



Board of Selectmen

The Wellfleet Board of Selectmen will hold a public meeting on Tuesday, February 10, 2015 at 7:00 p.m. at the Wellfleet Senior Center, 715 Old Kings Highway, Wellfleet, MA 02667.

- I. Announcements, Open Session and Public Comment [7:00]**
- II. Public Hearing(s) [7:05]**
- III. Licenses/Appointments/Reappointments/Use of Town Property**
 - A. Licenses - NONE**
 - B. Appointments**
 - 1) Herring warden. Ethan Estey recommended by Health and Conservation Agent
 - C. Reappointments - NONE**
 - D. Use of Town Property**
 - 1. WES PTA to use Baker's Field behind the tennis courts for WES Fest fundraising event on Saturday, May 23, 2015
 - 2. WOMR to use Long Pond for ¼ mile swim; Long Pond Rd, Gross Hill Rd, Ocean View Dr for 10 miles bike loop & Long Pond & Ocean View for a 3 miles run for Lower Cape Triathlon on June 20, 2015, 7:00 am - 10:00 am.
- IV. Business**
 - A. Submission of proposed Zoning Bylaw changes and amendments from the Planning Board for the upcoming ATM as required by The Zoning Act, M.G.L., ch. 40A Note: all zoning by-law amendments are initially filed with the board of selectmen who must refer them to the planning board within 14 days**
 - 1) Section II – Definitions: Individual Storage Units
 - 2) Section VI General Regulations 6.14 Special Flood Hazard District Regulations
 - 3) Section VI General Regulations 6.16 Repeal Home Industry
 - 4) Section VI General Regulations 6.22 Home Occupations
 - 5) Section VI General Regulations 6.23 Service Trade Home Business
 - 6) Section VII 7.3 Signs
 - 7) Section VII 7.3 Signs (alternate Article)
 - B. Continued discussion of fees for use of Town property [Morrissey]**
 - C. TA report on Chamber of Commerce Marina sign alternatives [TA]**
 - D. Request by Fire Chief to carry over vacation days [TA]**
 - E. FY 2016 budget review [TA]**
- V. Town Administrator's Report**
- VI. Future Concerns**
- VII. Correspondence and Vacancy Report**
- VIII. Minutes**
 - A. January 13, 2015 and January 26, 2015**
- IX. Executive session**
 - A. To conduct a collective bargaining session with the Teamsters Union. [TA]**
- X. Adjournment**

**TOWN OF WELFLEET
APPLICATION FOR PERMIT TO USE TOWN OWNED PROPERTY**

Applicant Kathryn Knier Affiliation or Group WES PTA

Telephone Number 508-349-5580 Mailing Address 100 Lawrence Rd

Email address Katymia @comcast.net Welfleet, MA 02067

Town Property to be used (include specific area) Baker's Field - behind
Tennis Courts

Date(s) and hours of use: Saturday May 23rd 2015 Round date

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.

Purpose is WESFest - WESPTA annual Fundraiser.

Equipment - Carnival Rules and Music we will be
using the same company as we have in the past. Food -
Ice cream truck, Hot Dogs, pizza drinks.

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

We have not had to use any of these in the past. except
for the DPW to mark where the sprinkler heads are in the
field if they feel they need to be. This event has run smoothly
NOTE TO APPLICANTS: All applications must be accompanied by a non refundable \$20.00 processing fee. each year
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: _____

Fee: _____

(over)

APPLICANT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND INSPECTIONS

Health/Cons. Agent Signature:

Deey Cean 1/9/15

Comments/Conditions:

Permits/Inspections needed:

* *TEMPORARY FOOD SERVICE PERMIT NEEDED*

Inspector of Buildings Signature:

1-16-15 *PLS*

Comments/Conditions:

STATE Inspection CERTIFICATION REQUIRED FOR MECHANICAL RIDES

Permits/Inspections needed:

Police Dept. Signature:

[Signature] 1/22/15

Comments/Conditions:

Fire Dept. Signature:

[Signature] 1/23/15

Comments/Conditions:

DPW Signature:

[Signature] 1/23/15

Comments/Conditions

OK

Beach Dept. Signature:

Comments/Conditions:

X

Shellfish Constable Signature:

Comments/Conditions:

X

Harbormaster Signature:

Comments/Conditions:

X

Recreation Dept. Signature:

[Signature]

Comments/Conditions:

Same Set up as last year. No trucks on infield no cars on field.

Town Administrator: *Community Services Director*

OK, Applicant should meet w/ Community service director prior to event

Because amusements present require

proof of liability insurance naming town as add'l insured
Wine all fees 2/13/15 *HSTK*

Wine use of town property fees.

REC'D JAN 29 2015

Applicant WOMR/Myya Beck Affiliation or Group Lower Cape Triathlon
Telephone Number 508.487.2619 Mailing Address POB 975
Email address john@womr.org Provincetown 02657
Town Property to be used (include specific area) Long Pond & parking lot, Long Pond Rd,
Ocean View Drive, Gross Hill Rd,

(over)

APPLICANT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND INSPECTIONS

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

Police Dept. Signature: <i>[Signature]</i> 2/4/15 Comments/Conditions: <i>Same as previous years</i>	Fire Dept. Signature: <i>[Signature]</i> 2/4/15 Comments/Conditions: <i>OK</i>
--	--

DPW Signature: <i>Paul Rindley</i> 2/4/15 Comments/Conditions: <i>OK</i>	Beach Dept. Signature: <i>SG Thomas</i> Comments/Conditions: <i>OK - with last year's parameters repeated this year</i>
---	---

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

Recreation Dept. Signature: Comments/Conditions:	Town Administrator: <i>OK HSC. 2-</i> Comments/Conditions:
--	--

Article ____: To see if the Town will vote to amend the Zoning Bylaws by amending the Section II definition of Individual Storage Units as follows (deleted language appears as ~~striketrough~~ type; proposed language appears in **bold** type):

~~Individual Storage Units—Single or multiple enclosed units for monthly or other rental for the storage of personal belongings, related to services trades businesses, not having potable water or septic disposable services.~~

Individual Storage Unit - A commercial Building providing one or more rental spaces for the storage of household goods, personal belongings and other non-toxic, non-hazardous items. Rental spaces shall not have a source of potable water or sanitary facilities.

Two-Thirds Vote required

Board of Selectmen recommends

Planning Board recommends

Bylaw Committee recommends

SUMMARY:

Article ____: To see if the Town will vote to amend the Wellfleet Zoning Bylaw Section VI;
6.14.3.5 Special Flood Hazard District Regulations. (deleted language appears as ~~striketrough~~
type; proposed language appears in **bold** type.):

6.14 Special Flood Hazard District Regulations

6.14.3.5 Compliance in all respects with **sections of** the State Building Code **(780 CMR) which**
address floodplain and coastal high hazard areas. ~~Section 744.0.~~ ATM 4/25/88

Two-Thirds Vote required

Board of Selectmen recommends

Planning Board recommends

Conservation Commission recommends

Bylaw Committee recommends

SUMMARY:

Article _____ : To see if the Town will vote to repeal the 6.16 HOME INDUSTRY bylaw by:

- a) amending Section II DEFINITIONS by striking the definition of Home Industry;
- b) amending Section V USES by striking Home Industry, Small and Home Industry, Large from the 5.3.2 Commercial Use table;
- c) amending Section VI GENERAL REGULATIONS by striking Section 6.16 HOME INDUSTRY;

Home Industry - A business which:

- a) Is carried on by a member of the family residing in the dwelling unit
- b) Cannot meet the criteria for a Home Occupation, and
- c) Involves no retail sales, except for goods produced on the premises or incidental to services provided on the premises.

