



Board of Selectmen

RECEIVED
TOWN OF WELLFLEET
2017 MAY -5 AM 11:53

The Wellfleet Board of Selectmen will hold a public meeting on Tuesday, May 9, 2017 at 7:00 p.m. at the Wellfleet Senior Center, 715 Old Kings Highway, Wellfleet, MA 02667. It is anticipated that the meeting will be recorded by the Town. Anyone else desiring to record the meeting may do so only after notifying the chair and may not interfere with the conduct of the meeting.

- I. Announcements, Open Session and Public Comment [7:00]** *Note: Public comments must be brief. The Board will not deliberate or vote on any matter raised solely during Announcements & Public Comment.*
- II. Public Hearing(s) [7:05]**
 - A.** Request of Sheila Hooeboom for Chapel of St. James Fisherman for a One Day Beer and Wine license at the Wellfleet COA on July 20, 2017 from 6pm – 10pm.
 - B.** Bocce Italian Grill LLC, Minina Benevento, Manager, for an alteration of licensed premises adding additional service areas on the south side and north side bocce court.
 - C.** Flying Fish Café, Sarah R Robin, Manager, for an alteration of licensed premises to include proposed additions to the building.
- III. Licenses: Common Victualler's**– Bol Organic Acai Bowls; Leaside Café; Solace Food Truck; Mainstay Motor Inn; **Food Truck** - Leaside Café; Solace Food Truck; **Used Car Dealer's License** – Slaibi Enterprises
- IV. Appointments/Reappointments**
 - A.** Marc Strauss to Wellfleet Cultural Council with term ending June 30, 2020.
 - B.** Ruth Marriott to Recreation Committee to the Recreation Committee with term ending June 30, 2020.
- V. Use of Town Property**
 - A.** Request of Lindsay Mahoney to use Duck Harbor on July 8, 2017, 3-4 pm for a wedding ceremony.
 - B.** Request of Linda Newman Goetzel to use the Penny Patch on May 28, 2017, 2-8 pm for a wedding ceremony.
 - C.** Mike Lydon & Jen Harrison to use Indian Neck Beach on May 27, 2017, 2-4 pm for a wedding ceremony.
 - D.** Request of Capt. William D. Sprague, Barnstable County Technical Rescue Team to use White Crest Beach on May 11, 2017, 9 am – 4 pm to conduct a training on evacuating patient from the beach.
 - E.** Request of Grant Reed dba Emanate Surf Project to use White Crest Beach for surf lessons May 20 – November 1 & beach clean-ups May 15 to December 31, 2017; sunrise to sunset.
 - F.** Request of Ryan Garcia – Cape Side Surf School to use White Crest Beach for surf and SUP lessons and/or tours during daylight hours from May 15 to November 1, 2017.
- VI. Business**
 - A.** Reorganization of the Board of Selectmen (5 min)

- B. Dredging Task Force update [Pilcher] (15 min)
- C. Police Station Renovation Project update [Terkanian] (10 min)
- D. Wellfleet Arbor Group – Town Hall Commons Project update [T. Vermehren] (10 min)
- E. Wellfleet Memorial Garden proposal [Todd Le Bart] (10 min)
- F. Change order for Route 6 redesign (TA) (10 min)
- G. Letters of support for CDBG and Community Scape Housing Initiative funding application to DHCD for Paine Hollow project (Ted Malone) (5 min.)
- H. Renewal of concessions contract at Maguire Landing - Solace Food Truck, Michael Banghard (5 min)
- I. Approval of Contract with Site Specifics, Inc. for new playground equipment (5 min)
- J. Discussion of vegetative windscreen for the Tennis Courts project [Rosenberg] (10 min.)
- K. Approval of Contract with Purrfect Cleaning Services, Inc for cleaning of specific Town Building restrooms. (5 min)
- L. Approval of Contract with M.A. Frazier for porta toilets, maintenance and cleaning (5 min)
- M. Approval of Contract with WhiteWater, Inc. for Wellfleet Municipal Water System operations (5 min)
- N. Approval of petition of Eversource to place approximately 70 feet of cable/conduit under the public way on Highland Ave and Hiller Ave to provide electric service to the customer at 70 Hiller Ave.

VII. Town Administrator's Report

VIII. Topics for Future Discussion

IX. Correspondence and Vacancy Report

X. Minutes [March 28 and April 11, 2017]

XI. Adjournment



BOARD OF SELECTMEN

AGENDA ACTION REQUEST
Tuesday, May 9, 2017

II

PUBLIC HEARING(S)

REQUESTED BY:	Sheila Hooceboom for Chapel of St. James Fisherman
DESIRED ACTION:	Approve a One Day Beer and Wine license at the Wellfleet COA on July 20, 2017 from 6pm – 10pm.
PROPOSED MOTION:	I move to vote to approve the request of Sheila Hooceboom for Chapel of St. James Fisherman for a One Day Beer and Wine license at the Wellfleet COA on July 20, 2017 from 6pm – 10pm.
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____

TOWN OF WELLFLEET
PUBLIC HEARING

In accordance with M.G.L. Chapter 138, notice is hereby given that a public hearing will be held on Tuesday, May 9, 2017 at 7:05 p.m. at the Wellfleet Council on Aging to consider the following:

- Application received from Sheila Hoozeboom for Chapel of St. James Fisherman for a One Day Beer and Wine license at the Wellfleet COA on July 20, 2017 from 6pm – 10pm.

WELLFLEET BOARD OF SELECTMEN

17-3

TOWN OF WELLFLEET
APPLICATION FOR SPECIAL EVENT LIQUOR LICENSE

1. Applicant Sheila Hoogeboom

Address Po Box 34, S. Wellfleet 02663 Telephone 401-633-2841

2. Affiliation/Group Chapel of St. James Fisherman For Profit Non Profit ✓

3. Type of License All Alcohol (\$150.00/day) Beer and Wine (\$100.00/day) ✓

4. Type of Activity Being Conducted 60th Anniversary Party for Chapel of St. James

5. Date 7/20/17 Hours of Service 6-10 pm

6. Description of Premises Wellfleet CoA Application Submitted.

7. Name, Address, Telephone of Designated Manager (person responsible for activity)

Sheila Hoogeboom Po Box 34, S. Wellfleet 401-633-2841

Martina Wilson Pine Moore Cottages 315-521-2112

8. If activity involves food service, please describe fully (i.e. raw shellfish, heated casseroles, bakery goods, etc.):

Most Food provided by Van Rensselaer's Restaurant. Some Pot-Luck side dishes may be provided when planning is finalized.

Sheila Hoogeboom
Applicant's signature

4/25/17
Date

Police Dept. Signature

Comments/Conditions

5/2/17

OK

Building Dept. Signature

Comments/Conditions

OK

Fire Dept. Signature

Comments/Conditions

5/2/17

OK

Health Dept. Signature

Comments/Conditions

DPW Dept. Signature

Comments/Conditions

OK 5/3/17

Other

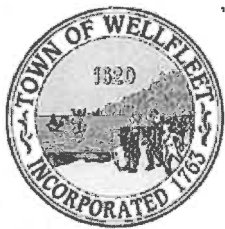
Comments/Conditions

OK 5/3/17

Date Received

Fee

Date Issued



BOARD OF SELECTMEN

AGENDA ACTION REQUEST
Tuesday, May 9, 2017

II

PUBLIC HEARING(S)

REQUESTED BY:	Bocce Italian Grill LLC, Minina Benevento, Manager
DESIRED ACTION:	Approve alteration of licensed premises by adding additional service areas on the south side and north side bocce court.
PROPOSED MOTION:	I move to vote to approve the request of Minina Benevento, Manager of Bocce Italian Grill LLC for alteration of licensed premises by adding additional service areas on the south side and north side bocce court.
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s): _____
VOTED:	Yea _____ Nay _____ Abstain _____

TOWN OF WELLFLEET
PUBLIC HEARING

In accordance with M.G.L. Chapter 138, notice is hereby given that a public hearing will be held on Tuesday, May 9, 2017 at 7:05 p.m. in the Wellfleet Council on Aging to consider the following:

- Application received April 5, 2017 from Bocce Italian Grill LLC, Minina Benevento, Manager, for an alteration of licensed premises adding additional service areas on the south side and north side bocce court.

WELLFLEET BOARD OF SELECTMEN



**La Tanzi
Spaulding &
Landreth, P.C.**

8 Cardinal Lane
P.O. Box 2300
Orleans, MA 02653
T: 508.255.2133
F: 508.255.3786
www.latanzi.com

Benjamin E. Zehnder
Direct Tel: 508.255.2133 ext. 128
bzehnder@latanzi.com

April 5, 2017

Principal Clerk Jeanne Maclauchlan
Wellfleet Town Hall
300 Main Street
Wellfleet, MA 02667

Via hand delivery

Re: A.B.C.C. Alteration of Licensed Premises application /
842 State Highway Route 6 (Bocce Italian Grill) /
Assessor's Map 36, Parcel 1

Dear Ms. Maclauchlan:

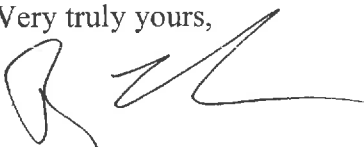
I represent 842 LLC and Bocce Italian Grill LLC with regard to an application to the Commonwealth's Alcoholic Beverages Control Commission to alter the licensed premises at 842 State Highway Route 6 (Assessor's Map 36, Parcel 1). I have enclosed the following documents in connection with that application:

1. Check No. 36172 in the amount of \$200.00 payable to the Commonwealth of Massachusetts;
2. Retail Alcoholic Beverages License Application Monetary Transmittal Form;
3. Amendment Application for an Alteration of Premises or Change of Location;
4. Bocce Italian Grill LLC Action by Consent of Manager;
5. Lease of 842 State Highway Route 6 (copy);
6. Wellfleet Assessor's Field Card / Map 36, Parcel 1;
7. Plan of Addition for Bocce Italian Grill, LLC dated November 1, 2016;
8. Proposed Addition Site Plan for 842 LLC dated April 3, 2017.

Could you kindly notify me as soon as this application is scheduled for hearing by the Board of Selectmen, and also, if you require any further materials or information?

Thank you as always for your assistance. I remain,

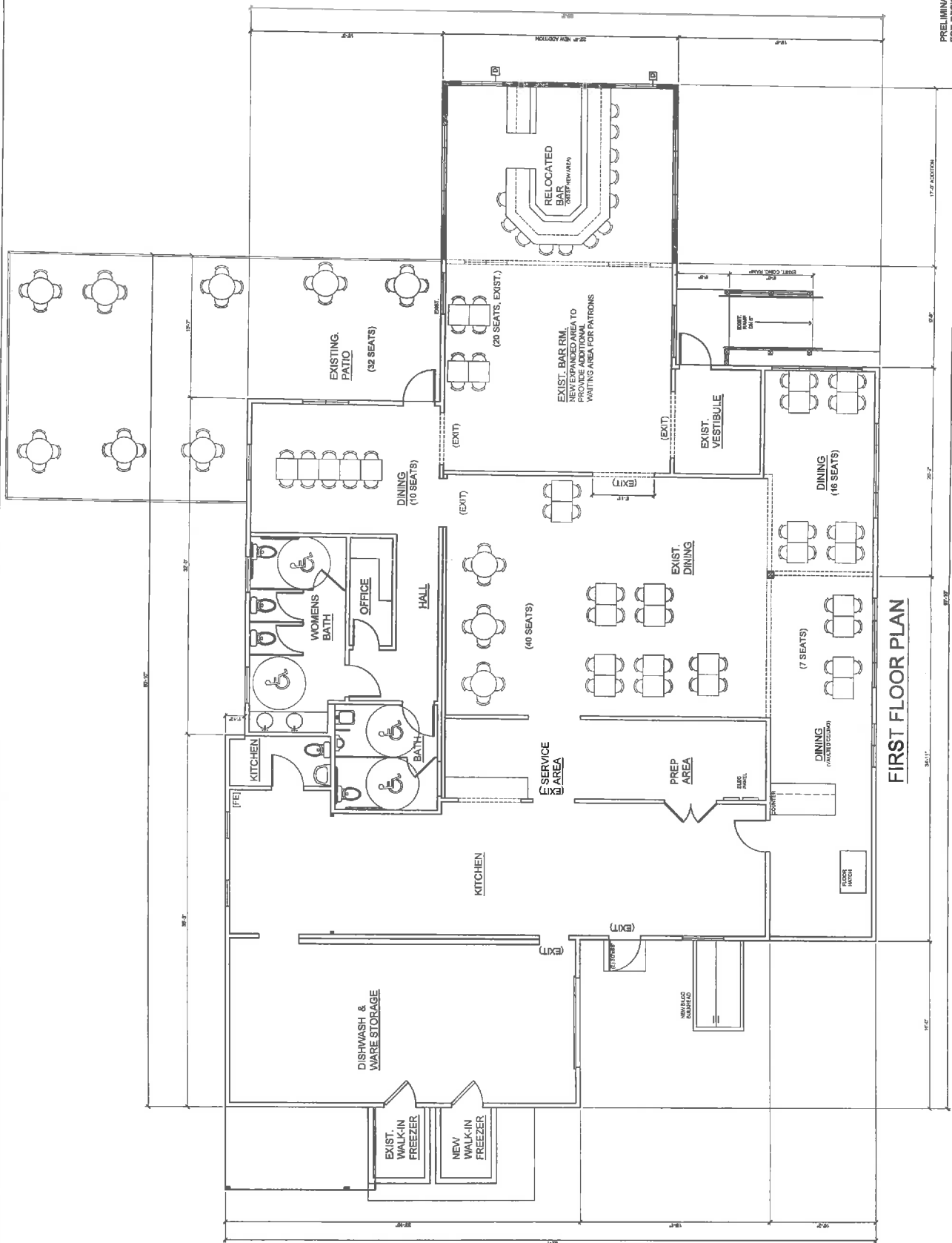
Very truly yours,



Benjamin E. Zehnder

APR - 5 2017

cc via email: client





BOARD OF SELECTMEN

AGENDA ACTION REQUEST
Tuesday, May 9, 2017

II

PUBLIC HEARING(S)

REQUESTED BY:	Sarah R. Robin, Manager of Flying Fish Café
DESIRED ACTION:	Approve alteration of licensed premises to include proposed additions to the building.
PROPOSED MOTION:	I move to vote to approve the request of Sarah R. Robin, Manager of Flying Fish Café for an alteration of licensed premises to include proposed additions to the building.
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____

TOWN OF WELLFLEET
PUBLIC HEARING

In accordance with M.G.L. Chapter 138, notice is hereby given that a public hearing will be held on Tuesday, May 9, 2017 at 7:05 p.m. in the Wellfleet Council on Aging to consider the following:

- Application received April 11, 2017 from Flying Fish Café, Sarah R Robin, Manager, for an alteration of licensed premises to include proposed additions to the building.

WELLFLEET BOARD OF SELECTMEN



**La Tanzi
Spaulding &
Landreth, P.C.**

8 Cardinal Lane
P.O. Box 2300
Orleans, MA 02653
T: 508.255.2133
F: 508.255.3786
www.latanzi.com

Benjamin E. Zehnder
Direct Tel: 508.255.2133 ext. 128
bzehnder@latanzi.com

APR 11 2017

April 10, 2017

2:45 PM

Principal Clerk Jeanne Maclauchlan
Wellfleet Town Hall
300 Main Street
Wellfleet, MA 02667

Via hand delivery

Re: A.B.C.C. Alteration of Licensed Premises application /
29 Briar Lane (Fobro, Inc. d/b/a The Flying Fish Café) /
Assessor's Map 14, Parcel 26

Dear Ms. Maclauchlan:

I represent Sarah R. Robin and Fobro, Inc. d/b/a The Flying Fish Café with regard to an application to the Commonwealth's Alcoholic Beverages Control Commission to alter the licensed premises at 29 Briar Lane (Assessor's Map 14, Parcel 26). I have enclosed the following documents in connection with that application:

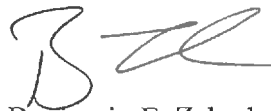
1. Check No. 36178 in the amount of \$50.00 payable to the Town of Wellfleet;
2. Check No. 36180 in the amount of \$200.00 payable to the Commonwealth of Massachusetts;
3. Retail Alcoholic Beverages License Application Monetary Transmittal Form;
4. Amendment Application for an Alteration of Premises or Change of Location;
5. Fobro, Inc. Action by Unanimous Consent of the Directors;
6. Wellfleet Assessor's Field Card for Map 14, Parcel 26;
7. Wellfleet Assessor's Map 14 (detail);
8. Plan of land at 29 Briar Lane;
9. Quitclaim deed dated March 12, 2004;
10. Quitclaim deed dated April 27, 2006;
11. Plan recorded with B.C.R.D. Plan Book 390, Page 66;
12. Lease of Commercial Property;
13. Letter of Thor Baum dated April 7, 2017;
14. Mortgage recorded with B.C.R.D. Book 30196, Page 230;
15. Floor plans of renovations at 29 Briar Lane.

Could you kindly notify me as soon as this application is scheduled for hearing by the Board of Selectmen, and also, if you require any further materials or information?

Thank you as always for your assistance. I remain,

A Legal Beacon since 1969

Very truly yours,

A handwritten signature in black ink, appearing to be 'B. Zehnder', written in a cursive style.

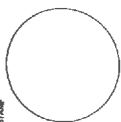
Benjamin E. Zehnder

cc:

Sarah R. Robin (via email)

BETH WOLCHOFF
PO BOX 18 ACCORD
NEW YORK, NEW YORK 12
t: 845-626-4594

FOR STAMP



Unit:

Sarah Robin
& Anthony Hill

OBJECT:

Renovations for:
Flying Fish Restaurant
29 Bridge Lane
Welleset, MA, 02157

RESULTANT

[illegible][illegible]

DATE:	12.17	
DRAWN BY:	BOW	
SCALE:	1/4" = 1'-0"	

FLOOR:	1ST FLOOR
SEATING TITLE:	PROPOSED SEATING PLAN

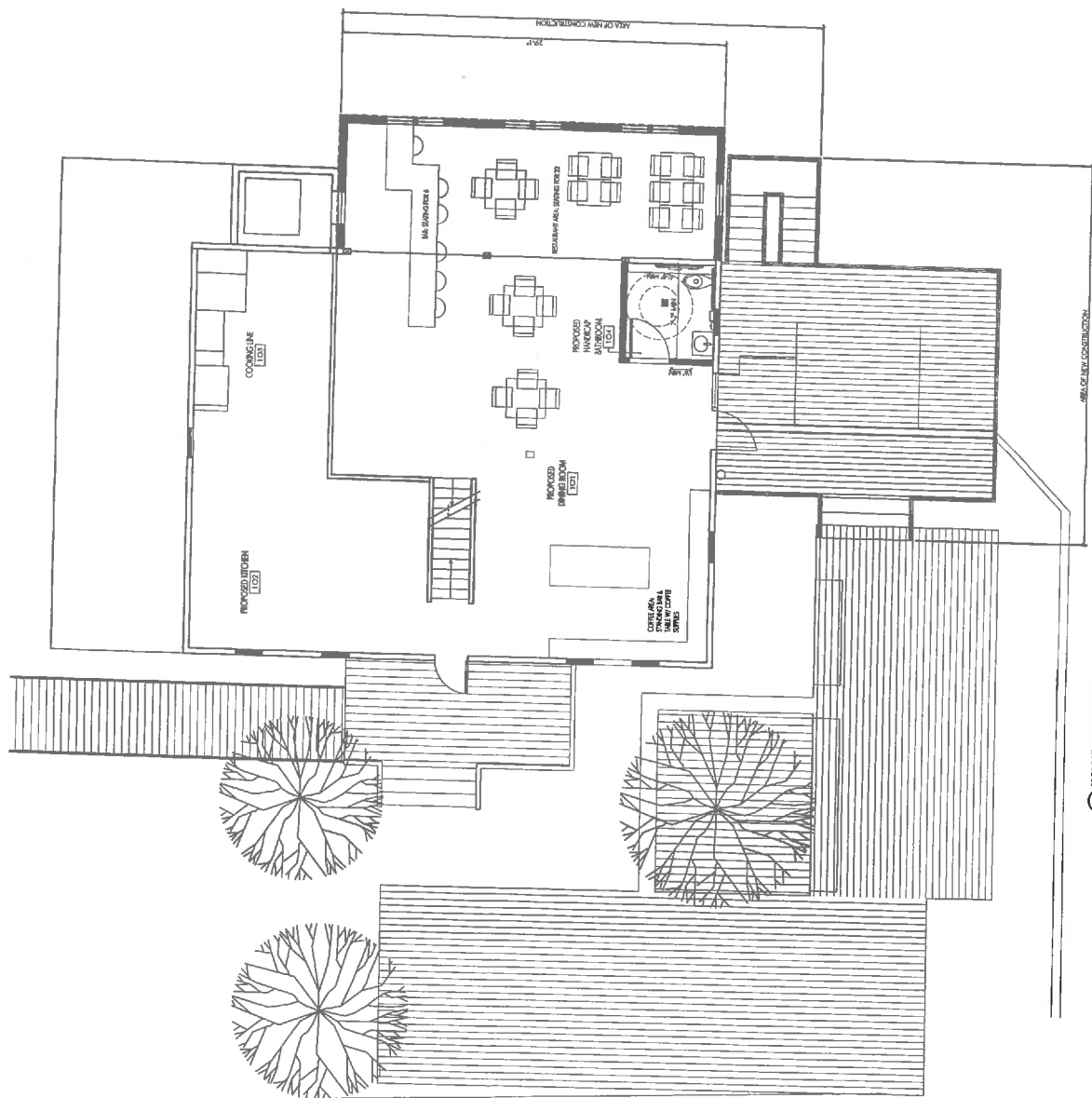
of 1000000

Call for a demo

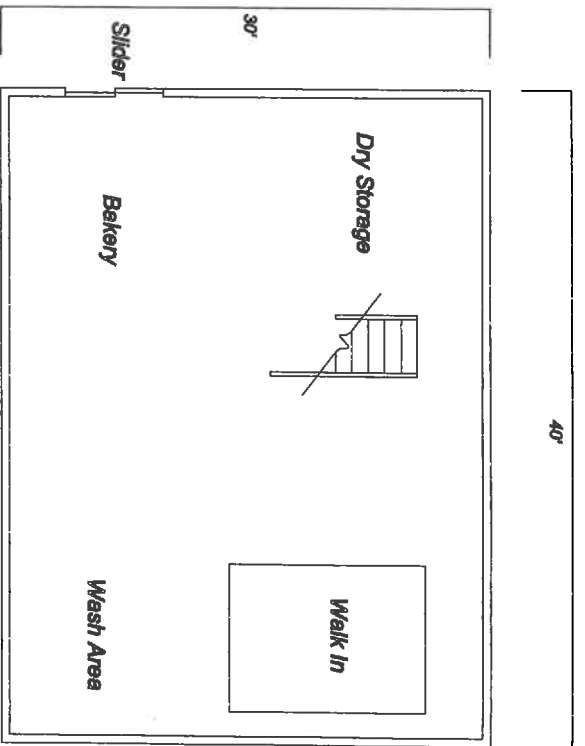
A-5

PAGE
NO. SCANS:

COPYRIGHT 2017



1 PROPOSED FIRST FLOOR PLAN
1/8" = 1'-0"



Basement: 1,200 s.f.

