



Board of Selectmen

The Wellfleet Board of Selectmen will hold a public meeting on Tuesday, July 14, 2015 at 7:00 p.m. at the Wellfleet Senior Center, 715 Old Kings Highway, Wellfleet, MA 02667. Note: 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 in doing so.

- I. Announcements, Open Session and Public Comment(s) [7:00]**
- II. Public Hearing(s) [7:05]**
 - A.** Route 6 and Main Street Intersection Improvement Project
 - B.** Snow and Ice Removal and Maintenance of Private Roads
- III. Licenses/Appointments/Reappointments/Use of Town Property**
 - A.** Licenses - NONE
 - B.** Appointments and Reappointments
 - 1) Approval of Fire Chief appointments (Charter, section 3-5-3): Allison Gray, full time firefighter/paramedic; and Justin Kinshaw, Joshua Wagner & David R. Marriott as probationary call firefighters.
 - 2) Diane Roehm to Cultural Council with term ending June 30, 2018
 - 3) Mary Wright to Cultural Council with term ending June 30, 2018
 - 4) Geraldine Ramer to CPC at large member with term ending June 30, 2018
 - 5) Zack Dixon to Shellfish Advisory Board with term ending June 30, 2018
 - 6) Gail Stewart to Board of Assessors with term ending June 30, 2018
 - 7) John Duane to Board of Assessors alternate with term ending June 30, 2018
 - 8) Dennis Cunningham to Barnstable County Regional Substance Abuse Council
 - C.** Use of Town Property
 - 1) Request of Olaf Valli of Sickday, Inc. to use Whitecrest Beach from April 1-December 31, 2015; \$20 application fee paid, event fee TBD
 - 2) Request of Katherine Weeks of Sugar Surf of Cape Cod to use Whitecrest Beach from June through October for surf lessons; \$20 application and \$350 event fee paid
 - 3) 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; \$20 application fee paid, event fee TBD
- IV. Business**
 - A.** Town Fees review [ATA]
 - B.** Review and possible modification of beach parking use during OysterFest [Thomas]
 - C.** Plans for re-landscaping the Preservation Hall green belt [Todd Lebart]
 - D.** FY 2016 prioritized list of BOS Goals [Pilcher]
 - E.** Request of Laura and Chris Denninger of 105 Pine Point Road to redeem tax title
 - F.** Award of Salary and Classification Study contract [TA]
 - G.** Authorization to sign a Local Initiative Program application for properties at 2254, 2200 and 2270 Old King's Highway Affordable Housing Project and to authorize letter expressing support of the Selectmen for the Project [Leedara Zola]
 - H.** Mooring issue [John Martens]

- I.** Approval of the revised Senior Citizens Tax Work-Off Policy [TA]
- J.** Approval of the revised Veterans Tax Work-Off Policy [TA]
- K.** Approval of revised Baker Field Tent Use Policy [TA]
- L.** Review of revised BOS Policy on Policies [TA]
- M.** Possible deletion of the Quorum Policy [TA]
- N.** Review of revised Policy on Use of Town Property [TA]
- O.** Expanding the number of community members of Local Housing Partnership [Pilcher]
- P.** Approval of Grant Agreement/Wellfleet Historical Society and Museum, Inc. [CPC]
- Q.** Recommendation for 111F Designation [Police Chief]
- R.** Authorize the BOS Chairman to sign Federal Highway Administration Title VI Nondiscrimination Assurance [TA]

V. Town Administrator's Report

VI. Future Concerns

VII. Correspondence and Vacancy Report

VIII. Minutes [June 23, 2015]

IX. Executive session

- A.** Approval of minutes from prior executive sessions [TA]
- B.** To conduct a grievance hearing involving the Wellfleet Police Officer's Union [TA]

X. Adjournment

TOWN OF WELLFLEET
PUBLIC NOTICE

Snow and Ice Removal and Maintenance of Private Roads: The Board of Selectmen will hold a public hearing on Tuesday, July 14, 2015 at 7:05 pm at the Wellfleet Senior Center, 715 Old Kings Highway to gather public input on the Town's policy on snow and ice removal from paved and unpaved private roads and also to gather public input on the Town's policy on repairs to unpaved private roads.

TOWN OF WELLFLEET
PUBLIC NOTICE

Route 6 and Main Street Intersection Improvement Project: The Board of Selectmen will hold a public hearing on Tuesday, July 14, 2015 at 7:05 pm at the Wellfleet Senior Center to gather public input on design choices for the redesign of the Route 6 – Main Street intersection.

WELLFLEET BOARD OF SELECTMEN

Additional Materials for the July 14, 2015 Board of Selectmen Meeting

Link to presentation of Route 6 – Main Street Intersection Design Alternatives from the June 23, 2015 Board of Selectmen's meeting:\

http://www.wellfleet-ma.gov/sites/wellfleetma/files/file/file/design_info_for_bos.pdf

Link to unpaved private road maintenance and snow & ice removal materials from the May 26, 2015 Board of Selectmen's meeting. Links are on the Town Administrator Documents page:

<http://www.wellfleet-ma.gov/town-administrator/pages/town-administrator-documents>

Wellfleet Fire Department



10 Lawrence Road, Wellfleet, MA 02667

Richard J. Pauley, Jr.
Fire Chief

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

TO: Harry Sarkis Terkanian, Town Administrator
FROM: Chief Fisette and Chief Pauley
RE: Plowing and Maintenance of Private Roads
DATE: July 7, 2015

This memorandum is in reference to the Board of Selectmen's recent discussions on plowing and maintenance of private roads, and, specifically in response to the Board's question to both public safety chiefs as to our input and position on the plowing and maintenance of private roads at their meeting on May 26, 2015.

It has long been the current practice, during the winter months, that in the event of a true emergency that requires a police or fire/rescue response, available public works resources are immediately dispatched to the street or roadway (public or private) to make the roadway passable for emergency responders. There have been times that this procedure has also been extended to private driveways so that necessary emergency operations can be safely and effectively accomplished. It is our collective understanding and experience that this practice has been effective and to paraphrase your thoughts in your memorandum to the Board of May 28, 2015, "even inclusion of a road on the list of roads to be plowed does not guarantee that it will be plowed at the time of a medical" (or some other) "emergency occurs."

It is our position, that if in a perfect world, where the Town has all the resources (financial, personnel, capital equipment, etc.) necessary to plow all public and private roads that would certainly be our preference. However, as is the case, this is not possible, given the current limited resources of the Department of Public Works. As public safety officials, on a daily basis, we base our decisions on reality, and, the conditions we continuously encounter at any given time. It is inconceivable to both the police and fire chiefs, that given the current reality of the limited resources of the Town of Wellfleet, specifically the Department of Public Works, that there are sufficient resources to plow (or maintain) all of the public and private roadways of the community in a timely and effective manner.

This situation is not unlike what we encounter in responding to emergency situations on Lt. Island. In at least (4) hours, out of a twenty-four (24) hour time period, we are unable to provide any fire protection, and, limited, at best, emergency medical services and police protection to the Island, dependent upon the tide cycle. Again, this is a given reality that we, and the residents of the Island, must deal with.

TO: Harry Sarkis Terkanian
RE: Plowing and Maintenance of Private Roads

July 7, 2015
Page 2

Finally, while on the discussion of private roads, it is both our professional opinion, that there is even a greater issue/risk to public safety, than the issue of plowing and/or maintaining private roads. This issue is the fact that the majority of private roads in Wellfleet are inadequately marked with their respective street names, inclusive of the approved blue background/reflective white lettering signage. The refusal of some residents to install or maintain approved street name signs, is in our opinion a greater risk to the public safety than the plowing issue, as we face this challenge on a daily basis, 52 weeks a year, and, not just seasonal. Quite frankly, if we can't find the street and corresponding house number for the person(s) in need, than, we can not assist those individual(s) with their emergency.

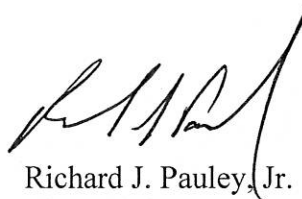
In summary, it is our opinion and position, that given the limited resources of the Town, the current Town practice of dispatching department of public works resources to locations of emergency situations, when and where necessary, is both reasonable and prudent. Unless, and until such time as, additional significant resources are allocated to the department of public works, we do not see the feasibility of plowing and maintaining all private roads within the community.

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

Respectfully submitted,



Ronald L. Fisette
Police Chief



Richard J. Pauley, Jr.
Fire Chief

Wellfleet Fire Department



10 Lawrence Road, Wellfleet, MA 02667

Richard J. Pauley, Jr.
Fire Chief

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

Memo

TO: Board of Selectmen
FROM: Chief Pauley
DATE: July 8, 2015
RE: Appointment of Firefighter/Paramedic
CC: Mr. Harry Sarkis Terkanian, Town Administrator

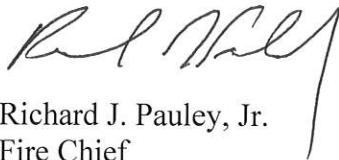
In accordance with Wellfleet Town Charter Section 3-5-3, I have appointed Ms. Allison Gray to the vacant position of full-time Firefighter/Paramedic. To comply with the provisions of the Charter, I request your approval of this appointment.

Ms. Gray's appointment as a full-time Firefighter/Paramedic will be contingent on a satisfactory pre-employment physical exam and criminal offender records (CORI) check as well as passage of a physical ability test to the standards of the Massachusetts Human Resources Division.

Ms. Gray is a resident of Wellfleet and has been a member of this Department for almost three (3) years, just recently completing her call Firefighter I/II certification.

Ms. Gray will be hired on a probationary basis for the first 12 months of her employment. As a condition of employment, she will also be required to pass the Massachusetts Fire Academy Recruit Training program.

Respectfully submitted,



Richard J. Pauley, Jr.
Fire Chief

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: Chief Pauley
RE: Appointment of On-Call Fire Department Members
DATE: July 8, 2015

In accordance with the Town Charter, Section 3-5-3, I have appointed three (3) new on-call members for the Wellfleet Fire Department. These individuals are:

Mr. Justin Kinshaw
Mr. David "Rob" Marriot
Mr. Joshua Wagner

Mr. Kinshaw is a National and Massachusetts certified EMT, works full-time for M.A. Frazier, and is a resident of Wellfleet.

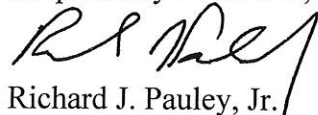
Mr. Marriot is a National certified EMT and is currently working on his Paramedic certification. He is self-employed, is a former USMC Combat Medic, and, is also a resident of Wellfleet.

Mr. Wagner is completing his EMT certification, works full-time as an alarm system technician and is a resident of Eastham.

All three individuals have indicated that they would like to attend the next available course at the Barnstable County Fire and Rescue Academy to obtain their Firefighter I/II certifications.

In accordance with provisions of the Town Charter, I respectfully request your approval of these appointments. All three individuals have successfully passed a pre-employment physical exam and a CORI (criminal records) background check. Each of these three individuals must successfully complete a twelve (12) month probationary period.

Respectfully submitted,


Richard J. Pauley, Jr.
Fire Chief

CC: Harry Sarkis Terkanian, Town Administrator
Theresa Townsend, Administrative Assistant

Wellfleet Fire Department



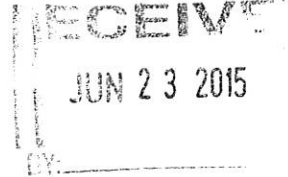
10 Lawrence Road, Wellfleet, MA 02667

Richard J. Pauley, Jr.
Fire Chief

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

June 18, 2015

Ms. Allison Gray
93 Old King's Highway
Wellfleet, MA 02667



Dear Allison:

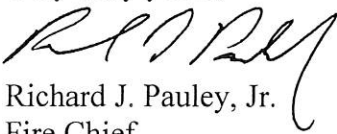
This letter is to confirm that you have been offered a position with the Wellfleet Fire Department, and that you've accepted this offer. It is my pleasure to formally appoint you as a full-time Firefighter/Paramedic effective July 2, 2015. This appointment will be forwarded to the Board of Selectmen for their approval in accordance with Section 3-5-3 of the Wellfleet Town Charter. I expect them to act on this appointment at their meeting on July 14, 2015, and ask that you attend the meeting to be introduced to the Board and to the Town.

Your appointment is contingent upon passage of a pre-employment medical exam, as well as a physical abilities test, and will be followed by a one year probationary period. You will also be required to complete the Massachusetts Fire Academy Recruit Training Program. Under the terms of the union contract with the Town, your employment may be terminated during this probationary period with or without cause, and the probationary period may be extended upon agreement between the union and the Town. You will also be expected to enter into an agreement with the Town which will require you to pay back a pro-rated portion of the stipend provided for your Recruit Training should your employment with the Town end sooner than two years after completion of the State Fire Academy.

