



**Wellfleet Board of Selectmen  
Minutes of November 22, 2016  
Wellfleet Senior Center**

**Present:** Selectmen Dennis Murphy, Helen Miranda Wilson (arrived for the public meeting at 7 PM), Janet Reinhart; Berta Bruinooge, Jerry Houk (arrived at 6:20 PM); Town Administrator Dan Hoort and Assistant Town Administrator Brian Carlson

In open session Chairman Dennis Murphy called the meeting to order at 6:00 pm and read the purpose of the executive session as printed on the Agenda for November 22, 2016 and stated:

**MOTION 217-117:** I move that the Board of Selectmen vote, Pursuant to MGL C. 30A, §21, Clause [3] to go into executive session for the purpose to discuss strategy with respect to collective bargaining and litigation; and to review the current status and strategy recommendations with Town Counsel with regard to the matters listed on the November 22, 2016 agenda. Having this discussion in open session would have a detrimental effect on the bargaining and litigation position of the Town. The Board will convene in open session thereafter. Bruinooge seconded and the motion passed by a roll call vote where each Murphy, Bruinooge and Reinhart said “Aye”.

**OPEN SESSION (7:03 PM, Great Pond Room)**

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

- ☐ Denny O’Connell announced a farewell celebration on December 8, 2016 from 4 pm to 6 pm at the COA in recognition of the volunteering services of Peter and Marika Hall, who will be leaving town.
- ☐ Reinhart announced that after the recent Harbor closure shellfishermen need help and encouraged everyone to buy oysters for the holidays.

**Licenses: Liquor License Renewals**

**MOTION 217-118:** Reinhart moved and Wilson seconded to approve the applications for Liquor License renewals of Bookstore & Restaurant; The Wagner at Duck Creek; Marconi Beach Restaurant; Seaside Liquors; Wellfleet Marketplace; Finely JP’s; Wellfleet Mobil; The Wicked Oyster; Wellfleet Harbor Actor’s Theater; PB Boulangerie Bistro; Wellfleet Preservation Hall; JB’s Pizza Bar & Grill; Blackfish Variety. The motion passed 5-0.

**Licenses: Common Victualers Business License Renewals**

Wilson recused from voting on Moby Dicks business license renewal because of being an abutter to the venue.

**MOTION 217-119:** Reinhart moved and Bruinooge seconded to approve the Common Victualer’s license renewal for Moby Dicks. The motion passed 4-0.

**MOTION 217-120:** Wilson moved and Reinhart seconded to approve the common victualler’s license renewal applications for Blackfish Variety; Boathouse Fish Market; Bob’s Sub & Cone; Box Lunch; Bocce Italian Grill; Catch of the Day; Cumberland Farms; Even’tide; Express Mart; Flying Fish Café; Hatch’s Fish Market; JB’s Pizza Bar & Grill; Lighthouse Restaurant; Mac’s Seafood Takeout; PJ’s Family Restaurant;

South Wellfleet General Store; Van Rensselaer's; Wellfleet Beachcomber; Wellfleet Marketplace; Wellfleet Motel & Lodge; Winslow's Tavern. The motion passed 5-0.

**Licenses: Automatic Amusement License Renewal: Bob's Sub & Cone**

**MOTION 217-121:** Rinehart moved and Bruinooge seconded to approve the Automatic Amusement License renewal application for Bob's Sub & Cone. The motion passed 5-0.

**Licenses: Weekday Entertainment License Renewal: Bocce Italian Grill; Flying Fish Café; Van Rensselaer's; Wellfleet Beachcomber; Winslow's Tavern**

Per Wilson's suggestion the review of Bocce Italian Grill application for Weekday Entertainment License was tabled until a representative is able to attend the Board's meeting.

**MOTION 217-122:** Wilson moved and Reinhart seconded to approve the applications for Weekday Entertainment License Renewal of Flying Fish Café; Van Rensselaer's; Wellfleet Beachcomber and Winslow's Tavern. The motion passed 5-0.

**Appointment Request(s): Anne E. Freyss for appointment to the Historical Commission**

Anne Freyss expressed her interest to serve on the Historical Commission.