Flying Fish Cafe
29 Briar Lane
Wellfleet

Basement
NOT TO SCALE



BOARD OF SELECTMEN

AGENDA ACTION REQUEST
Tuesday, May 9, 2017

III

APPOINTMENTS/REAPPOINTMENTS

REQUESTED BY:	Marc Strauss
DESIRED ACTION:	Fill a vacancy on the Cultural Council
PROPOSED MOTION:	I move to vote to appoint Marc Strauss to Wellfleet Cultural Council with term ending June 30, 2020.
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s): _____
VOTED:	Yea _____ Nay _____ Abstain _____



TOWN OF WELFLEET
APPLICATION FOR TOWN BOARDS & COMMITTEES MEMBERSHIP

Wellfleet depends on its citizens to carry out many of our government's activities. Your community needs your help. *Please volunteer.*

FILL OUT THE FORM BELOW and mail it to:

Wellfleet Selectmen's Office, Town Hall, 300 Main Street, Wellfleet, MA 02667

☐ Name Marc Strauss Date 4/12/17

Mailing Address 45 Lawrence Rd., PO Box 1582
Wellfleet, MA 02667

Phone (Home) 573-275-3240 (cell)

E-mail mstraus@semo.edu

☐ Please describe briefly any work experience, including volunteer service, that you feel would be useful to the Town: professor of dance at university for 20 years

☐ Please add any other information that you think may be useful, including education or other formal training, specialized courses, professional licenses or certifications, etc.:

Ph.D. Dance, MFA

☐ Committees/Boards of Interest: 1) Wellfleet Cultural Comm
2) _____
3) _____

APR 12 2017



BOARD OF SELECTMEN

AGENDA ACTION REQUEST
Tuesday, May 9, 2017

III

APPOINTMENTS/REAPPOINTMENTS

REQUESTED BY:	Ruth Macciott
DESIRED ACTION:	Fill a vacancy on the Recreation Committee
PROPOSED MOTION:	I move to vote to appoint Ruth Macciott to Recreation Committee to the Recreation Committee with term ending June 30, 2020.
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____

1105 5:00 PM



TOWN OF WELLFLEET
APPLICATION FOR TOWN BOARDS & COMMITTEES MEMBERSHIP

Wellfleet depends on its citizens to carry out many of our government's activities. Your community needs your help. *Please volunteer.*

FILL OUT THE FORM BELOW and mail or bring it to:
Wellfleet Selectmen's Office, Town Hall, 300 Main Street, Wellfleet, MA 02667

☐ Name Ruth Massiott Date 4-26-17

Mailing Address Po Box 98
South Wellfleet, MA 02663

Phone (Home) 508-214-0489 (cell) 508-237-5352

E-mail ruthmassiott56@comcast.net

☐ Please describe briefly any work experience, including volunteer service, that you feel would be useful to the Town: I feel I would be an asset to

the recreation committee because I
care about the children of our community
and my son has been very active with rec
since he was four.

☐ Please add any other information that you think may be useful, including education or other formal training, specialized courses, professional licenses or certifications, etc.:

☐ Committees/Boards of Interest: 1) Recreation Committee

2) _____

3) _____





BOARD OF SELECTMEN

AGENDA ACTION REQUEST
Tuesday, May 9, 2017

IV

USE OF TOWN PROPERTY

REQUESTED BY:	Lindsay Mahoney
DESIRED ACTION:	Approve use of Town property request
PROPOSED MOTION:	I move to vote to approve the request of Lindsay Mahoney to use Duck Harbor on July 8, 2017, 3-4 pm for a wedding ceremony with conditions as listed on the use form and use fee of \$100.
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s): _____
VOTED:	Yea _____ Nay _____ Abstain _____

17-74

TOWN OF WELLFLEET
APPLICATION FOR PERMIT TO USE TOWN OWNED PROPERTY

Applicant Lindsay Mahoney Affiliation or Group _____

Telephone Number 508-280-6180 Mailing Address PO Box 242

Email address linzymay@gmail.com West Barnstable 02668

Town Property to be used (include specific area) Duck Harbor or Indian Neck

Date(s) and hours of use: 7/8/17 3:00 – 4:00

Describe activity including purpose, number of persons involved, equipment to be used, parking arrangements, food/beverage service, etc. Also please indicate if fees will be charged by applicant.

We plan on shuttling our guests to the beach by bus (buses will depart after drop off, loop around the town and pick us back up so as not to take up parking spaces for other beach guests). There will be no food or beverages and we will depart immediately after the ceremony. There will be around 130 guests who will be guided into a tight formation so as not to take up too much room on the beach.

Describe any Town services requested (police details, DPW assistance, etc.)

NOTE TO APPLICANTS: All applications must be accompanied by a non refundable \$50.00 processing fee. Applications must be received at least 30 days prior to the first event date to insure that all reviews can be completed prior to the event. This application is only for permission to use Town property. Any additional licenses, such as food service permit, etc., may be required and it is the applicant's responsibility to secure the same.

Action by the Board of Selectmen:

_____ Approved as submitted

_____ Approved with the following condition(s): _____

_____ Disapproved for following reason(s): _____



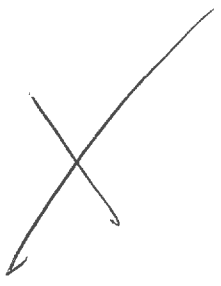
Date: 4/12/17





Processing Fee: \$50.00 paid



Fee: _____

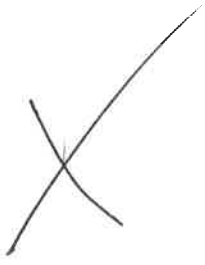
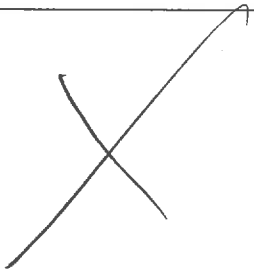
(over)


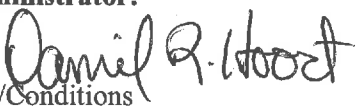
APPLICANT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND INSPECTIONS

Health/Conservation Agent:  Comments/Conditions:  Permits/Inspections needed:	Inspector of Buildings: Comments/Conditions: Permits/Inspections needed: 
--	---

Police Department:  Comments/Conditions:  4/13/17	Fire Department:  Comments/Conditions: 4-13-17 
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DPW:  Comments/Conditions OK 4/27/17	Community Services Director:  Comments/Conditions:
--	---

Harbormaster: Comments/Conditions 	Shellfish: Comments/Conditions 
---	--

Recreation: Comments/Conditions 	Town Administrator:  Comments/Conditions 5/2/17
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May 9th



BOARD OF SELECTMEN

AGENDA ACTION REQUEST
Tuesday, May 9, 2017

USE OF TOWN PROPERTY

REQUESTED BY:	Linda Newman-Goetzel
DESIRED ACTION:	Approve use of Town property request
PROPOSED MOTION:	I move to vote to approve the request of Linda Newman-Goetzel to use the Penny Patch on May 28, 2017, 2-8 pm for a wedding ceremony with conditions as listed on the use form and use fee of \$100.
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s): _____
VOTED:	Yea _____ Nay _____ Abstain _____

17-21

TOWN OF WELLFLEET
APPLICATION FOR PERMIT TO USE TOWN OWNED PROPERTY

Applicant Linda Newman-Goetzel Affiliation or Group _____
Telephone Number 301-802-4359 Mailing Address 7920 Robison Rd.
Email address Lngoetzel@gmail.com Bethesda, MD 20817
Town Property to be used (include specific area) Penny Patch [property next to Preservation Hall]

Date(s) and hours of use: Sunday, May 28th 2-8pm

Describe activity including purpose, number of persons involved, equipment to be used, parking arrangements, food/beverage service, etc. Also please indicate if fees will be charged by applicant.

My daughter will be holding her wedding and reception on Sunday May 28th 4pm - 11pm at Preservation Hall
Weather perm. Hing we would like to set up chairs [caterer Cosmo will provide + set up] for the ceremony. Otherwise we would appreciate access to the area for guests to mingle. Thank you.
Describe any Town services requested (police details, DPW assistance, etc.)

None

Event Coordinator from Preservation Hall will be present throughout the event.

NOTE TO APPLICANTS: All applications must be accompanied by a non refundable \$50.00 processing fee. Applications must be received at least 30 days prior to the first event date to insure that all reviews can be completed prior to the event. This application is only for permission to use Town property. Any additional licenses, such as food service permit, etc., may be required and it is the applicant's responsibility to secure the same.

Action by the Board of Selectmen:

_____ Approved as submitted

_____ Approved with the following condition(s): _____

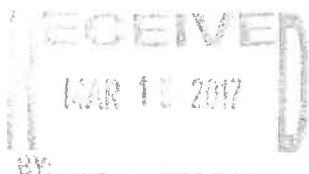
_____ Disapproved for following reason(s): _____

Date: _____

Processing Fee: \$50.00 received check #

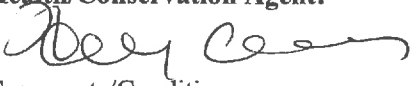
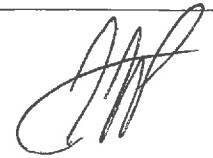
Fee: _____


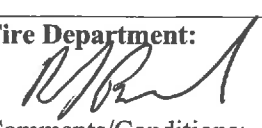
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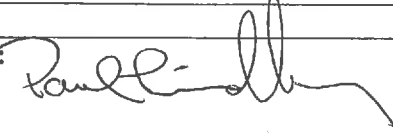



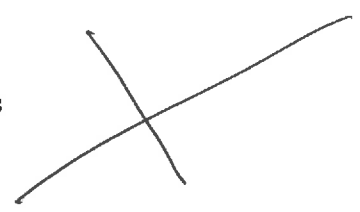
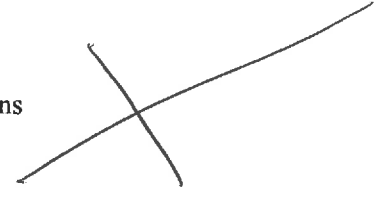
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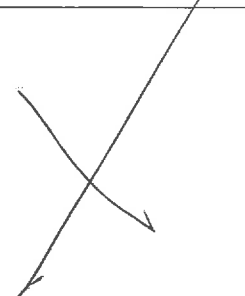
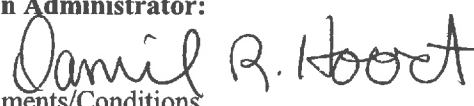
APPLICANT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND INSPECTIONS

Health/Conservation Agent:  4/5/17 Comments/Conditions: OK Permits/Inspections needed:	Inspector of Buildings:  4.6.17 Comments/Conditions: Permits/Inspections needed:
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Police Department:  3/17/17 Comments/Conditions: OK	Fire Department:  4/12/17 Comments/Conditions: OK
---	--

DPW:  Comments/Conditions OK 3/27/17	Community Services Director: Comments/Conditions: 
---	--

Harbormaster: Comments/Conditions 	Shellfish: Comments/Conditions 
---	--

Recreation: Comments/Conditions 	Town Administrator:  Comments/Conditions Congratulations!
---	--



BOARD OF SELECTMEN

AGENDA ACTION REQUEST
Tuesday, May 9, 2017

USE OF TOWN PROPERTY

REQUESTED BY:	Mike Lydon and Jen Harrison
DESIRED ACTION:	Approve use of Town property request
PROPOSED MOTION:	I move to vote to approve the request of Mike Lydon and Jen Harrison to use Indian Neck Beach on May 27, 2017, 2-4 pm for a wedding ceremony with conditions as listed on the use form and use fee of \$100.
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s): _____
VOTED:	Yea _____ Nay _____ Abstain _____

17-24

TOWN OF WELLFLEET
APPLICATION FOR PERMIT TO USE TOWN OWNED PROPERTY

Applicant Mike Lydon + Jen Harrison

Affiliation or Group _____

Telephone Number 774-313-0379

Mailing Address 1 Brewster St Apt 1

Email address mlydon2002@gmail.com

Boston, MA 02127

Town Property to be used (include specific area) Indian Neck beach

Date(s) and hours of use: 5/27/17 2pm-4pm tide dependant

Describe activity including purpose, number of persons involved, equipment to be used, parking arrangements, food/beverage service, etc. Also please indicate if fees will be charged by applicant.

We would like to have our wedding ceremony at the beach at Indian Neck. There will be about 40-50 guests. Parking we just planned on using the lot there. There will not be anything done there other than the short service. We will be carpooling.

Describe any Town services requested (police details, DPW assistance, etc.)

None

NOTE TO APPLICANTS: All applications must be accompanied by a non refundable \$50.00 processing fee.

Applications must be received at least 30 days prior to the first event date to insure that all reviews can be completed prior to the event. This application is only for permission to use Town property. Any additional licenses, such as food service permit, etc., may be required and it is the applicant's responsibility to secure the same.

Action by the Board of Selectmen:

_____ Approved as submitted

_____ Approved with the following condition(s): _____

_____ Disapproved for following reason(s): _____

Date: _____

Processing Fee: \$50.00 paid

Fee: _____

(over)

APPLICANT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND INSPECTIONS

Health/Conservation Agent:	Inspector of Buildings:
Comments/Conditions:	Comments/Conditions:
Permits/Inspections needed:	Permits/Inspections needed:

Police Department:	Fire Department:
Comments/Conditions:	Comments/Conditions:

DPW:	Community Services Director:
Comments/Conditions:	Comments/Conditions:

Harbormaster:	Shellfish:
Comments/Conditions:	Comments/Conditions:

Recreation:	Town Administrator:
Comments/Conditions:	Comments/Conditions:



BOARD OF SELECTMEN

AGENDA ACTION REQUEST

Tuesday, May 9, 2017

USE OF TOWN PROPERTY

REQUESTED BY:	Captain William D. Sprague/ Barnstable County Technical Rescue Team
DESIRED ACTION:	Approve use of Town property request
PROPOSED MOTION:	I move to vote to approve the request of Capt. William D. Sprague/ Barnstable County Technical Rescue Team to use White Crest Beach on May 11, 2017, 9 am – 4 pm for training session on patient evacuation from the beach. With conditions as listed on the use form and no use fee.
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s): _____
VOTED:	Yea _____ Nay _____ Abstain _____

17-28

TOWN OF WELLFLEET
APPLICATION FOR PERMIT TO USE TOWN OWNED PROPERTY

Applicant Capt. William D. Sprague Affiliation or Group Eastham Fire Dept / Barnstable County Technical Rescue Team
Telephone Number 508-237-0238 Mailing Address 2520 State Hwy
Email address BSprague@easthamfire.org Eastham, MA 02642
Town Property to be used (include specific area) White Crest Beach

Date(s) and hours of use: May 11, 2017 0900-1600

Describe activity including purpose, number of persons involved, equipment to be used, parking arrangements, food/beverage service, etc. Also please indicate if fees will be charged by applicant.

Barnstable County Technical Rescue Team would like to train on patient evacuation from the beach, over the side of the bluff. Wellfleet Fire Dept. is invited, as well as, National Park Service Ranger. Total personnel, 20-25. Vehicles and equipment trailers. No fees charge.

Describe any Town services requested (police details, DPW assistance, etc.)

None

NOTE TO APPLICANTS: All applications must be accompanied by a non refundable \$50.00 processing fee. Applications must be received at least 30 days prior to the first event date to insure that all reviews can be completed prior to the event. This application is only for permission to use Town property. Any additional licenses, such as food service permit, etc., may be required and it is the applicant's responsibility to secure the same.

Action by the Board of Selectmen:

_____ Approved as submitted

_____ Approved with the following condition(s): _____

_____ Disapproved for following reason(s): _____

Date: _____

Processing Fee: \$50.00

Fee: _____

(over)

APPLICANT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND INSPECTIONS

✓
Health/Conservation Agent:

Comments/Conditions:

OK

Permits/Inspections needed:

Inspector of Buildings:

Comments/Conditions:

Permits/Inspections needed:

Police Department:

Comments/Conditions:

OK

Fire Department:

Comments/Conditions:

OK
4/26/17

DPW:

Comments/Conditions

OK

4/26/17

Community Services Director:

Comments/Conditions:

OK - 4/26/17
Access through approved
area.

Harbormaster:

Comments/Conditions

Shellfish:

Comments/Conditions

Recreation:

Comments/Conditions

Town Administrator:

Comments/Conditions

Daniel R. Hoot



BOARD OF SELECTMEN

AGENDA ACTION REQUEST

Tuesday, May 9, 2017


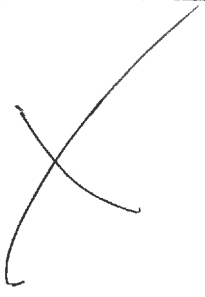
USE OF TOWN PROPERTY


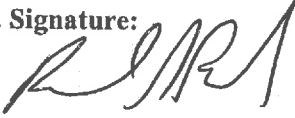

REQUESTED BY:	Grant Reed dba Emanate Surf Project
DESIRED ACTION:	Approve use of Town property request
PROPOSED MOTION:	I move to vote to approve the request of Grant Reed dba Emanate Surf Project to use White Crest Beach for surf lessons from May 20 to November 1, 2017 and beach clean-ups from May 15 to December 31, 2017; sunrise to sunset with conditions as listed on the use form and use fee of \$350.
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s): _____
VOTED:	Yea _____ Nay _____ Abstain _____

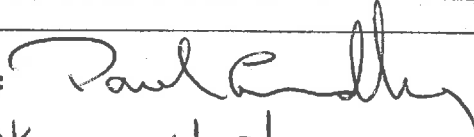

TOWN OF WELLFLEET
APPLICATION FOR PERMIT TO USE TOWN OWNED PROPERTY



(over)


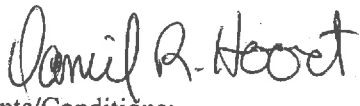
APPLICANT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND INSPECTIONS

Health/Cons. Agent Signature:  Comments/Conditions: OK Permits/Inspections needed:	Inspector of Buildings Signature:  Comments/Conditions: Permits/Inspections needed:
---	--

Police Dept. Signature:  4/19/17 Comments/Conditions: OK	Fire Dept. Signature:  2/2/17 Comments/Conditions: 
---	--

DPW Signature:  OK 4/27/17 Comments/Conditions:	Director of Community Succs. Beach Dept. Signature:  OK - SG Thomas Comments/Conditions: As in previous years, notify med dates of clean-ups!
--	--

Shellfish Constable Signature:  Comments/Conditions:	Harbormaster Signature:  Comments/Conditions:
---	--

Recreation Dept. Signature:  Comments/Conditions:	Town Administrator:  5/2/17 Comments/Conditions:
--	--

May 9th



BOARD OF SELECTMEN

AGENDA ACTION REQUEST
Tuesday, May 9, 2017

USE OF TOWN PROPERTY

REQUESTED BY:	Ryan Garcia – Cape Side Surf School
DESIRED ACTION:	Approve use of Town property request
PROPOSED MOTION:	I move to vote to approve the request of Ryan Garcia – Cape Side Surf School to use White Crest Beach for surf and SUP lessons and/or tours during daylight hours from May 15 to November 1, 2017; with conditions as listed on the use form and use fee of \$350.
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____

17-25

TOWN OF WELLFLEET
APPLICATION FOR PERMIT TO USE TOWN OWNED PROPERTY

Andrew Jacob

Applicant Ryan Garcia

Affiliation or Group Cape side Surf School

Telephone Number 978 771 3840

Mailing Address PO Box 654

Email address _____

Wellfleet MA 02667

Town Property to be used (include specific area) Whitecrest Beach for surf lessons

and any available areas for SUP lessons or Tours.

Date(s) and hours of use: day/light hours. (we dont do many SUP Tours but would like options for →
MAY 15 - NOV 1, 2017

Describe activity including purpose, number of persons involved, equipment to be used, parking arrangements, food/beverage service, etc. Also please indicate if fees will be charged by applicant.

surf instruction and SUP lesson and/or tours.

This includes wetsuit and surfboard. Capesidesurf.com has our rates

We are hoping for options for SUP for ideal learning conditions
depending on the day, even though we only do a handful a year.

Describe any Town services requested (police details, DPW assistance, etc.)

NOTE TO APPLICANTS: All applications must be accompanied by a non refundable \$50.00 processing fee.

Applications must be received at least 30 days prior to the first event date to insure that all reviews can be completed prior to the event. This application is only for permission to use Town property. Any additional licenses, such as food service permit, etc., may be required and it is the applicant's responsibility to secure the same.