You will be assigned to Lt. White as a member of Group 3. Your work schedule will change to 24 hours on duty, 48 hours off, 24 hours on, and 4 days off. Your continued orientation as well as supervision and evaluation will be the responsibility of Lt. White.

Congratulations. We look forward to your long and successful career with the Wellfleet Fire Department.

Very truly yours,



Richard J. Pauley, Jr.
Fire Chief

cc: Mr. Harry Sarkis Terkanian, Town Administrator ✓
Lt. Joseph Cappello, President, Wellfleet Permanent Fire Fighters, Local 4342
Lt. George White, Group 3 Supervisor
Ms. Theresa Townsend, Administrative Assistant

Wellfleet Fire Department



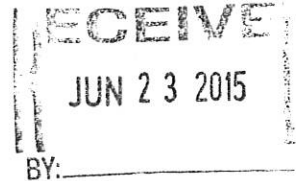
10 Lawrence Road, Wellfleet, MA 02667

Richard J. Pauley, Jr.
Fire Chief

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

June 18, 2015

Mr. Justin Kinshaw
P.O. Box 736
Wellfleet, MA 02667



Dear Mr. Kinshaw

Under the Wellfleet Town Charter, appointments to the Fire Department are made by the Fire Chief, subject to approval by the Board of Selectmen.

As we discussed, you did very well in your interview with the Board of Fire Officers, and, it is my pleasure to formally appoint you as a probationary call member of the Department. This appointment will be forwarded to the Board of Selectmen for their approval in accordance with Section 3-5-3 of the Town Charter. I expect them to act on this appointment at their meeting of July 14, 2015, and ask that you be available to attend the meeting with me to be introduced to the Board. I will confirm the exact time with you prior to the 14th.

Your appointment to the Department is contingent on passage of a pre-employment physical exam and background check. As a new member, you will be on probationary status of one year from the date of your effective start date.

You will have to complete a series of probationary drills and we expect you to reside within pager range of the fire station to be able to respond to emergency calls.

Please contact our Administrative Assistant Theresa Townsend for the purpose of paperwork completion to continue the process of becoming a Department member.

I very much appreciate your willingness to serve the Town of Wellfleet as an emergency responder and I look forward to working with you as a call member of the Wellfleet Fire Department.

Very truly yours,

Richard J. Pauley, Jr.
Fire Chief

cc: Mr. Harry Terkanian, Town Administrator ✓
Ms. Theresa Townsend

Wellfleet Fire Department



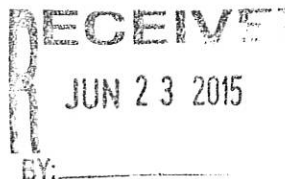
10 Lawrence Road, Wellfleet, MA 02667

Richard J. Pauley, Jr.
Fire Chief

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

June 18, 2015

Mr. Joshua Wagner
P.O. Box 638
North Eastham, MA 02651



Dear Mr. Wagner:

Under the Wellfleet Town Charter, appointments to the Fire Department are made by the Fire Chief, subject to approval by the Board of Selectmen.

As we discussed, you did very well in your interview with the Board of Fire Officers, and, it is my pleasure to formally appoint you as a probationary call member of the Department. This appointment will be forwarded to the Board of Selectmen for their approval in accordance with Section 3-5-3 of the Town Charter. I expect them to act on this appointment at their meeting of July 14, 2015, and ask that you be available to attend the meeting with me to be introduced to the Board. I will confirm the exact time with you prior to the 14th.

Your appointment to the Department is contingent on passage of a pre-employment physical exam and background check. As a new member, you will be on probationary status of one year from the date of your effective start date.

You will have to complete a series of probationary drills and we expect you to reside within pager range of the fire station to be able to respond to emergency calls.

Please contact our Administrative Assistant Theresa Townsend for the purpose of paperwork completion to continue the process of becoming a Department member.

I very much appreciate your willingness to serve the Town of Wellfleet as an emergency responder and I look forward to working with you as a call member of the Wellfleet Fire Department.

Very truly yours,

Richard J. Pauley, Jr.
Fire Chief

cc: Mr. Harry Terkanian, Town Administrator ✓
Ms. Theresa Townsend

Wellfleet Fire Department



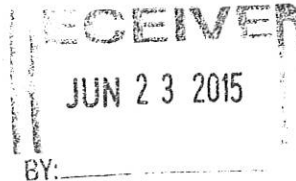
10 Lawrence Road, Wellfleet, MA 02667

Richard J. Pauley, Jr.
Fire Chief

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

June 18, 2015

Mr. David R. Marriott
P.O. Box 98
South Wellfleet, MA 02663



Dear Mr. Marriott:

Under the Wellfleet Town Charter, appointments to the Fire Department are made by the Fire Chief, subject to approval by the Board of Selectmen.

As we discussed, you did very well in your interview with the Board of Fire Officers, and, it is my pleasure to formally appoint you as a probationary call member of the Department. This appointment will be forwarded to the Board of Selectmen for their approval in accordance with Section 3-5-3 of the Town Charter. I expect them to act on this appointment at their meeting of July 14, 2015, and ask that you be available to attend the meeting with me to be introduced to the Board. I will confirm the exact time with you prior to the 14th.

Your appointment to the Department is contingent on passage of a pre-employment physical exam and background check. As a new member, you will be on probationary status of one year from the date of your effective start date.

You will have to complete a series of probationary drills and we expect you to reside within pager range of the fire station to be able to respond to emergency calls.

Please contact our Administrative Assistant Theresa Townsend for the purpose of paperwork completion to continue the process of becoming a Department member.

I very much appreciate your willingness to serve the Town of Wellfleet as an emergency responder and I look forward to working with you as a call member of the Wellfleet Fire Department.

Very truly yours,

Richard J. Pauley, Jr.
Fire Chief

cc: Mr. Harry Terkanian, Town Administrator ✓
Ms. Theresa Townsend



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 DIANE ROEHM Date 7/2/15

Mailing Address 55 Hookout Rd. P.O. Box 604
SO. WELFLEET, MA. 02663

Phone (Home) 508-349-6501 (cell) 201-747-2925

E-mail DBROEHM@YAHOO.COM

☐ Please describe briefly any work experience, including volunteer service, that you feel would be useful to the Town: after beginning my career as a social worker

in the 1970's, I had a private practice in psychotherapy
for 35 years. I am also a life long lover of the arts.

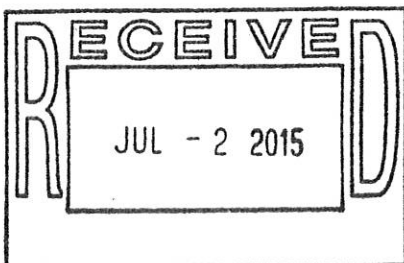
☐ Please add any other information that you think may be useful, including education or other formal training, specialized courses, professional licenses or certifications, etc.:

M.S.W. - University of Hawaii (1973) I am a licensed clinical
social worker, and a licensed Marriage & Family Therapist.

☐ Committees/Boards of Interest: 1) WELFLEET Cultural Council

2) _____

3) _____





TOWN OF WELFLEET
APPLICATION FOR TOWN BOARDS & COMMITTEES MEMBERSHIP

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

☐ Name MARY WRIGHT Date 7.2.15

Mailing Address 50 Slow Turtle Way
WELLFLEET 02667

Phone (Home) _____ (cell) 617.686.2295

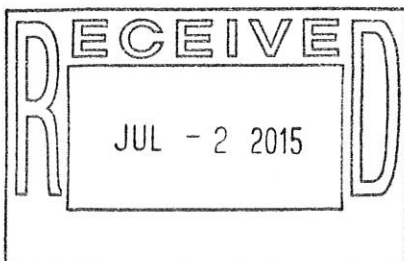
E-mail MARYWRIGHT@post.harvard.edu

☐ Please describe briefly any work experience, including volunteer service, that you feel would be useful to the Town: Some experience with grant-writing & helping others to write winning grants/proposals through my work in consulting to NGO's in developing countries. Also worked with international artists on conveying health messages through art.

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

I am a Psychiatric Nurse Practitioner with an independent practice of psychotherapy & medication therapy in EASTHAM. I'm an analytical thinker & specialize in careful communication

☐ Committees/Boards of Interest: 1) Cultural Council
2) Library Board of Directors
3) _____





TOWN OF WELFLEET
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FILL OUT THE FORM BELOW and mail it to:

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

☐ Name GERALDINE RAMER Date 24 JUNE

Mailing Address P.O. BOX 674
WELFLEET, MA 02667

Phone (Home) 508-349-9887 (cell) _____

E-mail GeraldineRamer@hotmail.com

☐ Please describe briefly any work experience, including volunteer service, that you feel would be useful to the Town: 6 years on historical commission

☐ 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) C.P.C.
2) _____
3) _____



TOWN OF WELLFLEET
APPLICATION FOR TOWN BOARDS & COMMITTEES MEMBERSHIP

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FILL OUT THE FORM BELOW and mail it to:

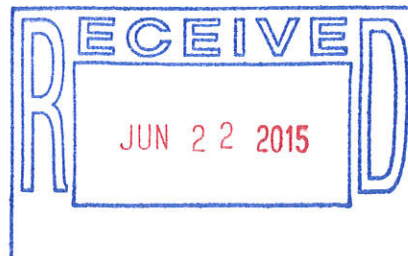
Wellfleet Selectmen's Office, Town Hall, 300 Main Street, Wellfleet, MA 02667

☐ Name ZACK DIXON Date 6.16.15
Mailing Address 30 Whereaway Lane
Wellfleet, MA 02667
Phone (Home) 774-722-1788 Phone (Business) _____
e-mail: ZACKWELLFLEET@gmail.com

☐ Please describe briefly any work experience, including volunteer service, that you feel would be useful to the Town: full time shellfisherman

☐ 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) Shellfish Advisory Board
2) _____
3) _____



MEMORANDUM

To: Board of Selectmen
From: Board of Assessors
Date: July 8, 2015
Re: Appointments to Board of Assessors

At its meeting on July 8, 2015, the Board of Assessors was saddened to accept the resignation of John Duane as a regular member; however he expressed his willingness to serve as an alternate.

Gail Stewart is willing to serve as a regular member to fill the vacancy and has the endorsement of the Board.



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 or bring it to:
Wellfleet Selectmen's Office, Town Hall, 300 Main Street, Wellfleet, MA 02667

☐ Name GAIL STEWART Date July 8, 2015

Mailing Address P.O. 95
Wellfleet, MA 02667

Phone (Home) _____ (cell) 508 247-7117

E-mail stewarpet@comcast.net

☐ Please describe briefly any work experience, including volunteer service, that you feel would be useful to the Town: local real estate agent in town

very familiar with Assessors Data base,
properties, comps, etc locations etc

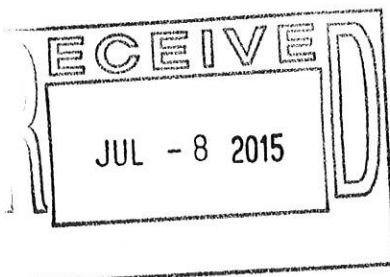
☐ Please add any other information that you think may be useful, including education or other formal training, specialized courses, professional licenses or certifications, etc.:

- continually taking classes for
professional licenses & growth.

☐ Committees/Boards of Interest: 1) Board of Assessors

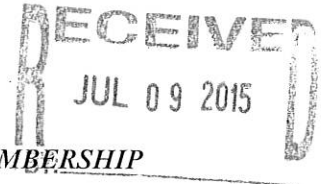
2) _____

3) _____





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 JOHN DUANE Date JULY 9, 2015

Mailing Address BOX 3174 348 MAIN ST.
WELLFLEET, MA 02667

Phone (Home) 508-349-3100 (cell) 508-237-2211

E-mail johnduane@comcast.net

☐ Please describe briefly any work experience, including volunteer service, that you feel would be useful to the Town: I have been a member of the Board

of Assessors since 2004 and request appointment
to the Board as Alternate member.

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

Licensed real estate broker for 15 years, member
of Shellfish Advisory Board


☐ Committees/Boards of Interest: 1) BOARD OF ASSESSORS

2) _____

3) _____

MEMORANDUM

To: Board of Selectmen, Town Clerk

From: John Duane, Board of Assessors 

Date: July 9, 2015

Re: Resignation as Regular Member, Request for Appointment as Alternate to Board of Assessors

I hereby tender my resignation as a Regular member of the Board of Assessors and request appointment as the Alternate member, as provided by our recent Charter change. Attached is my application for appointment to the Alternate position.