5.3.2 Commercial	CD	R1	R2	NSP	C	C2
Home Industry, Small	A	Ø	A	Ø	P	A
Home Industry, Large	Ø	Ø	A	Ø	P	A

6.16 HOME INDUSTRY – Home Industry (see definition) shall be allowed or allowed on special permit at locations as indicated in Section 5.3 Use Regulations, subject to the following: (Added 4/29/86 ATM, Art. 22)

~~6.16.1 For a Small Home Industry there shall be not more than four employees on the premises at any time who are not resident thereon, or eight such employees for a Larger Home Industry.~~

~~6.16.2 The floor area occupied by the business shall not exceed 2,000 square feet for a Larger Home Industry.~~

~~6.16.3 Regular outdoor parking of any vehicle having GVW rating in excess of 18,000 pounds or enclosed cargo area exceeding 500 cubic feet or a 12 passenger or larger bus shall be allowed only for a Larger Home Industry.~~

~~6.16.4 Any exterior storage of materials or equipment for a Home Industry must be so located and screened with evergreen plantings that it is not normally discernable from any location off the premises.~~

~~6.16.5 In the R2 District, Home Industry shall be approved on Special Permit only upon determination by the Board of Appeals that the industry is compatible with any potentially affected residential premises, that access poses no unusual hazard, that the use is likely to benefit year-round employment or service needs of the Town, and that the site plan minimizes visual intrusion of any parking or service areas.~~

Two-Thirds Vote required

Board of Selectmen recommends

Planning Board recommends

Bylaw Committee recommends

SUMMARY:

2.4.15 As approved by Planning Board for Public Hearing

Article _____ : To see if the Town will vote to amend the Zoning Bylaws by:

- a) amending Section II DEFINITIONS by striking the definition of Home Occupation and substituting therefore the following; and
- b) amending Section VI, GENERAL REGULATIONS, Section 6.22 Home Occupations as follows: (Deleted language appears as strikethrough type; proposed language appears in **bold type**.)

~~Home Occupation – An occupation or profession that is customarily carried on in a dwelling unit building or other structure accessory to a dwelling unit by a member of the family residing in the dwelling unit, such occupation or profession being clearly incidental and secondary to the use of the dwelling unit for residential purposes. Occupations and professions allowed under this definition shall be carried out subject to the requirements in Article VI, Section 6.22 of this Bylaw.~~

Home Occupation – A business activity conducted as an Accessory Use of a Dwelling by a member of the resident Family, either entirely within the Dwelling, or within an Accessory Building located on the same Lot, allowed by-right as shown in Use Regulations Section 5.3.1 Residential, subject to the limitations of Section 6.22 of this Bylaw. This shall not include the following Uses: Tourist Home; barber shop; beauty parlor; commercial Stable or Pet Kennel; Restaurant; Nursing or Convalescent Home; Funeral Home.

6.22 HOME OCCUPATIONS

6.22.1 Purpose Allowed occupations and professions

The purpose of this Bylaw is:

- to allow by right and regulate the conduct of a Home Occupation as an Accessory Use;
- to allow residents to utilize their homes as a work place and a source of livelihood under certain circumstances and conditions;
- to ensure Home Occupations are compatible with the neighborhoods in which they are located; and
- to protect neighborhoods from adverse impacts of activities associated with Home Occupations.

~~In particular, a home occupation, as defined in SECTION II, DEFINITIONS, includes, but is not limited to the following:~~

~~Antique Shop, Art Gallery, Artist's Studio, and Craft Shop making and selling traditional Cape Cod products produced on the premises. ATM 4/24/89
Dressmaker~~

~~Home cooking & selling of such products produced upon the premises.~~

~~Opening of shellfish, the storage and use of fishing equipment or other traditional fishing activities.~~

~~Professional office of a physician, dentist, lawyer, engineer, architect or accountant within a dwelling occupied by the same.~~

~~Real Estate Offices.~~

~~Service trades (electrician, carpenter, general contractor, plumber, service contractor or the like).~~

However, a home occupation shall not be interpreted to include the following:

~~Tourist home~~

~~Barber shop & beauty parlors~~

~~Commercial stables & kennels~~

~~Restaurants & tea rooms~~

~~Convalescent homes~~

~~Mortuary establishments~~

~~Stores, trades or business not herein accepted.~~

6.22.2 Requirements and Standards

Home Occupations shall conform to the following standards:

~~1) The occupation or profession shall be carried on wholly within the principal building or within a building or other structure accessory thereto.~~

21) No more than ~~one~~ **two** person ~~outside the family~~ **non-Family members** shall be employed in the ~~h~~**H**ome ~~e~~**O**ccupation.

32) There shall be no exterior ~~display, no exterior~~ **sign or other display** except as permitted under Section VII **Signs**, and no exterior indication of the ~~h~~**H**ome ~~e~~**O**ccupation **which detracts from or is in conflict with the neighborhood character.** ~~or variation from the residential character of the principal building.~~

43) No offensive effect of the Home Occupation shall be perceptible off-premises, including **but not limited to** noises, vibration, smoke, dust, odor, heat, ~~or~~ glare, **fire hazard, electrical disturbance or interference with communication devices or other hazard or nuisance.** ~~shall be produced.~~

54) The ~~f~~**F**loor ~~a~~**A**rea in used by the ~~h~~**H**ome ~~e~~**O**ccupation shall not exceed **twenty-five percent (25%)** of the total ~~f~~**F**loor ~~a~~**A**rea of the ~~p~~**P**rincipal and any ~~a~~**A**ccessory ~~b~~**B**uildings.

65) No ~~outside~~ **exterior** storage of ~~h~~**H**ome-~~e~~**O**ccupation-related materials or equipment is permitted on the ~~occupant's~~ **Home Occupation** premises unless concealed from view of ~~neighbors~~ **abutters** and street by a fence or suitable plantings of evergreen or deciduous shrubs and trees.

6) Exterior storage of Home-Occupation-related materials or equipment shall not exceed thirty percent (30%) of the Lot Area for aquaculture, shellfishing, and fishing Home Occupations, and shall not exceed fifteen percent (15%) of the Lot Area for all other Home Occupations.

7) The onsite sale of consumer goods shall be prohibited except for the sale of products or goods produced, fabricated or refurbished on the premises as a result of the Home Occupation.

8) The physical presence of the public and the regular physical presence of non-Family member employees shall be limited to the hours between 7:00 a.m. and 8:00 p.m. Monday through Sunday from Memorial Day to Labor Day, and between 7:00 a.m. and 8:00 p.m. Monday through Saturday at all other times.