Action by the Board of Selectmen:

_____ Approved as submitted

_____ Approved with the following condition(s): _____

_____ Disapproved for following reason(s): _____

Date: _____

Processing Fee: \$50.00

Fee: _____

(over)

APPLICANT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND INSPECTIONS

Health/Conservation Agent:	Inspector of Buildings:
Comments/Conditions:	Comments/Conditions:
Permits/Inspections needed:	Permits/Inspections needed:

clients safety.) due to weather or ocean conditions)

Police Department:	Fire Department:
Comments/Conditions:	Comments/Conditions:

DPW:	Community Services Director:
Comments/Conditions:	Comments/Conditions:

Harbormaster:	Shellfish:
Comments/Conditions:	Comments/Conditions:

Recreation:	Town Administrator:
Comments/Conditions:	Comments/Conditions:

July

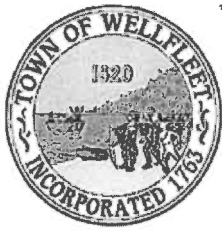
2017

Sun	Mon	Tue	Wed	Thu	Fri	Sat
						1
2	3	4 Della Spring 8:30-9:45 Mayo	5	6 Della Spring 8:30-9:45 Mayo	7	8 Marcusella rain date Mahoney Duck Harbor
9 Library 9:00-1:00 TH Driveway	10	11 Della Spring 8:30-9:45 Mayo	12	13 Della Spring 8:30-9:45 Mayo	14	15 Marcusella 5-9 White Crest
16 Library Rain Date	17	18 Della Spring 8:30-9:45 Mayo	19	20 Della Spring 8:30-9:45 Mayo	21	22 Marcusella rain date
23 SPAT 5:30-6:30 Powers Landing	24	25 Della Spring 8:30-9:45 Mayo	26 SPAT 8-9am Powers Landing	27 Della Spring 8:30-9:45 Mayo	28	29
30	31	Library \$50 Mahoney \$50				

May

2017

Sun	Mon	Tue	Wed	Thu	Fri	Sat
	1	2	3	4	5	6
7	8	9	10	11	12	13
		Amy Ryan 7-9 Newcomb		Sprague 9-4 White Crest		Ragnar 7:30-5:00 WC/Newcomb
14	15	16	17	18	19	20
						Grant Reed White Crest Thru Nov. 1
21	22	23	24	25	26	27
						WestFest 8am-5pm Baker Field Gardeners 6-1 Town Hall Lydon/Harrison Indian Neck
28	29	30	31			
Goetzel 2-8pm Penny Patch	American Legion 8-11 Town Hall					
Ragnar \$550 Ryan \$150	American Legion \$50	PTA \$50 Gardeners \$50	Goetzel \$50 Reed \$50	Cape Surf \$50 Lydon \$50		



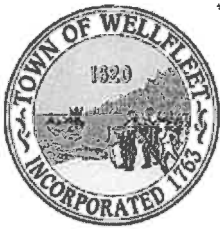
BOARD OF SELECTMEN

AGENDA ACTION REQUEST
Tuesday, May 9, 2017

VI

BUSINESS A.

REQUESTED BY:	BOS
DESIRED ACTION:	Reorganize the BOS
PROPOSED MOTION:	<p>I move to nominate _____ to be the Chair of the Board of Selectmen.</p> <p>I move to nominate _____ to be the Vice Chair of the Board of Selectmen.</p> <p>I move to nominate _____ to be the Clerk of the Board of Selectmen.</p>
ACTION TAKEN:	<p>Moved By: _____ Seconded By: _____</p> <p>Condition(s):</p>
VOTED:	Yea _____ Nay _____ Abstain _____



BOARD OF SELECTMEN

AGENDA ACTION REQUEST
Tuesday, May 9, 2017

VI

BUSINESS B.

REQUESTED BY:	Paul Pilcher
DESIRED ACTION:	Hear an update on the Dredging Task Force
PROPOSED MOTION:	N/A
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s): _____
VOTED:	Yea _____ Nay _____ Abstain _____



BOARD OF SELECTMEN

AGENDA ACTION REQUEST
Tuesday, May 9, 2017

VI

BUSINESS C.

REQUESTED BY:	Harry Terkanian, Chair of the BNAC
DESIRED ACTION:	Hear an update on the Police Station Renovation Project
PROPOSED MOTION:	N/A
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s): _____
VOTED:	Yea _____ Nay _____ Abstain _____



BOARD OF SELECTMEN

AGENDA ACTION REQUEST
Tuesday, May 9, 2017

VI

BUSINESS D.

REQUESTED BY:	Wellfleet Arbor Group [T. Vermehren]
DESIRED ACTION:	Hear an update on the Town Hall Commons project
PROPOSED MOTION:	I move to vote to approve the proposal by Wellfleet Arbor Group "The Wellfleet Town Hall Common Project" and authorize them to proceed with the implementation of the project.
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____



BOARD OF SELECTMEN

AGENDA ACTION REQUEST
Tuesday, May 9, 2017

VI

BUSINESS E.

REQUESTED BY:	Todd Le Bart
DESIRED ACTION:	Hear proposal for Wellfleet Memorial Garden
PROPOSED MOTION:	TBD
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s): _____
VOTED:	Yea _____ Nay _____ Abstain _____



Board of Selectmen

Request for Placement on Agenda

Name: Todd Le Bart

Address: PO Box 1082 Wellfleet

Company or Organization Representing: Live for Lou Fund

Phone Number: 508-349-3696

Email Address: Todd@thebeachcomber.com

Specific Request: We are following up on our previous meeting on 7/14/15 re: construction of the "Wellfleet Memorial Garden". We have received approval from all necessary agencies / committees and now request final approval from the Selectmen. Construction will begin in the Fall of 2017 (after Oysterfest) and will be completed by the Spring of 2018 (before Memorial Day)

To be Filed out by Dept.

Applicant Notified: _____ Date of Hearing: _____

Date Request Completed: _____

MOTION 215-274: Bruinooge moved and Murphy seconded to approve the request of Katherine Weeks of Sugar Surf of Cape Cod to use White Crest Beach from June through October for surf lessons; Conditions: event fee \$350; beach stickers or daily parking fee are required, provide a proof of liability insurance listing the Town as insured and comply with all conditions on the request form. The motion passed 5-0.

The Selectmen took 5 minutes break from 8:29 pm to 8:34 pm.

Request of John Arsenault to use the band stand end of the Marina for food truck

Discussion ensued about John Arsenault's request for a food truck at the Marina. Pilcher referred to the Town Administrator's memo¹ on the subject. Arsenault said that he would like to see more opportunities for food trucks in Town. Murphy had a question about electricity use. Terkanian explained the reason for his notes about electricity on his memo. Arsenault said that the truck has a generator. Discussion about the use fee and future competitive bidding process ensued.

MOTION 215-275: Wilson moved and Bruinooge seconded to approve the request of John Arsenault to use the band stand end of the Marina on Fridays, Saturdays & Sundays, 6 PM to 9 PM for a mobile food truck vending; Conditions: event fee \$2,000 to be paid to the Marina Enterprise Fund; obtaining a food service permit and inspection, provide proof of liability insurance and trash receptacle. The motion passed 5-0.

Review of Town Fees

Assistant Town Administrator Brian Carlson answered Selectmen's questions about his review on Town Fees. The Board decided to continue discussing and reviewing this topic again in one of the future meetings.

Review and possible modification of beach parking use during OysterFest

Community Services Director and Beach Administrator Suzanne Grout Thomas presented her memo² on possible modifications of beach parking use during OysterFest and asked the Board to revisit their previous vote. Pilcher said that he is still willing to go with this process despite the new assumptions. Wilson said that this new recommendation should be given a consideration. Murphy wanted to know why the Town restrooms cannot be open for OysterFest. Houk suggested that SPAT should perhaps take care of the portable toilets cost.

MOTION 215-276: Pilcher moved to go ahead with the original plan to have a paid parking for OysterFest given the revised budget estimate. Murphy seconded. The motion passed 4-1 (Wilson).

Plans for re-landscaping the Preservation Hall green belt aka the Penny Patch

Gary Locke and Todd Lebart presented preliminary re-landscaping plans³ to convert the old Penny Patch area to a Memorial Garden and asked the Selectmen for a direction pending the ConsCom approval. Bruinooge found the idea great. Murphy wanted to know if this would require handicapped access and had a question about maintenance of the area in the future. Wilson also spoke in favor of the idea, but said she would not support any use of Roundup on the area. Terkanian said that the preliminary re-landscaping plans for Town Hall are similar to these and also supported the idea. The Selectmen unanimously agreed to allow the proposal to advance for ConsCom review and approval.

Wellfleet Memorial Garden Proposal

Landscape Plan

Article 1: Description of Garden

Article 2: Description of Landscape Tasks

Article 3: Implementation Plan

Article 4: Maintenance Calendar

Article 5: Gardener Contract

Thank you to everyone who has been involved in this lengthy process. On behalf of the donors and Chair-People of Live for Lou, we are so grateful for your consideration in joining our initiative. The Wellfleet Memorial Garden, as maintained by Live for Lou and its community partners, is to be a beautiful, contemplative space, to remember those who have left us too soon. We look forward, as a community, to the implementation of the Wellfleet Memorial Garden, and the beautification of Wellfleet Town Center.

Jean Brooks
Landscape Architect
Wellfleet Memorial Garden

Katrina Fryklund
Co-Chair
Live for Lou Committee

Article 1: Description of Garden



Current Conditions and Outlook for the Weyfleet Memorial Garden

The Memorial Garden space is essentially cut off from the Main Street shopping corridor and is only accessible from the Preservation Hall driveway. In addition, it is dark, dank, and over-grown by "volunteer" trees, most of which are undesirable, Norway maples. Norway maples are on the invasive species list.

Norway maples have a very dense root system that does not allow any other trees, shrubs, groundcover, etc, to grow under them. They also create a deep shade where little else can grow and their dense root system drinks up all the water. They are considered to be allelopathic, producing chemicals, which prevent native plants from germinating including groundcovers. This sets the scene for soil erosion.

The property is also very steep (in order to build our proposed stair access from Main Street, we will need to re-grade the slope to make it a gentle walk to the lawn area). The space is large and abuts a wetland that is overgrown with weeds, vines and phragmites, another invasive plant.

Phragmites or Common Weed is a highly competitive plant that is capable of rapid growth and spread. Common Weed grows in dense stands which displaces native species, reduces biodiversity.

Because our plan uses only native plants that would be found in or near a New England wetland they may see this as adding to the bio-diversity of the wetland. We will need to pull out the vines, cut back and prune the existing trees that abut the garden, and install a nicer fence to delineate the space.

I have designed the entry to the garden to be just past the Secret Garden because I like the flow of coming in at that spot and possibly exiting the garden on to the Preservation Hall driveway (or back garden) at a diagonal. The stairs are imagined to be either antique granite or monolithic bluestone with landings of crushed oysters (a nod to our fishermen and also a cost savings). We will be adding an additional entry space along the cobble stone drive for handicapped access.

Medium-sized boulders will retain the walkway to aid in the steep grade. These boulders will help us to feather the grade around the walkway. If a handrail is required, we could look at something like a thick braided rope with metal posts.

Given the size of the space and its relationship to Preservation Hall, Jean Brooks designed a large, round lawn area called *The Great Lawn*. This circle will be outlined in a wide covering of bluestone (approx. 8" wide), which will crisply delineate the circle. Curved benches that may be installed in memory of someone would surround the circular lawn.

Off of the Great Lawn is a smaller circular space with a seat-height wall. In the center of the circle there will be a low bowl-type fountain. The fountain would be surrounded by a band of beach stones, which may be placed by individuals in honor of someone they are remembering.

The floor of this space will be paved with the same crushed oyster shells used in the staircase landings. Unlike the Great Lawn, which has a distinct entry and exit cut on the diagonal as I explained earlier, this inner Sanctuary has only one way in and one way out. In doing this, it becomes an intentional destination and a quiet place to sit, listen to the water and rest. In building this quiet spot, the hope is that it will bring peace.

The plantings were designed to be native, natural, and fragrant and to provide year-round interest. The Sanctuary will be surrounded by three weeping willows, which will create the roof of the space. The shrubs; viburnum, clethra, etc. are designed for fragrance and the evergreens; holly, inkberry, etc. are chosen to create a screen from the Preservation Hall driveway as well as the fence behind the Secret Garden shop. Finally, there will be a grove of native beech trees, which, as they grow to maturity, will be majestic.

We will take down the existing white plastic fencing on Main Street, and replace it with a simple post and rail fence. This bed, between the sidewalk and fence, will be planted with a long, thick hedge of *Rosa rugosa*.

Our grass seed will be drought tolerant, and we will only use organic products if any. The goal is to have a quiet, green plain, not a golf course lawn.

Plant List:

- Weeping Willows
- Viburnum "Blue Muffin"
- Clethra
- American Holly
- Inkberry
- Azalea
- Pagoda Dogwoods
- Winterberry
- Sweet Pepperbush
- Carolina Allspice
- Bottle Brush Buckeye
- American Beech Trees
- Rosa Rugosa
- Drought Tolerant Grass

Article 2: Description of Landscape Tasks

First and foremost, we are extremely grateful to the landscapers who work with the Live for Lou Fund to maintain the Wellfleet Memorial Garden. Live for Lou will maintain and stock a small shed, which will house the organic plant fertilizers, necessary seed, and equipment. Additionally, an Irrigation Well will allow all Landscape Groups easy access to H2O.

Landscapers will be responsible for varied activities depending on the time of year. Below is a description of overall activities, and then a breakdown by season/month.

Live for Lou promises to cover the cost of the materials, however, hours worked are considered in-kind donation. All participating Landscape companies will be recognized on a permanent plaque at the Wellfleet Memorial Garden.

Overall Activities:

1. Maintain Plant Beds
2. Keep Mower Blades, depending on season, between 1 to 3 inches
3. Use organic fertilizers
4. Let Katrina Fryklund, 508.776.6485 if there is any large breakage, or intensive work needed (not considered regular maintenance)

Season/Month Breakdown:

Winter (December-March)

1. If snowfall of more than 4 inches, shovel the steps and around the circular lawn area
2. Maintain Lights

Spring (April-June)

1. Spring Fertilizing
2. New plantings, if necessary
3. New mulching, if necessary
4. Water Weekly
5. Maintain Lights

Summer (July-September)

1. Cut back dead from flowers and plants
2. Water weekly
3. Maintain Lights

Fall (October-November)

1. Fall Cleanup
2. Mulch around plants to protect (as necessary)
3. Water to maintain plants into the winter months
4. Maintain Lights

We understand that tasks vary throughout the season, and respect the landscapers right to tend to the garden on days that best work into their schedule.

Article 3: Implementation Plan

Week 1

Staging:

- Set up staging area
- Location: Preservation Hall Parking Lot (338 Main Street, Wellfleet, MA 02653)

Erosion Control:

- Install silt fencing to control erosion

Demo:

- Remove unwanted trees, shrubs, and herbaceous plants, including roots

Weeks 2-3

Construction:

- Excavate for hardscape
- Bring in base material for steps, walls, and walkways
- Set steps in slope
- Rough Grading
- Place boulders on slope for retention
- Install handrail
- Build retaining seat wall at circle
- Allow for installation of water feature
- Install Bluestone banding around lawn area
- Install Irrigation well

Week 4

Fine Grading

Lighting:

- Install a combination of low voltage and 12V lighting

Planting:

- Plant trees, shrubs, perennials and groundcovers

Mulch

Article 5: Gardener Contract

Gardener Contract

I, _____ [name], owner of _____
[name of company] _____ will take care of the Wellfleet
Memorial Garden to the best of my/my companies ability for the following _____
year/months.

I understand that I will be donating my/my companies time, and that Live for Lou will be paying for he
supplies. I also know the types of plants to be used in the Memorial Garden (Article 1) and the
Maintenance Plan (Article 2).

I understand that I/my company takes on the responsibility of maintaining the Memorial Garden during
a set period of time, as designated below. If I/my company is unable to maintain the garden during that
period of time, I will make my LFL Co-Chair Contact aware.

Live for Lou promises to acknowledge throughout the process your incredible generosity. Those involved
in the first year of implementation and maintenance will have their name on the Wellfleet Memorial
Garden plaque, visible to all Garden goers. Also, you/your company will be recognized in print (Event
Booklet) and as a sponsor (Banner's throughout) at the Annual Live for Lou Fundraiser to be held on
Saturday, September 9, 2017, at the Wellfleet Beachcomber.

Name of Landscape/Garden Company: _____

Address: _____

Preferred Month(s) of Contract: 1.) _____ 2.) _____ 3.) _____

Owner of Company: _____ Number: _____

Contact for Memorial Garden: _____ Number: _____

Signed: _____ Date: _____

To be filled out by Live for Lou

Month of Contract: 1.) _____ 2.) _____

LFL Co-Chair Contact: _____ Number: _____

Signed: _____ Date: _____



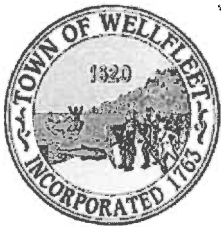
LANDSCAPE DESIGN PLAN

MEMORIAL GARDEN
Wellesley, MA

1" equals 10'
0' 10' 20'

Jean Brooks Landscapes
Design and Construction

875 Main Street
Cambridge, MA 02139
617-354-0843
www.jeanbrookslandscapes.com
11.18.15



BOARD OF SELECTMEN

AGENDA ACTION REQUEST
Tuesday, May 9, 2017

VI

BUSINESS F.

REQUESTED BY:	TA
DESIRED ACTION:	Approve a change order for Route 6 Redesign
PROPOSED MOTION:	I move to vote to approve change order #2 for Route 6 redesign for \$27,753.44 as requested by Stantec Consulting Services Inc. on January 25, 2017.
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____



Stantec Consulting Services Inc.
400 Crown Colony Drive Suite 200, Quincy MA 02169-0982

January 25, 2017

Attention: Mr. Daniel Hoot

Town of Wellfleet
300 Main Street
Wellfleet, MA 02667

Reference: 607397, Route 6 and Main Street, Wellfleet MA

Dear Mr. Hoot,

As discussed we are submitting Change Order #2 for the above referenced project to account for items of work that are outside of our current Scope of Services originally dated September 4, 2014 and Change Order 1 dated June 29, 2016. These items include the participation in a Road Safety Audit for the Route 6 and Main Street intersection and additional project meetings outlined in more detail in the attached scope document.

Under a separate contract with MassDOT but to be incorporated into this project, Stantec will request design funds for additional design development and analysis required by MassDOT for Route 6 within our project limits. A brief outline of these items follows.

- Evaluate a roundabout at the Route 6 and Main Street intersection.
- Replace existing southern headwall for the State-owned culvert that runs under Main Street at the Route 6 intersection.
- Request a Design Exception for lane width, shoulder width, and horizontal curve lengths along Route 6.
- Incorporate pavement markings and signage for a bike lane along Route 6 from the Main Street intersection north to the intersection of School Street and Lawrence Road.

Inclusion of these items under a separate contract was previously discussed with MassDOT. If MassDOT does not cover the cost of the items listed, additional scope may be needed under this contract.



January 25, 2017
Mr. Daniel Hoot
Page 2 of 2

Reference: 607397, Route 6 and Main Street, Wellfleet MA

The additional fee for engineering services briefly described (excluding the work under the contract with MassDOT) is based upon the Engineer's direct salaries plus our current overhead and a 10% fee as per our original contract. A total amount of \$ 27,753.44 is requested. This dollar amount includes \$760.32 of direct expenses for mileage for the additional project meetings.

If you have any questions please do not hesitate to contact myself at 781-221-1118 or Jill McLaughlin at 508-591-4376.

Regards,

STANTEC CONSULTING SERVICES INC.

A handwritten signature in blue ink, which appears to read "William J. Reed".

William J. Reed
Sr. Principal
Phone: 781-221-1118

Attachment: Change Order 2

c. Mr. Mark Vincent, Town of Wellfleet

ROUTE 6 AND MAIN STREET
TRANSPORTATION IMPROVEMENT PROJECT
WELLFLEET, MA

CHANGE ORDER 2
SCOPE OF WORK

This project amendment is for extra work tasks previously performed for the Town of Wellfleet (Town) by Stantec Consulting Services, Inc (Stantec) and additional work tasks that will be required moving forward for the Route 6 and Main Street Transportation Improvement Project in Wellfleet, Massachusetts. This extra work includes involvement in a road safety audit, additional public information meetings at the Town's request, and an addition miscellaneous meeting with the Town to discuss the project design.

Under a separate contract with MassDOT but to be incorporated into this project, Stantec will request design funds for additional design development and analysis required by MassDOT for Route 6 within these project limits. A brief outline of these items follows.

- Evaluate a roundabout at the Route 6 and Main Street intersection.
- Replace existing southern headwall for the State-owned culvert that runs under Main Street at the Route 6 intersection.
- Request a Design Exception for lane width, shoulder width, and horizontal curve lengths along Route 6.
- Incorporate pavement markings and signage for a bike lane along Route 6 from the Main Street intersection north to the intersection of School Street and Lawrence Road.

Inclusion of these items under a separate contract was previously discussed with MassDOT. If MassDOT does not cover the cost of the items listed, additional scope may be needed under this contract.

The following information provides a comprehensive description of Change Order 2 tasks.

SECTION 100 PROJECT DEVELOPMENT ENGINEERING

101 Project Concept Preparation (Development of Purpose and Need)

There is no work under this task.

102 Preliminary Project Area Analysis

A Road Safety Audit (RSA) organized by Cape Cod Commission was conducted on March 30, 2016 for the Route 6 and Main Street intersection. Stantec had one staff member in attendance at this meeting and provided the Cape Cod commission with review comments on the

**MASSACHUSETTS DEPARTMENT OF TRANSPORTATION
HIGHWAY DIVISION**

draft RSA report. A Road Safety Audit was not included in the Original Contract or Change Order 1.

103 Reasonable Alternative(s) Identification

There is no work under this task.

104 Alternatives Analysis and Report Preparation

There is no work under this task.

105 Project Design Schedule Development and Monthly Updates

MassDOT now requires a detailed design schedule be provided with every project. Stantec will develop a project design schedule and submit this schedule for the Town's and MassDOT's review. Stantec will update this schedule as needed during the design process.

SECTION 150 ENVIRONMENTAL

There is no additional work under this section.

SECTION 200 FUNCTIONAL DESIGN REPORT

There is no additional work under this section.

SECTION 220 DESIGN EXCEPTION REPORT

There is no additional work under this task.

**SECTION 230 INTERCHANGE JUSTIFICATION/
MODIFICATION REPORT (IJR/IMR)**

There is no work under this section.

SECTION 300 25% HIGHWAY DESIGN SUBMISSION

301 Project Initiation and Data Compilation

There is no additional work under this task.

302 Utility Coordination

**MASSACHUSETTS DEPARTMENT OF TRANSPORTATION
HIGHWAY DIVISION**

There is no additional work under this task.

303 Survey Coordination and Controls

There is no additional work under this task.

304 Base Plans, Profiles and Typical Sections

There is no additional work under this task.

305 Field Reconnaissance

There is no additional work under this task.

306 Plot Existing Layout Lines

There is no work under this task.

307 Meetings and Liaison

Under the original contract Stantec scoped to attend up to two coordination meetings for the progression of the design of the project improvements. To date Stantec has attended seven (7) meetings. One of these meetings was included under Change Order 1.

Meetings included under the Original Contract

- October 22, 2014 – Town kick off meeting/public information meeting held at the Council on Aging.
- March 24, 2015 – Meeting with the Town and MassDOT to review the project area, constraints and design considerations.

Meetings included under Change Order 1

- June 11, 2015 – Public Information Meeting held at the Council on Aging to review the design alternatives analysis completed to date.