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 Dennis Cunningham Date 7-9-15

Mailing Address 1050 Bound Brook Island Rd
Wellfleet

Phone (Home) 508 349 7653 (cell) 617 688 5472

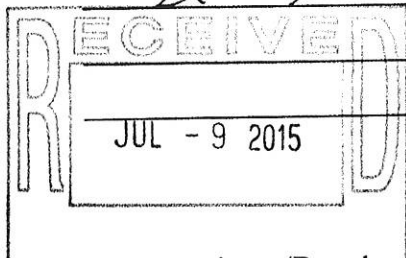
E-mail murphy.cunningham@yahoo.com

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

RN VNA Chatham - Orleans 1985-90
VNA Boston 90 - present
Provincetown AIDS Support Group

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

Panet Volunteer Services - via Wellfleet CoA
Ethics Comm. Hse VNA Boston




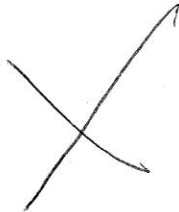
☐ Committees/Boards of Interest: 1) Barnstable County Regional Substance Abuse
2) _____ Council
3) _____


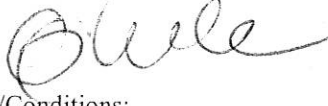
7/12/15
Agenda

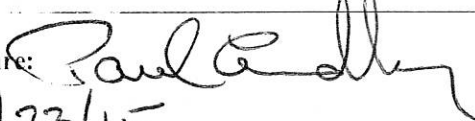

Telephone Number 508.214.4158 Mailing Address P.O. Box 1072 Wellfleet, MA 02667


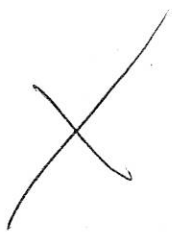
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APPLICANT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND INSPECTIONS

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

Police Dept. Signature:  10/28/15	Fire Dept. Signature: 
Comments/Conditions: OK	Comments/Conditions:

DPW Signature:  6/23/15	Beach Dept. Signature: 
Comments/Conditions: OK	Comments/Conditions: Instructors/Staff + Students MUST have Wellfleet Stickers & PAY BY THE DAY.

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

Recreation Dept. Signature: 	JA Other: Same conditions as other surf lessons: liability ins, \$350.00 annual fee. Participants must pay for parking & have stickers
Comments/Conditions:	during beach operating hours. Subject to available parking and beach space.

TOWN OF WELLFLEET
APPLICATION FOR PERMIT TO USE TOWN OWNED PROPERTY

Applicant Katherine Weeks Affiliation or Group Sugar Surf Cape Cod
Telephone Number 508-240-4166 Mailing Address PO Box 1553
Email address info@sugarsurfcapcod.com Wellfleet MA 02167
kateweeks@gmail.com
Town Property to be used (include specific area) White Crest Beach

Date(s) and hours of use: June - October

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.

Sugar Surf will provide surf lessons for Groups of 1-15 students. Soft top surf boards and wetsuits will be used during lesson. Clients will either pay to park or have Wellfleet beach stickers. Fee per student ranges \$65-\$85

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

No town service requested

NOTE TO APPLICANTS: All applications must be accompanied by a non refundable \$20.00 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: 6/24/14


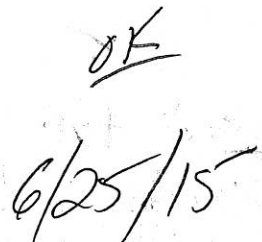

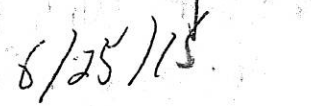
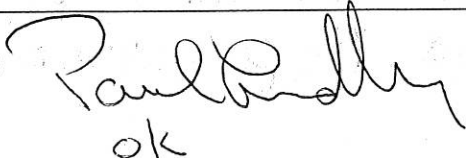


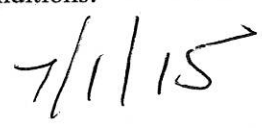
Processing Fee: 20.00

Fee: 350.00

} paid
Sum

(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:  Comments/Conditions: 	Fire Dept. Signature:  Comments/Conditions: 
DPW Signature:  Comments/Conditions: 	Beach Dept. Signature:  Comments/Conditions: 
Shellfish Constable Signature: Comments/Conditions:	Harbormaster Signature: Comments/Conditions:
Recreation Dept. Signature: Comments/Conditions:	Town Administrator: Comments/Conditions:

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

Applicant JOHN ARSENAULT Affiliation or Group _____

Telephone Number 508-446-5376 Mailing Address 53 AVERY AVE

Email address JOHNARSEN@HOTMAIL.COM 02667

Town Property to be used (include specific area) THE BANDSTAND END OF
TOWN PIER

Date(s) and hours of use: FRI/SAT/SUN NIGHTS, 6-9 PM, JULY AND AUGUST
SEPTEMBER

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.

MOBILE FOOD VENDING FROM FOOD TRUCK,
2-3 PEOPLE WORKING, CUSTOMERS CHARGED
REFLECTIVE OF THEIR ORDER

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

REQUEST TO USE ELECTRICAL SERVICES
OF THE BANDSTAND

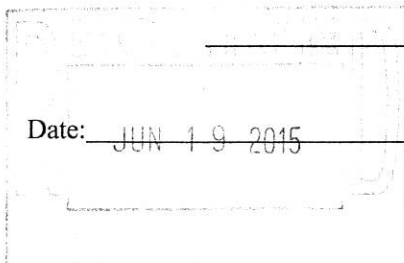
NOTE TO APPLICANTS: All applications must be accompanied by a non refundable \$20.00 processing fee. Applications must be received at least 30 days prior to the first event date to insure that all reviews can be completed prior to the event. This application is only for permission to use Town property. 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): _____



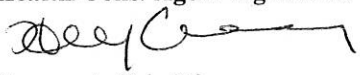
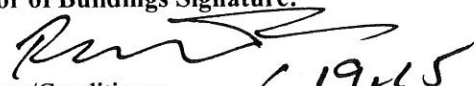
Date: JUN 19 2015


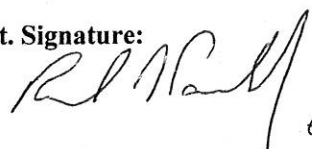
Processing Fee: 20.00 paid

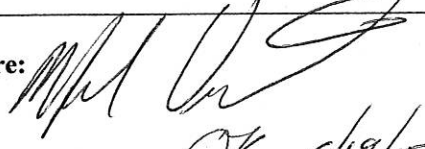

Fee: _____


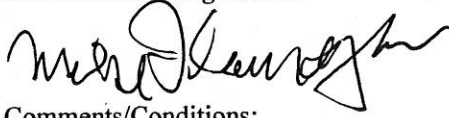
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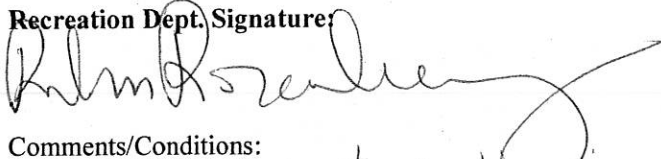

APPLICANT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND INSPECTIONS

Health/Cons. Agent Signature:  Comments/Conditions: Permits/Inspections needed: FOOD SERVICE PERMIT - TRUCK INSPECTION	Inspector of Buildings Signature:  Comments/Conditions: 6.19.15 Permits/Inspections needed:
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Police Dept. Signature:  Comments/Conditions: <u>AD</u>	Fire Dept. Signature:  Comments/Conditions: OK 6-18-2015
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DPW Signature:  Comments/Conditions: OK 6/19/15 Responsible for own trash	Beach Dept. Signature:  Comments/Conditions:
--	--

Shellfish Constable Signature:  Comments/Conditions:	Harbormaster Signature:  Comments/Conditions:
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Recreation Dept. Signature:  Comments/Conditions: During Rec. Events, smoking is limited to areas not in the area of the show.	Town Administrator:  Comments/Conditions: separate memo
--	--



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: USE OF TOWN PROPERTY APPLICATION BY JOHN ARSENAULT
DATE: 7/9/2015
CC:

Mr. Arsenault's application is for permission to operate mobile food vending from a food truck at the Marina from 6:00 PM to 9:00 PM on Fridays, Saturdays and Sundays during July, August and September.

If the application is approved and a fee charged, the fee would be a Marina Enterprise Fund revenue.

This application is similar in nature to an application received from Joseph Rugo for Baker Field in 2014. That matter was discussed at the June 10, 2014 Board of Selectmen's meeting and the application approved at the June 24, 2014 Selectmen's meeting. Conditions imposed in 2014 were: food service permit to be obtained, liability insurance naming the Town as an additional insured to be provided and a \$2,500 fee to be paid to the Town. The motion also required that food vendor space at Baker Field be procured by competitive bid commencing in 2015, which was done.

The Baker Field site was the subject of an invitation for bids in 2015. Because Baker Field is one of the sites of recreation department programs the invitation for bids required the successful vendor to meet specific requirements which included the following conditions:

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 Food Service Establishment Application and Business Application. (Attached).
3. Lessee may vend only in the area outlined in the property description and not in any other areas of the Town.

4. Regarding electricity, water and management of wastewater. Lessee shall be allowed to connect to the Town of Wellfleet electric service. This service may become metered during the length of this contract and the Lessee shall assume responsibility for costs associated to electric use once meter is installed and operational. The Town of Wellfleet shall assume all costs relative to the installation of the meter. Lessee shall supply their own water for their operations. Lessee shall not be permitted to use water from the Town Recreation offices or buildings. Lessee shall provide an executed contract with a lawfully permitted septic hauler to service the Lessee's equipment for the duration of the contract. All wastewater generated by operations of the Lessee shall be disposed of at a legally permitted waste disposal site.
5. 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.
6. Food items sold shall be primarily of a healthy and whole food nature. Guidance for these types of food can be found at www.choosemyplate.gov and see sample menu attached. The following foods of minimal nutritional value **shall not** be offered for sale:
 - a. (1) *Soda Water*— A class of beverages made by absorbing carbon dioxide in potable water. The amount of carbon dioxide used is not less than that which will be absorbed by the beverage at a pressure of one atmosphere and at a temperature of 60 °F. It either contains no alcohol or only such alcohol, not in excess of 0.5 percent by weight of the finished beverage, as is contributed by the flavoring ingredient used. No product shall be excluded from this definition because it contains artificial sweeteners or discrete nutrients added to the food such as vitamins, minerals and protein.
 - b. (2) *Water Ices*— As defined by 21 CFR 135.160 Food and Drug Administration Regulations except that water ices which contain fruit or fruit juices are not included in this definition.
 - c. (3) *Chewing Gum*— Flavored products from natural or synthetic gums and other ingredients which form an insoluble mass for chewing.
 - d. (4) *Certain Candies*— Processed foods made predominantly from sweeteners or artificial sweeteners with a variety of minor ingredients which characterize the following types:
 - i. (i) *Hard Candy*— A product made predominantly from sugar (sucrose) and corn syrup which may be flavored and colored, is characterized by a hard, brittle texture, and includes such items as sour balls, fruit balls, candy sticks, lollipops, starlight mints, after dinner mints, sugar wafers, rock candy, cinnamon candies, breath mints, jaw breakers and cough drops.
 - ii. (ii) *Jellies and Gums*— A mixture of carbohydrates which are combined to form a stable gelatinous system of jelly-like character, and are generally flavored and colored, and include gum drops, jelly beans, jellied and fruit-flavored slices.

- iii. (iii) *Marshmallow Candies*— An aerated confection composed as sugar, corn syrup, invert sugar, 20 percent water and gelatin or egg white to which flavors and colors may be added.
 - iv. (iv) *Fondant*— A product consisting of microscopic-sized sugar crystals which are separated by thin film of sugar and/or invert sugar in solution such as candy corn, soft mints.
 - v. (v) *Licorice*— A product made predominantly from sugar and corn syrup which is flavored with an extract made from the licorice root.
 - vi. (vi) *Spun Candy*— A product that is made from sugar that has been boiled at high temperature and spun at a high speed in a special machine.
 - vii. (vii) *Candy Coated Popcorn*— Popcorn which is coated with a mixture made predominantly from sugar and corn syrup.
- 7. The concession vehicle shall be removed at the end of the day.
 - 8. Lessee shall not sublet the concession without the prior written approval of the Town, which may be withheld at the town's sole discretion.
 - 9. All lessees must operate from a fixed food establishment.
 - 10. All lessee vehicles are subject to inspection by local officials.
 - 11. Applicant shall follow the Town of Wellfleet drug and alcohol policy prohibiting use of drugs or alcohol on town property.
 - 12. All applicants and their employees shall be subject to a Criminal Offender Records Information (CORI) check and a Sexual Offender Records Information (SORI) check.
 - 13. Smoking is prohibited on any part of the Baker Field Recreation Area. Smoking is not permitted on any Town owned property.
 - 14. The Baker Field location is not available to the Lessee on the following dates and times:



TOWN OF WELFLEET

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

MEMORANDUM

TO: BOARD OF SELECTMEN
FROM: BRIAN CARSLON, ATA
SUBJECT: TOWN DEPARTMENT FEES
DATE: 7/8/15
CC: HARRY TERKANIAN, TA

An accounting of fees from seventeen town departments has been created. Staff made recommendations for increases to certain fees while other departments did not make recommendations at this time. A comparison of building permit fees, for example, was done with the fees from the towns of Truro and Eastham. The Town of Wellfleet's current fees for residential and commercial building permits are lower than these two towns. Eastham and Truro both charge .65 per square foot per floor for new residential construction while Wellfleet currently charges .55 for the same. For commercial building permits, Truro charges an additional 15% on top of the permit fee and Eastham charges .75 per square foot of floor area while Wellfleet charges .60 for the same. Departments that have recommended fee increases include the Town Clerks office, Health Department, Beach and the Recreation Department (see attachment).