9) Traffic generated by the Home Occupation shall not significantly increase the volume of traffic in the neighborhood so as to create any traffic hazard, nuisance, or congestion. Any need for parking generated by the conduct of the Home Occupation shall be met off the street. Long-term parking (more than six (6) hours) shall be limited to two (2) vehicles, excluding the resident Family's personal household vehicle(s).

10) No more than two (2) motor vehicles (as that term is defined by the Massachusetts General Laws, Chapter 90, Section 1, but containing no more than six (6) wheels), and no more than two (2) trailers (as that term is defined by the Massachusetts General Laws, Chapter 90, Section 1, but not exceeding sixteen (16) feet in length), used exclusively in the Home Occupation, may be kept on the premises.

11) There shall be no disposal of toxic or hazardous materials on the Home Occupation premises.

Two-Thirds Vote required

Board of Selectmen recommends

Planning Board recommends

Bylaw Committee recommends

SUMMARY:

Article _____ : To see if the Town will vote to amend the Zoning Bylaws by:

- a) amending the Section II definition of Service Trade;
- b) amending Section II, DEFINITIONS, to add definitions for Service Trade Business and Service Trade Home Business;
- c) amending Section V, USES, Section 5.3.1, Residential Use Regulations to replace Service Trades with Service Trade Home Business;
- d) amending Section V, USES, Section 5.3.2 Commercial Use Regulations to add Service Trade Business; and
- e) amending Section VI, GENERAL REGULATIONS, Section 6.23 Service Trades as follows: (Deleted language appears as ~~strikethrough~~ type; proposed language appears in **bold** type.)

Service Trade – ~~An occupation or~~ A business **activity** which provides service to customers primarily in or on the customers' homes or premises, including but not limited to ~~such trades as~~ carpentry, masonry, plumbing and heating, electrical work, well drilling, **appliance repair, home and lawn maintenance, and landscape services.** ~~Such Service Trades may be operated out of the provider's residence~~ **conducted as a Home Occupation as shown in Use Regulations Section 5.3.1 Residential,** subject to the ~~requirements~~ **limitations of in Article VI,** Section 6.223 of this Bylaw ~~law.~~

Service Trade Business – A Service Trade that does not meet the limitations of Section 6.22 Home Occupations or Section 6.23 Service Trade Home Business of this Bylaw. Service Trade Businesses may be allowed by Special Permit as shown in Use Regulations Section 5.3.2 Commercial.

Service Trade Home Business (STHB) – An Accessory Use of a Dwelling that does not meet the limitations of Section 6.22 Home Occupations, conducted by a member of the resident Family, either entirely within the Dwelling, or within an Accessory Building located on the same Lot, allowed by Special Permit as shown in Use Regulations Section 5.3.1 Residential, subject to the limitations of Section 6.23 of this Bylaw.

5.3.1 Residential	CD	R1	R2	NSP	C	C2
Service Trades Home Business (STHB)	A	A	A	A	A	A

5.3.2 Commercial	CD	R1	R2	NSP	C	C2
Service Trade Business	O	O	O	O	A	A

6.23 ~~SERVICE TRADE~~**SERVICE TRADE HOME BUSINESS (STHB)**

6.23.1 Purpose

The purpose of this bylaw is:

- to allow by special permit and regulate the conduct of Service Trade Home Businesses (STHB)s as an Accessory Use;
- to allow residents to utilize their homes as a work place and a source of livelihood under certain circumstances and conditions;
- to ensure STHBs are compatible with the neighborhoods in which they are located; and
- to protect neighborhoods from adverse impacts of activities associated with STHBs.

6.23.12 Requirements and Standards

STHBs shall conform to the following standards: ~~Service trades, as defined in SECTION II, DEFINITIONS, may be operated out of the provider's residence subject to the following restrictions:~~

- ~~A. The business is secondary to the use of the dwelling unit for residential purposes;~~
- ~~AB. No more than three (3) two (2) employees other than household non-Family members may report to the STHB premises provider's residence for regular work on the premises;~~
- ~~BC. No outdoor exterior storage of serviceSTHB-related materials or equipment is permitted on the provider's STHB premises unless concealed from view of neighbors abutters and street by a concealing fence or suitable plantings of evergreen or deciduous shrubs and trees; enclosing said materials and equipment;~~
- C. Exterior storage of STHB-related materials or equipment shall not exceed thirty percent (30%) of the Lot Area;**
- D. No more than two (2) motor vehicles (as that term is defined by the Massachusetts General Laws, Chapter 90, Section 1, but containing no more than six (6) wheels), and no more than two (2) trailers (as that term is defined by the Massachusetts General Laws, Chapter 90, Section 1, but not exceeding sixteen (16) feet in length), used exclusively in the service-trade STHB, may be kept on the provider's premises;**
- ~~E. Deliveries may be made to the provider's premises no more frequently than an average of five (5) times a weeks;~~
- ~~E.F. There shall be no exterior sSign or other display except as permitted under the Section VII Signs Code for a residential district, and no exterior indication of the service-trade STHB which detracts from or is in conflict with the neighborhood character; the residential character of the principal building and area;~~
- F.G. No offensive effect of the STHB shall be perceptible off-premises, including but not limited to noises, vibration, smoke, dust, odor, heat, glare, fire hazard, electrical disturbance or interference with communication devices or other hazard or nuisance;The buildings and premises occupied shall not be rendered objectionable or detrimental to the residential character of the neighborhood due to the exterior appearance, emission of odor, gas, smoke, dust, noise, and electrical disturbances. In the case of electrical disturbances, no equipment or process shall be used which unreasonably creates visual or audible interference in any radio or television receivers off the premises.**

- G.H.** The ~~f~~Floor ~~a~~Area in used by the STHB shall not exceed thirty percent (30%) of the total ~~livable f~~Floor Area space in of the ~~p~~Principal and any Accessory ~~b~~Buildings; and
- H.I.** Traffic generated by the STHB shall not significantly increase the volume of traffic in the neighborhood so as to create any traffic hazard, nuisance, or congestion. Any need for parking generated by the conduct of the STHB shall be met off the street. All parking shall be off street, and ~~Long-term~~ parking (more than six (6) hours) shall be limited to ~~three~~ **two** (23) vehicles, excluding the resident's ~~Family's~~ personal household vehicle(s);-
- I.** The physical presence of the public and the regular physical presence of non-Family member employees shall be limited to the hours between 7:00 a.m. and 8:00 p.m. Monday through Sunday from Memorial Day to Labor Day, and between 7:00 a.m. and 8:00 p.m. Monday through Saturday at all other times; and
- J.** There shall be no disposal of toxic or hazardous materials on STHB premises.