**MOTION 217-123:** Houk moved to appoint Anne Freyss to the Historical Commission with term ending June 30, 2017. Reinhart seconded and the motion passed 5-0.

**Appointment Request: Lew Schwartz to Cultural Council with term ending June 30, 2019**

Lew Schwartz presented his interest to serve on the Cultural Council.

**MOTION 217-124:** Bruinooge moved and Wilson seconded to appoint Lew Schwartz to the Cultural Council with term ending June 30, 2019. The motion passed 5-0.

**Use of Town Property: Mayo Beach on September 9, 2017, 4 pm-5 pm for a wedding ceremony**

**MOTION 217-125:** Reinhart moved and Bruinooge seconded to approve the request of Elizabeth McKeon & Nathan Paoletta to use Mayo Beach on September 9, 2017, 4 pm - 5 pm for a wedding ceremony; Wilson added that no parking spaces can be guaranteed and applicants will be responsible for trash pick-up after the event. The motion passed 5-0.

**Use of Town Property: Mayo Beach from mid-June through early September for yoga classes**

**MOTION 217-126:** Bruinooge moved and Reinhart seconded to approve the request of Della Spring to use Mayo Beach on Tuesdays & Thursdays from June 20 to September 21, 2017 from 8:30 am to 9:45am for yoga classes with event fee \$200 and proof of liability insurance. The motion passed 5-0.

**Use of Town Property: Baker Field for Soccer Camp August 21-August 25, 2017**

The selectmen asked for a signed contract for the soccer camp. A representative from Challenger Sports explained that the contract is pending approval of the use request. Community Services Director Suzanne Grout Thomas referred to her memo for the use of Town property fee and recommended a use fee of \$525 per each year.

**MOTION 217-127:** Bruinooge moved, contingent on receiving a copy of the 3-year contract to approve the Challenger Sports request to use Baker's Field for soccer camp from August 21 to August 25, 2017. The event fee will be \$525. The motion passed 5-0.

**Business: Review of the Shellfish Department Budget**

Murphy explained that the review of the Shellfish Department budget is one of the BOS 2016-2017 goals. Shellfish Constable Andrew Koch answered questions about contract services, staffing and culching needs and challenges. Reinhart wanted to know what the revenue of the department is. Koch said that the shellfish permits revenue and other information is with the Principal Clerk. Koch explained that on paper it looks like the department is losing, but in reality people come to Wellfleet for the Wellfleet Oysters and shellfishermen are making a livelihood. Reinhart asked to have the shellfish permits numbers and revenue included in the annual report. Wilson explained that the Division of Marine Fisheries (DMF) provides statistics, but this does not include the wild fisheries. Hoort said that for next year's budget, he will expect more detailed information for the functions of each department. He will also be working on the economic value and benefit of the harbor and shellfishing industry. Wilson wanted to know how cost effective recreational shellfishing is and how many hours are put into it for enforcement and compliance, and requested this information in writing. Bruinooge wanted to know how much revenue recreational licenses bring in. Principal Clerk Jeanne Maclauchlan will provide the numbers. Koch said that it will take a full year for the written reports to be prepared. Murphy said that a concern has been brought to him that the fishery has not been doing well, and advised that Koch needs to set achievable goals to improve the shellfishing industry. Koch said that he can set bigger goals, but this would cost money. Koch explained the culching cost and challenges with trucking culch from off Cape. Murphy wanted to know why DPW trucks are not utilized to bring shells back when they are coming from recycling centers off Cape. Brett Morris said that as a wild picker he does not think that there is a need for any more shells, because the shells do not provide good cultch and there must be a better option. Koch confirmed that the oyster shells are the best option, but the take out is much bigger than the return. Tim Hughes said that an experiment was done years ago with cultch with and without oyster seed. Wilson wanted to know what happened with the upweller. Koch said that this equipment did not work and he had asked former TA Tim Smith what to do with it and was told that if the asset was under \$500 to dispose it. Barbara Austin had a question about the Zimmerman property and plans for future. Koch said that using the grant was arranged for another year and since the property is for sale, this may not be an issue soon. Hoort explained that the rent for the grant currently is \$2,500 and the new request is for \$10,000. Koch said that if this arrangement with the Zimmerman's does not work out he has a different area off of Indian Neck. The discussion concluded with a request for providing more details and updates on the monthly report.