UPDATED 6/25/15				
DEPARTMENT	Type of Permits	Fee		
Building		Current 6/23/15		Proposed 2015
RESIDENTIAL BUILDING CONSTRUCTION FEES				
	effective 9/1/12			
	New Construction (New Structures & Additions) \$0.55 per sq. ft. or \$50 min.	\$50.00	.55 per sq ft	.65 per sq ft
	Existing Structures (Alterations & Repairs) \$0.45 per sq. ft. or \$50 min.	\$50.00	.45 per sq ft	.55 per sq ft
	New & Existing Un-Conditioned Space, Porch \$0.35 per sq. ft. or \$50 min.	\$50.00	.35 per sq ft	
	Decks \$0.20 per sq. ft. or \$50 min.	\$50.00	.20 per sq ft	
	Garages, Barns, Accessory Structures / Sheds over 120 sf \$0.20 per sq. ft. or \$50	\$50.00	.20 per sq ft	
	Accessory Structures / Sheds 120 sf and under \$50	\$50.00		
	Window / Door Replacement, Re-roofing, Re-siding \$50 application fee + 1% of cd	\$50.00	1% of const value	
	Chimneys, Wood Stoves, Fireplaces \$50	\$50.00		
	Fire Sprinklers \$50	\$50.00		
	Pools Above Ground \$100	\$100.00		
	Pools In ground \$100 plus \$0.20 per sq. ft.		.20 per sq ft	
	Solar Panel \$50 application fee + 1% of construction value	\$50.00	1% of const value	
	Wind Generation \$50 application fee + 1% of construction value	\$50.00	1% of const value	
	Signs \$50 plus \$0.20 per sq. ft. over 24 sq. ft.	\$50.00	.20 per sq ft over 24 sq ft	
	Mechanical / Duct Work / Exhaust Hood \$50	\$50.00		
	Retaining Walls, Foundation Walls only, Trench \$50	\$50.00		
	Awnings, Tents, Temporary Construction Trailers \$50	\$50.00		
	Demolition - 300 sq. ft. & under \$55	\$55.00	under 300sq ft	
	Demolition - 301 sq. ft. & over \$100	\$100.00	over 301 sq ft	
	Moving Structures \$0.20 per sq. ft. or \$50 min.	\$50.00	.20 per sq ft	
	Dock, Floats, Piers \$100 plus \$1.20 per sq. ft.	\$100.00	1.20 per sq ft	
	Certificate of Occupancy - each unit \$50	\$50.00		
	Re-inspection \$50	\$50.00		
	Emergency, Off-hour, Week-end Inspections \$100	\$100.00		
COMMERCIAL BUILDING CONSTRUCTION FEES				
	effective 9/1/12			
	New Construction (New Structures & Additions) \$0.60 per sq. ft. or \$50 min.	\$50.00	.60 per sq ft	.75 per sq ft or 1
	Existing Structures (Alterations & Repairs) \$0.45 per sq. ft. or \$50 min.	\$50.00	.45 per sq ft	
	New & Existing Unconditioned Space, Porch \$0.35 per sq. ft. or \$50 min.	\$50.00	.35 per sq ft	

UPDATED 6/25/15			
Type of Permits		Fee	
Health		Current 1/16/15	Proposed 2015
Commercial Septic Const. Permit - New Construction		\$150.00	\$155.00
- Varianced		\$250.00	\$255.00
- Upgrade		\$100.00	\$105.00
- Simple Repair		\$75.00	\$80.00
Residential Septic Const. Permit - New Construction		\$125.00	\$130.00
- Varianced		\$200.00	\$205.00
- Upgrade		\$75.00	\$80.00
- Simple Repair		\$50.00	\$55.00
Re-Inspection		\$50.00	\$55.00
Well Construction/Replacement Permit		\$50.00	\$55.00
Soil Evaluation (Perc Test)		\$100.00	\$105.00
Housing Inspection - Per unit		\$60.00	\$65.00
Food Service Permit (0 - 50 seats)		\$100.00	\$105.00
(51 -100 seats)		\$150.00	\$155.00
(Over 100 seats)		\$200.00	\$205.00
Temporary Food Permit - per calendar day		\$50.00	\$30.00 per calendar day
Frozen Dessert Manufacturer		\$50.00	\$30.00
Mobil Food Service Vendor (Prepared Foods)		\$100.00	\$105.00
Mobil Food Service Vendor (Packaged Foods)		\$75.00	\$80.00
Retail Food		\$100.00	\$105.00
Retail Food/Food Service Establishment		\$150.00	\$155.00
Camps, Cabin Motel		\$50.00	
Septic Installers		\$100.00	\$105.00
Septage Haulers		\$100.00	\$105.00
Refuse Haulers		\$100.00	\$105.00
Commercial Refuse Haulers		\$95.00	\$50.00
Recreational Camp for Children		\$50.00	\$50.00
Commercial Pool Permit		\$100.00	\$105.00
Residential Pool Installation Permit		\$50.00	\$55.00
Tobacco		\$100.00	\$105.00
Funeral Director		\$100.00	\$105.00
Animal Permit, Per animal or per 3 fowl		\$3.00	\$3.00
Stable Permit		\$25.00	\$30.00
Tanning Facility		\$200.00	\$205.00

Body Art Establishment	\$600.00		\$605.00
Body Art Practitioner - per person	\$400.00	\$405.00 per person	
Notice of Intent	\$45.00	\$100.00	
Request for Determination of Applicability	\$20.00	\$30.00	
Coastal Engineered Structure, per linear foot	\$2.00		
Docks, per linear foot	\$2.00		
Certificate of Compliance	\$15.00		
Amended Order of Conditions	\$25.00	\$50.00	
Reissuance of Orders of Conditions, Certificates of Compliance, Extensions of Orders of Conditions	\$20.00		
After the Fact Filing	\$90.00		
Continuance after Two Hearings		\$5.00/Hearing	
Jurisdictional Opinion	\$15.00		

UPDATED 6/25/15			
DEPARTMENT	Type of Permits	Fee	
Recreation		Current 6/23/15	Proposed
Amended 4/2008, 1/2010	Bakers Field Morning Recreation		
	Resident Pre Registration - First Child	\$65.00	\$75.00
	- Each Additional Sibling	\$40.00	\$50.00
	Resident Registration - First Child	\$85.00	\$95.00
	- Each Additional Sibling	\$55.00	\$65.00
	Non-Resident Registration - First Child	\$130.00	\$140.00
	- Each Additional Sibling	\$100.00	\$110.00
	Extended Recreation 12-3PM Program		
	7 weeks	\$200.00	\$220.00
	Per week	\$55.00	\$65.00
	Per day	\$20.00	\$25.00
	Gull Pond Swimming Program		
	Resident Registration - First Child	\$75.00	Not on list
	- Each Additional Sibling	\$45.00	Not on list
	Non-Resident Fee - per week	\$55.00	\$75.00
	- seven weeks	\$200.00	\$225.00
	8-9 AM lessons for Morning Rec. participants	\$10.00	\$15.00
	Wellfleet Road Race July		
	Adult 5 Mile - Pre Registration	\$20.00	\$25.00
	- Registration	\$25.00	\$30.00
	Children's 1.2 Mile Fun Run	\$15.00	\$20.00
	Day of Race Registration	\$20.00	\$25.00
	Oyster Fest Road Race October		
	Adult 5K Mile Race Pre-Reg	\$20.00	\$25.00
	Adult 5 Mile Race	\$25.00	\$30.00
	Children's 1.2 mile pre-registration	\$15.00	\$20.00
	Children's 1.2 mile registration	\$20.00	\$25.00
	Tennis Court Fees		
	- Singles, per hour	\$12.00	
	- Doubles	\$15.00	
	Cardio Tennis 1.5 G=Hr. Session	NA	\$20.00
	Billingsgate Basketball Fees		
	5/6 Grade Teams (per team)	\$60.00	Not on list
	Adult Teams (per team)	\$120.00	
	Off-Season Sports Programs		
	Per child, per sport	\$15.00	\$20.00
	(Soccer, Basketball, Baseball/Softball)		

UPDATED 6/25/15			
DEPARTMENT	Type of Permits	Fee	
		Current 6/23/15	
TYPE	G/L Account	Current	Proposed
Fees - Town Clerk	001-1-161-000.00-4320.00		
	Marriage intention filing fee and certificate	\$40.00	\$50.00
	Burial Permit	\$10.00	\$10.00
	Professional Registration filings (Physician, Optometrist, Osteopath, Podiatrist)	\$20.00	\$50.00
	Voter/Resident Extracts (Resident)	---	\$10.00
	Voter/Resident Extracts (Non-Resident)	---	\$15.00
	Street Listing/List of Residents Book (Resident)	---	\$15.00
	Street Listing/List of Residents Book (Non-Resident)	---	\$25.00
	Vital Record Correction (Non-clerical)	\$10.00 - \$20.00	\$25.00
	For entering amendment, of a record of the birth of an illegitimate child subsequently legitimized	\$20.00	\$25.00
	For entering delayed record of birth	\$20.00	\$25.00
	For entering certificate of marriage filed by persons married out of the Commonwealth	\$10.00	\$20.00
	For furnishing an abstract copy or record of birth	\$10.00	N/A
	For furnishing an abstract copy of a record of marriage	\$10.00	N/A
	For furnishing an abstract copy of a record of death	\$10.00	N/A
	Document Certification ("A True Copy Attest" - First Page)	\$10.00	\$10.00
	Document Certification (Each subsequent page)	\$2.00	\$2.00
	Pole Locations, etc.	\$25.00	\$50.00
	copy of written instrument or declaration of trust buy the trustees of an association or trust, or any a	\$20.00	\$25.00
Copies	001-1-161-000.00-4370.00		
	Certified vital records	\$10.00	\$15.00
	Voter/Resident Extracts (Resident)	\$0.00	\$10.00
	Voter/Resident Extracts (Non-Resident)	\$0.00	\$15.00
	Street Listing/List of Residents Book (Resident)	\$0.00	\$15.00
	Street Listing/List of Residents Book (Non-Resident)	---	\$25.00
Licenses	001-1-161-000.00-4421.00		
	Business Certificate (New/Renewal)	\$20.00	\$25.00
	Business Certificate (Discontinuance, amendment, etc.)	\$15.00	\$20.00
	Providing certified copy of business certificate (New/Renewal/Discontinuance, etc.)	\$5.00	\$10.00
	Raffle Permit (Local)	---	\$15.00
	Raffle Permit (Out of Town)	---	\$20.00
	Flammable Storage Permit	\$10.00	\$25.00
Shellfish grants	026-0-179-000.00-4420.00		
Shellfish filing fee	026-0-179-000.00-4420.00		

UPDATED 6/25/15

DEPARTMENT		Type of Permits	Fee	
Beach			Current 1/21/15	Proposed 2015
Amended 7/2008	Visitor Stickers			
	Three Day		\$50.00	
	One Week		\$85.00	
	Two Week		\$160.00	
	Seasonal		\$250.00	
	Resident/Taxpayer Stickers			
	Resident/Taxpayer Beach		\$25.00	
	Combination Beach/Transfer 1st Vehicle		\$50.00	
	Combination Beach/Transfer 2nd Vehicle		\$35.00	
	First Vehicle Transfer Station		\$25.00	
	Second Vehicle Transfer Station		\$10.00	
	Third Vehicle Transfer Station		\$35.00	
	Third Vehicle Combination Beach/Transfer sticker		\$60.00	
	Beach Fire Permit		NA	

5 Year Plan for Beach Fees

	2011	2012	2013	2014	2015
Resident	\$20.00	\$20.00	\$20.00	\$20.00	\$25.00
Seasonal	\$250.00	\$250.00	\$250.00	\$250.00	\$250.00
Two Week	\$130.00	\$130.00	\$150.00	\$150.00	\$160.00
One Week	\$75.00	\$75.00	\$80.00	\$80.00	\$85.00
Three Day	\$40.00	\$40.00	\$45.00	\$45.00	\$50.00

	2016	2017	2018	2019	2020
Resident	\$ 25.00	\$ 25.00	\$ 25.00	\$ 30.00	\$ 30.00
Seasonal	\$275.00	\$275.00	\$275.00	\$300.00	\$300.00
Two Week	\$160.00	\$170.00	\$170.00	\$180.00	\$180.00
One Week	\$ 85.00	\$ 90.00	\$ 90.00	\$ 95.00	\$ 95.00
Three Day	\$ 50.00	\$ 55.00	\$ 55.00	\$ 60.00	\$ 60.00

To: Board of Selectmen
CC: Harry Terkanian
Date: July 8, 2015
Re: OysterFest Parking

Potential Income (original memo dated February 25, 2015)

- If we assume we have 600 viable parking spaces x 1 turnover = 1200 x two days x \$10.00/vehicle, there is a potential income of \$24,000 for the weekend and probably more if there are additional turnovers.