Two-Thirds Vote required

Board of Selectmen recommends

Planning Board recommends

Bylaw Committee recommends

SUMMARY:

Article ____: To see if the Town will vote to amend Zoning Bylaws by amending Section II, 2.1 Definitions and Section VII Signs, Sections 7.3.1, 7.3.2, 7.3.3, 7.3.4, 7.4.3, 7.5.2, 7.5.3, 7.5.4, and adding a new section 7.4.5 as follows (deleted language appears as ~~striketrough~~ type; proposed language appears in **bold** type):

SECTION II

2.1 DEFINITIONS

Sign, Area of - An area determined by multiplying the extreme width by the extreme height of the sign, including **all** borders, ~~but excluding supports which do not bear advertisement.~~ **roofs and the area above the first three feet of the supports.**

SECTION VII SIGNS

7.3 SIGNS REQUIRING PERMITS

7.3.1 One sign not over six square feet in area advertising a Home Industry **or Service Trade Home Business.**

7.3.2 A business other than Home Industry, ~~or Home Occupation,~~ **or Service Trade Home Business located off Route 6 not having frontage and access on Route 6, or having frontage and access on Route 6 but located in a Zoning District other than the Commercial District,** may have an aggregate total of twenty-four square feet of sign area. This includes the main business sign, which shall not exceed twelve square feet in area, and all accessory signs, including temporary signs.

7.3.3 Businesses having frontage **and access** on Route 6 **and located in the Commercial District** may have an aggregate total of one hundred square feet of sign area. This includes a main business sign, which shall not exceed sixty-four square feet in area, and all accessory signs, including temporary signs.

7.3.4 Multiple businesses sharing the same parcel of land may have in addition to the signage permitted under Section 7.3.2 or 7.3.3: **A) one sign for each additional business not exceeding eight square feet in area for businesses having frontage and access on Route 6 and located in the Commercial District, or B) otherwise six square feet in area. The signs may be for** ~~businesses located off Route 6 in area-mounted on or projecting from the building.~~

7.4 GENERAL PROHIBITIONS

7.4.3 All signs internally illuminated by means of a concealed light source whereby all incandescent, fluorescent, or neon devices are shielded from view by opaque or translucent

materials, are prohibited, except for directional signs. All neon **or neon-like, including but not limited to Light Emitting Diode (LED)** signs are prohibited.

7.4.5 Off premises signs are prohibited.

7.5 LOCATION OF SIGNS

7.5.2 Signs installed on the roof **shall** ~~may~~ not project above the ridge of said roof.

7.5.3 Signs, which project over a public way, **shall** ~~may~~ be installed only in the Central District on buildings; which cannot meet setback requirements, and such projection is limited to six feet from the face of the building. The minimum clearance of projecting signs shall be eight feet from the public way. **No signs shall project over roadways.**

7.5.4 Freestanding signs **located on along** Route 6 shall ~~may~~ not exceed **the lesser of: A)** a height of twelve feet above the paved surface of the roadway or; **B)** eight feet above existing grade. Freestanding signs **not located on off** Route 6 **shall** ~~may~~ not exceed eight feet in height **above the existing grade.**

Two-Thirds Vote required

Board of Selectmen recommends

Planning Board recommends

Bylaw Committee recommends

SUMMARY:

Article ____: To see if the Town will vote to amend Zoning Bylaws by amending Section VII Signs, Sections 7.3.1 and 7.3.2 as follows (deleted language appears as ~~striketrough~~ type; proposed language appears in **bold** type):

7.3.1 One sign not over six square feet in area advertising a Home Industry **or Service Trade Home Business**.

7.3.2 A business other than Home Industry, ~~or~~ Home Occupation, **or Service Trade Home Business** located off Route 6 may have an aggregate total of twenty-four square feet of sign area. This includes the main business sign, which shall not exceed twelve square feet in area, and all accessory signs, including temporary signs.

Two-Thirds Vote required

Board of Selectmen recommends

Planning Board recommends

Bylaw Committee recommends

SUMMARY:

Memorandum

To: Wellfleet Board of Selectmen

From: John Morrissey, Wellfleet Selectman

Date: 2/4/2015

Re: 'Use of Town Property Fees' for businesses utilizing Town property during festivals sponsored by non-profit organizations that charge admission

Recommendation

I believe that it is appropriate for Wellfleet to charge a fee to 'for profit' businesses (i.e. food and craft vendors) that utilize Town property to earn money during festivals that are sponsored by non-profit organizations that charge admission.

- The fee should be applied only during festivals that charge admission or have a suggested donation for admission
- The fee should be \$100 per day per vendor
- As an option, the sponsoring non-profit may provide a list of all vendors and pay all the fees
- The Town should not charge a fee to non-profit vendors

Justification

- The Town usually charges 'for-profit' businesses for use of Town property. These businesses usually include food trucks and water sports businesses, etc. It is inconsistent that we don't charge a business earning money at a festival.
- The substantial financial benefit from a festival can be too narrowly focused. Fees would spread some of the direct financial benefit to the taxpayer. (Example: \$200 weekend fee x 100 vendors = \$20,000 to the taxpayer.)
- Town property is an asset owned by the citizens of Wellfleet. The citizens & taxpayers are entitled to fair compensation for its use.

Current Situation

I am aware of three festivals in 2014, sponsored by non-profits that utilized Town property and had 'for profit' businesses involved (there may be others). The three are:

- Oysterfest – admission charged
- Wes Fest – no admission charge (in 2012 Wes Fest raised \$8,000 for PTA)
- Boogie By The Bay – no admission charge

OysterFest Background

The latest financial information that we have from the SPAT organization includes OysterFest 2013. We do not have any information for OysterFest 2014, but the weather was good and the festival was successful. In 2014 SPAT hired an Aquaculture Specialist.

a) Spat Total Revenue for 2013	\$361,260	(includes \$49,295 from Booth Fees)
b) Profit Before Grants	\$133,554	
c) Grants	<u>\$ 20,000</u>	
d) Net Income After Grants	\$113,554	
e) Estimated Cash Assets at end of 2013:	\$452,000	(increased from \$339,000 in 2012)

2013 Revenue from Admission Charges: \$109,649

In 2011 admission to OysterFest was free. In 2012 admission was \$1 and in 2013 & 2014 it was raised to \$5. In 2014, admission was free to 'townies' on Sunday.

The Town of Wellfleet does not receive any money related to admission charges or booth fees. SPAT does reimburse Wellfleet for Police, Fire and DPW expenses.

2013 OysterFest Booth Fee Revenue of \$49,295 includes: Craft Vendors \$33,410; Raw Bars \$4,440; Non-Profits \$1,740; Food Vendors \$4,895; Food Vendors (Indie) \$4,810

Discussion

SPAT received \$49,295 in Booth Fee charges from the vendors. If the Town charges the vendors, SPAT has the option of reducing its' fees by a similar amount. SPAT also has the option of asking the Selectmen to raise the admission fee by \$1.



TOWN OF WELLFLEET

300 MAIN STREET WELLFLEET MASSACHUSETTS 02667

Tel (508) 349-0300 Fax (508) 349-0305

www.wellfleetma.org

MEMORANDUM

TO: BOARD OF SELECTMEN
FROM: HARRY SARKIS TERKANIAN, TOWN ADMINISTRATOR
SUBJECT: SIGNAGE AT THE MARINA
DATE: 2/6/2015
CC: ECONOMIC DEVELOPMENT GRANT FILE

History:

The sign was funded jointly by the Chamber of Commerce, Harborfest and the Town of Wellfleet. Town funding came in the form of two economic development grants totaling \$4,750, which was matched by Chamber of Commerce and Harborfest funds. Initial contact was in January, 2014 which took the form of a rough proposal from the Chamber. Applications were received in this office on April 1, 2014. Under the Economic Development Grant program the applications went to the Citizens Economic Development Committee for approval and then to the Town Administrator for review and funding. On June 27, 2014 award letters were sent on both applications.