Meetings to be included under this amendment

- October 24, 2016 – Meeting requested by and held with MassDOT to review the Concept Design Submission.
- November 10, 2016 – Concept Design Review meeting held with the Town at Town Hall to review the concept design and progress of the project to date.
- December 6, 2016 – Public Information Meeting held at the Council on Aging to review the progress of the design, new items requested by MassDOT, and steps moving forward. For this meeting, Stantec prepared an updated PowerPoint presentation.

In addition to the meetings held to date, Stantec assumes up to one (1) additional miscellaneous meeting held with the Town to discuss the project's design with one (1) design

**MASSACHUSETTS DEPARTMENT OF TRANSPORTATION
HIGHWAY DIVISION**

engineer in attendance and up to one (1) additional Public Information Meeting once the roundabout evaluation (under separate contract with MassDOT) is complete with one (1) design engineer in attendance. For the Public Information Meeting, Stantec will update the PowerPoint Presentation prepared for the November 10, 2016 meeting to include and design modifications made since the last presentation.

308 Determine Roadway Cross Section

There is no additional work under this task.

309 Preliminary Horizontal Geometry

There is no additional work under this task.

309A Concept Design Submission

In order to streamline the project submission and review process, MassDOT now requires Concept Design Submissions for all projects prior to the 25% Design Submission. This Concept Design Submission allows MassDOT to review progress of the design, make changes prior to the 25% Design Submission and give early buy in to expected design exceptions.

Scope for coordination with MassDOT for the Concept Design Submission and it's review process was not included in the Original Contract or Change Order 1 and is there for included with this Change Order.

Work under this task includes preparation of concept design plans and a concept design memorandum to submit to MassDOT for their review.

310 Preliminary Vertical Geometry

There is no additional work under this task.

311 Cross Section Studies

There is no additional work under this task.

312 Prepare Cross Sections

There is no additional work under this task.

313 Plot Proposed Layout and Easements

There is no additional work under this task.

314 Pavement Design

**MASSACHUSETTS DEPARTMENT OF TRANSPORTATION
HIGHWAY DIVISION**

There is no additional work under this task.

315 Typical Sections

There is no additional work under this task.

316 Construction Details

There is no additional work under this task.

317 Hydrological Studies and Hydraulics Report

There is no additional work under this task.

318 Preliminary Drainage and Utility Studies

There is no additional work under this task.

319 Lane Configurations

There is no additional work under this task.

320 Traffic Signals

There is no additional work under this task.

321 Signs and Pavement Markings

There is no additional work under this task.

322 Traffic Management

There is no additional work under this task.

323 Reserved

There is no work under this task.

324 Constructability Review

There is no additional work under this task.

325 Quality Control (QC) Review

There is no additional work under this task.

**MASSACHUSETTS DEPARTMENT OF TRANSPORTATION
HIGHWAY DIVISION**

326 Preliminary Construction Estimate

There is no additional work under this task.

327 Submission Checklists

There is no additional work under this task.

328 Modifications and Revisions

There is no additional work under this task.

329 Value Engineering (VE)

There is no work under this task.

330 Construction Contract Time Determination

There is no additional work under this task.

331 Incentives/Disincentives

There is no additional work under this task.

SECTION 350 DESIGN PUBLIC HEARING

There is no additional work under this section.

SECTION 400 75% HIGHWAY DESIGN SUBMISSION

There is no additional work under this section.

SECTION 450 100% HIGHWAY DESIGN SUBMISSION

There is no additional work under this section.

SECTION 500 RIGHT OF WAY

There is no additional work under this section.

**MASSACHUSETTS DEPARTMENT OF TRANSPORTATION
HIGHWAY DIVISION**

SECTION 600 GEOTECHNICAL DESIGN

There is no additional work under this section.

SECTION 700 PROJECT DEVELOPMENT – STRUCTURAL

There is no additional work under this section.

SECTION 750 FINAL BRIDGE DESIGN

There is no additional work under this section.

SECTION 800 PS&E SUBMISSION

There is no additional work under this section.

SECTION 900 CONSTRUCTION ENGINEERING

There is no additional work under this section.

APPENDIX A

Work Hour Estimate Form

MassDOT - HIGHWAY DIVISION

SCOPING WORKBOOK Form 1.3 Work Hour Estimate

City/Town	Wellfleet, MA				Contract No.:				
Location:	Route 6 and Main Street				Assignment No.:				
Date:	January 12, 2017				ProjInfo No.:	607397			
SECTION 100									
PROJECT DEVELOPMENT ENGINEERING									
			PIC	PM	SE	Eng	AE	ET	TOTAL
101	Project Concept Preparation (Development of Purpose and Need)								
102	Preliminary Project Area Analysis			8					8
	Road Safety Audit			8					
103	Reasonable Alternative(s) Identification								
104	Alternatives Analysis & Report Preparation								
105	Project Design Schedule Development and Monthly Updates		4	60					64
	SUBTOTAL		4	68					72
SECTION 150									
ENVIRONMENTAL									
			PIC	PM	SE	Eng	AE	ET	TOTAL
151	Early Environmental Coordination Design Submission Checklist								
152	Hist./Arch. - Federal Section 106 and State Chapter 254								
153	Reserved								
154	Hazardous Materials Research/Review								
155	Project Development Meetings and Hearings								
156	NEPA/MEPA Determination								
157	NEPA - Categorical Exclusion (CE)								
158	NEPA - Environmental Assessment (EA)								
159	NEPA - Draft Environmental Impact Statement (EIS)								
160	NEPA - Final Environmental Impact Statement (EIS)								
161	NEPA - Supplemental Environmental Impact Statement (EIS)								
162	NEPA - Reevaluation								
163	MEPA - Environmental Notification Form (ENF)								
164	MEPA - Draft Environmental Impact Report (DEIR)								
165	MEPA - Final Environmental Impact Report (FEIR)								
166	MEPA - Notice of Project Change (NOPC)								
167	MEPA - Supplemental Environmental Impact Report (SEIR)								
168	Reserved								
169	Reserved								
170	USACE Section 404 General Permit (PGP)								
170 A	USACE Section 404 Pre-Construction Notification (PCN)								
171	USACE Individual Section 404 Permit								
172	U.S. Coast Guard Bridge Permit								
173	Programmatic Section 4(f) Evaluation								
174	Draft Individual Section 4(f) Evaluation								
175	Final Individual Section 4(f) Evaluation								
176	Wetland Resource Area Delineation								
177	WPA Abbr. Notice of Resource Area Determination (ANRAD)								
178	WPA Request for Determination of Applicability (RDA)								
179	WPA NOI for Construction								
179A	WPA NOI for Construction Stormwater Report								
179B	WPA Notice of Intent (NOI) for Borings								
180	WPA Variance								
181	Chapter 91 License/Permit Application								

MassDOT - HIGHWAY DIVISION

SCOPING WORKBOOK Form 1.3 Work Hour Estimate

City/Town	Wellfleet, MA	Contract No.:	
Location:	Route 6 and Main Street	Assignment No.:	
Date:	January 12, 2017	ProjInfo No.:	607397

SECTION 150										
ENVIRONMENTAL (Con't)										
		PIC	PM	SE	Eng	AE	ET	TOTAL		
182	Water Quality Certification									
183	Coastal Zone Management Consistency Review									
184	Wildlife/Rare Species Assessment									
185	Essential Fish Habitat Assessment									
186	Reserved									
187	Impaired Waterbody Assessment and Water Quality Data Form									
SUBTOTAL										

SECTION 200										
FUNCTIONAL DESIGN REPORT (FDR)										
		PIC	PM	SE	Eng	AE	ET	TOTAL		
201	Establish Purpose and Need									
202	Public and Agency Outreach									
203	Evaluate Existing Conditions / Context									
204	Prepare Traffic Volumes									
205	Conduct Safety Analysis									
206	Evaluate Signal Warrants									
207	Operational Analysis for Existing Conditions									
208	Establishment of Basic Design Controls and Evaluation Criteria									
209	Development of Alternatives									
210	Operational Analysis for Future Conditions									
211	Preferred Alternative									
212	Complete Streets									
213	GreenDOT									
214	Traffic Management									
215	Construction Cost									
216	Conclusion and Recommendation									
217	Report Preparation									
SUBTOTAL										

SECTION 220										
DESIGN EXCEPTION REPORT										
		PIC	PM	SE	Eng	AE	ET	TOTAL		
221	Evaluate 13 Controlling Criteria									
222	Perform Incremental Evaluation									
223	Prepare Narrative/Report									
SUBTOTAL										

MassDOT - HIGHWAY DIVISION

SCOPING WORKBOOK Form 1.3 Work Hour Estimate

City/Town	Wellfleet, MA				Contract No.:					
Location:	Route 6 and Main Street				Assignment No.:					
Date:	January 12, 2017				ProjInfo No.:	607397				
SECTION 230										
INTERCHANGE JUSTIFICATION / MODIFICATION REPORT (IJR / IMR)										
				PIC	PM	SE	Eng	AE	ET	TOTAL
231	Prepare an IJR/TMR									
	SUBTOTAL									
SECTION 300										
25% HIGHWAY DESIGN SUBMISSION										
				PIC	PM	SE	Eng	AE	ET	TOTAL
301	Project Initiation and Data Compilation									
302	Utility Coordination									
303	Survey Coordination and Controls									
304	Base Plans, Profiles and Typical Sections									
305	Field Reconnaissance									
306	Plot Existing Layout Lines									
307	Meetings and Liaison			5	55					60
	October 24, 2016 - Concept Design Review Meeting w/ MassDOT			1	4					
	November 10, 2016 - Concept Design Review with Town			1	8					
	December 6, 2016 - Public Information Meeting									
	Update PowerPoint Presentation			1	6					
	Attend Public Information Meeting				8					
	Additional Public Information Meeting (if needed)									
	Update PowerPoint Presentation			2	16					
	Attend Public Information Meeting				8					
	Additional Meeting with the Town or MassDOT (if needed)				8					
308	Determine Roadway Cross Section									
309	Preliminary Horizontal Geometry									
309A	Concept Design Submission			2	20	4	8		1	35
310	Preliminary Vertical Geometry									
311	Cross Section Studies									
312	Prepare Cross Sections									
313	Plot Proposed Layout and Easements									
314	Pavement Design									
315	Typical Sections									
316	Construction Details									
317	Hydrological Studies and Hydraulics Report									
318	Preliminary Drainage and Utility Studies									
319	Lane Configurations									
320	Traffic Signals									
321	Signs and Pavement Markings									
322	Traffic Management									
323	Reserved									
324	Constructability Review									
325	Quality Control (QC) Review									
326	Preliminary Construction Estimate									
327	Submission Checklists									
328	Modifications and Revisions									

SCOPING WORKBOOK Form 1.3 Work Hour Estimate

SCOPING WORKBOOK
Rev. 11/2013

MassDOT - HIGHWAY DIVISION

SCOPING WORKBOOK Form 1.3 Work Hour Estimate

City/Town	Wellfleet, MA				Contract No.:				
Location:	Route 6 and Main Street				Assignment No.:				
Date:	January 12, 2017				ProjInfo No.:		607397		
SECTION 450									
100% HIGHWAY DESIGN SUBMISSION									
			PIC	PM	SE	Eng	AE	ET	TOTAL
451	Respond to 75% Comments								
452	Finalize Plans								
453	Finalize Special Provisions								
454	Finalize Quantity and Cost Estimate (W.A.B.A. & Calculation Book								
455	Quality Control (QC) Review								
456	Submission Checklist								
457	Bottom Up Estimate and Reconciliation (if required)								
458	Construction Contract Time Determination								
459	Incentives/Disincentives								
	SUBTOTAL								
SECTION 500									
RIGHT OF WAY									
			PIC	PM	SE	Eng	AE	ET	TOTAL
501	Preliminary Right of Way Plans								
502	Layout Plans and Order of Taking								
503	Written Instrument								
504	Final Right of Way Plans								
	SUBTOTAL								
SECTION 600									
GEOTECHNICAL DESIGN									
			PIC	PM	SE	Eng	AE	ET	TOTAL
601	Research Available Subsurface Data								
602	Field Reconnaissance								
603	Subsurface Investigation Plan								
604	Subsurface Investigation Inspection								
605	Office Studies, Analysis and Testing								
606	Geotechnical Report								
607	Meetings, Reviews and Liaison								
608	Final Plans, Specifications and Estimates								
	SUBTOTAL								

MassDOT - HIGHWAY DIVISION

SCOPING WORKBOOK Form 1.3 Work Hour Estimate

City/Town	Wellfleet, MA	Contract No.:	
Location:	Route 6 and Main Street	Assignment No.:	
Date:	January 12, 2017	ProjInfo No.:	607397

SECTION 700								
PROJECT DEVELOPMENT - STRUCTURAL								
		PIC	PM	SE	Eng	AE	ET	TOTAL
701	Field Investigation							
702	Determine Bridge Configurations							
703	Preliminary Structural Analysis							
704	Comparative Design and Cost Analyses							
705	Preliminary Structures Report Preparation							
706	Bridge Type Selection Worksheet Preparation							
707	Meetings and Liaison							
708	Hydraulics Study and Report (Bridges over Water)							
	SUBTOTAL							

SECTION 710								
SKETCH PLANS								
		PIC	PM	SE	Eng	AE	ET	TOTAL
711	Establish Boring Locations							
712	Reserved							
713	Sketch Plan Development							
714	Meetings, Coordination and Liaison							
715	Constructability Review							
716	Submission Checklist							
	SUBTOTAL							

SECTION 750								
FINAL BRIDGE DESIGN								
		PIC	PM	SE	Eng	AE	ET	TOTAL
751	Structural Design - Superstructure							
752	Structural Design - Substructure							
753	Bridge Layout Geometrics							
754	Contract Drawings							
755	First Review Submission							
756	Quantity Cost Estimates							
757	Special Provisions							
758	Second Review Submission							
759	FHWA Reviews							
760	Meetings and Liaison							
761	Constructability and Quality Control (QC) Review							
762	Submission Check List							
	SUBTOTAL							

MassDOT - HIGHWAY DIVISION

SCOPING WORKBOOK Form 1.3 Work Hour Estimate

City/Town	Wellfleet, MA				Contract No.:				
Location:	Route 6 and Main Street				Assignment No.:				
Date:	January 12, 2017				ProjInfo No.:		607397		
SECTION 800									
PS&E SUBMISSION									
			PIC	PM	SE	Eng	AE	ET	TOTAL
801	Respond to 100% Comments								
802	Finalize Plans, Specifications and Estimate								
803	Prepare Detail Sheets								
804	Combine Highway and Bridge								
805	Quality Control (QC) Review								
806	Finalize Bottom Up Estimate and Estimate Reconciliation (if required)								
807	Finalize Construction Contract Time Determination								
808	Finalize Incentives/Disincentives								
	SUBTOTAL								
SECTION 900									
CONSTRUCTION ENGINEERING									
			PIC	PM	SE	Eng	AE	ET	TOTAL
901	Pre-Bid Services								
902	Pre-Construction Conference								
903	Highway Shop Drawings and Signal Permit								
904	Bridge and Wall Shop Drawings								
905	Bridge Construction Procedures								
906	Furnishing Advice and Field Visits								
907	Geotechnical Construction Evaluation								
908	Bridge Rating and Photographs								
	SUBTOTAL								

SCOPING WORKBOOK Form 1.4 Summary Table

8 of 8

DIRECT EXPENSE SUMMARY SHEET

GENERAL

PROJECT LOCATION: Wellfleet, MA
 CLIENT: Town of Wellfleet

Design Phase Direct Expense Cost **\$760.32**

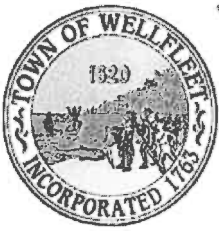
MILEAGE EXPENSE

(See Attached for Breakdown of Meetings)

	Total Rnd Trip Dist.	Est. No. of Mtgs	Total Mileage (Round Trip)	
Meetings to StateDOT - Boston	36	0	0	(Boston, MA)
Meetings to StateDOT District Office	108	1	108	(Taunton, MA)
Meetings with Town	260	5	1300	(Wellfleet, MA)
Site Visits	260	0	0	(Wellfleet, MA)
Total Miles:			1408	
Current Mileage Rate:			\$0.540 \$/Mi	
Total Cost:			\$760.32	

TOTAL MILEAGE COST: \$760.32

Project Development	MassDOT Boston	MassDOT District	City/Town	Site
1 Road Safety Audit			1	
2				
3				
	0	0	1	0
25% Design Submission	MassDOT Boston	MassDOT District	City/Town	Site
1 10/24/2016 - Concept Des Review Mtg w/MassDOT		1		
2 11/10/2016 - Concept Des Rev Mtg w/Town			1	
3 12/6/2016 - PIM @ Council on Aging			1	
4 Misc/Addl Meeting - With Town			1	
5 Misc/Addl PIM @ Council on Aging			1	
	0	1	4	0
TOTAL	0	1	5	0



BOARD OF SELECTMEN

AGENDA ACTION REQUEST
Tuesday, May 9, 2017

VI

BUSINESS G.

REQUESTED BY:	Ted Malone
DESIRED ACTION:	Approve and sign letters of support for CDBG and Community Scape Housing Initiative funding application to DHCD
PROPOSED MOTION:	<ol style="list-style-type: none">1. I move to vote Submit a letter to the Undersecretary of MA Department of Housing and Community Development in support of the rental housing funding application being submitted by Community Housing Resource, Inc. for the 120 Paine Hollow Road development in a form substantially the same as the attached to be signed by the Chair of the Wellfleet Board of Selectmen.2. I move to vote to submit a letter to the Wellfleet Zoning Board of Appeals in support of the Chapter 40B Comprehensive Permit Application filed by Community Housing Resource on May 3rd for 8 units of rental housing at 120 Paine Hollow Road in a form substantially the same as the attached to be signed by the Chair of the Wellfleet Board of Selectmen.3. I move to vote to submit a letter of support for CDBG Reserves - Paine Hollow Road Rental Housing Site Improvements/ Infrastructure in a form substantially the same as the attached to be signed by the Chair of the Wellfleet Board of Selectmen.
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____

From: Ted Malone [<mailto:tedMalone@chrgroup.net>]

Sent: Wednesday, May 03, 2017 5:07 PM

To: Brian Carlson <Brian.Carlson@wellfleet-ma.gov>

Cc: leedara zola (leedarazola@gmail.com) <leedarazola@gmail.com>; Elaine McIlroy (emcilroy@comcast.net) <emcilroy@comcast.net>

Subject: Paine Hollow Road CDBG request / support for Chapter 40B application / support for DHCD Rental Housing funding application

Brian:

There are three requests for BoS support of the development of 120 Paine Hollow Road Rental Housing. These are included in the attached document Paine Hollow Road Background Narrative rev 5.3.2017.pdf:

Three Requests

- Going into this CHRI application process (deadline May 24th) CHR will need to demonstrate Local Support therefore we request a Letter of Support from the Board of Selectmen to DHCD regarding the application for funding. (see attached sample)
- As we pursue regulatory approval with a Comprehensive Permit application under Chapter 40B, we request Board of Selectmen support in that process as we request letter of support to the ZBA in support of the application. This support of the Board of Selectmen will also allow the ZBA to secure technical assistance from Massachusetts Housing Partnership to assist them in the Comprehensive Permit review process.
- Lastly, CHR has had preliminary discussions with Mark Southard at DHCD about the availability of Community Development Block Grant Program (CDBG) Reserves to fund Infrastructure Improvements at the Paine Hollow Road site including the driveway, drainage systems, private well(s) and Title 5 Septic as well as underground electric service to the development and funds for grant administration. Based on the discussion with Mark Southard, we are hopeful that DHCD will invite Wellfleet to apply for CDBG Reserves available for "out-of-round" applications as they did for the Gull Pond Road infrastructure several years ago. The process for being invited to apply is for the Board of Selectman to request in writing an invitation to apply. The attached letter would be sufficient to start the process.

Other Documents for BoS package:

I am also including just a reference material

- Project Eligibility Letter for DHCD
- Sample architectural plans and elevations submitted to ZBA
- Engineered site plan submitted to ZBA

If you have any questions, as I will be out of the office Thursday through Monday, please call me on my cellphone 774.216.1747 or email.

Thanks,

Ted



Community
Housing
Resource
Inc

Preserving Community Through Affordable Housing

Ted Malone
P.O. Box 1015
36 Conwell Street
Provincetown, MA 02657
tel: 508.487.2426 x 1
fax: 508.487.5905
cell: 774.216.1747
email: tedmalone@chrgroup.net
web: www.chrgroup.net

120 Paine Hollow Road Rental Housing

Community Housing Resource, Inc.

Background and History

ATM vote on April 23, 2001 authorized transfer of Town owned parcel at 120 Paine Hollow Road to WHA for affordable housing purposes, two buildings with up to 4 units each and preserve 2 acres as open space. Other limits for development of the site are imposed by DEP Water Supply regulations: 11 bedrooms, serving up to 22 persons, below the Public Water Supply threshold. The April 24, 2017 ATM vote re-affirmed that 2001 vote

Title to the property remains with the Town with authorization to transfer to WHA. After transfer to WHA, construction must commence within 5 years.

The WHA issued a Request For Proposals in February 2006 with a submission date of May 3, 2006. Community Housing Resource, Inc. submitted a proposal including preliminary site plan and architectural plans and ultimately was awarded Designated Developer status based on the proposal and capacity.

CHR began the process of assembling the necessary subsidy resources to achieve financial feasibility with a request for funds submitted on July 14, 2006 for Wellfleet Community Preservation Funding in the amount of \$175,000. These funds were recommended by the CPC and approved by STM vote on November 13, 2006.

Concurrently CHR began preparing for the regulatory process diligently preparing detailed site plans to submit under a NOI to ConCom and DEP for construction of the access driveway within the 50' or 100' buffer zone of resource area that exists on the opposite south side of Paine Hollow Road. ConCom approved the driveway construction subject to an Order of Conditions dated August 22, 2007. On September 11, 2007 several abutters represented by Counsel Petr L. Koff, requested that the ConCom reconsider the Order of Conditions, which was declined. In October 2007 a civil suit was filed by abutters that was denied in Superior Court and then the abutters appealed that decision. The challenges were essentially claiming well water impacts which were not germane to the NOI. The court process extended through 2009 and into 2010 and ultimately CHR and the Town prevailed, however the cost to defend the appeals was in excess of \$24,000 in legal fees, on top of the \$22,000 in architectural and engineering costs to move the project forward.