Potential Revenue	\$24,000
Wages	(\$ 1,260)
Hangtags	(\$ 200)
After expenses	\$22,540

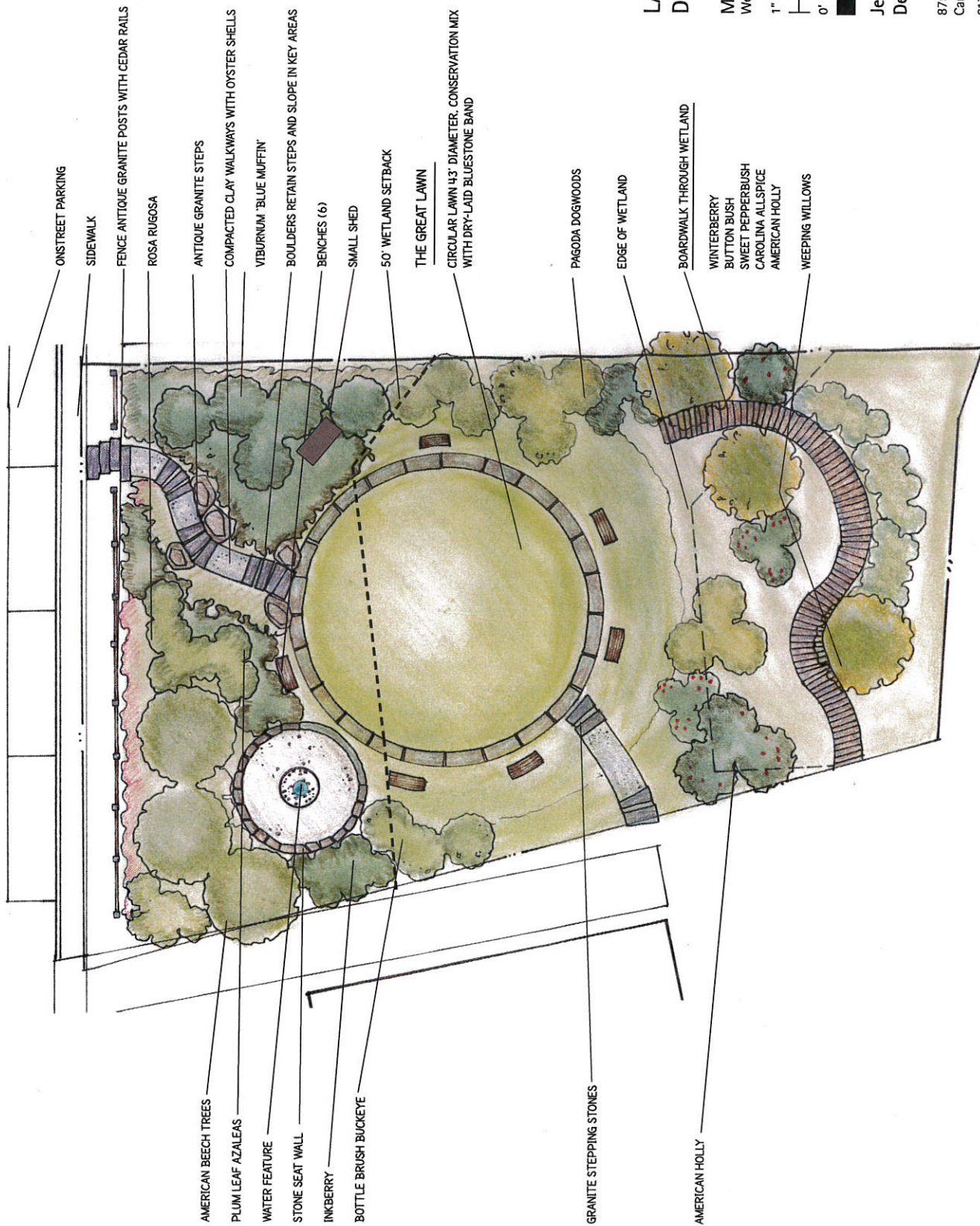
Since the time of the original memo, the following has happened:

1. The BOS voted to allow any vehicle with a Wellfleet Resident Beach Sticker or Combination Beach/Transfer to park at no charge. This can potentially be about 1/3 of the parking spaces.
2. The parking lots at Newcomb Hollow and Maguire Landing each lost about 10 to 12 spots this year when the asphalt was cut back to create beach access.
3. Per Matthew Frazier, whose company has managed the parking lots for the Oysterfest for the past few years, the number of spaces needed to provide a bus turnaround in each lot reduces the available parking spaces by about 30%.
4. Per Matthew Frazier, there is no significant turnover. Once a vehicle is parked, it stays there until the end of the day.
5. If Wellfleet charges, SPAT will not provide portable toilets at each lot as they have in previous years because the Town locks the restrooms.

So, 600 spaces less the 20 lost from erosion = 580
30% of 580 for bus turnarounds = 387
387 spots less 30% for Resident parking = 258
258 times two days times \$10 per spot =

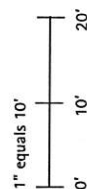
Estimate Revenue	\$ 5,160
Wages	(\$ 1,260)
Hangtags	(\$ 200)
Portable Toilets	(\$ 696)

After expenses \$ 3004



LANDSCAPE DESIGN PLAN

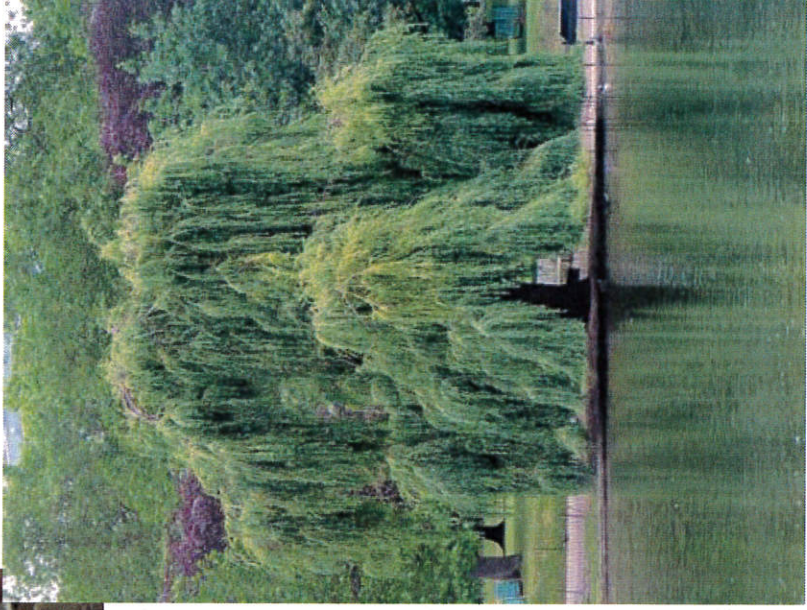
MEMORIAL GARDEN
Welfleet, MA



Jean Brooks Landscapes
Design and Construction

875 Main Street
Cambridge, MA 02139
617-354-0643
www.jeanbrooklandscapes.com
6.29.15

CLOCKWISE FROM TOP LEFT
 BUTTON BUSH (*Cephalanthus occidentalis*)
 SWAMP AZALEA (*Rhododendron viscosum*)
 WEEPING WILLOW (*Salix*)
 WINTERBERRY (*Ilex verticillata*)
 SWEET PEPPERBUSH (*Clethra alnifolia*)





CLOCKWISE FROM TOP LEFT

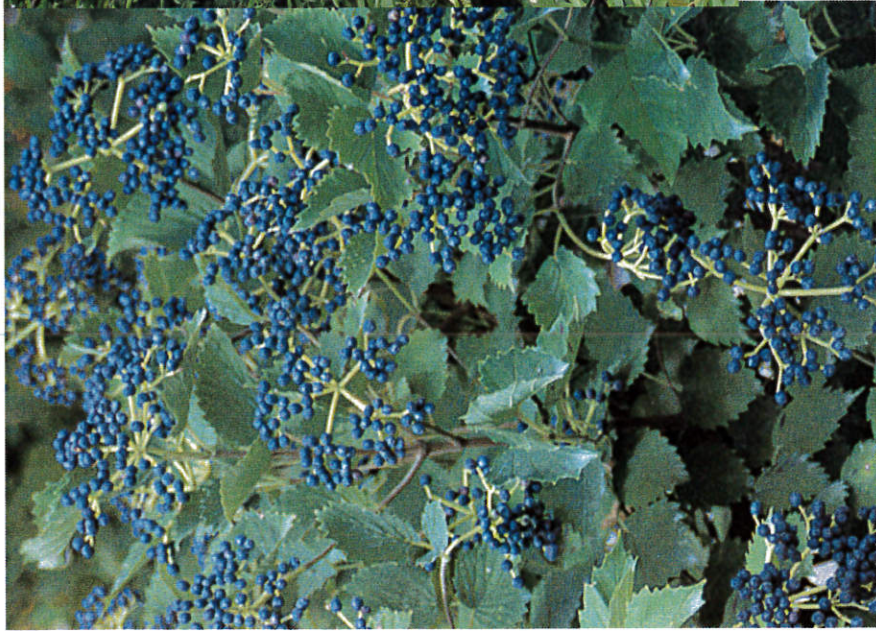
AESCULUS PARVIFLORA (Bottlebrush Buckeye)
 AMERICAN BEECH (*Fagus grandifolia*)
 Form and bark



CLOCKWISE FROM TOP LEFT

INKBERRY (*Ilex glabra*)
 PAGODA DOGWOOD (*CORNUS ALTERNIFOLIA*)
 AMERICAN HOLLY (*Ilex opaca*)





ARROWWOOD VIBURNUM (*Viburnum dentatum*)

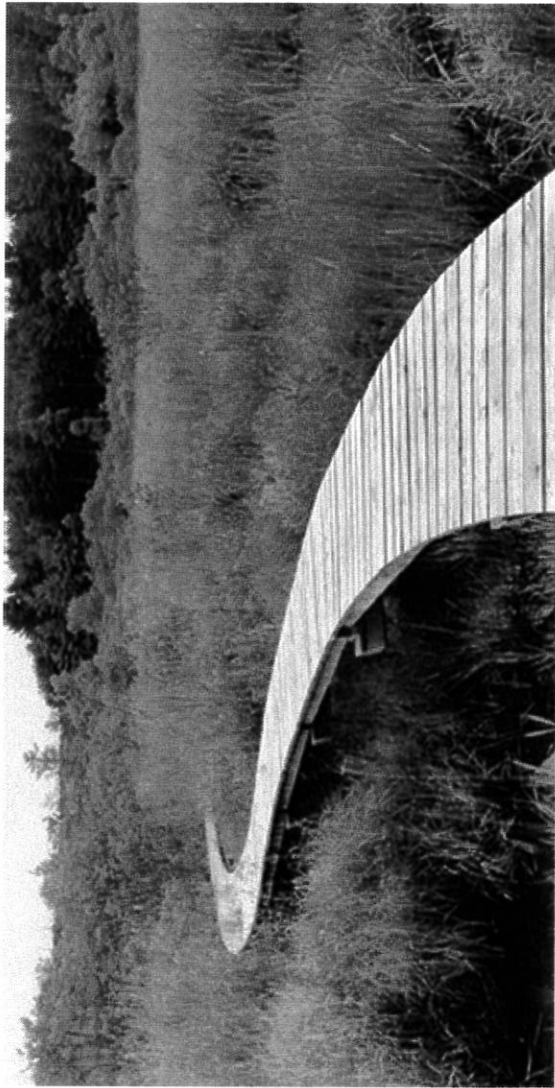
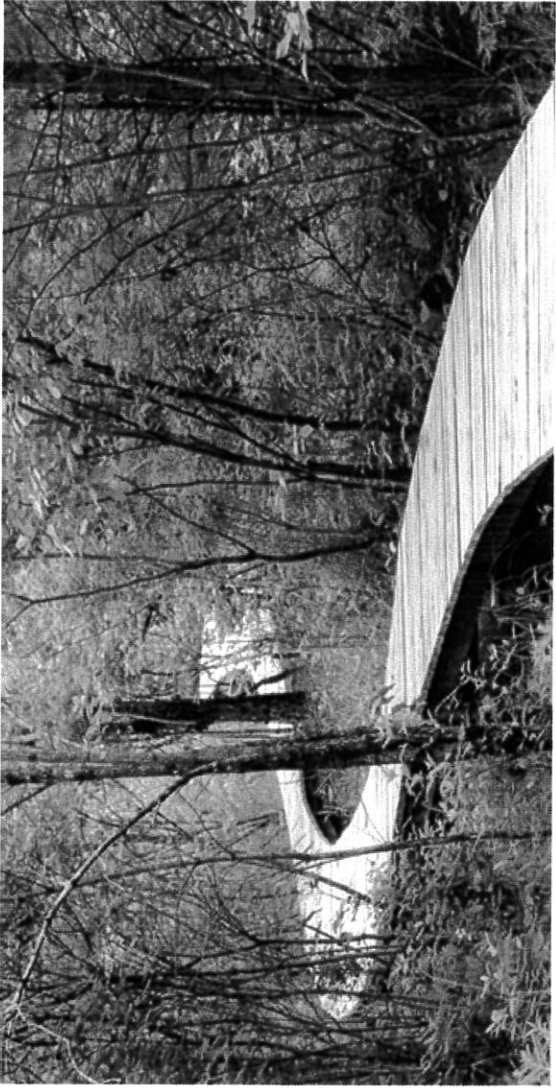