Subsequent to processing the grant awards this matter did not come to my attention until an email from the Building Inspector raising questions about the sign on October 29, 2014. Based on a series of emails and speaking with the Building Inspector it appears that the sign lacked a permit and is approximately 138 square feet in area¹ and therefore exceeded the dimensional limitations for signs in the zoning bylaw. Approval of the sign would require either zoning relief or a modification of the sign. An application for a sign permit was filed with the Building Inspector and was denied by letter dated November 14, 2014. The issue was discussed at the November 25, 2014 meeting of the Board of Selectmen at which time the Board required that the sign be removed. In response to the Board's motion the sign was removed on or about December 5, 2014 and is being stored in the Police Station basement pending possible resolution of the issues. A petition for zoning relief was filed by the Chamber of Commerce and was heard by the Zoning Board of Appeals on January 20, 2014. After some discussion the Chamber's petition was withdrawn without prejudice.

Advisory Committee:

At the January 13, 2015 Board of Selectmen's meeting the Town Administrator was asked to explore possible solutions. The Town Administrator formed an advisory committee consisting of Selectmen Dennis Murphy, David Rheault from the Citizens Economic Development Committee and Bob Morrill from the Chamber of Commerce.

¹ The area measurement is the maximum height times the maximum width of the sign taken from an August 28, 2014 drawing prepared by Brenner Signs, the manufacturer. A copy of the drawing is attached.

The advisory committee met twice, on January 22, 2015 and on February 2, 2015. The committee considered possible locations for the sign and the possibility that the sign could be reduced in size.

The issues related to the sign which the committee discussed were its location with respect to views, its potential for distracting drivers, the commercial nature of the sign and its size.

The sign includes the following elements: (1) a banner or ribbon at the top with a "Welcome to Wellfleet" message; (2) a map of the streets in the immediate vicinity which contains little or no commercial information²; (3) an "Enjoy Our Walking Path" with an arrow pointing to the walkway around the outside of the marina; (4) the Chamber of Commerce's graphic of an oyster with a "W" superimposed; (5) a copy of the portion of a marine chart showing Wellfleet Harbor; a lockable bulletin board for the display of notices about current events; (6) a "Wellfleet Chamber of Commerce Guide Book" legend and bins for holding the guide book along the bottom edge of the sign; (7) the Chamber's QR code; and (8) a "special events" listing below the bulletin board. A copy of the drawing is attached. It is to be noted that little if any of the sign directly advertises specific businesses. Much of the information is specific to a location at the Marina including the reference to the walking path, and the two maps. The Chamber's guide book is a publication partially subsidized by the Town. It is also to be noted that the sign information is most useful to arriving visitors many of whom purchase beach stickers at the Marina or who frequent the adjacent restaurant and fish market. The bulletin board portion of the sign provides an alternative to the signs on Town Hall lawn which have been a problem in past years.

The Committee did discuss breaking the sign down into smaller signs, but the content layout makes this difficult since much of the information makes sense only at the Marina and the Marina related content is not contiguous on the sign. The construction of the sign presents physical challenges to sectioning it into several smaller signs without damage or significant risk of reduction in useful life.

Four possible locations were considered: (1) in South Wellfleet at the Chamber's information booth; (2) at the marina by the restrooms; (3) between the beach sticker building and Kendrick Ave./Commercial Street; and (4) between the beach sticker building and Mac's. While it would be possible to relocate the sign to the Chamber of Commerce building in South Wellfleet, elements of the sign such as the two maps and the reference to the walking path are Marina area specific and would be confusing or misleading at any location outside the Marina. The location between the beach sticker building and the street was also rejected because the vehicular and pedestrian traffic patterns at the intersection of Commercial Street, Kendrick Ave, the Marina and local businesses can be chaotic in the summer; adding an additional distraction to pedestrians or drivers in that area would not be helpful. The other two locations would both allow the sign to be placed so as to not interfere with views. At the restroom the sign could be placed in front of the rest room so the only view which would be blocked would be of the end of the restroom. Between the beach sticker building and Mac's the sign could be placed facing the Marina lot at the rear of the pavement between the two buildings. The view there is already obstructed by an existing building.

Of the two Marina locations considered the location between the beach sticker building and Mac's is preferred because it would be visible to beach sticker purchasers who line up and enter the beach sticker building at that end of the building as well as to persons patronizing Mac's. The location by the restroom is less likely to be visited by persons who would most benefit from the information on the sign. There is already a sign in that area on the opposite side of the Marina advertising charter businesses and a second sign would be an added distraction in an area where there is much boat trailer and other activity. The beach sticker/Mac's location would be less visible to drivers than the restroom location. One additional consideration with the location between the beach sticker building and Mac's is that Harbormaster advises that the adjacent property has a right of access to the rear of the structure over the Marina property which must be respected.

² Based on the drawing, the street map identifies the marina, town hall and includes a "shopping cart" symbol on Main Street.

Recommendation:

On balance, the location between the beach sticker building and Mac's is preferred because it is a location frequented by many who would benefit from the information on the sign, is out of the line of sight of drivers and has little or no impact on views. A photo of the location with a typical sign location is attached. The exact location is still to be determined and might be closer to Mac's to avoid impacting the view and far enough back so as to not interfere with parking and access to adjacent buildings.

Location of the sign as suggested still presents issues which must be addressed. It is on Town property and would therefore require permission from the Board of Selectmen.³ We did discuss, but did not reach a consensus on a time limit for the sign to provide for its removal if not maintained. Also, the sign exceeds the dimensional restrictions in the sign code so relief from the Zoning Board of Appeals would still be required.

³ An alternative would be donation of the sign to the Town, but this would require town meeting action and would impose maintenance obligations on the Town. Permission from the selectmen was preferred over this alternative.



Aluminum Panels w/ 1" Solid Aluminum Tubing
 5/16 Carriage Bolts through Frame into 1 1/2 Aluminum Angle Bolts
 4x6 Columns installed with 1/2 x 12" Carriage Bolts
 4x6 Columns mounted through Guard Rail with was re-secured



Brennersigns.com
 Brennerawnings.com
 Office 508-747-3465
 66 Federal Furnace Rd.
 Plymouth, MA

All Rights Reserved
 All artwork/concepts are the sole property of Brenner Signs & Awnings LLC. unless otherwise stated. Artwork may be released to a client for a fee, which may vary. We do not assume responsibility for copyrighted material. We assume all of clients have respective permission.