These delays put the project in the middle of the economic downturn of 2008 to 2010 when state and federal resources were stretched and the sources that were anticipated for Paine Hollow Road rental housing were not sufficient for financial feasibility. Financial feasibility is the necessary prerequisite to proceed with the Comprehensive Permit process under Chapter 40B. Without 40B, it was hoped that the new local affordable dwelling zoning bylaw would be the regulatory path but the project plan as informally presented was not well received by the Planning Board at that time.

Recently, a long awaited new State funding program was announced that specifically targets smaller rental housing development in smaller communities. It is a perfect fit for Paine Hollow Road and we have been able to demonstrate financial feasibility under the new Community Scale Housing Initiative

(CSHI). CHR submitted a preapplication on April 3rd and we have been invited to submit a full application by May 24, 2017.

Demonstrating financial feasibility and obtaining a Project Eligibility Letter (PEL) from a Subsidizing Agency was the first step in initiating the Comprehensive Permit Process under MGL Chapter 40B. The PEL was received from DHCD dated April 28, 2017. With that PEL in hand we were able to complete our Application to the Wellfleet Zoning Board of Appeals under Chapter 40B. Nineteen copies of the application were filed May 3rd and following Public Notice on May 12 and 19, 2017, the ZBA will open a public hearing on the application on June 1, 2017. The ZBA will distribute the applications to other regulatory boards for their comments through the ZBA's public hearing process.

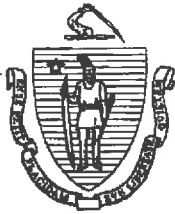
Three Requests

- Going into this CHRI application process (deadline May 24th) CHR will need to demonstrate Local Support therefore we request a Letter of Support from the Board of Selectmen to DHCD regarding the application for funding. (see attached sample)
- As we pursue regulatory approval with a Comprehensive Permit application under Chapter 40B, we request Board of Selectmen support in that process as we request letter of support to the ZBA in support of the application. This support of the Board of Selectmen will also allow the ZBA to secure technical assistance from Massachusetts Housing Partnership to assist them in the Comprehensive Permit review process.
- Lastly, CHR has had preliminary discussions with Mark Southard at DHCD about the availability of Community Development Block Grant Program (CDBG) Reserves to fund Infrastructure Improvements at the Paine Hollow Road site including the driveway, drainage systems, private well(s) and Title 5 Septic as well as underground electric service to the development and funds for grant administration. Based on the discussion with Mark Southard, we are hopeful that DHCD will invite Wellfleet to apply for CDBG Reserves available for "out-of-round" applications as they did for the Gull Pond Road infrastructure several years ago. The process for being invited to apply is for the Board of Selectman to request in writing an invitation to apply. The attached letter would be sufficient to start the process.

We thank you for your ongoing support of affordable rental housing in Wellfleet.

Submitted by Community Housing Resource, Inc.

May 3, 2017



Commonwealth of Massachusetts
**DEPARTMENT OF HOUSING &
COMMUNITY DEVELOPMENT**

Deval L. Patrick, Governor ♦ Timothy P. Murray, Lt. Governor ♦ Tina Brooks, Undersecretary

April 28, 2017

Mr. Edward Malone
Community Housing Resource, Inc.
P.O. Box 1015
Provincetown, Massachusetts 02657

Mr. Denis Murphy, Chair
Wellfleet Board of Selectmen
300 Main Street
Wellfleet, Massachusetts 02667

Re: Paine Hollow Road, Wellfleet, MA

Dear Messrs. Malone and Murphy:

I am pleased to inform you that your application for site eligibility determination for the proposed Paine Hollow Road project in Wellfleet, Massachusetts, has been approved under the Housing Stabilization Fund (HSF) program. The property is located at Paine Hollow Road in Wellfleet, Massachusetts. This approval indicates that the proposed plan for eight units, all of which will be affordable and will consist of five one-bedroom units and three two bedroom units, and the rents and income limits as described in the application are generally consistent with the standards for affordable housing to be included in the community's Chapter 40B affordable housing stock. This approval does not constitute a guarantee that HSF funds will be allocated to the Paine Hollow Road project. It does create a presumption of fundability under 760 CMR 56.04 (4), and permits the Community Housing Resource, Inc. to apply to the Wellfleet Zoning Board of Appeals to seek a comprehensive permit.

As part of the review process the Department of Housing and Community Development has made the following findings:

1. The proposed project appears generally eligible under the requirements of the Housing Stabilization Fund program.
2. The Department of Housing and Community Development has performed an on-site inspection of the proposed project.
3. The proposed housing design is appropriate for the site.

4. The proposed project appears financially feasible in the context of the Wellfleet housing market.
5. The initial proforma for the project appears financially feasible on the basis of estimated development costs.
6. Community Housing Resource, Inc. meets the general eligibility standards of the Housing Stabilization Fund program.

The proposed Paine Hollow Road project will have to comply with all state and local codes not specifically exempted by a comprehensive permit. In applying for a comprehensive permit, the project sponsor should identify all aspects of the proposal that will not comply with local requirements.

If a comprehensive permit is granted, construction of this project may not commence without approval of a final project application and an award of HSF funds by the Department of Housing and Community Development (DHCD). This site eligibility determination letter is not transferable to any other project sponsor or housing program without the express written consent of DHCD.

This letter shall expire two years from this date, or on April 28, 2019, unless a comprehensive permit has been issued, DHCD funding has been awarded, and construction has begun.

We congratulate you on your efforts to increase the supply of affordable housing in Wellfleet.

Sincerely,



Catherine Racer
Associate Director

cc: DHCD, Legal Office
Leedara Zola

May 9, 2017

Ms. Chrystal Kornegay
Undersecretary
Department of Housing & Community Development
100 Cambridge Street, Suite 300
Boston, MA 02114

Dear Ms. Kornegay:

This letter is to convey the Wellfleet Board of Selectmen's strong support for Community Housing Resource's application to DHCD for rental housing funding of the Paine Hollow Road rental housing development in the amount of \$1,000,000. The Town has been committed to affordable housing purposes at this site since 2001 when Town Meeting voted to transfer the parcel to the Wellfleet Housing Authority (WHA). Another Town Meeting vote on April 24, 2017 has reaffirmed the Town's commitment to affordable housing use of the property. The use of the property for affordable rental housing will reach a broad segment of our community who lack stable affordable housing.

The Town has already committed the land and local resources from the Community Preservation Act to this property.

We encourage DHCD to commit \$1,000,000 under the Housing Stabilization Program and the new Community Scale Rental Initiative in this current funding round, that will allow this rental housing development to move forward.

We very much appreciate the support of DHCD.

Sincerely,

Chairman, Wellfleet Board of Selectman

Wellfleet Board of Selectmen
May 9, 2017

Move to:

Submit a letter to the Undersecretary of MA Department of Housing and Community Development in support of the rental housing funding application being submitted by Community Housing Resource, Inc. for the 120 Paine Hollow Road development in a form substantially the same as the attached to be signed by the Chair of the Wellfleet Board of Selectmen.

May 9, 2017

Roger Putnam, Chairman
Wellfleet Zoning Board of Appeals
300 Main Street
Wellfleet, MA 02667

Dear Mr. Putnam:

This letter is to convey the Wellfleet Board of Selectmen's strong support for Community Housing Resource's Comprehensive Permit application to the Wellfleet ZBA for an eight-unit rental housing development. The Town has been committed to affordable housing purposes at this site since 2001 when Town Meeting voted to transfer the parcel to the Wellfleet Housing Authority (WHA). Another Town Meeting vote on April 24, 2017 has reaffirmed the Town's commitment to affordable housing use of the property. The use of the property for affordable rental housing will reach a broad segment of our community who lack stable affordable housing.

Sincerely.

Chairman, Wellfleet Board of Selectman

Wellfleet Board of Selectmen
May 9, 2017

Move to:

Submit a letter to the Wellfleet Zoning Board of Appeals in support of the Chapter 40B Comprehensive Permit Application filed by Community Housing Resource on May 3rd for 8 units of rental housing at 120 Paine Hollow Road in a form substantially the same as the attached to be signed by the Chair of the Wellfleet Board of Selectmen.

May 9, 2017

Mr. Mark Southard
Community Development Manager
Massachusetts Department of Housing and Community Development
100 Cambridge Street, Suite 300
Boston, MA 02114

Re: CDBG Reserves - Paine Hollow Road Rental Housing Site Improvements / Infrastructure

Dear Mr. Southard:

Following communication from Ted Malone of Community Housing Resource, Inc. (CHR), I am writing to you to formally request consideration of an allocation of CDBG Reserves to accomplish an important rental housing development in the Town of Wellfleet. This is a Town sponsored development that has a long history of broad public support.

The affordable housing development at 120 Paine Hollow Road was initiated by a vote of Wellfleet Town Meeting in April 2001 that authorized the transfer of this 4.96 acre site to the Wellfleet Housing Authority (WHA) for affordable housing purposes however Title to the land remains with the Town. The Town will transfer the site to WHA and the WHA will lease the land and any improvement to the designated developer. In 2006 following an RFP to develop the site, the WHA selected CHR as designated developer. Wellfleet Town Meeting also approved the recommendation of the Community Preservation Committee to award CPA funds for the development. Local regulatory approvals under Chapter 40B will commence in May and approvals are anticipated in June.

Since the Town of Wellfleet owns the land for this affordable housing development, site work / infrastructure improvements appear to be eligible activities for the use of CDBG Reserve funds. If awarded CDBG funds could be a significant piece of the puzzle to make this development a reality. The site with infrastructure improvements will be transferred from the Town, to the Wellfleet Housing Authority which in turn will lease the land for 99 years to a single-asset entity controlled by designated developer Community Housing Resource, Inc. (CHR), Ted Malone, principal. CHR will develop the residential buildings subject to an affordable housing restriction on the land. Upon completion, CHR will manage and maintain the rental units and the site improvement for long term affordable housing purposes.

An application for a Comprehensive Permit under Chapter 40B has been submitted to the ZBA and a public hearing will be held on June 1, 2017. We hope that regulatory approval for the development will be in place in July.

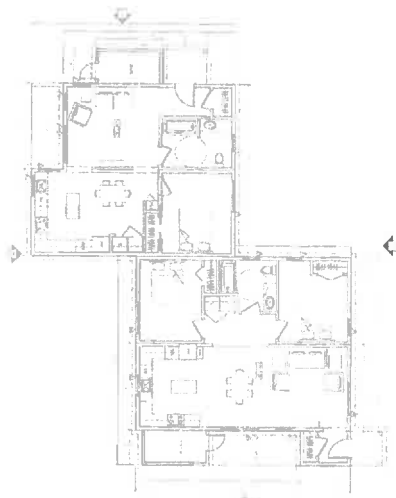
In brief, the project is 8 rental homes in two buildings along an access driveway / roadway of approximately 450 feet long and requires some significant earthwork, grading and retaining to achieve appropriate road grade as well as storm drainage. The housing will be served by a Title 5 Septic to be constructed on site as well. A potable water well will serve the homes and a fire-fighting water storage tank will also be part of the site work as well as underground electric service and propane gas service connected to buried on-site storage tanks. Site work costs are estimated at \$ 350,000. The site work estimate is preliminary including

General Conditions, Construction Management, and Davis Bacon / Prevailing Wage Rates as a Public Works Project, and, 10% administration.

We appreciate your consideration of this request and we look forward to an invitation to formally submit an application for CDBG Reserves.

Sincerely,

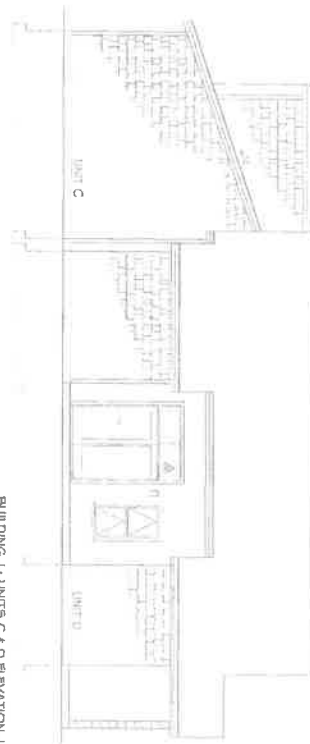
Chairperson, Wellfleet Board of Selectmen



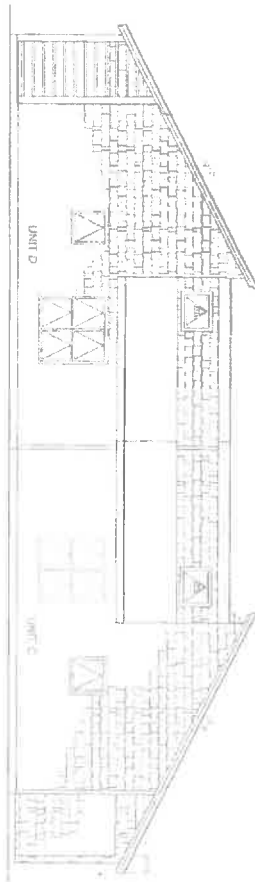
BUILDING 1: UNITS C & D PLAN
1/8" = 1'-0"



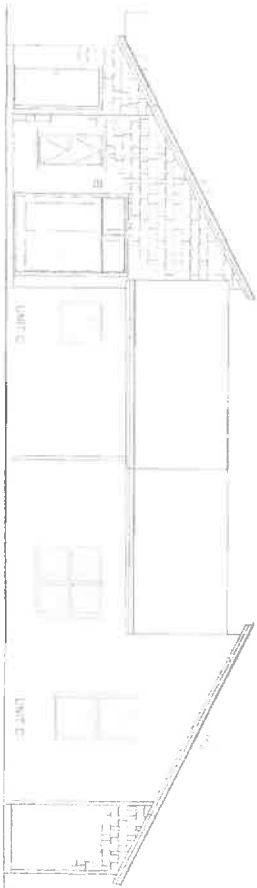
BUILDING 1: UNITS C & D ELEVATION 3
1/8" = 1'-0"



BUILDING 1: UNITS C & D ELEVATION 1
1/8" = 1'-0"



BUILDING 1: UNITS C & D ELEVATION 2
1/8" = 1'-0"



BUILDING 1: UNITS C & D ELEVATION 4
1/8" = 1'-0"

BUILDING 1: UNITS C & D ELEVATIONS

Paine Hollow
100 Paine Hollow Way
Wellfleet, MA

SPRING HILL DESIGN
INTERIORS ARCHITECTURE SPACE PLANNING
21 Dartmouth Street Somerville Massachusetts 02145 617.623.1833

DATE
02.28.17
DESIGNED BY
DRAWN BY
CHECKED BY
A2.1



BOARD OF SELECTMEN

AGENDA ACTION REQUEST
Tuesday, May 9, 2017

VI

BUSINESS H.

REQUESTED BY:	Michael Banghard
DESIRED ACTION:	Approve renewal of concessions contract
PROPOSED MOTION:	I move to vote to approve the Renewal of the concessions contract at Maguire Landing with Solace Food Truck for the amount of \$2,001.
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s): _____
VOTED:	Yea _____ Nay _____ Abstain _____



TOWN OF WELLFLEET

BEACH CONCESSION
Maguire Landing Beach
2017

This agreement is made this _____ day of _____, 2017, by and between the Town of Wellfleet and its Board of Selectmen, hereinafter referred to as the lessor, and **Michael Banghart d/b/a 349 Events/Solace** with a mailing address of PO BOX 3005, Wellfleet, MA 02667 and hereinafter referred to as the lessee; WITNESSETH:

The LESSOR agrees to let and lease to the LESSEE a 15' x 20' (300 sq. ft.) area, at the northeast corner of the parking lot, of Maguire Landing.

Concession Unit must meet all requirements including but not limited to those of the Board of Health, Building Inspector and Board of Selectmen (i.e. permits, roadworthy, safe, insured, sanitary).

The term of the lease shall be for the period **commencing May 27, 2017 and expiring November 4, 2017** and shall conform to the following specifications:

Specifications

1. The concession vehicle must meet the State Sanitary Code Chapter X Minimum Standards for Food Establishments, 105 CMR 590.009 Mobile Food Units and Pushcarts and be legally road worthy. Towed concession vehicles are permitted.
2. The Concession Unit must meet all local requirements including but not limited to those of the Board of Health. The lessee will need to complete a Beach Concession Food Permit Application and a separate Food Service Establishment Application.
3. The Concession Unit shall be large enough to meet the demand of the area that it intends to serve but in no case shall be larger than area described in property description.
4. This agreement authorizes Lessee to vend only in the area outlined in the property description and not in any other areas of the Town.
5. Lessee shall furnish electricity and other utilities. The Lessee shall have their electrical usage metered and cost to be paid directly by Lessee to the electric company for all electrical usage at the beach locations.
6. Lessee shall also furnish trash and provide recycling receptacles for customers. Lessee shall remove trash and recycling at the end of each day and shall **not** dispose of trash and recycling in the town barrels.
7. One parking space (in addition to the lessee location described above in "Property Description") shall be available to Lessee or his/her designated employee. Access to parking space for Lessee and concession unit shall be held open until 10:00a.m. After that time access will be dependent upon current parking situation.
8. Lessee **shall have service available** on all fair weather days during the contracted season as stipulated below. The Town Director of Community Services (or designee)

shall be called if there is a question about whether it is a "fair weather day." The Town's determination is final.

- a. Service is **optional** between May 27th and June 17th. The truck may be there between 10am and 4pm but may also elect to be there from 7am to 10am and from 4pm to 7pm.
 - b. Service is **required** between June 18th and Labor Day. The truck must be there between 10am and 4pm but may be there from 7am to 10am and from 4pm to 7pm.
 - c. Service is **optional** from September 6 through November 1st. The truck may be there between 10am and 4pm but may also elect to be there from 7am to 10am and from 4pm to 7pm.
9. The concession vehicle shall be removed at the end of the day.
 10. Lessee shall not sublet the concession without the prior written approval of the Town.
 11. All lessees must operate from a fixed food establishment.
 12. All lessee vehicles are subject to inspection by local officials.

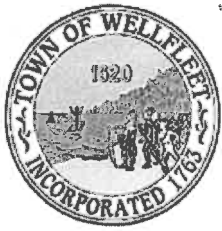
At all times during the term of the lease, the Lessee shall carry Concessionaire's liability/products liability insurance in the amount of \$1,000,000 and worker's compensation insurance in the amount of \$500,000 with the Town named as an additional insured. Evidence of the insurance policies shall be provided to the LESSOR.

In consideration of the privileges extended to the LESSEE by this lease, the LESSEE shall pay to the LESSOR **\$2,001 for Maguire Landing**.

The LESSOR shall have the right to cancel the lease at any time for reasonable cause and the LESSEE shall forfeit the lease payment.

FOR THE LESSOR (Board of Selectmen):

FOR THE LESSEE (Michael Banghart):



BOARD OF SELECTMEN

AGENDA ACTION REQUEST
Tuesday, May 9, 2017

VI

BUSINESS I.

REQUESTED BY:	Becky Rosenberg, Recreation Director
DESIRED ACTION:	Approve a contract for playground equipment and installation at Baker Field.
PROPOSED MOTION:	I move to vote to approve the contract with Miracle Recreation dba Site Specifics for supply and installation of playground at Baker Field in the amount of \$115,471.
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s): _____
VOTED:	Yea _____ Nay _____ Abstain _____

**AGREEMENT
FOR SUPPLY AND INSTALLATION OF PLAY GROUND
AT BAKER FIELD
BETWEEN
THE TOWN OF WELFLEET, MASSACHSETTS
AND
MIRACLE RECREATION DBA SITE SPECIFICS**

THIS AGREEMENT made this _____ day of May, 2017 between Site Specifics a corporation organized under the laws of the Commonwealth of Massachusetts with a usual place of business at 878 East Highway 60, Monett, MA, 065708, hereinafter called the "Contractor", and the TOWN OF WELFLEET acting by its Town Administrator, with a usual place of business at 300 Main Street, Wellfleet, MA, 02667 hereinafter called the TOWN.

The Contractor and the TOWN, for the consideration hereinafter named, agree as follows:

1. Scope of Work

The Contractor shall furnish all labor, materials, equipment and insurance to perform all work required for the provision of supplying and installing a new playground at Baker Field Recreation Area located in Wellfleet Massachusetts (The "Services"), in accordance with the Scope of Services and bid specifications set forth in Attachment A and incorporated herein.

2. Contract Price

The TOWN shall pay the Contractor for the performance of this Agreement, subject to any additions and deductions provided for herein, in current funds, \$115,471.

3. Commencement and Completion of Work

It is agreed that time is of the essence of this Agreement. The Contractor shall provide services under this agreement commencing upon the date the contract is executed and continuing to completion of the work and sign off by the Recreation Director and Town Administrator.

4. Performance of the Work

A Responsibility for the Work:

(1) The Contractor shall be responsible to the TOWN for the acts and omissions of

his employees, subcontractors and their agents and employees, and other persons performing any of the Work under a contract with the Contractor.

- (2) The Contractor shall not employ additional subcontractors not named in his proposal to the Town, nor sublet, assign or transfer any part of his services or obligations under this Agreement without the prior approval and written consent of the Town. Such written consent shall not in any way relieve the contractor from his responsibility for the professional work or services furnished under this Agreement.

5. Payments to the Contractor

- A. The TOWN shall make payment to the Contractor, monthly, upon approval of the Contractor's requisitions therefore. All requisitions shall be in the same proportionate amount of the Contract Price as the proportion of the work completed to the total scope of work.
- B. If there is a material change in the scope of work, the TOWN and the Contractor shall mutually agree to an adjustment in the Contract Price.
- C. If the TOWN authorizes the Contractor to perform additional services, the Contractor shall be compensated in an amount mutually agreed upon, in advance, in writing. Except in the case of an emergency, the Contractor shall not perform any additional services until such compensation has been so established.

6. Insurance

- A. The Contractor shall at his own expense obtain and maintain a Professional Liability Insurance policy for errors, omissions or negligent acts arising out of the performance of this Agreement.
- B. The coverage shall be in force from the time of the agreement to the date when all construction work for the Project is completed and accepted by the Town. If, however, the policy is a claims made policy, it shall remain in force for a period of six (6) years after completion. Since this insurance is normally written on a year-to-year basis, the Contractor shall notify the TOWN should coverage become unavailable.