PLUM LEAF AZALEA (*Rhododendron PRUNIFOLIUM*)
CAROLINA ALLSPICE (*Calycanthus floridus*)



ANTIQUe GRANITE STEPS & WATER FEATURE





WINDING BOARDWALK



TOWN OF WELFLEET

300 MAIN STREET WELFLEET MASSACHUSETTS 02667

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

www.wellfleetma.org

FINAL BOARD OF SELECTMEN GOALS 2015-2016

No goals appeared on all 5 Selectmen's list.

The following goals appeared on 4 of the 5 lists:

1. Move ahead with dredging plans; present plan and price tag to 2016 Town Meeting.
2. Conduct a forensic audit of one of the Big 3 budgets.

The following goals appeared on 3 of the 5 lists:

3. Continue to look for new revenue options with or without parking fees.
4. Review funding for maintenance & repairs of public buildings; consider hiring separate maintenance personnel; consider FT Building Inspector.

The following goals appeared on 2 of the 5 lists:

5. Each department to review current fees & suggest feasible increases.
6. Collaborate with CDP/Outer Cape towns to create "Outer Cape Summit" for housing/planning/job creation.

The following goals appeared on one list only:

7. Keep the increase in 2017 budget to 2 ½% and maintain current level of services without additional full-time employees.
8. Work with Board of Water Commissioners to update Master Water Plan.
9. New Harbor/Shellfish Warden Shack.
10. Review financial intake and output for economies.

7/14/15

Commonwealth of Massachusetts

Town of Wellfleet

Board of Selectmen

June 29, 2015

To the Board of Selectmen for the Town of Wellfleet,

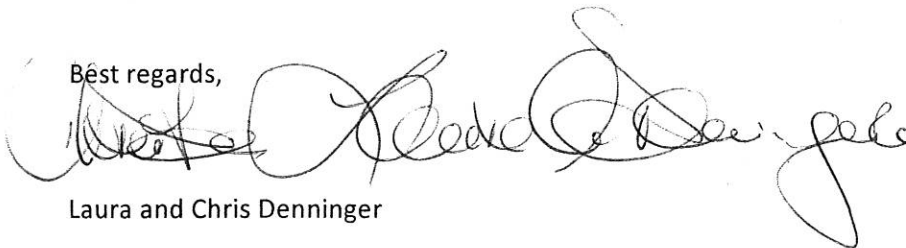
This letter serves as a request for approval to pay back to the town of Wellfleet any and all back taxes including any additional penalties and other fees incurred by the Town during this process.

We have a plan in place to come up with the full payment. We request board approval to revisit their decision regarding ownership of the property and grant us permission to bring this account up to date.

Please let me know what the next steps are in this process.

We greatly appreciate your consideration in this matter.

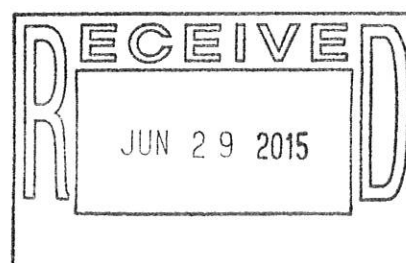
Best regards,

A handwritten signature in cursive script, appearing to read "Laura and Chris Denninger".

Laura and Chris Denninger

105 Pine Point Road

Wellfleet, MA



[SEAL]

Bk 28379 Pg 170 #41310
09-12-2014 @ 02:30p

COMMONWEALTH OF MASSACHUSETTS
LAND COURT
DEPARTMENT OF THE TRIAL COURT

Case No.: 13 TL 147605

JUDGMENT IN TAX LIEN CASE

Town of Wellfleet

vs.

Christopher J. Denninger, Laura A. Golabek

This case came on to be heard and was argued by counsel, and thereupon, upon consideration thereof, it is

ADJUDGED and ORDERED that all rights of redemption are forever foreclosed and barred under the following deed(s) given by and/or the tax taking(s) made by the Collector of Taxes for the Town of Wellfleet in Barnstable County and said Commonwealth:

<u>Land Type</u>	<u>Tax Taking Date</u>	<u>Book No.</u>	<u>Page No.</u>	<u>Document No.</u>	<u>Certificate of Title No.</u>
Recorded	12/03/2010	25138	57		

By the Court: Deborah J. Patterson

Attest:

A TRUE COPY
ATTEST:

Deborah J. Patterson
RECORDER

Deborah J. Patterson
Recorder

Entered: August 12, 2014

Property Address: 105 Pine Point Rd, Wellfleet, MA

History Summary As Of 6/26/2015

Account: 079850

Levy: 2007

Parcel: 21-53-B

Record Owner: DENNINGER CHRISTOPHER J

Location: 105 PINE POINT RD

Balance: \$0.00

Wellfleet

Debits

Name	Levy	Date of Cert.	Billed	Credits	Remainder	Interest	Total Due	Per Diem
Legal Fees	2011	12/3/2010	\$1,255.83	\$1,255.83	\$0.00	\$0.00	\$0.00	\$0.00
Land Court Costs	2011	12/3/2010	\$644.44	\$644.44	\$0.00	\$0.00	\$0.00	\$0.00
Rec Instrument	2011	12/3/2010	\$75.46	\$75.46	\$0.00	\$0.00	\$0.00	\$0.00
Cert of Redemption	2011	12/3/2010	\$3.00	\$3.00	\$0.00	\$0.00	\$0.00	\$0.00
Tax Title Transfer	2007	12/3/2010	\$137.29	\$257.91	\$0.00	\$0.00	\$0.00	\$0.00
Legal Fees	2011	2/22/2011	\$75.00	\$75.00	\$0.00	\$0.00	\$0.00	\$0.00
Tax Title Certification	2010	2/22/2011	\$1,964.38	\$3,074.33	\$0.00	\$0.00	\$0.00	\$0.00
Tax Title Certification	2009	2/22/2011	\$1,979.10	\$3,097.37	\$0.00	\$0.00	\$0.00	\$0.00
Tax Title Certification	2008	2/22/2011	\$2,026.44	\$3,171.46	\$0.00	\$0.00	\$0.00	\$0.00
Tax Title Certification	2011	9/27/2011	\$1,899.50	\$2,792.11	\$0.00	\$0.00	\$0.00	\$0.00
Tax Title Certification	2012	9/30/2012	\$1,894.68	\$2,478.55	\$0.00	\$0.00	\$0.00	\$0.00
Tax Title Certification	2013	7/25/2013	\$1,936.90	\$2,280.77	\$0.00	\$0.00	\$0.00	\$0.00
Tax Title Certification	2014	9/3/2014	\$2,101.68	\$2,135.77	\$0.00	\$0.00	\$0.00	\$0.00
Grand Total			\$15,993.70	\$21,342.00	\$0.00	\$0.00	\$0.00	\$ 0.00

Transactions

Name	Effective Date	Post Date	Batch	Total	Tax	Fees	Interest	Comments
Debit Adjustment	6/30/2011	7/26/2011	2011 adj	(\$75.00)	(\$75.00)	\$0.00	\$0.00	
Credit Adjustment	6/30/2011	7/26/2011	2011 adj	\$75.00	\$0.00	\$75.00	\$0.00	
Foreclosure	9/3/2014	9/3/2014	enninger	\$19,206.23	\$11,913.29	\$1,978.73	\$5,314.21	
Foreclosure	0/10/2014	0/10/2014	eclosure	\$2,135.77	\$2,101.68	\$0.00	\$34.09	
Grand Total				\$21,342.00	\$13,939.97	\$2,053.73	\$5,348.30	

Aug 12 7h 2015



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: TAX TITLE PROPERTY UPDATE
DATE: JUNE 18, 2015; REVISED JULY 7, 2015
CC:

On December 30, 2010 the Town of Wellfleet recorded a tax taking against Unit 2B of the Misty Hill Condominium at 105 Pine Point Road for unpaid taxes for fiscal year 2007. The record owners of the property at the time of the taking were Christopher J. Denninger and Laura A. Golabek who acquired title to the property by deed recorded on September 26, 2005. The town subsequently filed a petition in Land Court to foreclose the tax title and on August 12, 2014 the Land Court entered final judgment foreclosing the taxpayers' right of redemption. Taxes have not been paid for fiscal 2007 or for any subsequent tax year.

The property is a seasonal condominium unit and continues to show evidence of intended seasonal occupancy. A restriction limiting the condominium unit to seasonal use is contained in the master deed (Book2483, Page239.) The seasonal use restriction was removed by a subsequent amendment to the mater deed (Book2744, Page 226), however, the applicable zoning bylaw and the condition of the structure may effectively preclude year round use. To acquire possession of the premises it is necessary to bring eviction proceedings against the taxpayers. This is a common procedure following foreclosure of a tax title and counsel is prepared to proceed.

At the June 23, 2015 Board meeting the Board voted to authorize the actions necessary to recover possession of the property. I subsequently authorized counsel to proceed.

On June 29, 2015, Nancy Vail and I met with Laura Denninger, one of the former owners, and the owners of some of the other units in the condominium. Later that day Ms. Denninger sent the attached letter to the Board. The balance of the tax title account as of June 26, 2015 was \$21,342.00.

Since June 23rd the Town has incurred legal fees in connection with recovering possession of the property. I do not have an exact amount, but believe that the total is relatively small since I notified counsel to place eviction proceedings on hold on June 30th. The Town may also have incurred costs to insure the building.

While the Town is under no obligation to do so, it retains the right to file a petition in the Land Court to permit redemption of the tax title. The taxpayer's right to do so has expired. If the Board of Selectmen chose to permit redemption of this tax title, I recommend that such a decision be conditioned on payment by the taxpayer of the entire tax title account balance along with any related legal costs and property insurance costs. In addition to the current tax title account, insurance costs, and the cost of eviction proceedings, if any, tax title counsel advises that the cost to vacate the tax title is \$815.44 in filing fees and court costs and \$1,803.33 in legal fees. Upon payment in full, tax title counsel would file the appropriate documents with the Land Court to vacate the tax title.

MASSACHUSETTS
Department of Housing & Community Development
Local Initiative Program
Application for Comprehensive Permit Projects

INSTRUCTIONS

Please submit three copies of the application and attachments. Note: only one set of site plan and sample elevations (attachments 11 and 12 noted on page 22) are required.

An application fee, payable to the Massachusetts Department of Housing and Community Development, shall be submitted with the application. The schedule of fees is as follows:

	Project Fee	plus	Per Unit Fee
Municipality	\$1,000		\$30
Non-Profit	\$1,750		\$40
All Others	\$4,000		\$50

Mail to:

Local Initiative Program
Department of Housing & Community Development
100 Cambridge Street, Suite 300
Boston, MA 02114
Attn: Toni Coyne Hall, Director of Local Initiative Program

To complete the application electronically, simply position your cursor on a line and type. Use the tab key to move between questions.

If you have any questions, please refer to the DHCD 40B Guidelines, specifically Section VI. For further assistance, please contact Toni Coyne Hall at 617-573-1351 or toni.coyne.hall@state.ma.us.