DATE: August 28, 2014



Scale and location approximate

Wellfleet Fire Department



10 Lawrence Road, Wellfleet, MA 02667

Richard J. Pauley, Jr.
Fire Chief

Phone: (508) 349-3754
Fax: (508) 349-0318

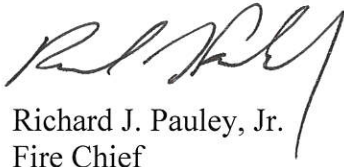
TO: Board of Selectmen
FROM: Richard J. Pauley, Jr., Fire Chief
THRU: Harry Sarkis Terkanian, Town Administrator
RE: Request to Carry Over Vacation Time
DATE: February 5, 2015

The current employment agreement between the Town and my self allows the carry over of up to five vacation days per year, on the 18th of February of each year for the term of the agreement.

I currently have seven vacation days that are unused and I respectfully request that the Board allow me to carry these seven days until March 18, 2015, with the understanding that these seven vacation days will be used by me by that date.

As always please don't hesitate to contact me should you have any questions, or, need additional information.

Respectfully submitted,



Richard J. Pauley, Jr.
Fire Chief



TOWN OF WELLFLEET

300 MAIN STREET WELLFLEET MASSACHUSETTS 02667

Tel (508) 349-0300 Fax (508) 349-0305

www.wellfleetma.org

MEMORANDUM

TO: BOARD OF SELECTMEN & FINANCE COMMITTEE
FROM: HARRY SARKIS TERKANIAN, TOWN ADMINISTRATOR
SUBJECT: FY 2016 BUDGET STATUS UPDATE
DATE: 2/6/2015
CC:

The Nauset Region Budget is still an unknown. The "wish list" budget was up 4.97% and would result in an assessment of an additional \$454,341 (\$142,352 over my original estimate which was based on a 2 ½% increase.) I attended the Regional School Committee meeting of January 14th, February 3rd and February 5th. Unfortunately, the January 22nd meeting (quorum) and January 28th meeting (weather) were both postponed. Next meeting is February 12th which I plan to attend. The current version of the budget, which as not yet been approved by the NRSC, would result in a assessment increase over the FY 2015 assessment of \$366,368. This still represents a 16.32% increase over FY 2015, driven primarily by an increase in the percentage assessed to Wellfleet. I do not expect to see significant further reductions so I have used this estimate in the budget.

The Cape Cod Regional Tech budget is also an unknown. The budget is up 4.47% but the amount of revenue from the state is still unknown (as is also the case with Nauset). I had estimated the budget increase at 5%. Because Wellfleet's assessment percentage is small and to provide for some reduction in state aid I have left it in the budget as originally estimated.

The Cape Cod Municipal Health Group met on February 4th. At that meeting CCMHG voted to increase premiums across the board by 10%. My original budget estimate included a 6.65 increase. The difference is about \$34,000. I have adjusted the budget to reflect the actual increase.

The Nauset School Committee is also looking at a possible borrowing for some major work at the middle and high schools, price tag is presently not known with certainty, but it could be \$1,763,030 (January 9th estimate.) Wellfleet's share of the loan would be about \$213,440. Assuming a 10 year payback, the annual cost would be about \$22,400. This borrowing will need to be the subject of a proposition 2 ½ debt service exclusion. The four town administrators will be meeting with the superintendent on February 11th to discuss this.

Electricity costs. With the increase in residential electric generation rates of about 50% concern has been expressed by some about the Town's electricity costs. There is about \$99,000 in the operating budget for electricity and smaller amounts in the enterprise budgets. The Town currently pays 10.062 cents per kWh. This price is fixed through the end of FY 2015. We are currently exploring a new joint procurement for electricity or an extension to the current procurement. Our current expectation is that we will be able to secure a fixed price for FY 2016 and possibly beyond for the same or a lower price so no adjustment to this item is indicated at present. I will attend the CLC meeting on February 10th to evaluate NextEra's proposal. Additionally, projects such as the street light LED conversion and Green Communities projects will reduce the Town's electricity consumption.

I have made the following adjustments to the budget since January 15th:

1. Added \$11,400 to the Beach budget (699) for enhanced AM beach fire cleanup. This will be funded out of the Beach Fund so there is no effect on the tax levy.
2. Removed \$57,000 from Highways (422). The Governor has released an additional \$100 M in Chapter 90 funds; Wellfleet's share of the additional funding is \$124,754. I have removed most of the \$60,000 that was added to Highways – Contract Services to cover the reduced Chapter 90 funding.
3. Increased the NRSD operating assessment (account 301) to \$2,610,680
4. Increased the CCMHG item (account 914) to \$1,120,680

Net change to the operating budget since January 15th is an increase of \$131,040 to \$15,998,496. The current FY 2016 budget represents a 4.43% increase over FY 2015.

If all of the current estimates are correct we could make the following adjustments:

1. Appropriating the universal preschool funds subject to an override vote (\$100,000.)
2. Place on an override or eliminating the police department request for an additional officer (\$48,480.)
3. Borrowing to fund transfer station gate house rebuild and canopy replacement (\$140,000.)
4. Use \$300,000 in free cash to reduce the tax levy.
5. Cut an additional \$140,000 from the operating or capital budgets, place that amount on an override vote or consider borrowing for some additional capital items.

Attached is a spreadsheet showing the current revenue and budget estimates. We will have to make further cuts in the budget or consider an override for some items.

Revenue and Expense Estimates

HST 2/6/2015

Revenue Sources:

Proposition 2 1/2 Levy Limit	\$13,988,977	Notes
Debt Exclusions	\$1,251,879	FY 2015 + 2 1/2% From DE-1
Cape Cod Commission assessment	\$99,971	Estimated 2 1/2% increase
Subtotal - Tax revenue	\$15,340,827	

Receipts Reserved

Ambulance Fund to Operating	\$250,000	
Ambulance Fund to capital	\$57,000	
Beach Fund to Operating	\$886,400	Added \$11,400 for beach cleanup
Beach Fund to Marina	\$10,000	
SEMASS Fund to Operating	\$220,000	
Recreation Fund to Operating	\$65,000	
Shellfish Fund to Operating	\$60,000	
Shellfish Fund to Marina	\$2,000	
Waterways Fund to Marina	\$5,000	
Subtotal Receipts Reserved	\$1,555,400	

Other Sources

Local Estimated Receipts	\$1,350,000	Estimate \$53,970 increase
Free Cash	\$300,000	Leaves a balance of \$796,258
Cherry Sheet	\$263,851	Same as FY 2015
State Aid to Libraries	\$4,175	
Sale of Cemetery Lots	\$5,000	Estimate \$500 decrease
Perpetual Care Interest	\$350	
Chapter 90 Highway Funds	\$374,261	Same as FY 2015 after additional funds released
Prop 2 1/2 Override	\$148,480	Universal preschool and additional police officer
Discover Wellfleet account	\$3,000	Partially funds Chamber web site
Subtotal Other	\$2,449,117	
Total Available Revenue	\$19,345,344	