- C. The Contractor shall, before commencing performance of this Agreement, provide by insurance for the payment of compensation and the furnishing of other benefits in accordance with M.G.L. c.152, as amended, to all its employees and shall continue such insurance in full force and effect during the term of the Agreement.
- D. The Contractor shall also maintain public liability insurance, including property damage, bodily injury or death, and personal injury and motor vehicle liability insurance against claims for damages because of bodily injury or death of any person or damage to property in the amount of not less than \$250,000 per person and \$500,000 per occurrence.
- E. Certificates and any and all renewals substantiating that required insurance coverage is in effect shall be filed with the Agreement. Any cancellation of insurance, whether by the insurers or by the insured, shall not be valid unless written notice thereof is given by the party proposing cancellation to the other party and to the TOWN at least fifteen days prior to the intended effective date thereof, which date shall be expressed in said notice.
- F. Upon request of the Contractor, the TOWN reserves the right to modify any conditions of this Article.

7. Notice

All notices required to be given hereunder shall be in writing and delivered to, or mailed first class to, the parties' respective addresses stated above. In the event that immediate notice is required, it may be given, by telephone or facsimile, but shall, to the extent possible, be followed by notice in writing in the manner set forth above.

8. Termination

- A. Each party shall have the right to terminate this Agreement in the event of a failure of the other party to comply with the terms-of the Agreement. Such termination shall be effective upon fourteen days' notice to the party in default and the failure within that time of said party to cure its default.

9. Miscellaneous

- A. Renewal Option: None.
- B. Assignment: The Contractor shall not assign or transfer any of its rights, duties or obligations under this Agreement without the written approval of the Town.
- C. Governing Law: This Agreement shall be governed by and construed in accordance with the law of the Commonwealth of Massachusetts.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals, the TOWN by its authorized representatives who, however, incur no personal liability by reason of the execution hereof or of anything herein contained, as of the day and year first above written.

John Hollerbach, Contractor:

Town of Wellfleet

By: _____

By: _____

Name:

Name: Daniel Hoort

Title: _____

Title: Town Administrator

Attachment A

See Bid Documents Attached

Town of Wellfleet

P.O. Date: 05/02/2017 13:21 PM
Printed: 05/02/2017 13:21 PM

Release Purchase Order

Purchase Order Number
PO-14-1080-OSD01-
OSD10-00000000427:1

Alternate ID

Solicitation (Bid) No.:

V E N D O R	Vendor Number: 215346
	Miracle Recreation Equipment Company
	878 HWY 60
	Monett, MO 65708

Short Description: FAC79 Baker Field Playground

Special Instructions

**Final order to be confirmed by Brian Carlson on May 10, 2017.

S H I P T O	Brian Carlson 300 Main Street Wellfleet, MA 02667 US Email: brian.carlson@wellfleet-ma.gov Phone: (508) 349-0349
	Brian Carlson 300 Main Street Wellfleet, MA 02667 US Email: brian.carlson@wellfleet-ma.gov Phone: (508) 349-0349

Item # 1

Class-Item 49-24-15

49-24-15-00-0080

Per FAC79 and quotation dated May 1, 2017, omitting \$6,100 expense for demo services. Project design as per attached and to be completed by June 30, 2017. Please note final order execution to occur on May 10, 2017 by Brian Carlson via email.

Quantity	Unit Price	UOM	Discount %	Total Discount Amt.	Total Cost
1.00	\$ 115,471.00	EA	0.00 %	\$ 0.00	\$ 115,471.00

TOTAL: \$ 115,471.00

PURCHASED

By: Brian Carlson

Phone#: (508) 349-0349

Email: brian.carlson@wellfleet-ma.gov

BUYER



BOARD OF SELECTMEN

AGENDA ACTION REQUEST
Tuesday, May 9, 2017

VI

BUSINESS J.

REQUESTED BY:	Becky Rosenberg, Recreation Director
DESIRED ACTION:	Discuss vegetative windscreen for the Tennis Courts project
PROPOSED MOTION:	TBD
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____

VEGATATIVE WINSCREEN

The plans for tennis courts have always included wind screens. Having a windbreak makes the courts playable for more of the time. The only type of screen feasible for Baker's Field is a vegetative type.

The proposal is to plant privet shrubs around the southern and western sides of the fences on both sets of courts to act as a wind break, since the prevailing wind for the area is south westerly. An 18" root guard will be installed around the perimeter of the area to prevent roots from growing under the concrete. Similar guards have been used successfully by the Lawrence Lynch Company (the company installing the Wellfleet Courts) along the bicycle path and the basketball courts at the Orleans Playground. The guards have successfully kept roots from growing under the concrete on the perimeter of these areas. The proposal also includes a three-year warranty by which any trees that do not take properly will be replaced. Town water availability will facilitate the watering system proposed.

The cost of this vegetative screen with a three-year warranty will be \$22,986. (see attached price quote from Bayberry Gardens, Inc) The cost will be covered by funds still available in the original appropriation for the courts and supplemented by an \$8000.00 grant recently received by the Recreation Department from the United States Tennis Association. In total, only \$14,986 will be needed from the appropriation. The tennis courts have raised an average of \$8,000 per summer and the pickle ball program has raised an additional \$5,000. With a proper wind screen, there is the potential to raise even more revenue. Currently there are 70 people playing pickle ball through the Wellfleet Recreation Department. Demand has necessitated offering a total of 4 sessions per week. With the newly constructed courts containing six viable pickle ball courts at Mayo Beach, continued contracted maintenance of the shrubs beyond the three years proposed, if needed, could be covered by user fees.

All courts require a viable windscreen to be able to maximize potential for playability and generating of revenue. Please support this proposal.

QUOTATION

BAYBERRY GARDENS, INC.
250 ROUTE 6 P.O. BOX 835 TRURO, MA 02666
(508) 349-6764

PAGE NO. 1

SOLD TO WELLFLEET WELLFLEET WELLFLEET RECREATION C/O BECKY ROSENBERG 300 MAIN STREET WELLFLEET MA 02667 (508) 349-0314			SHIP TO WELLFLEET WELLFLEET WELLFLEET RECREATION C/O BECKY ROSENBERG 300 MAIN STREET WELLFLEET MA 02667 (508) 349-0314	
NO. 12536	DATE 17 FEB 2017	P.O. NO.	SALESPERSON 1 MAY 2017	ORDER SOURCE
SHIP VIA Customer Pickup			SHIP DATE	TERMS NET 30 DAYS

QTY	SHIP	BO	DESCRIPTION	SKU	SELL	TOTAL
7.00			LOAM/COMPOST MIX YD	MT	43.0000	301.00
7.00			MULCH	MT	52.0000	364.00
2.00			FERTILIZER	NT	19.9900	39.98
2.00			DEBRIS REMOVAL	DEBRIS	60.0000	120.00
1.00			IRRIGATION PARTS	MT	950.0000	950.00
1.00			DUAL TIMER	MT	56.9900	56.99
400.00			STAPLES	MT	0.1000	40.00
185.00			PRIVET	MT	42.0000	7,770.00
1.00			LANDSCAPE LABOR	LABOR	3,970.0000	3,970.00

USE AUGER TO DIG HOLES SPACED 2 1/2' APART & 3' FROM FENCE. INSTALL
SELECTED PLANTS WITH LOAM & COMPOST, SET UP IRRIGATION ON TIMER AND
FERTILIZE & MULCH. A 20% SAVINGS WILL BE APPLIED TO CHOSEN SPECIES.

NOTE: ARBORVITAE IS NOT RECOMMENDED FOR THIS SITE AS IT IS TOO SEVERE.
MAINTENANCE CONTRACT IS ATTACHED.

QUOTATION

PAGE NO. 2

BAYBERRY GARDENS, INC.
250 ROUTE 6 P.O. BOX 835 TRURO, MA 02666
(508) 349-6764

SOLD TO WELLFLEET WELLFLEET WELLFLEET RECREATION C/O BECKY ROSENBERG 300 MAIN STREET WELLFLEET MA 02667 (508) 349-0314			SHIP TO WELLFLEET WELLFLEET WELLFLEET RECREATION C/O BECKY ROSENBERG 300 MAIN STREET WELLFLEET MA 02667 (508) 349-0314		
NO. 12536	DATE 17 FEB 2017	P.O. NO.	SALESPERSON 1 MAY 2017	ORDER SOURCE	
SHIP VIA Customer Pickup			SHIP DATE	TERMS NET 30 DAYS	

QTY	SHIP	BO	DESCRIPTION	SKU	SELL	TOTAL
-----	------	----	-------------	-----	------	-------

NOTE: PRICES AND SIZES OF PLANT MATERIAL MAY VARY ACCORDING TO
AVAILABILITY.

NOTE: BAYBERRY GARDENS IS NOT RESPONSIBLE FOR ANY DAMAGE THAT MAY
OCCUR TO ANY UTILITY OR SERVICE LINES ON THE PROPERTY NOT MARKED BY
DIG SAFE.

PAYMENT TERMS: 1/2 DOWN; BALANCE TO BE BILLED NET 30 DAYS FROM
INVOICE DATE.

FINANCE CHARGES WILL BE APPLIED TO OVERDUE ACCOUNTS.

SUB TOTAL	13,611.97
------------------	-----------

SHIPPING	0.00
-----------------	------

SIGNATURE _____

ADJUSTMENTS

TAX	0.00
------------	------

AMT. RECEIVED

0.00

BALANCE

13,611.97

TOTAL

13,611.97

BAYBERRY GARDENS, INC.
P.O. BOX 835 250 ROUTE 6
TRURO, MA 02666
508-349-6764

MAINTENANCE CONTRACT FOR WELLFLEET RECREATION

1. MAINTENANCE SHALL RUN FOR THREE FULL YEARS, STARTING MARCH 15-OCTOBER 31ST. CONTRACT SHALL COMMENCE FROM THE DATE PLANTS ARE INSTALLED. PLANTS TO BE MAINTAINED SHALL BE THOSE THAT ARE PURCHASED FROM AND PLANTED BY BAYBERRY GARDENS, INC.

PAYMENT SCHEDULE

MARCH 15-APRIL 30	\$625.
MAY 1-MAY 31	\$235.
JUNE 1-JUNE 30	\$185.
JULY 1-JULY 31	\$185.
AUGUST 1-AUGUST 31	\$235.
SEPTEMBER 1-SEPTEMBER 30	\$235.
OCTOBER 1-OCTOBER 31	\$325.

PRIVET TRIMMING & PICK UP 2 X YEARLY-- \$1100.00

ANY NECESSARY SOIL TESTING WILL BE BILLED AT \$75./TEST
NOT TO EXCEED 3 TESTS IN A 3 YEAR PERIOD.

SPECIFICATIONS

1. MAINTAIN ALL ORNAMENTAL SHRUBS FOR WINTER DAMAGE DUE TO SNOW OR WIND DAMAGE. ORNAMENTAL EVERGREENS ARE TO BE SPRAYED WITH ANTIDESICCANT TO PREVENT DRYING OUT.
2. COMPOSTED MULCH TO BE WORKED INTO SOIL EACH YEAR BY APRIL 15TH, WEATHER PERMITTING. ALL COLLARS OF SHRUBS SHALL STAY EXPOSED TO MAINTAIN PROPER CARE. REMULCHING SHALL BE 1-2", NOT TO EXCEED 3" TOTAL.
3. INTEGRATED PEST MANAGEMENT FOR NEW PLANTINGS SHALL INCLUDE MONITORING, IRRIGATION AND TREATMENT OF PESTS

BAYBERRY GARDENS, INC.
P.O. BOX 835 250 ROUTE 6
TRURO, MA 02666
508-349-6764

MAINTENANCE CONTRACT WELLFLEET RECREATION
PAGE 2

3. CONT'D.

AS FOLLOWS:

- NEW PLANTINGS TO BE MONITORED AT WEEKLY INTERVALS DURING THE SPRING FOR SOIL MOISTURE CONDITIONS, PEST INFESTATIONS AND SYMPTOMS OF STRESS, AND BI-WEEKLY THEREAFTER.
 - IRRIGATION TO BE APPLIED USING DRIP IRRIGATION ON A TIMER.
 - PESTS WILL BE MANAGED TO PREVENT DAMAGE TO PLANTINGS.
 - MULCH WILL BE ADJUSTED AS NECESSARY TO ENSURE THAT MULCH DOES NOT COLLECT AGAINST THE ROOT COLLAR.
4. PLANTS SHALL BE MONITORED CLOSELY FOR IRRIGATION DURING THE FIRST THREE GROWING SEASONS. THE ROOT BALLS OF SHRUBS SHALL BE DEEPLY IRRIGATED EVERY 5-7 DAYS WHEN RAINFALL DOES NOT PROVIDE 1" OF WATER PER WEEK. THE IRRIGATION SYSTEM SHALL BE MAINTAINED TO INSURE THAT ALL AREAS RECEIVE SUFFICIENT WATER TO ENCOURAGE RAPID, HEALTHY ESTABLISHMENT AND STRONG GROWTH.
5. IF ANY STRESS APPEARS TO PLANTS, SOIL SHALL BE TESTED AND FERTILIZER APPLIED AS NEEDED TO SHRUBS TO ENCOURAGE RAPID ROOT AND SHOOT GROWTH YEARLY. AN ORGANIC PERTILIZER, SUCH AS PLANTONE SHALL BE USED.

PAUL M. SOUZA
BAYBERRY GARDENS, INC.
DATE: _____

WELLFLEET RECREATION
DATE: _____





BOARD OF SELECTMEN

AGENDA ACTION REQUEST
Tuesday, May 9, 2017

VI

BUSINESS K.

REQUESTED BY:	ATA
DESIRED ACTION:	Approve contract for cleaning of Town Bathrooms
PROPOSED MOTION:	I move to vote to approve the contract with Purrfect Cleaning Services, Inc. for cleaning of specific Town Building Restrooms in the amount of \$29,320.
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s): _____
VOTED:	Yea _____ Nay _____ Abstain _____

Cleaning of Specific Town Building Restrooms

2017 Contract

This agreement made the _____ day of May, 2017 by and between: **Purrfect Cleaning Services, Inc.**, hereinafter called the "Contractor" and the Town of Wellfleet hereinafter called the "Town".

Witnesseth, that the Contractor and the Town for the consideration hereinafter agrees as follows:

Article 1. Scope of Work

The Contractor shall furnish all of the materials/services called for in the specifications for: "Cleaning of Town Building Restrooms"

Article 2. Time Period

The contract is for the period of June 17, 2017 – September 4, 2017.

Article 3. The Contract Sum

The Town shall pay the contractor as follows: Sums as detailed in the contractors bid as shown on the Attached Bid Pricing Sheet in the total amount of \$29,320.

Article 4. Time of Payment

The Town shall pay the Contractor on original invoices only. Invoices shall be submitted on a monthly basis for services provided during the prior month. If all amounts are in order payment shall be made within thirty (30) calendar days. Amounts for June, 2017 and September, 2017 shall be pro-rated and included with the invoices for July, 2017 and August, 2017 respectively.

Article 5. The Contract Documents

The Bid together with this agreement, for the Contract, and they are as fully a part of the Contract as attached and incorporated herein by reference.

Article 6. Termination for Cause

The Town may terminate this Agreement, for cause, at any time upon written notice to the other party designating the reason for said termination. Termination shall be effective immediately.

In Witness Whereof the respective parties hereto have cause this instrument to be duly subscribed and sealed.

Town of Wellfleet

Daniel Hoort, Town Administrator

Date

Contractor

Name of Business/Corp

Date



BOARD OF SELECTMEN

AGENDA ACTION REQUEST
Tuesday, May 9, 2017

VI

BUSINESS L.

REQUESTED BY:	ATA
DESIRED ACTION:	Approve a contract for portable toilets
PROPOSED MOTION:	I move to vote to approve the contract with M.A. Frazier for portable toilets, maintenance and cleaning from the date of execution through November 1, 2017 in the amount of \$74,290.
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s): _____
VOTED:	Yea _____ Nay _____ Abstain _____

**Town of Wellfleet
Portable Toilets Contract
2017**

This agreement made the ____ day of ____ 2017 by and between M.A. Frazier, Ent., Inc. hereinafter called the "Contractor" and the Town of Wellfleet hereinafter called the "Town".

Witnesseth, that the Contractor and the Town for the consideration hereinafter named agree as follows:

Article 1. Scope of Work

The Contractor shall furnish all of the materials/services called for in the specifications for: "Town of Wellfleet Portable Toilets".

Article 2. Time Period

The contract begins the date of execution through November 1, 2017.

Article 3. The Contract Sum

The Town shall pay the contractor as follows: Sums as detailed in the contractors bid as shown on the attached Bid Pricing Sheet in the total amount of **\$74,290**. Additional emergency pumping, special events, and other emergency services may increase this amount.

Article 4. Time of Payment

The Town shall pay the contractor on original invoices only. Invoices shall be submitted on a monthly basis for services provided during the prior month. If all amounts are in order payment shall be made within thirty (30) calendar days.

Article 5. The Contract Documents

The Bid together with this agreement, form the Contract, and they are as fully a part of the Contract as attached and incorporated herein by reference.

Article 6. Termination for Cause

The Town may terminate this Agreement/Contract, for cause, at any time upon written notice to the other party designating the reason for said termination. Termination shall be effective immediately.

In Witness Whereof the respective parties hereto have cause this instrument to be duly subscribed and sealed.

Town of Wellfleet

Contractor

Daniel Hoort, Town Administrator

Name of Business/Corporation

Date:

Signature of Authorized Representative



BOARD OF SELECTMEN

AGENDA ACTION REQUEST
Tuesday, May 9, 2017

VI

BUSINESS M.

REQUESTED BY:	WMWS Manager
DESIRED ACTION:	Approve contract for WMWS Operator
PROPOSED MOTION:	I move to vote to approve the four hours per day, five days a week contract for Water Operator services for the Wellfleet Municipal Water System to be awarded to White Water, Inc. for \$74,929 base contract price with \$25,000 contingency fund and 2.5% escalation factor for the period from August 1, 2017 to July 31, 2018 and option for three annual renewals at the discretion of the Board of Water Commissioners and Board of Selectmen.
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s): _____
VOTED:	Yea _____ Nay _____ Abstain _____

MEMO

To: BOS & BWC

From: Michaela Miteva, EA to the Town Administrator & WMWS Manager

Date: May 2, 2017

Re: FY 18 WMWS Water Operator bid results and recommendation for contract award

BACKGROUND:

The deadline to submit bids for the WMWS Water Operator services was Friday, April 14, 2017 at 10 am. At the pre-bid meeting held on April 3, 2017 at 10 am three companies attended – White Water, Inc., Woodward & Curran and Weston & Sampson. At the time of bid opening White Water Inc. was the only proposer. Woodward & Curran emailed a letter saying that they will not submit a bid. Weston & Simpson did not provide any communication after the pre-bid meeting. The bid was opened at prevailing time of the specified deadline. Assistant Town Administrator Brian Carlson and I reviewed the submitted bid for technical accuracy. The submitted bid followed the RFP specifications and was found to be in good standing, pending the award by the Board of Water Commissioners and the Board of Selectmen.

FRP RESULTS:

Four hours per day bid price: \$74,995 with 2.5% escalation factor and \$25,000 contingency;
Eight hours per day bid price: \$147,929 with 2.5% escalation factor & \$25,000 contingency.

FRP REVIEW AND RECOMMENDATION:

I recommend that the BWC votes to accept the four hours per day contract for \$74,995 with 2.5% escalation factor for Year 1. This amount is within the FY18 budget appropriation of \$78,675 for Water Operator Services. This is the current Water Operator coverage provided by White Water Inc. to the WMWS. The four hours per day coverage will meet the requirements of Mass DEP. The four hours a day coverage has been working well for the past five years. With this new RFP process and new contract, I am pleased to inform the BWC that two previous deficiencies were corrected:

- 1) The new contract has all costs for testing built in the base contract price; The previous contract had the cost for testing billed separately.
- 2) The new contract has routine system flushing as needed and semi-annual water system flushings before and after the winter months included in the base contract price. The previous contract was not specific enough and we had to pay for these services in addition to the base contract price.

ALTERNATE BID FOR EIGHT HOURS A DAY COVERAGE:

The proposed bid price for eight hours per day services was \$147,929. This bid amount is outside of the available funds appropriated for FY18, but it is a helpful information in terms of future budget planning needs, in case a full-time water operator will be needed.

PROPOSED MOTION:

I move to vote to approve the four hours per day, five days a week contract for Water Operator services for the Wellfleet Municipal Water System to be awarded to White Water, Inc. for \$74,929 base contract price with \$25,000 contingency fund and 2.5% escalation factor for the period from August 1, 2017 to July 31, 2018 and option for three annual renewals at the discretion of the Board of Water Commissioners and Board of Selectmen.

SECTION 00500 - AGREEMENT

INDEX

ARTICLE 1	WORK
ARTICLE 2	CONTRACT TIMES
ARTICLE 3	CONTRACT PRICE
ARTICLE 4	PAYMENT PROCEDURES
ARTICLE 5	CONTRACTOR'S REPRESENTATIONS
ARTICLE 6	CONTRACT DOCUMENTS
ARTICLE 7	MISCELLANEOUS

00500-1

SECTION 00500 - AGREEMENT

TOWN OF WELFLEET, MASSACHUSETTS

Wellfleet Public Water System Operations

THIS AGREEMENT is dated as of the _____ of _____ in the year 2017 by and between the Town of Wellfleet, Massachusetts, acting by and through its Board of Selectmen, duly authorized therefore, who acts herein solely for said Town and without personal liability to itself, (hereinafter called OWNER) and WHITE WATER INC. (hereinafter called CONTRACTOR).

OWNER AND CONTRACTOR, in consideration of the mutual covenants hereinafter set forth, agree as follows:

ARTICLE 1 WORK

CONTRACTOR shall complete all Work as specified or indicated in the Contract Documents. The Work is as described in SECTION 01010, SUMMARY OF WORK.

The work done and materials and equipment furnished shall be strictly pursuant to and in conformity with the contract documents.

The Project for which the Work under the Contract Documents may be the whole or only a part is generally described as the daily operations, maintenance, sampling, report preparation, repair services and oversight the Wellfleet Public Water System.

ARTICLE 2 CONTRACT TIMES

The Contract timeframe will cover the period beginning on August 1, 2017 and ending on July 31, 2018. At the Owner's option, this Agreement may be extended for up to three additional years, with contract price increased by the escalation factor or other factors indicated in the Contractor's bid.

ARTICLE 3 CONTRACT PRICE

The OWNER shall pay CONTRACTOR for completion of the work in accordance with the Contract Documents in current funds.

The total of the Bid Proposal accepted by the Town is:

00500-2

\$74,995.00

(Amount in figures)

SEVENTY FOUR THOUSAND NINE HUNDRED AND NINETY FIVE DOLLARS

(Amount in words)

ARTICLE 4 PAYMENT PROCEDURES

CONTRACTOR shall submit monthly Applications for Payment to the Town of Wellfleet for a percentage completed of the total for agreed upon amount stated in Article 3.