NOTE: For Rental Projects, to complete information on Project Feasibility (Section X), go to the One Stop Application at <http://www.mhic.com> and complete Section 3 Sources and Uses and Section 4 Operating Pro Forma. Submit the sections with the Application

Application Contents:

- | | |
|------------------------------------|-------------------------------------|
| I. General Information | VIII. Surrounding Area |
| II. Community Support | IX. Financing |
| III. Municipal Contact Information | X. Project Feasibility |
| IV. Development Team | XI. Development Schedule |
| V. Project Information | XII. Marketing Outreach and Lottery |
| VI. Site Information | XIII. Checklist of Attachments |
| VII. Design and Construction | |

MASSACHUSETTS
Department of Housing & Community Development
Local Initiative Program
Application for Comprehensive Permit Projects

I. GENERAL INFORMATION

Community: Wellfleet
Name of Development: Old King's Highway Community Housing
Site Address: 2254, 2260 & 2270 Old King's Highway
Developer: Habitat for Humanity of Cape Cod, Inc.

1. Type of Housing:
☒ Single Family house ☐ Rental
☐ Condominium ☐ Age Restricted

2. Project Characteristics:
☒ New Construction ☐ Conversion
☐ Rehabilitation ☐ Other

3. Total Acres 2.83 +/- Density of Project (units/acre) 1.06

4. Unit Count:

Total Number of Units 3
Affordable 3
Market 0

5. Unit Prices/Rents:
Market Rate \$ _____
Affordable \$140,250 (3 bedroom) and \$126,000 (2 bedroom) estimates,
based on 2015 figures; might be amended)

Required Signatures for the
Comprehensive Permit Project Application
Chief Executive Official Chair, Local Housing Partnership
of Municipality: (if applicable):

Signature: _____

Signature: _____

Print Name: Paul Pilcher, Chair,
Board of Selectmen

Print Name: Elaine Mcilroy, Chair
Housing Authority

Date: _____

Date: _____

II. COMMUNITY SUPPORT

1. Letter of Support from Municipality - Attach a letter containing a short narrative on the basics of the project, the history of the project, the ways in which the community is providing support, and how the development team has addressed any concerns the community has. The letter must be signed by the chief elected official of the community.

2. Letter of Support from Local Housing Partnership - If the community has a housing partnership, please attach a letter from them indicating their support for the project. The letter should summarize how the partnership has been working with the developer.

3. Local Contributions - Check off all that apply and provide a brief description at the end.

- ☒ Land donation (dollar value \$592,700 assessed)
- ☐ Building donation (dollar value _____)
- ☒ Marketing assistance
- ☒ Other work by local staff
- ☒ Density increase
- ☐ Waiver of permit fees
- ☐ Other regulatory or administrative relief (specify) _____
- ☐ Local funds (cash)
Amount \$225,000 Source: Community Preservation
- ☐ _____
- ☐ HOME funds
- ☐ Agreement by a lender to provide favorable end-loan financing (ownership projects only)
- ☒ Other (specify) Habitat fundraising

Briefly explain the contributions: _____

4. Municipal Actions and Local Plans - Briefly describe how the project fits with any planning the community has done (e.g. master plan, community development plan, affordable housing plan) and other local land use and regulatory actions that provide the opportunity for affordable housing (including multi-family and overlay districts, inclusionary zoning by-laws and ordinances). Wellfleet currently has 2.2% of its year round housing stock listed as affordable on the Department of Housing and Community Development (DHCD) Subsidized Housing Inventory (SHI). The State goal is 10%. Wellfleet has some of the least affordable housing of all the fifteen cape towns, and at the same time has some of the highest housing prices.

Wellfleet's Local Comprehensive Plan, Appendix 8, Community Housing, specifically calls for affordable housing on town owned land. The Old King's Highway land has been voted on by Town Meeting for disposition for affordable housing purposes.

III. MUNICIPAL CONTACT INFORMATION

Chief Elected Official

Name Paul Pilcher, Chair, Board of Selectmen
Address 300 Main Street, Wellfleet, MA 02667
Phone 508-349-0300
Email paulpilcher@comcast.net

Town Administrator/Manager

Name Harry Terkanian, Town Administrator
Address 300 Main Street, Wellfleet, MA 02667
Phone 508-349-0300
Email harry.terkanian@wellfleet-ma.gov

City/Town Planner (if any)

Name _____
Address _____
Phone _____
Email _____

City/Town Counsel

Name _____
Address Kopelman and Paige, P.C. 101 Arch St, Boston, MA 02110
Phone 1-800-548-3522
Email _____

Chairman, Local Housing Partnership (if any)

Name Elaine McIlroy, Chair, Wellfleet Housing Authority
Address 300 Main Street, Wellfleet, MA 02667
Phone _____
Email ecilroy@comcast.net

Community Contact Person for this project

Name Brian Carlson, Assistant Town Administrator
Address 300 Main Street, Wellfleet, MA 02667
Phone 508-349-0349
Email brian.carlson@wellfleet-ma.gov

IV. DEVELOPMENT TEAM - CONTACT INFORMATION (include all development members)

Developer	Name: <u>Habitat for Humanity</u>	Email <u>wbrodie@brodielaw.com</u>
	Address: <u>411 Main St #6</u>	Tax ID # <u>04-328-4332</u>
	<u>Yarmouthport,</u>	
	<u>MA 02675</u>	
	Phone <u>508-632-3559</u>	
	Email <u>lzola@habitatcapecod.org</u>	
	Tax ID # <u>222900430</u>	
Contractor	Name: <u>Habitat</u>	Mkting/ Lottery AgentName: <u>Habitat</u>
	Address: _____	Address: _____
	Phone _____	Phone _____
	Email _____	Email _____
	Tax ID # _____	Tax ID # _____
Architect	Name: _____	
	Address: _____	
	Phone _____	
	Email _____	
	Tax ID # _____	
Engineer	Name: <u>JM O'Reilly & Associates, Inc</u>	Housing Consultant Name: <u>n/a</u>
	Address: <u>PO Box 1773</u>	Address: _____
	<u>Brewster, MA 02631</u>	Phone _____
	Phone <u>508-896-6601</u>	Email _____
	Email <u>kfernandes@jmoreillyassoc.com</u>	Tax ID # _____
	Tax ID # <u>26-1545790</u>	
Attorney	Name: <u>Warren Brodie</u>	
	Address: <u>40 Grove Street,</u>	
	<u>Suite 220, Wellesley, MA 02482</u>	
	Phone <u>781-235-1100</u>	



RECEIVED
JUL 06 2015

Board of Selectmen

Request for Placement on Agenda

Name: John Martens and Judy Lagergren
Address: P.O. Box 539 Wellfleet, MA. 02667
Company or Organization Representing: _____
Phone Number: 508-237-7804
Email Address: johnmartens@comcast.net

Specific Request: Discuss why our mooring was removed by the Harbormaster. Why the Harbormaster does not seem to know who took it out or where the bills of it is. The Police dept. has so far been unable to determine this. I cannot launch my boat without it and the Town is billing me for storage?
Also discuss how we have been treated by Harry Terkanjian. Seek permission to re-install mooring and if the town will pay the costs thereof. Ask for payment of 2726²⁹ due my company.

To be Filed out by Dept. _____

Applicant Notified: _____ Date of Hearing: _____

Date Request Completed: _____



TOWN OF WELFLEET MARINA
300 MAIN STREET
WELFLEET, MASSACHUSETTS 02667
508-349-0320



email: marina@wellfleet-ma.gov

web page: www.wellfleet-ma.gov

John Martens
P.O. Box 539
Wellfleet, MA 02667

August 30, 2014

John,

As per our conversation at the beginning of the 2014 boating season, I am writing to remind you that you will be required to remove your helical anchor from the position east of Middle Meadow in Wellfleet Harbor at the end of this season.

When you were allowed to use the helical anchor to moor your catamaran back in 2010, we agreed that this would be allowed on a trial basis to see if there were any benefits to using these helical anchors throughout Wellfleet Harbor. Over the course of the last 4 seasons, I have measured the pros and cons of helical use in the harbor, and it is my feeling that the cons outweigh the pros. The only benefit that I see is the extraordinary holding power of this type of mooring and this is what potentially makes it dangerous in my eyes.

If Wellfleet Harbor were a year round harbor, this type of mooring might be a good investment, but we are not year round. Our season runs from May 15th to October 15th or about 5 months of the year. Wellfleet Harbor ices up and this is one of the main reasons for requiring all moorings to be removed at the end of each season, so that the ice doesn't move them creating a hazard to navigation throughout the harbor. As you have stated, the cost of the removal of the helix makes the use of this type of mooring very costly. Without removing the mooring, the Harbormaster is unable to do the annual mooring inspection required to ensure its safe function, this being another issue in the con category.

It is my opinion that your mooring also poses a hang up danger to other vessels and fish draggers and it is positioned in an area that has been traditionally fished by our commercial fleet. This is another reason why I have decided that helical Moorings are not suitable for Wellfleet Harbor.

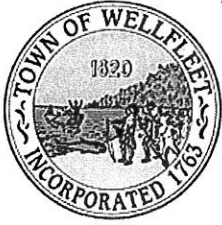
I have enclosed copies of Massachusetts General Laws outlining the Powers and duties of the Harbormaster as well as a copy of the Town's Mooring Regulations.

Please have your mooring removed by the 1st of November or the Harbormaster Department will remove it at your expense as per our regulations.

Please feel free to contact me with any questions regarding my decision or if there is any way we can assist you.

Thank you,

Michael Flanagan
Harbormaster



TOWN OF WELFLEET

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

February 27, 2015

John Martens
PO Box 539
Wellfleet MA 02667

Dear Mr. Martens:

I have now had an opportunity to speak with both the Harbormaster and the Chair of the Marina Advisory Committee regarding the matters you brought up when you met with me on February 12th,

Having considered your position and discussed the matter with both, I see no basis for an adjustment by the Town.

We have not yet invoiced you for the costs incurred in removal of your mooring. We are willing to waive those costs as a complete settlement of all claims you may have now or in the future in this matter. If you are in agreement, please countersign the enclosed copy of this letter and return it to the Harbormaster. The Harbormaster has your mooring and will return it to you upon receipt of your agreement to this proposal or payment to the Town of the costs associated with its removal.

Respectfully,

Harry Sarkis Terkanian,
Town Administrator

Cc: Harbormaster
Board of Selectmen
Marina Advisory Committee

Agreed: _____
John Martens



TOWN OF WELFLEET

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

June 18, 2015

John Martens
JM Mechanical
PO Box 539
Wellfleet MA 02667

RE: Invoice for Work at the Wellfleet Marina

Dear Mr. Martens:

An incomplete copy of the above referenced invoice was received by my office on May 28, 2015. Since the invoice is for work begun in January, 2014 it is an unpaid bill for goods or services provided during the fiscal year ending June 30, 2014. Municipalities are prohibited from paying invoices received more than 15 days after the end of the fiscal year unless specific requirements are met. Those requirements are found in Massachusetts General Laws, chapter 44, section 64. Section 64 has three requirements. First, an appropriation from which to pay the bill. This requires a vote at a town meeting to appropriate funds specifically for this purpose. Second, a certificate, signed under penalty of perjury by the person providing the goods or services, certifying that the goods or materials were delivered to the Town. Third, a certificate, signed under penalties of perjury by the Town official who ordered the goods or materials, certifying that the goods or materials were ordered and actually received.

Once we have both certificates we will place an article seeking an appropriation of funds to pay your invoice on the next town meeting warrant.

Respectfully yours,

Harry Sarkis Terkanian,
Town administrator

Cc: Town Accountant
Harbormaster
Board of Selectmen

On July 1, 2015 MARTENS, John came into the WPD lobby to speak to an officer regarding an ongoing dispute he has with the Town of Wellfleet involving a damaged/missing mooring. MARTENS stated that he has spoken to both the Town Administrator and the Harbormaster regarding the removal of a helical mooring in Wellfleet Harbor which was to moor his vessel for the summer months. MARTENS is dissatisfied with the Town's response to his inquiries and states that there are several pieces missing from his mooring which are unaccounted for.

I spoke to CROTEAU, Lenny at the Harbormaster's Office. According to CROTEAU, MARTENS has been using a helical style mooring for a period of time to moor his boat. This style of mooring was a temporary mooring for a trial period. In a letter dated August 30, 2014 from the Wellfleet Harbormaster, MARTENS was notified that he had to remove the helical mooring by November 1, 2014 as it was determined that the mooring was not suitable to the harbor. The letter further stated that if MARTENS did not remove the mooring the Harbormaster Department would remove it at his expense per their regulations. The mooring was not removed. After a period of time the town hired ZIEMBA, Michael's vessel to assist in removing it. MARTENS claims that in the process of removing and storing the helical mooring it has become damaged and parts of it are missing.