Revenue and Expense Estimates

HST 2/6/2015

Expenses		
Operating Budget		
General Government	\$1,658,024	
Public Safety	\$3,125,916	
Education	\$5,242,587	
Public Works	\$1,817,245	
Health & Human Services	\$519,125	
Culture and Art	\$1,002,512	
Short Term Interest	\$25,150	
Insurance and Employee Benefits	\$2,607,938	
Total Operating Articles	\$15,998,496	
Long Term Debt Service	\$1,270,180	
Projects and Equipment	\$699,514	
Articles	\$803,749	
Cherry Sheet Charges	\$427,340	
Cherry Sheet Offsets	\$4,827	
Overlay Reserve	\$125,000	
Other Debt Exclusion adjustments	\$3,314	
Universal Preschool	\$100,000	
Additional Police Officer	\$48,480	
Total Articles	\$3,482,404	
Total Expenditures	\$19,480,900	
Surplus (Deficit)	(\$135,557)	Capital Budget items not borrowed Salary adjustments, Ch 90, Fund transfers

Revenue and Expense Estimates

HST 2/6/2015

Current Fund Balances December 31, 2014

Free Cash	\$796,258	After use of \$300,000 in FY 2016 budget
Ambulance Fund	\$185,373	After use of \$307,000 in FY 2016 budget
Beach Fund	\$202,104	After use of \$886,400 in FY 2016 budget
SEMASS Fund	\$137,789	After use of \$220,000 in FY 2016 budget
Waterways Fund	\$671	After use of \$5,000 in FY 2016 budget
Recreation Fund	\$27,783	After use of \$65,000 in FY 2016 budget
Shellfish Fund	-\$43,891	After use of \$62,000 in FY 2015 budget
Marina Stabilization Fund	\$10,000	
Stabilization Fund	\$556,446	
OPEB Liability Trust	\$441,116	
Total	\$2,313,649	



TOWN OF WELLFLEET

300 MAIN STREET WELLFLEET MASSACHUSETTS 02667

Tel (508) 349-0300 Fax (508) 349-0305

www.wellfleetma.org

To: Board of Selectmen
From: Harry Sarkis Terkanian, Town Administrator
Subject: Town Administrator's Report
Date: February 6, 2015

This report is for the period January 23, 2015 through February 5, 2015.

- 1 Snow Emergency. An emergency declaration was issued by the Board of Selectmen on January 26th and rescinded on January 29th. Town offices were closed on January 27th & 28th and in the afternoon of February 2nd due to weather conditions. I do not have an estimate of the snow removal costs at this time.
- 2 Route 6 – Main Street Intersection. The engineering contract fee is \$269,000. The Town has spent approximately \$26,000 to date. We will need to appropriate an additional \$69,000 to completely fund the design work based on the current contract. At the 2014 Annual Town Meeting \$200,000 was appropriated to partially fund this contract. It was disclosed at the meeting that the expected contract price would exceed \$200,000, but the borrowing amount was limited insure that borrowing during calendar 2014 remained below the cap imposed as part of the refunding of the Town's long term debt. That cap expired at the end of 2014 so we are now able to borrow the additional funds required. Contract design completion date is June, 2016. I have discussed with the engineers the possibility of extending the sidewalk portion of the project in order to provide a sidewalk connection to the existing sidewalk which ends at the Main Street – Long Pond Road intersection and will present those additional costs when available for a decision by the Board.
- 3 Harbor Dredging. The contract completion date for engineering work is September, 2015. Total engineering contract cost is \$172,320. This cost includes \$95,800 for bio accumulation testing for up to three samples if required by the Army Corps of Engineers if required. We currently have \$106,000 in encumbered funds against remaining engineering costs of \$166,000. We should be prepared to borrow or transfer from available Marina Enterprise funds the additional \$60,000 to fully fund the contract should the bio accumulation tests be required.
- 4 Fiscal 2016 budget. I am continuing to refine the budget as I develop better estimates for the larger unknowns. Presently the largest unknown items are the Town's share of employee medical insurance and the Nauset Region operating and capital budgets. Meetings of the Nauset School Committee were held on February 3rd and 5th. Cape Cod Municipal Health Group and Cape Tech Regional budget presentations were on February 4th. It looks like we can plan on electric generation rates at or below the current 10.062 cents

per kWh so no adjustment in the electricity budget is required at this time. We expect to make a decision on an extension of the current contract on February 10th.

- 5 Beach Fires. I have reviewed with the accountant possible sources of funding for additional beach cleanup costs which the Beach Administrator estimates to be \$11,000. The obvious source of funding is to use an additional \$11,400 from the beach fund for this purpose. For FY 13 & 14 beach receipts exceeded beach expenditures and the current fund balance is large enough that we can prudently transfer an additional \$11,400 to the proposed FY 16 beach department budget.

- 6 Assistant TA. The ATA has signed up for two procurement courses offered by the Inspector General and the American Planning Association Annual Meeting.

- 7 Additional Meetings. MMA Annual Meeting on January 23rd – 24th. With DPW, Police and Fire for storm preparation on January 26th. Police, Fire and DPW storm after action review on February 4th. Nauset Regional School Committee on February 3rd and 5th. Cape Cod Regional Tec Budget consortium on February 4th. Personnel Board on January 29th.

- 8 Regional Services. Regional Dispatch meeting at the Sheriff's office scheduled for February 2nd has been rescheduled to February 9th.

- 9 Housing Authority. 2082 State Highway. I meet with Louis Colombo at Cape Cod Tech on February 4th to see if they can provide construction services for a project like this.

- 10 Personnel Matters:

a. Administrative actions:

- i. Applications for the Herring Warden position have been forwarded to the Health and Conservation Agent for review. An interview is scheduled for January 27th so an appointment is anticipated for the February 10th Selectmen's meeting.
- ii. Applications for the Assistant Health & Conservation Agent position been forwarded to the Health and Conservation agent for review. Interviews are tentatively scheduled for the end of January.
- iii. Applications for the committee secretary/water commission staff position are being reviewed.

b. Current employment vacancies (Charter 5-3-2 (i)):

- i. Building – Building Inspector is part time.

Town of Wellfleet Committee Vacancies

Date: February 6, 2015
To: Harry Terkanian
From: Jeanne Maclauchlan
Re: Appointments to Town Boards

The following provides the appointing authority with a comprehensive view of vacant positions on each Town Board. Each identifies the amount and type of positions that are vacant, the authority for making the appointment, the length of the term and the number of applications requesting consideration to fill a vacancy.

Barnstable Human Rights Commission (1 Wellfleet Representative)

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

Requesting Appointment: No applications on file.

Bike & Walkways Committee (5 Members)

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

Requesting Appointment: No applications on file.

Board of Health (5 members)

Vacant Positions	Appointing Authority	Length of Term
1 Position	Board of Selectmen	6/30/2015 (to complete term)

Requesting Appointment: **One application on file.**

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
1 Position	Board of Selectmen	

Requesting Appointment: No applications on file.

Commission on Disabilities (up to 7 Members)

Vacant Positions	Appointing Authority	Length of Term
4 Positions	Board of Selectmen	3 years

Requesting Appointment: No applications on file.

Cultural Council (no more than 22 members)

Vacant Positions	Appointing Authority	Length of Term
11 positions	Board of Selectmen	3 years

Requesting Appointment: No application on file.