ARTICLE 5 CONTRACTOR'S REPRESENTATIONS

In order to induce OWNER to enter into this Agreement, CONTRACTOR makes the following representations:

- CONTRACTOR has examined and carefully studied the Contract Documents (including the any Addenda issued).
- CONTRACTOR has visited the site and become familiar with and is satisfied as to the general, local, and site conditions that may affect cost, progress, performance, or furnishing of the Work.
- CONTRACTOR is familiar with and is satisfied as to all federal, state, and local Laws and Regulations that may affect cost, progress, performance, and furnishing of the Work.
- CONTRACTOR is aware of the general nature of work to be performed by OWNER and others at the site that relates to the Work as indicated in the Contract Documents.
- CONTRACTOR has given OWNER written notice of all conflicts, errors, ambiguities, or discrepancies that CONTRACTOR has discovered in the Contract Documents and the written resolution thereof by OWNER is acceptable to CONTRACTOR, and the Contract Documents are generally sufficient to indicate and convey understanding of all terms and conditions for performance and furnishing of the Work.

ARTICLE 6 CONTRACT DOCUMENTS

The Contract Documents which comprise the entire agreement between OWNER and CONTRACTOR concerning the Work consist of the following:

- Invitation to Bid.
- CONTRACTOR's Bid Proposal
- Affidavit of Non-Collusion
- This Agreement
- Performance, Payment, and other Bonds
- Summary of Work

00500-3

ARTICLE 7 MISCELLANEOUS

No assignment by a party hereto of any rights under or interests in the Contract Documents will be binding on another party hereto without the written consent of the party sought to be bound; and specifically, but without limitation, moneys that may become due and moneys that are due may not be assigned without such consent (except to the extent that the effect of this restriction may be limited by law), and unless specifically stated to the contrary in any written consent to an assignment no assignment with release or discharge the assignor from any duty or responsibility under the Contract Documents.

OWNER and CONTRACTOR each binds itself, its partners, successors, assigns, and legal representatives to the other party hereto, its partners, successors, assigns, and legal representatives in respect to all covenants, agreements, and obligations contained in the Contract Documents.

Any provision or part of the Contract Documents held to be void or unenforceable under any Law or Regulation shall be deemed stricken, and all remaining provisions shall continue to be valid and binding upon OWNER and CONTRACTOR, who agree that the Contract Documents shall be reformed to replace such stricken provision or part thereof with a valid and enforceable provision that comes as close as possible to expressing the intention of the stricken provision.

The contractor shall not discriminate against or exclude any person from participation herein on grounds of race, religion, color, sex, age, national origin or sexual orientation; and that it shall take affirmative actions to insure that applicants are employed, and that employees are treated during their employment, without regard to race, religion, color, sex, age, handicapped status, national origin or sexual orientation.

IN WITNESS WHEREOF, the parties hereto have caused these documents to be signed and sealed on the day and year first above written.

CORPORATE SEAL

By: _____

Incorporated in the State of _____

President: _____

If a Corporation: Treasurer _____

Secretary _____

00500-4

Wellfleet Municipal Water System Operations
Wellfleet, MA

Wellfleet Board of Selectmen:

Dennis Murphy, Chair

Kathleen Bacon

Janet Reinhart

Jerry Houk

Helen Miranda Wilson

In accordance with M.G.L. Chapter 44, Section 31C, this is to certify that an appropriation in the amount of this contract is available therefore and that the Board of Selectmen has been authorized to execute the Contract and approve all requisitions and change orders.

Connie Boulos, Town Accountant

Date

Dan Hoort, Town Administrator

Justina Carlson, Board of Water Commissioners Chair

END OF SECTION 00500




BOARD OF SELECTMEN

AGENDA ACTION REQUEST
Tuesday, May 9, 2017

VI

BUSINESS N.

REQUESTED BY:	Principal Clerk
DESIRED ACTION:	Approve underground cable and conduit petition
PROPOSED MOTION:	I move to vote to approve the petition of Eversource to place approximately 70 feet of cable/conduit under the public way on Highland Ave and Hiller Ave to provide electric service to the customer at 70 Hiller Ave.
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s): _____
VOTED:	Yea _____ Nay _____ Abstain _____

TO: Board of Selectmen
From: Principal Clerk 
Date: April 10, 2017
RE: Cable/Conduit Hearing

On Monday, April 10, 2017 a public hearing was held on the petition of Eversource Energy to place approximately 70' of cable/conduit under the public way on Highland and Hiller Aves to provide electric service to the customer at 70 Hiller Ave in Wellfleet.

A copy of the minutes is attached.

I recommend that the Board vote to approve this petition.

MINUTES

Underground Cable & Conduit Hearing

On Monday, April 10, 2017 at 10:00 a.m. in the Town Hall Conference Room a public hearing was held on the petition of Eversource Energy to place approximately 70' of cable/conduit under the public way on Highland and Hiller Aves to provide electric service to the customer at 70 Hiller Ave in Wellfleet.

Jeanne Maclauchlan called the meeting to order at 10:02 a.m. and read the legal advertisement which had been posted with the Town Clerk. Also present was Jessica Elder of Eversource Energy.

Ms. Elder explained where the tunneling and boring would be and that the contractor, Korbo, would be applying to the DPW prior to the start of work.

The hearing closed at 10:04 a.m.

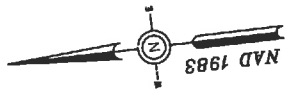
Respectfully submitted,



Jeanne Maclauchlan
Principal Clerk

Plan to accompany petition of EVERSOURCE ENERGY

To install 70' of conduit in town road
to provide electric service for customer at 70 Hiller Avenue.



20-78-0
#65 HILLER AVENUE
N/F
MCMILLIN, NUGENT L.
& PATRICIA D.

20-76-0
#85 HILLER AVENUE
N/F
ALBEE, STEVEN L.
& SUSAN D.

APPROX. PROPERTY LINE

APPROX. PROPERTY LINE

EDGE OF ROAD

HILLER AVE

EDGE OF ROAD

LEGEND

- ⊕ Proposed Hand Hole
- ⊖ Existing Hand Hole
- Proposed Conduit
- - - Existing Conduit
- Proposed Pole
- Existing Pole
- Pole with Riser
- Ⓜ Proposed Multitap
- Ⓢ Proposed Manhole

LF=70' 4" SCH.80 CONDUIT

200' TO SUMMIT ST.

APPROX. PROPERTY LINE

60/H5A

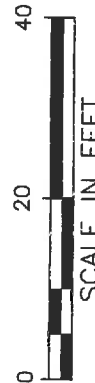
20-69-0
#70 HILLER AVENUE
N/F
SALVADORI, YUKO Y.

HIGHLAND ST
(PAPER STREET)

APPROX. PROPERTY LINE

20-70-0
#86 HILLER AVENUE
N/F
JAFKE, ANNE R.
& RIDKER, PAUL

EVERSOURCE
TO INSTALL
HANDHOLE 60/H5



SCALE IN FEET

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MASS. LAW

REQUIRES 72 HOURS ADVANCE NOTICE TO UTILITY COMPANIES BEFORE DIGGING BY ANYONE. CALL DIG SAFE 1-888-344-7233

Plan # 2190451

Ward #

Work Order # 2190451

Surveyed by: N/A

Research by: PG

Plotted by: PG

Proposed Structures: MR

Approved: A DEBENEDICTIS

P#

EVERSOURCE
ENERGY
d/b/a

1165 MASSACHUSETTS AVE. DORCHESTER, MASS. 02126

Plan of 70 HILLER AVENUE

WELFLEET

Showing PROPOSED HANDHOLE & CONDUIT LOCATION

Scale 1"=20'

Date MARCH 4, 2017

SHEET 1 of 1



BOARD OF SELECTMEN

AGENDA ACTION REQUEST
Tuesday, May 9, 2017

VII

TOWN ADMINISTRATOR'S REPORT



TOWN OF WELFLEET

300 MAIN STREET WELLFLEET MASSACHUSETTS 02667
Tel (508) 349-0300 Fax (508) 349-0305
www.wellfleetma.org

To: Board of Selectmen
From: Dan Hoort, Town Administrator
Subject: Town Administrator's Report
Date: May 5, 2017

This report is for the period April 7 through May 5, 2017.

1. General

- a. Finished town meeting!
- b. Continue to work on dredging project and getting placed at the top of the Army Corp of Engineers priority list.

2. Fiscal Matters

- a. Initial memo for FY 2019 capital improvement plan sent to staff.
- b. Preliminary work has begun on the 5-year operating budget forecast.
- c. I will be requesting Wellfleet residents join me as part of a budget task force to review the Wellfleet operating budget over the summer and into the early fall.

3. Meetings

- a. April 12 – Meeting with George Price and Seashore administrative staff
- b. April 13 – Cape and Islands Town Managers group
- c. April 18 – Pre-town meeting with town counsel and moderator to review motions
- d. April 18 – Union negotiating
- e. April 21 – Union negotiating
- f. May 2 – Economic Vitality Group
- g. May 2 – Recycling Committee
- h. May 4 – Town meeting debriefing with Moderator, Town Clerk, Assistant TA and TA Executive Assistant.

4. Complaints.

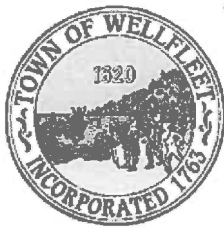
- a. Shellfish complaint.

5. Miscellaneous.

- a. Town Clerk Joe Powers and ATA Carlson are working on a training program for staff and committee/board members on open meeting law, public record requests and parliamentary procedures for running a meeting. First training session expected to be in June.
- b. I will be in Boston May 24, 25 & 26 attending procurement training.
- c. Planning for a fall (late October) economic vitality summit with business community and interested Wellfleet residents.

6. Personnel Matters:

- a. Shellfish Constable applicant interviews are being scheduled while applications continue to be accepted. Eleven applications have been received to date.



BOARD OF SELECTMEN

AGENDA ACTION REQUEST
Tuesday, May 9, 2017

VIII

TOPICS FOR FUTURE AGENDAS

[illegible]



BOARD OF SELECTMEN

AGENDA ACTION REQUEST
Tuesday, May 9, 2017

IX

CORRESPONDENCE AND VACANCY REPORT

Date: May 5, 2017
To: Board of Selectmen
From: Jeanne Maclauchlan
Re: Vacancies on Town Boards

Building and Needs Assessment Committee (5 Members)

Vacant Positions	Appointing Authority	Length of Term
1 Position	Board of Selectmen	3 years
Requesting Appointment: No applications on file		

Cable Advisory Committee (5 Members)

Vacant Positions	Appointing Authority	Length of Term
2 Positions	Board of Selectmen	1 year
Requesting Appointment: No applications on file		

Commission on Disabilities (up to 7 Members)

Vacant Positions	Appointing Authority	Length of Term
6 Positions	Board of Selectmen	3 years
Requesting Appointment: No applications on file		

Comprehensive Wastewater Management Planning Committee (7 Members)

Vacant Position	Appointing Authority	Length of Term
3 Positions	Board of Selectmen	3 years
Requesting Appointment: No applications on file		

Conservation Commission (7 Members)

Vacant Position	Appointing Authority	Length of Term
1 Position	Board of Selectmen	3 years (as of 6/30)
1 Position		2 years to complete term
Requesting Appointment: No applications on file		

Cultural Council (no more than 15 members)

Vacant Positions	Appointing Authority	Length of Term
2 positions	Board of Selectmen	3 years
Requesting Appointment: One application on file		

Energy Committee (11 members total)

Vacant Positions	Appointing Authority	Length of Term
1 BOS Rep	Board of Selectmen	3 years

Finance Committee (9 members, 2 alternate)

Vacant Positions	Appointing Authority	Length of Term
2 Alternate Positions	Town Moderator	3 years
Requesting Appointment: No applications on file		

Herring Warden (1 Warden, 1 Assistant Warden)

Vacant Positions	Appointing Authority	Length of Term
1 Assistant Position	Board of Selectmen	3 years
Requesting Appointment: No applications on file		

Personnel Board (4 members + TA + FinCom Rep)

Vacant Positions	Appointing Authority	Length of Term
2 Positions	Board of Selectmen	3 years
Requesting Appointment: No applications on file		

Recycling Committee (11 members)

Vacant Positions	Appointing Authority	Length of Term
2 Positions	Board of Selectmen	3 years
Requesting Appointment: No applications on file		

Recreation Committee (5 members)

Vacant Positions	Appointing Authority	Length of Term
1 Position	Board of Selectmen	3 years
Requesting Appointment: One application on file		

Shellfish Advisory Board (7 Members, 2 Alternates)

Vacant Positions	Appointing Authority	Length of Term
1 Alternate Position	Board of Selectmen	3 years
Requesting Appointment: No applications on file		



BOARD OF SELECTMEN

AGENDA ACTION REQUEST
Tuesday, May 9, 2017

X

MINUTES

REQUESTED BY:	Executive Assistant
DESIRED ACTION:	Approval of meeting minutes
PROPOSED MOTION:	I move to approve the minutes of March 28, 2017 and April 11, 2017 as printed/as amended.
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____



DRAFT
Wellfleet Board of Selectmen
Minutes of March 28, 2017
Wellfleet Senior Center

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

Chairman Murphy called the meeting to order at 7 PM.

Announcements, Open Session and Public Comments

- ☐ Murphy encouraged everyone to use the microphones when speaking.
- ☐ Harry Terkanian announced that the elevator issue with the Police Station renovation project has been resolved and there will be a lift, and not a full elevator.

Appointments: Thomas Slack to Local Comprehensive Plan Working Group

Murphy raised a concern about the number of members already on the committee and the complication an additional appointment could cause. The appointment was tabled until more information is available and Mr. Slack could be present.

Murphy opened the Public Hearings at 7:05 pm.

Public Hearing: Conditionally Open for Shellfishing Herring River

Wilson clarified the need for reopening Herring River for shell fishing. Acting Shellfish Constable John Mankevetch recommended opening the site.

MOTION 217-267: In accordance with the Town's Shellfish Regulations Wilson moved and Reinhart seconded to ~~to~~ vote to open for shellfishing the area known as Herring River as identified in S.4.2.2 on a conditional basis. The motion passed 5-0.

Public Hearing: One Day Wine & Malt License for Cape Cod Bay Challenge on August 12, 2017.

John Jody Craven presented the application of Cape Cod Bay Challenge for one day wine and malt license and said that it would be contingent on the approval of use of Town Property request. Recreation Director Rebecca Rosenberg said that in the past the event has been taking place after the Recreation Program has ended and expressed concerns about this event taking place with during summer camp. She asked for additional paperwork to be filed and urged the Board to postpone decision on it until the additional information is reviewed. Bruinooge, Reinhart and Houk agreed with Rosenberg. The decision was tabled to April 11 by consensus of the Board.

Public Hearing: Remove William Barrio from shellfish grants #852, 852A and 852B.

Acting Shellfish Constable John Mankevetch recommended approving William Barrio's request. Bruinooge confirmed that the grant will not be abandoned, since there are two more grant holders listed.

MOTION 217-268: Wilson moved and Bruinooge seconded to remove William Barrio as a licensee from shellfish aquaculture leases #852, 852A and 852B. The motion passed 5-0.

Public Hearing: Renew Shellfish Grant licenses #2000-01, 2000-01ext & 2000-06 for 10-year period

MOTION 217-269: Wilson moved and Bruinooge seconded to renew Shellfish Grant licenses #2000-01, 2000-01ext for James & Nancy O'Connell) for 10-year period. The motion passed 5-0.

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MOTION 217-270: Wilson moved and Bruinooge seconded to renew shellfish grant license 2000-06 for James O'Connel and Nick Sirucek for 10-year period. The motion passed 5-0.

Public Hearing: Transfer Annual Wine and Malt Beverages License

Bruinooge explained that this was for the Mobile Station transfer of ownership.

MOTION 217-271: Bruinooge moved and Reinhart seconded to vote to approve to transfer Annual Wine and Malt Beverages License from Wellfleet Village Center, Inc. to Slaibi Enterprises, Inc. The motion passed 4-1 (Houk).

Discussion ensued where Houk shared concerns about not knowing who the requester is and the fact that the ABCC has not approved their application yet.

MOTION 217-272: Bruinooge moved to rescind the motion to approve to transfer Annual Wine and Malt Beverages License from Wellfleet Village Center, Inc. to Slaibi Enterprises, Inc. Reinhart seconded and the motion passed 4-0. (Houk did not vote)

MOTION 217-273: Houk moved to table the request to transfer Annual Wine and Malt Beverages License from Wellfleet Village Center, Inc. to Slaibi Enterprises, Inc. Wilson seconded and the motion passed 5-0.

Licenses: Liquor License Renewals:

MOTION 217-274: Wilson moved and Bruinooge seconded to vote to approve the following liquor license renewals: **Package Store Wine and Malt (Seasonal):** Maurice's; **Package Store All Alcohol (Seasonal):** Wellfleet Marketplace; Wellfleet Wine Cellar & Spirits; **Restaurant Wine and Malt (Seasonal):** Ceraldi; Harbor Stage Company; Wellfleet Flea Market; **Restaurant All Alcohol (Seasonal):** Bob's Sub N' Cone, Bocce; Chequessett Yacht & Country Club; Chequessett Yacht & Country Club Boathouse; Catch of the Day; Flying Fish Café; The Juice; The Lighthouse; Slackman, Inc.; V.R.'s; Wellfleet Beachcomber; Wellfleet Dairy Bar & Grill; Wellfleet Motel & Lodge; Winslow's Tavern. The motion passed 5-0.

Licenses: Business License Renewals

Wilson explained that the Weekday Entertainment license for Bocce Italian Grill was postponed from November 22, 2017 based on neighbors' complaints she had received and recommended not approving until the neighbors can come to the meeting. She clarified that the issue is not with the business license, but the entertainment license. Attorney Ben Zehnder and the Candy Boone of Bocce Italian Bar and Grill were not aware of this issue. Boone confirmed that in the future the noise bylaw is going to be obeyed. Attorney Zehnder requested approval of the business license and not withholding the other licenses. Reinhart asked to see the complaints in writing.

MOTION 217-275: Reinhart moved and Bruinooge seconded to vote to approve the business license renewals for Wellfleet Harbor Actor's Theater and Bocce Italian Bar and Grill. The motion passed 5-0.

Use of Town Property: Indian Neck Beach for a wedding ceremony on 9/8/17

Nancy Porteus presented her daughter's request for wedding ceremony on September 8, 2017 on Indian Neck Beach.

MOTION 217-276: Bruinooge moved and Wilson seconded to vote to approve the request of Nancy Porteus to use Indian Neck Beach use on September 8, 2017, noon to 4 pm for a wedding ceremony with event fee of \$100 and conditions as listed on the use request form. The motion passed 5-0.

Use of Town Property: Mayo Beach and Baker Field Tent and tennis courts use: August 11-13, 2017 – postponed.

Use of Town Property: Town Beach by the Gut on Great Island for wedding ceremony on 7/8/17
Lindsay Mahoney was not present to speak for her request. Reinhart expressed concerns about this application. Community Services Director said that she has been in communication with the requester and said that she had resolved the transportation issue, but is concerned with the number of people on a fragile beach. Wilson also shared Thomas's fears and added concerns about the nesting birds on this site.

MOTION 217-277: Reinhart moved and Bruinooge seconded to vote to not approve the request of Lindsay Mahoney to use Town Beach by the Gut on Great Island for wedding ceremony on July 8, 2017, 3 pm to 3:40 pm. The motion passed 5-0.

Use of Town Property: Newcomb Hollow Beach use on May 9, 2017, 7 am to 9 am for small temporary habitat (Ryan Environmental Group)
Community Services Director Suzanne Grout Thomas recommended approving the request of Ryan Environmental Group.

MOTION 217-278: Bruinooge moved and Reinhart seconded to vote to approve the request of Amy Ryan to use Newcomb Hollow Beach on May 9, 2017, 7 am to 9 am for small temporary habitat for Ryan Environmental Group with event fee of \$100 and conditions as listed on the use request form. Wilson amended the motion to not be anywhere near any virtual fencing. The motion passed 5-0.

Use of Town Property: Town Hall lawn for Memorial Day Service on 5/29 by (American Legion Post 287)
MOTION 217-279: Reinhart moved and Bruinooge seconded ~~to vote~~ to approve the request of the American Legion Post 287 to use the front of Town Hall lawn for Memorial Day Service on May 29, 2017, 8 am to 11 am with no event fee and conditions as listed on the use request form. The motion passed 5-0.

Use of Town Property: Whitecrest Beach parking lot on 6/24 & 7/15 for memorial concert (Face Book Group Trey Helliwell Remembered)
Reinhart said that requesters should be present or send a representative. Suzanne Grout Thomas recommended approving the request based on experience. Wilson wanted to know if all of the conditions will be ~~related-~~ **related** to the requester.

MOTION 217-280: Wilson moved and Bruinooge seconded to vote to approve the request of Henry Marcucella to use Whitecrest Beach parking lot on June 24 and July 15, 2017, 5 pm to 9 pm for memorial concert for the Trey Helliwell Remembered Face Book Group with event fee of \$100 per day and conditions as listed on the use request form. The motion passed 5-0.

Use of Town Property: Town Hall East Driveway for annual plant sale on May 27 (Wellfleet Gardeners)
MOTION 217-281: Bruinooge moved and Reinhart seconded to approve the request of Christine Ebert & Wellfleet Gardeners to use the driveway on the East side of Town Hall for annual plant sale on May 27, 2017, 6 am to 1 pm with no event fee and conditions as listed on the use request form. The motion passed 5-0.

Business: Wellfleet Town Hall Common Project proposal
Trudy Vermehren gave a Power Point presentation about the Wellfleet Town Hall Common Project. Bruinooge expressed how happy and grateful she was with this proposal. Houk wanted to know who will be doing the work and who will maintain it. Vermehren said that the construction will be done through a bid process, and the maintenance will be done through the DPW. She explained labor-saving measures

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accounted in the plan to save on labor for future maintenance. Reinhart and Wilson also expressed support for the proposal. Murphy recommended to get DPW's advise on the flag pole location, so it does not interfere with snowplowing. He wanted to know if the bicycle racks and the rock will be relocated. Terkanian said that the DPW has been included on this project from the beginning and supported the proposal. Wilson suggested asking the Historical Society to accept the cannon and having a plan/lottery to dispose the maple tree wood. Vermehren responded to Wilson by saying that there has been a consideration to reuse the maple tree by making it into a bench. She said that based on conversations, most of the polled people are of the opinion to keep the cannon in front of Town Hall. Tom Flynn also expressed support for this proposal.

