County is doing about this. The Selectmen had a unanimous consensus to go forward with this matter.

**Business: Vote to authorize the TA to sign a Contract with Coastal Engineering for design of expanded parking and new septic system at White Crest Beach parking lot**

Hoort explained that this was approved at 2014 Town Meeting. A recent RFQ was conducted and Coastal Engineering was the successful proposer. Wilson suggested no trees to be planted at the site.

**MOTION 217-151:** Bruinooge moved and Wilson seconded to authorize the TA to sign a Contract with Coastal Engineering for design of expanded parking and new septic system at White Crest Beach parking lot. The motion passed 5-0.

**Business: Authorize the TA to sign a three-year contract with Challenger Sports for soccer camp.**

Per Wilson's suggestion the Board discussed an amount for a reasonable bond deposit.

**MOTION 217-152:** Wilson moved to authorize the TA to sign a three-year contract with Challenger Sports for soccer camp and to require a \$2,500 annual bond for each year of the contract in addition to the \$525 use fee for each year of the contract. Bruinooge seconded and the motion passed 5-0.

**Business: Revised letter of support to Governor Baker to close Pilgrim Nuclear Power Plant<sup>2</sup>**

**MOTION 217-153:** Wilson moved to vote to send the revised letter of support to Governor Baker to close Pilgrim Nuclear Power Plant. Bruinooge seconded and the motion passed 5-0.

**Business: Request for early dismissal on December 20, 2016 for employee Christmas Party at the COA.**

**MOTION 217-154:** Bruinooge moved to vote to approve an early dismissal for non-essential employees on December 20, 2016 for employee Christmas Party at the COA. Reinhart seconded and the motion passed 5-0.

**Business: Authorize the TA to sign Chapter 91 Waterways Dredging Application<sup>3</sup>**

**MOTION 217-155:** Bruinooge moved to vote to authorize the TA to sign Chapter 91 Waterways Dredging Application. Houk seconded and the motion passed 5-0.

**Town Administrator's Report<sup>4</sup>**

Wilson wanted to know the status of filling the Building Inspector's and Town Accountant's vacancy. Hoort said that four Building Inspector applications have been received and six Town Accountant applications and interviews will be scheduled in the next few weeks.

**Topics for Future Discussions**

- ☐ Bruinooge asked for a hand mike for people who speak from the floor.
- ☐ Reinhart said that many people in Town are talking about water – drinking, harbor, and shellfish and suggested getting together with the Marina Advisory Board and Board of Water Commissioners to brainstorm about water issues and challenges.
- ☐ Murphy reminded the Board that there has been a letter from Slade Associates about the Landing Strip survey. The Town Administrator should have this adjusted at the next assessor's atlas update. Wilson suggested talking about this in executive session.
- ☐ Murphy suggested scheduling a public hearing about a shellfishing regulation violation for the first meeting in January.
- ☐ Wilson asked the Board to consider the Charter Review Committee proposal for delegating the signing of routine warrants to designated staff.
- ☐ Wilson said that the Pleasant Point property matter should be discussed in Executive Session

- ☐ Wilson suggested revisiting the blood arc harvest limit and providing the Shellfishing Policy and Regulation to licensees and permit holders.
- ☐ Houk has been approached by two taxpayers shell fishermen who own grants and wanted to know why the Town does not charge rents for grants.

## **Correspondence<sup>5</sup> and Vacancy<sup>6</sup> Report**

**Minutes** [November 1 & November 15, 2016]

**MOTION 217-156:** Wilson moved and Reinhart seconded to approve the minutes<sup>7</sup> of November 1 as amended by Wilson. The motion passed 5-0.

**MOTION 217-157:** Wilson moved and Reinhart seconded to approve the minutes<sup>8</sup> of November 15 as printed. The motion passed 5-0.

## **Adjournment:**

**MOTION 217-158:** Bruinooge moved and Wilson seconded to adjourn the meeting at 10:05 pm. The motion passed 5-0.

Respectfully submitted,

Michaela Miteva, Executive Assistant

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<sup>1</sup> ATA memo on Open Space request for disposition of town-owned land Assessors Map 8 Lot 270 and Map 41 Parcel 189

<sup>2</sup> Draft letter of support to Governor Baker to close Pilgrim Nuclear Power Plant

<sup>3</sup> Chapter 91 Waterways application

<sup>4</sup> TA Report of December 2, 2016

<sup>5</sup> Correspondence report of December 6, 2016

<sup>6</sup> Vacancy report of December 2, 2016

<sup>7</sup> Draft minutes of November 1, 2016

<sup>8</sup> Draft minutes of November 15, 2016