Energy Committee (11 members total)

Vacant Positions Appointing Authority
2 (Alternate) Positions Board of Selectmen
Requesting Appointment: **One application on file.**

Length of Term
6/2015 (to complete term)

Herring Warden (1 Warden, 1 Assistant Warden)

Vacant Positions Appointing Authority
1 Position Board of Selectmen
1 Assistant Position Board of Selectmen
Requesting Appointment:

Length of Term
3 years
3 years

Historical Commission (7 Members)

Vacant Positions Appointing Authority
1 Position Board of Selectmen
Requesting Appointment: No applications on file.

Length of Term
6/2015 (to complete term)

Personnel Board (4 Community Members)

Vacant Positions Appointing Authority
1 Position Board of Selectmen
Requesting Appointment: No applications on file.

Length of Term
6/30/2015 (to complete term)

Recycling Committee (Up to 11 Members)

Vacant Positions Appointing Authority
1 Position Board of Selectmen
Requesting Appointment: No applications on file.

Length of Term
3 years

Shellfish Advisory Board (7 Members, 2 Alternates)

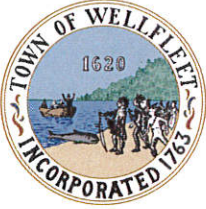
Vacant Positions Appointing Authority
1 Alternate Position Board of Selectmen
Requesting Appointment: No applications on file.

Length of Term
3 years

Wastewater Planning Committee (7 Members)

Vacant Positions Appointing Authority
2 Positions Board of Selectmen
Requesting Appointment: No applications on file.

Length of Term
3 years



**Wellfleet Board of Selectmen
Minutes of January 26, 2015**

Wellfleet Town Hall Hearing Room

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

Regrets: Jerry Houk

Chairman Paul Pilcher called the meeting to order at 1:00 pm.

Briefing on emergency preparedness for upcoming winter storm

Police Chief Ronald Fisette briefed the selectmen on the upcoming winter storm. He said that the Nauset High School shelter will open at 5 pm and be ready to shelter people at 6:30 pm. Fisette talked about major storm concerns – traffic visibility and power outages. Terkanian added that the Transfer Station and Town departments for non essential personnel will be closed on Tuesday, January 27. Closings or delays for Wednesday will be evaluated once the storm impact is determined.

Declaration of emergency

MOTION 215-048: Bruinooge moved and Murphy seconded to declare a state of emergency effective 1:00 pm on January 26, 2015 until revoked and sign the Emergency Declaration¹. The motion passed 4-0.

Postponement of January 27, 2015 meeting

MOTION 215-049: Murphy moved and Morrissey seconded to reschedule the January 27, 2015 meeting for Thursday, January 29, 2015 at 7:00 pm at the Senior Center. The motion passed 4-0.

Adjournment

MOTION 215-050: Murphy moved and Bruinooge seconded to adjourn the meeting at 1:12 pm. The motion passed 4-0.

Respectfully submitted,

Michaela Miteva
Executive Assistant

Public Record Documents:

¹ Emergency Declaration of January 26, 2015



DRAFT

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

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

Regrets: Jerry Houk

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

Announcements, Open Session and Public Comment

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

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

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

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

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

Licenses:

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

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

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

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

Use of Town Property

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

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

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

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

Police Chief Fiset and Fire Chief Pauley presented the proposed request to MassDOT to consider evaluating additional safety measures for three sections of Route 6 as presented on the map¹ in the packets. Chief Pauley gave details about the three identified sections of concern based on accidents history over 4-5 years time span. Terkanian talked about benefits of rumble strips based on literature materials he got from the MassDOT Route 6 safety meeting. Morrissey wanted to know if the strips would create a noise when making a left turn. Pilcher was pleased how quickly this process is unfolding and how fast the State is acting to take safety measures to prevent accidents from happening in the future. Chief Pauley said that this will be an experimental project and if it works has the potential to be expanded.

MOTION 215-057: Murphy moved and Bruinooge seconded to approve the letter² to MassDOT as provided in the packets regarding the suggested improvements to MassDOT to consider and evaluate additional safety measures for portions of Route 6. The motion passed 4-0.

Dredging update from Harbormaster

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

Mayo Creek Restoration Committee project update

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

Budget update

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

Herring River Restoration project update

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

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

Consideration of possible changes in fees for use of Town property

Morrissey presented the background behind his request to revisit the Use of Town Property fees based on for profit businesses hiding under the umbrella of non profit organization in particular SPAT and Oysterfest. Bruinooge wanted to know why the film makers did not pay an application fee and requested them to pay the \$20 like everyone else does. She also had concerns about the fee-revision for Oysterfest only and identified possible issues. Pilcher agreed with Bruinooge that there are issues than cannot be solved in one meeting. Pilcher asked Morrissey to write a detailed proposal in order to have a public hearing on this subject. Bruinooge noted that some of the suggestions presented by Terkanian on his memo³ are good and have to be considered. Reinhart wanted to know what the exact monetary benefit to the Town is from Oysterfest. Terkanian explained the fee structure. Discussion ensued. Bruinooge agreed that festival fee might be an option to be considered. Murphy agreed that the fees should be revisited in general in order to identify new revenue sources to close budget gaps. The Selectmen agreed to revisit this matter during their February 24 meeting.

Award of loan monitoring contract for CDBG home improvement loans

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

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

Continued Discussion on beach fires

Community Services Director Suzanne Grout Thomas gave an update on beach fires and said that she is no longer recommending the beach fire concrete rings due to cost and liability concern, but recommended limiting the beach fire areas and the number of fire permits issued. Terkanian pointed the limit of the statue as presented on Thomas's memo⁴ and the possible complications that may result if there is a fee for the beach fire permits. Pilcher wanted to know if an additional insurance may be purchased. Terkanian explained the ripple effect complications. Morrissey wanted more details. Suzanne requested one more summer without fees with her recommendations as requested together with more police control. Pilcher disagreed and said that reducing the number of permits is not the solution, and from what he heard previously and at this meeting the problem is not the people who get beach permits, but the ones that come after the permitted hours. Thomas talked more about the issue and elaborated why she recommends the new strategy. Further discussion ensued. Bruinooge supported the recommendation.

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

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

Energy Committee 2015 ATM warrant article request

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

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

Town Administrator's Report

Terkanian presented his report⁵ of January 22, 2015 and added:

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

Future Concerns

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

Correspondence⁶ and Vacancy⁷ Report

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

Minutes

MOTION 215-060: Pilcher moved and Bruinooge seconded to approve the minutes⁸ of January 13, 2015. The motion passed 4-0.

Executive session

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

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

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

Respectfully submitted,

Michaela Miteva
Executive Assistant

¹ Route 6 MassDOT Map

² Letter to MassDOT regarding safety measures on Route 6 in Wellfleet

³ TA Memo on Use of Town Property fees

⁴ Suzanne Grout Thomas, Community Development Director memo on beach fires

⁵ TA report of January 22, 2015

⁶ Correspondence report of January 29, 2015

⁷ Vacancy report of January 22, 2015

⁸ BOS minutes of January 13, 2015