MOTION 217-282: Wilson moved and Bruinooge seconded to vote to approve the proposal by Wellfleet Arbor Committee "The Wellfleet Town Hall Common" as presented. The motion passed 5-0.

Business: Discussion of Animal Control Officer Proposal – tabled to a future meeting.

Business: Board's position on the Joint Powers Agreement for Cape Light Compact.

John Giorgio of KP Law clarified that he is not representing Cape Light Compact. He gave a background information about how the Cape Light Compact was established as an inter-municipal agreement and the current need for forming a new Joint Powers Entity (JPE). He went into details about the responsibilities of the new JPE and the transition period. He explained that no town will be required to join the JPE. Each town may elect to become its own energy aggregator upon the dissolution of Cape Light Compact, when more than 50% of participating towns have joined the JPE. Giorgio confirmed that the purposes of the JPE and the Cape Light Compact are identical with the one difference of relieving liability from each participating town and shifting it to the JPE. He explained that the upon joining the JPE, towns can decide to remove themselves at any point in the future. He said that joining the JPE does not require approval of Town Meeting and it is done under the decision of the Selectmen. Based on these facts, Giorgio said that there are benefits to the Town. Discussion about what lead to the separation between the County and Cape Light Compact ensued. Per Giorgio, OPEB and unknown liabilities were the driving forces. In response to Wilson's question who would administer the JPE, Giorgio said that each town's representative will have a weighted vote. Houk was concerned with the weighted votes, and wanted to see each town having an equal vote. Dick Elkin said that the rules of the JPE will be the same as CLC. Reinhart wanted to know how the JPE will be responsible to the ratepayers. Giorgio clarified that the CLC will continue to exist until June 30, 2017, but the CLC will not be under the umbrella of Barnstable County. Lilli Green addressed issues and concerns with accountability, oversight, transparency and responsibilities with the JPE and asked the Board to delay decision to June 30, 2017. Roger Putnam wanted to know why would the Town like to join an entity with only 1% control. Based on this discussion the selectmen had a consensus to postpone decision on this matter to a future meeting. Murphy suggested having ~~an~~ specific meeting in the form of a public forum and get the answers that will help the Board to make an informed decision.

Business: Murro Van Meter 2017 Food Truck Contract beach concession renewal

Reinhart raised concerns about picnic tables and the resulting complications. Murro Van Meter said that he is removing the request for picnic tables based on Reinhart's concerns. Wilson ~~had added~~ the amendment to the contract language.

MOTION 217-283: Wilson moved to vote to approve the Food Truck License for Murro Van Meter, which shall expire on December 31, 2017. Reinhart seconded and the motion passed 5-0.

MOTION 217-284: Wilson moved to approve the contract for Murro ~~van~~ Van Meter's use of Town Property at Newcomb Hollow beach for 2017 as amended. Reinhart seconded and the motion passed 5-0.

Business: 2017 Annual Town Meeting Warrant & Annual Town Election Ballot Questions Placement¹
MOTION 217-285: Bruinooge moved and Reinhart seconded to vote to place ballot questions 1, 2, 3, 4, 5 and 6 and approve and sign the 2017 Annual Town Meeting and 2017 Annual Town Election Warrant as printed. The motion passed 5-0.

Business: Discussion of considering expanded polling hours [Joseph Powers]

The selectmen reviewed the memo² of Town Clerk Joseph Powers for possible expansion of the polling hours for Town elections. Town Moderator Dan Silverman highly recommended expanding the polling hours to 8 pm to be in line with State and Federal closing of the polling hours.

MOTION 217-286: Wilson moved and Bruinooge seconded to expand the polling hours for Town elections to be in line with the State polling hours from 12 pm until 8 pm starting with 2018 Annual Town Election. The motion passed 5-0.

Business: Contract with Appraisal Company of Cape Cod, Inc for Pleasant Point Bulkhead seawall.
Brian Carlson explained the logistics of the contract and confirmed that the appraiser will be paid by the article proponents.

MOTION 217-287: Reinhart moved and Bruinooge seconded to move to vote to approve the contract with Appraisal Company of Cape Cod, Inc for Pleasant Point Bulkhead seawall for \$2,500. The motion passed 5-0.

Business: Approval of Wellfleet Cultural District Application and Resolution

Carlson presented the request for approval of Wellfleet Cultural District application and resolution provided by the State. Reinhart wanted to know where the cultural district will be. Carlson directed her to the posted map online, including the downtown area and the harbor. Wilson wanted to know about the benefits of Cultural District. Carlson explained that the application needs to be renewed every five years and the designation will allow more access of State grant funds to artists in Town. Gigi Ledkovski of the Cultural Council talked about the benefits of this designation.

MOTION 217-288: Bruinooge moved and Reinhart seconded to vote to submit an application and resolution to Create Wellfleet Cultural District. The motion passed 5-0.

Business: Possible call for Special Town Meeting on April 24, 2017 at 7 PM at Wellfleet Elementary School to consider Paine Hollow Affordable Housing Project & grant opportunity or for any other reason.

Gary Sorkin, member of the Wellfleet Housing Authority and Leedara Zola, Housing Authority Consultant explained the nature of the request based on available State funding for affordable housing. When the Housing Authority went to pursue this funding it became clear that the Town has ownership over the land. Sorkin said that there is no guarantee about securing the funding. Murphy said that this piece of property has been stale for 16 years and wanted to see if the duration of time under the umbrella of a private entity can be capped. Sorokin clarified that the delay has been because of litigation holding this up. Zola answered that the duration of the time is incorporated in the language of the proposed article. Dan Silverman went over the logistics of Town Meeting and Special Town Meeting. Discussion ensued.

MOTION 217-289: Reinhart moved that the Board of Selectmen call a Special Town Meeting ~~on~~ on April 24, 2017 at 7 PM at Wellfleet Elementary School to consider Paine Hollow Affordable Housing Project & grant opportunity. Bruinooge seconded and the motion passed 5-0.

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MOTION 217-290: Reinhart moved to place and recommend article 1 of 2017 Special Town Meeting. Bruinooge seconded and the motion passed 5-0.

MOTION 217-290: Reinhart moved to place and recommend article 2 of 2017 Special Town Meeting. Bruinooge seconded and the motion passed 5-0.

MOTION 217-291: Reinhart moved to vote to approve and sign the 2017 Special Town Meeting Warrant³. Bruinooge seconded and the motion passed 5-0.

MOTION 217-292: Reinhart moved to close the 2017 Special Town Meeting Warrant. Bruinooge seconded and the motion passed 5-0.

Town Administrator's Report⁴ – no additions.

Topics for Future Discussion

- Wilson asked for a calendar of all events of all use of Town property requests.
- Wilson request to have the BOS meeting before Town Meeting in the teacher's lounge.
- Wilson requested an agenda item of the sanctuary city item for next meeting.
- Reinhart brought up an anonymous letter about cleaning boats.
- Reinhart asked to have the Formula Business Bylaw revisited.
- Reinhart suggested having a local preference policy in hiring town employees

Correspondence⁵ and Vacancy⁶ Report

Wilson – DRI for Cumberland Farms.

Adjournment

MOTION 217-267: Reinhart moved and Wilson seconded to adjourn the meeting at 10:18 pm. The motion passed 4-0.

Respectfully submitted,

Michaela Miteva, Executive Assistant

Public Records Materials:

¹ Final 2017 ATM & ATE Warrant

² Town Clerk's memo on expanded polling hours

³ 2017 Spring STM Warrant

⁴ TA Report of March 24, 2017

⁵ Correspondence Report of March 28, 2017

⁶ Vacancy Report of March 24, 2017



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**Wellfleet Board of Selectmen
Minutes of April 11, 2017
Wellfleet Senior Center**

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

Chairman Murphy called the meeting to order at 7 PM.

Announcements, Open Session and Public Comments

- ☐ Chairman Dennis Murphy recognized outgoing member Berta Bruinooge and thanked her for her service on the Board. Ovarions by all attending the meeting in recognition of Bruinooge's service.
- ☐ Wilson announced that the Social Security Administration will host temporary satellite locations for in Orleans and Provincetown and directed interested parties to check the news section on the Town's web site for details.
- ☐ Hoort announced that Amnesty Day will be on April 22 from 8 am to 2 pm at the Transfer Station.
- ☐ Police Chief Ron Fisette announced that the old police station is officially closed and the Police Department is currently operating from the temporary facility.
- ☐ Jerry Houk announced that the Library will be closed on Easter Sunday, 4/16 and Patriot's Day, 4/17.

Murphy opened the public hearings at 7:05 pm.

Public Hearing: Transfer Annual Wine and Malt Beverages License from Wellfleet Village Center, Inc. to Slaibi Enterprises, Inc.

The owner of the Slaibi Enterprise and the current owner of Wellfleet Village Center were present and requested approval of the request to transfer Annual Wine and Malt Beverages License from Wellfleet Village Center, Inc. to Slaibi Enterprises, Inc.

MOTION 217-293: Reinhart moved and Bruinooge seconded to approve the transfer of the Annual Wine and Malt Beverages License from Wellfleet Village Center, Inc. to Slaibi Enterprises, Inc. The motion passed 5-0.

Public Hearing: One Day Wine & Malt License for Cape Cod Bay Challenge on August 12, 2017 from 3 pm to 10 pm.

Jody Craven requested the one day liquor license for Cape Cod Bay Challenge. Reinhart asked for the recommendation of the Recreation Director. Becky Rosenberg confirmed that her concerns have been addressed and she has no issues with the event.

MOTION 217-294: Reinhart moved and Bruinooge seconded to vote to approve One Day Wine & Malt License for Cape Cod Bay Challenge on August 12, 2017 from 3 pm to 10 pm. The motion passed 5-0.

Public Hearing: Two Day Wine & Malt License for SPAT on October 14 and 15, 2017 for OysterFest
Michele Insley, Executive Director was present to answer Selectmen's questions.

MOTION 217-295: Wilson moved and Bruinooge seconded to vote to approve two-day Wine & Malt License for Wellfleet SPAT OysterFest on October 14 and October 15, 2017 from 10 am to 5 pm. The motion passed 5-0.

Public Hearing: Application for underground fuel storage license at Cumberland Farms 2586 State Highway (J. Veara, Attorney for applicant).

Attorney Jaimie Veara representing Cumberland Farms requested the Board's approval of a license for

underground fuel storage tanks for Cumberland Farms at 2586 State Highway. He said that the Fire Chief had approved the application. Veara stated that the focus of the Hearing was the application for a license to permit fuel tanks, and only that. He went into the details of the proposed fuel tank installation and had a map of the plans displayed on an easel to support his explanation. Dan Silverman, the retired Wellfleet Fire Chief but speaking as a citizen, urged the Selectmen to take into consideration the overwhelming opinion of the Town's residents that there should not be another gas station in that spot. He said that he has an issue with having a business expand in an already busy and congested area, where another gas station does not seem to be needed. David Agger, a resident who lives and runs a business nearby, did not favor approving the fuel tank licenses and concurred with Dan Silverman. Mark Gabriele had a question about the capacity of the tanks and asked for any potential insurance risk and increased insurance premiums. Attorney Veara did not have an answer on the insurance question, but said that the tank is of a standard size. Brent Harold wanted to know if the Board has any legal basis for turning this request down. He said that there is no public support for having another gas station in this area. Elspeth Hay wanted to know if Cumberland Farms would be making electric vehicle chargers available. Veara said that electric vehicles chargers are not now part of this proposal, but could be considered in the future. Theresa Parker wanted to know about the impact on public health safety because of the increased presence of fumes as a result of there being an additional gas station. Geraldine Ramer, a resident who lives nearby, also did not support approval of this request. Attorney Veara addressed concerns raised by Silverman and Agger by saying that a traffic study had been done and it determined that it has no impact on traffic congestion. It was pointed out that it had been done in the off season. He urged the Board to be focused on the public safety issue. Murphy asked Police Chief Fisette about data for traffic accidents at this intersection. Police Chief Fisette confirmed that this intersection has been identified as one of the highest accident areas in Wellfleet, and that there had been a recent accident there, but could not tie accident occurrences specifically to Cumberland Farms. Reinhart wanted to know if it was legal to cross over yellow lines in this area because of double yellow lines. Fisette answered that there is no issue with crossing yellow lines at this intersection. Wilson noted that Veara's description of the monitors that would be in place to pick up on any malfunction in the fuel tanks was evidence that they could fail. And that, indeed, sooner or later all equipment does fail and does need repair. She said that ground water in Wellfleet generally moves west and that Duck Creek is just to the west of the proposed fuel tanks. Another wetland abuts the north side of the Cumberland Farms property. She noted the dense development in the area and that there are already two gas stations with fuel storage tanks right across the street, so additional tanks will only compound the hazard and the potential for dangerous conditions. She did not support approving the request for additional fuel storage tanks. She highlighted the fact that there were already three gas stations in Wellfleet and that huge Cumberland Farms gas stations existed a few minutes away, in Eastham and Provincetown. She said that once a gas station is approved, it is a grant running with the land in perpetuity, regardless of ownership transfer. Houk expressed concerns about the increase of traffic and wanted to know when construction is planned. Veara said that the construction would not happen in the spring or summer. Houk wanted to know how deep the tanks will be and it was confirmed that the bottom of the tanks will be 12 to 14 feet down. Bruinooge also did not support an additional gas station at this location based on concerns for increased traffic and possible leaks. Reinhart wanted to know if there was a drainage structure to prevent fuel leakage contaminating the ground water. The engineer explained the nature of the catch basins that would be in place. Veara said that plans had been submitted on March 24, 2017. The Board members said that they have not seen the plans. Murphy said that in 1966 there were six gas stations. He added that in Wellfleet in the summer, there can be 5-minute waiting at any one of the gas stations. He was not concerned about the tanks creating hazardous conditions because these tanks will be newer than any others in Wellfleet. Wilson disagreed with Murphy about the waiting.

The Board discussed whether to continue the Hearing to a future meeting or decide it at this time.

MOTION 217-296: Bruinooge moved and Reinhart seconded not to approve an Underground Fuel Storage License for Cumberland Farms, Inc. at 2586 State Highway, Route 6, Wellfleet, MA 02667. The motion

passed 3-2. (Murphy and Houk). Houk clarified that he voted “No” because he had not studied the plans, not because he supports the gas station.

Public Hearing: Beach Rules and Regulations – amendment of section 4, Parking

Community Services Director Suzanne Grout Thomas requested the amendment of the Beach Rules and Regulations and explained why.

MOTION 217-297: Wilson moved and Reinhart seconded to vote to amend the Beach Rules and Regulations¹, Section 4 – Parking as printed. The motion passed 5-0.

The public hearings were completed at 8:11 pm.

Licenses: Weekday Entertainment License: Bocce Italian Grill and Wellfleet Harbor Actor’s Theater

The manager of Bocce Italian Bar and Grill was present to address Selectmen’s concerns about noise levels because of weekday live entertainment and confirmed that the live entertainment will not go past 10 pm.

MOTION 217-298: Reinhart moved and Bruinooge seconded to vote to approve Weekday Entertainment License for Bocce Italian Grill and Wellfleet Harbor Actor’s Theater (WHAT). The motion passed 5-0.

Appointments/Reappointments: Thomas Slack to Local Comprehensive Plan Working Group

Thomas Slack expressed his interest to serve on the Local Comprehensive Plan Working Group. Murphy confirmed the number of the members on the group. Brian Carlson said that this appointment will be an even number. Suzanne Grout Thomas said that decisions have been unanimous to date and there have been no votes as far as she can remember. Bruce Hurter supported the appointment of Slack

MOTION 217-299: Reinhart moved and Bruinooge seconded to vote to appoint Thomas Slack to the Local Comprehensive Plan Working Group. The motion passed 5-0.

Use of Town Property: Wellfleet SPAT, Inc. to use various Town property for OysterFest 10/14 & 10/15

Michele Insley was available to answer questions. She confirmed that there were no significant changes to the request since last year, other than free admission on Sunday for Wellfleet residents. Discussion ensued about the fees paid by SPAT to the Town. Murphy raised concerns about the liability and the duration of the use before and after the actual event.

MOTION 217-300: Reinhart moved and Bruinooge seconded to approve the request of Wellfleet SPAT, Inc. to use various Town Property for 2017 OysterFest from Tuesday, October 10 through Tuesday, October 17, 2017 as requested. Use fee \$3,000 and conditions as listed on the use request form. The motion passed 5-0.

Use of Town Property: Wellfleet SPAT, Inc. to use Power’s Landing and Andrew Cummings Wash-Ashore Oyster Ranch for aquaculture grant tours during summer of 2017

Michele Insley presented the request and answered Selectmen’s questions about the use request. The Selectmen found these tours to be a great idea.

MOTION 217-301: Reinhart moved and Bruinooge seconded to approve the request of Wellfleet SPAT, Inc. to use Power’s Landing Parking Lot, Mayo Beach and the Pier, Andrew Cummings, Wash-Ashore Oyster Ranch, license area 754, Pickard and other properties for series of aquaculture grant tours during various dates in the summer of 2017 as requested. The use fee is \$20 per day of use and conditions as listed on the use request form. The motion passed 5-0.

Use of Town Property: Cape Cod Bay Challenge, Inc. for Mayo Beach & Baker Field Tent on 8/11-13

MOTION 217-302: Wilson moved and Bruinooge seconded to approve the request of Cape Cod Bay Challenge, Inc. made by Jody Craven & Christa von der Luft to use Mayo Beach and the Baker Field Tent and tennis courts on August 11, 12 and 13, 2017 for the Cape Cod Bay Challenge event with no event fee and conditions as listed on the use request form. The motion passed 5-0.

Use of Town Property: Cape Cool to raise Earth Flag on the Town Hall flag pole, April 21-24, 2017

Elsbeth Hay was present on behalf of Harriet Korim to answer questions about the Cape Cool use of Town property request.

MOTION 217-303: Bruinooge moved and Reinhart seconded to approve the request of Cape Cool - Harriet Korim to raise Earth Flag on the Town Hall flag pole for Earth Day, Friday April 21- Monday, April 24, 2017; with no event fee and conditions as listed on the use request form. The motion passed 5-0.

Business: Proposal for food composting plant at the Transfer Station

Elsbeth Hay gave a presentation² about the proposed pilot program and answered questions about the proposal. Discussion ensued. The Board had a mutual consensus that this is a great idea, but needed more time to review the request and get a recommendation from the DPW. Hoort said that the concerns of the DPW will be addresses and Town Officials will visit the plant at Needham to see how this type of plant is operated. The Board agreed to grant access to the Transfer Station for a site visit.

Business: Discussion of 2017 ATM Art. 39, Pleasant Point bulkhead

John Riehl and Bruce Hurter as members of the Open Space Committee and Natural Resources Advisory Board raised concerns about the deed of transfer and the need for future access. Denny O'Connell said that this amendment can be addressed with the Purchase and Sale contract, if Town voters authorize the transfer. Discussion ensued about access to the bulkhead, the status of the stairs and Town Counsel opinion on a similar matter involving Town property.

Business: Letter of endorsement from Chief Elected Official for Cultural District Application]

MOTION 217-304: Bruinooge moved and Reinhart seconded to vote to sign a letter of endorsement from Chief Elected Official for Cultural District Application. The motion passed 4-0. (Houk stepped out).

Business: Commitment Letter for USTA Grant

Recreation Director Becky Rosenberg presented the request for USTA Grant in the amount of \$20,000.

MOTION 217-305: Wilson moved and Bruinooge seconded to vote to authorize the Chair of the Board of Selectmen to sign a Commitment Letter for the United States Tennis Association Grant on behalf of our Recreation Department. The motion passed 5-0.

Business: Discussion of 2017 ATM Article 46, Safe Communities Act

Wilson expressed concerns about Article 46 – Safe Communities Act of 2017 Annual Town Meeting and requested to find more information about this from Theresa Parker, who has been researching the issue. Parker passed handouts³ and said that there are community concerns about immigration issues together with concerns about losing Federal funding. Parker said that based on research Sanctuary Cities have not lost federal funding in the past. She discussed the difference between “Sanctuary City” and Safe Communities Act”; what is considered actionable based on the Federal Government; the 10th Amendment of the United States; and one excepting for withdrawal of highway funds to be withheld for not enforcing national drinking age. Police Chief Fisette answered that in his opinion the Town does not have the potential to suffer loss of Federal Funding. Based on the proposed article language and the fact that it is a non-binding, Parker did not find any issues and threats to the Town.

Town Administrator's Report⁴ – no additions.

Topics for Future Discussion

- Reinhart – Volunteered to write a letter of support for the Marina Dredging; requested turning down the heat at Town buildings; Snowplowing should be revisited; Michael Ford's request for abandoning Town road - Great Fields should be on a future agenda.
- Houk – Wellfleet Arbor Committee should have meetings to address residents' concerns and opposition of the Town Hall trees removal. Place a sign Wellfleet Town Hall.
- Wilson requested scheduling Cape Light Compact special meeting soon; Urged the Board to decide on the Old COA and Old Shellfish Shack before Christmas.

Correspondence⁵ and Vacancy⁶ Report

Minutes

MOTION 217-306: Wilson moved and Bruinooge seconded to approve the minutes of February 28⁷ as amended by Wilson. The motion passed 5-0.

MOTION 217-307: Wilson moved and Reinhart seconded to approve the minutes of March 15⁸ as amended by Wilson. The motion passed 5-0.

Adjournment & Executive Session

MOTION 217-308: Murphy moved to adjourn the public meeting and not go back in open meeting at 9:45 pm pursuant to the following reasons - G.L. c. 30A, §21(a)(3), to 1. To discuss strategy with respect to collective bargaining and litigation if the Chair declares that an open meeting may have a detrimental effect on the Town's bargaining and litigating position, the Board will review the current collective bargaining status and strategy recommendations for WEA Units A, B and C and Police Officers Union; 2. To discuss strategy with respect to litigation if the Chair declares that an open meeting may have a detrimental effect on the Town's litigating position for Curran v. Wellfleet (0 West Main Street). The motion passed by a roll call vote where each Murphy, Bruinooge, Wilson, Reinhart and Houk each said "Aye".

Respectfully submitted,

Michaela Miteva, Executive Assistant

Public Records Materials:

¹ Beach Rules and Regulations Amendment

² PowerPoint for Food Composting pilot program

³ Research by Theresa Parker about Sanctuary Cities and the Town's Article 46 – Safe Communities Act.

⁴ TA Report of April 7, 2017

⁵ Correspondence report of April 10, 2017

⁶ Vacancy report of April 6, 2017

⁷ Draft minutes of February 28, 2017

⁸ Draft minutes of March 15, 2017