**Business: Review and approval of 2017 Board of Selectmen Meeting Calendar<sup>1</sup>**

**MOTION 217-128:** Reinhart moved to approve the 2017 Board of Selectmen Meeting Calendar as printed. Wilson seconded and the motion passed 5-0.

**Business: Senior Citizen Property Tax Work-Off Policy<sup>2</sup> (127) – Increase from \$1,000 to \$1,500 the maximum abatement a taxpayer over 60 years old may earn each fiscal year.**

Wilson wanted to know the number of participants over the last year Suzanne Grout Thomas said that there are seven participants currently. They help in the Tax Collector's and Assessor's office, Health & Conservation, Library and Building Department. Terkanian wanted to know if there is a similar change for the Veteran's Tax Work Off policy.

**MOTION 217-129:** Bruinooge moved to amend the Senior Citizen Property Tax Work-Off Policy (127) – Increase from \$1,000 to \$1,500 the maximum abatement a taxpayer over 60 years old may earn each fiscal year. Wilson seconded and the motion passed 5-0.

There is another change requested by Hoort, but this will be presented at a future meeting.

### **Business: Gull Pond Road Local Initiative Program Regulatory Agreement Release**

Elaine McIlroy on behalf of Ted Malone presented a request to release the Gull Pond Road Local Initiative Program Regulatory Agreement.

**MOTION 217-130:** Reinhart moved to release the Local Initiative Program Regulatory Agreement. Bruinooge seconded and the motion passed 5-0.

### **Business: Authorize TA to sign Notice of Award<sup>3</sup> of Police Station Renovation to General Contractor**

**MOTION 217-131:** Bruinooge moved to award the police station renovation contract to J.J Cardosi, Inc and to authorize the TA to sign the notice of award. Reinhart seconded and the motion passed 5-0.

### **Business: Vote to sign and send a letter of support<sup>4</sup> to our legislative State and Federal delegation supporting the need for the Army Corps to fund and dredge the Federal channel.**

Reinhart suggested contacting more legislators for support. Hoort said that he will put a sample letter on the web site for interested parties to use and customize.

**MOTION 217-132:** Bruinooge moved to approve, sign and send a letter of support to legislative State and Federal delegation requesting the Army Corps to fund and dredge the Federal Channel. Reinhart seconded and the motion passed 5-0.

### **Town Administrator's Report<sup>5</sup>**

Bruinooge had a question on Route 6 and Main St intersection design. Hoort said that this will come in front of the Board on December 6.

### **Topics for Future Discussions**

- ☐ Bruinooge – get a response to Alex Hay/SPAT's letter demanding course of action for Noro virus.
- ☐ Wilson - Letter to Governor Baker for Pilgrim Nuclear Power Plant closure; Follow-up with Mark Forest; Use of Town Property beach requests to be logged in a calendar.
- ☐ Reinhart – follow-ups on the tree cutting, dog complaints and snow plowing complaints; Discussion with OCHS about Mental Health and Substance Abuse Navigators.

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

#### **Minutes**

**MOTION 217-133:** Reinhart moved and Wilson seconded to approve the minutes<sup>8</sup> of October 25, 2016 as amended by Wilson. The motion passed 5-0.

#### **Adjournment:**

**MOTION 217-134:** Reinhart moved and Wilson seconded to adjourn the meeting at 9:11 pm. The motion passed 5-0.

Respectfully submitted,

Michaela Miteva, Executive Assistant

<sup>1</sup> 2017 BOS Meeting Schedule

<sup>2</sup> Senior Citizens Tax Work-Off Policy

<sup>3</sup> Notice of Award for Police Station Renovation

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<sup>4</sup> Letter of support to legislators to support a request to Army Corps for federal channel dredging

<sup>5</sup> TA report of 11/18/16

<sup>6</sup> Correspondence report of 11/22/16

<sup>7</sup> Vacancy report of 11/18/16

<sup>8</sup> Draft minutes of 10/22/15