MARTENS gave me a list of items he feels were damaged and/or missing with a total estimated replacement cost of \$2,156.93. I advised MARTENS that I would speak to the Harbormaster to see if any other parts of the mooring had been retrieved however, I would be unable to substantiate what items were originally taken out by them as officers were not present for its removal.

I contacted the Harbormaster office to make arrangements to view which parts of MARTENS' mooring were retrieved. On July 6, 2015 I met with CROTEAU, Lenny at the DPW barn where he showed me a helix coil and winter stick which belonged to MARTENS. There were no additional items. CROTEAU stated that the large chain belonging to the mooring was left on site as it was too heavy to remove.

MARTENS stated that he has contacted an attorney and will pursue the matter in court if necessary.



TOWN OF WELFLEET

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: REVIEW OF EXISTING TOWN POLICIES
DATE: 7/9/2015
CC:

I have reviewed existing Board of Selectmen policies and have identified the following policies which warrant review by the Board:

Ready for second reading and approval:

2005-1 Senior Tax Workoff Policy. Proposed revision in July 14, 2015 meeting materials.

2014-3 Veterans Tax Workoff Policy. Proposed revision in July 14, 2015 meeting materials.

2002-1 Baker Field Tent Usage Policy and Procedures. Proposed revision in July 14, 2015 meeting materials.

First review of proposed policy amendments:

1988-5 Policy on Policies. Should be clarified to better define the procedure for policy amendment or revocation (e. g. do either require a second reading?) Proposed draft in July 14, 2015 meeting materials.

1993-3 Quorum Policy. Delete. It is a restatement of existing law and therefore unnecessary.

1989-2 Use of Town Property Fees. Replace all except first two sentences with policy adopted by the Board on April 27, 2015. Proposed revision in July 14, 2015 meeting materials.

Policies for future review:

1991-1a Sexual Harassment Policy. Revision currently under consideration by the Board.

2012-2 Paved Private Roads. Policy currently under consideration by the Board. Public hearing on July 14, 2015.

2013-1 Budget and Financial Management Policy. Re number as policy 2013-2; there is an existing policy 2013-1.

2002-2 Computer Use Policy. Out of date. I will present a proposed revision to the Board at a future date.

2009-2 Investment Policy. This policy needs to be revised to reflect the additional investment flexibility allowed for OPEB funds. The Treasurer has been tasked with preparing a draft.

Policies to be deleted once incorporated into other regulations:

2007-1 Commercial Slip Transfer Policy. Appears to be duplicated in the current marina or mooring regulations, verify and then delete.

2008-2 Off season boat storage at the marina. Recommend incorporation into marina regulations and deletion of this policy once accomplished.

1988-4 Policy on Award of Shellfish Grants. Move policy provisions on physical access to grants to shellfish regulations. After doing so, revoke this policy.

This program offers Wellfleet senior citizens the opportunity to participate in a property tax relief program to a maximum of \$1000.00 per Fiscal Year in return for volunteer service to the Town. The program for includes work performed from July 1 through June 30. Participants in this program may still apply for other tax abatements for which they may be eligible under other statutes.

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Eligibility:

- 60 years of age or older.
- Domiciled in Wellfleet.
- Homeowner or trustee or spouse of same.
- Residing at property for which tax relief sought.
- Limited financial resources.
 - Maximum incomes will be adjusted annually and matched to the maximum incomes for Low Income Home Energy Assistance Program (Fuel Assistance)
- Only one tax credit per household may be given.
- Married couples who reside in the same household are allowed to participate in the program but jointly may earn only up to one tax credit per household.
- Current employees of the Town who meet eligibility are welcome to participate, but will not be allowed to apply the work-off program to their assigned departments.

Deleted: <#>Single: income maximum \$32,618 (for 2014/2015)*
 <#>Married: income maximum \$42,654 (for 2014/2015)*

Terms:

- Credit for work will be given at the state minimum wage, and will be applied to the participant's Wellfleet real estate tax bill.
- Volunteer service on Town boards, commissions or committees will not be credited under this program.

Program Coordinator:

- A Program Coordinator, designated by the Town Administrator with a recommendation from the Council on Aging Director. The Coordinator shall assist with paperwork with the participants; monitor hours worked and submit the information to the office of the Town Treasurer.
- Any problems or concerns between participants and job assignments will be referred to the Council on Aging Director for resolution.

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Procedures:

- Department heads will submit a Departmental Request for a Volunteer Form along with a brief job description to the Town Administrator or designee. Once approved any available jobs will be forwarded to the Program Coordinator.
- Application by interested individuals should be made on the attached form to the Program Coordinator, who will interview the applicant and refer her/him to a department head who has requested volunteer assistance. An effort will be made to accommodate capacities and interests.
- Once an agreement has been reached between the department head and the applicant, the applicant shall be directed to the office of the Town Treasurer to complete payroll paperwork. (No work will begin until this procedure is done.)
- The participant shall fill out and sign a daily timesheet on attached form and submit to the Program Coordinator bi-weekly. The Program Coordinator shall tally the hours worked and submit the totals along with the time sheets to the office of the Town Treasurer for processing.

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TO: DEPARTMENT HEADS

**TOWN OF WELFLEET SENIOR CITIZEN
TAX WORK-OFF PROGRAM**

MONTHLY REPORT OF HOURS WORKED

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Date: _____

Volunteer: _____

Department: _____

Month & Year: _____

Hours Worked: _____

Report Submitted by: _____

Supervisor Signature: _____

Return to: Barbara Stevens
Program Coordinator
300 Main Street
Wellfleet, MA 02667

**TOWN OF WELFLEET SENIOR CITIZEN
TAX WORK-OFF PROGRAM
DEPARTMENTAL REQUEST FOR VOLUNTEER**

Date: _____

Department: _____

Department Head: _____

Describe work you wish volunteer to perform: _____

Total hours or hours per week (please specify): _____

List skills/tasks required:

- _____
- _____
- _____
- _____
- _____

Who will train/supervise volunteer? _____

It is understood that the Department Head has the right to approve or reject a volunteer after a probationary period.

It is understood that the Department Head or his/her delegate will provide any necessary training or supervision needed, as well as monthly documentation of hours worked.

T.A. Comments: _____

Approval: _____

Return to: Program Coordinator, 300 Main Street, Wellfleet

**TOWN OF WELLFLEET
SENIOR CITIZEN TAX WORK-OFF PROGRAM
APPLICATION**

Date: _____

Name: _____

Street Address: _____

Mailing Address: _____

Telephone: _____

E-Mail: _____

Social Security No.: _____

Property Owner: _____

Trustee: _____

Spouse: _____

Attestation: I am 60 years of age or older. _____

Attestation: I am domiciled at the street address entered above. _____

Attestation: Attached is a copy of last year's income tax filing. _____

Do you have any medical restrictions which might affect the type of work you can do?

List experience, skills, interests which might be utilized in working for the Town.

Signature: _____

Veterans Tax Work-Off Program Policy

Adopted June 10, 2014 as Policy 2014-3; Updated July 14, 2015

This program offers Wellfleet veterans the opportunity to participate in a property tax relief program to a maximum of \$1000.00 per year in return for volunteer service to the Town. The program for each Fiscal Year will include work performed from July 1, through June 30. Participants in this program may still apply for other tax abatements for which they may be eligible under other statutes.

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Deleted: , 2014

Deleted: , 2015

Eligibility:

- Veteran of any branch of the Armed Services
- Domiciled in Wellfleet.
- Homeowner or trustee or spouse of same.
- Residing at property for which tax relief sought.
- Limited financial resources.
 - Maximum incomes will be adjusted annually and matched to the maximum incomes for Low Income Home Energy Assistance Program (Fuel Assistance)
- Only one tax credit per household may be given.
- Married couples who reside in the same household are allowed to participate in the program but jointly may earn only up to one tax credit per household.
- Current employees of the Town who meet eligibility are welcome to participate, but will not be allowed to apply the work-off program to their assigned departments.

Deleted: <#>Single: income maximum \$32,

Deleted: <#>065

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<#>Married: income maximum

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Terms:

- Credit for work will be given at the state minimum wage, and will be applied to the participant's Wellfleet real estate tax bill.
- Volunteer service on Town boards, commissions or committees will not be credited under this program.

Program Coordinator:

- A veteran who qualifies for the program will be designated the Program Coordinator by the Town Administrator or designee and will "work off" their hours in that capacity. The Coordinator shall assist with paperwork of the participants; monitor hours worked and submit the information to the office of the Town Treasurer.
- Any problems or concerns between participants and job assignments will be referred to the Coordinator for resolution.

Procedures:

- Department heads will submit a Departmental Request for a Volunteer Form along with a brief job description to the Town Administrator or designee. Once approved any available jobs will be forwarded to the Program Coordinator.
- Application by interested individuals should be made on the attached form to the Program Coordinator, who will interview the applicant and refer her/him to a department head who has requested volunteer assistance. An effort will be made to accommodate capacities and interests.
- Once an agreement has been reached between the department head and the applicant, the applicant shall be directed to the office of the Town Treasurer to complete payroll paperwork. (No work will begin until this procedure is done.)
- The participant shall fill out and sign a daily timesheet on attached form and submit to the Program Coordinator bi-weekly. The Program Coordinator shall tally the hours worked and submit the totals along with the time sheets to the office of the Town Treasurer for processing.

TO: DEPARTMENT HEADS

**TOWN OF WELLFLEET
VETERAN TAX WORK-OFF PROGRAM**

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TAX YEAR FY2015

MONTHLY REPORT OF HOURS WORKED

Date: _____

Volunteer: _____

Department: _____

Month & Year: _____

Hours Worked: _____

Report Submitted by: _____

Supervisor Signature: _____

Return to: _____
Program Coordinator
300 Main Street
Wellfleet, MA 02667

**TOWN OF WELLFLEET
VETERAN TAX WORK-OFF PROGRAM
DEPARTMENTAL REQUEST FOR VOLUNTEER**

Date: _____

Department: _____

Department Head: _____

Describe work you wish volunteer to perform: _____

Total hours or hours per week (please specify): _____

List skills/tasks required:

- _____
- _____
- _____
- _____
- _____

Who will train/supervise volunteer? _____

It is understood that the Department Head has the right to approve or reject a volunteer after a probationary period.

It is understood that the Department Head or his/her delegate will provide any necessary training or supervision needed, as well as monthly documentation of hours worked.

T.A. Comments: _____

Approval: _____

Return to: Program Coordinator, 300 Main Street, Wellfleet

**TOWN OF WELLFLEET
VETERAN TAX WORK-OFF PROGRAM
APPLICATION**

Date: _____

Name: _____

Street Address: _____

Mailing Address: _____

Telephone: _____

E-Mail: _____

Social Security No.: _____

Property Owner: _____

Trustee: _____

Spouse: _____

Attestation: I am a veteran of the Armed Services. _____

Attestation: I am domiciled at the street address entered above. _____

Attestation: Attached is a copy of last year's income tax filing and Form DD214. _____

Do you have any medical restrictions which might affect the type of work you can do?

List experience, skills, interests which might be utilized in working for the Town.

Signature: _____

Fiscal Year 2014
Low-Income Home Energy Assistance Program (LIHEAP)
Income Eligibility Chart

MAXIMUM
↓

	1	2	3	4	5	6
1	\$ 11,490	\$ 14,363	\$ 17,235	\$ 20,108	\$ 22,980	\$ 32,085
2	\$ 15,510	\$ 19,388	\$ 23,265	\$ 27,143	\$ 31,020	\$ 41,932
3	\$ 19,530	\$ 24,413	\$ 29,295	\$ 34,178	\$ 39,060	\$ 51,798
4	\$ 23,550	\$ 29,438	\$ 35,325	\$ 41,213	\$ 47,100	\$ 61,664
5	\$ 27,570	\$ 34,463	\$ 41,355	\$ 48,248	\$ 55,140	\$ 71,530
6	\$ 31,590	\$ 39,488	\$ 47,385	\$ 55,283	\$ 63,180	\$ 81,396
7	\$ 35,610	\$ 44,513	\$ 53,415	\$ 62,318	\$ 71,220	\$ 83,246
8	\$ 39,630	\$ 49,538	\$ 59,445	\$ 69,353	\$ 79,260	\$ 85,096
9	\$ 43,650	\$ 54,563	\$ 65,475	\$ 76,388	\$ 86,946	\$ 86,946
10	\$ 47,670	\$ 59,588	\$ 71,505	\$ 83,423	\$ 88,796	\$ 88,796
11	\$ 51,690	\$ 64,613	\$ 77,535	\$ 90,458	\$ 90,646	\$ 90,646
12	\$ 55,710	\$ 69,638	\$ 83,565	\$ 92,496	\$ 92,496	\$ 92,496
13	\$ 59,730	\$ 74,663	\$ 89,595	\$ 94,346	\$ 94,346	\$ 94,346
14	\$ 63,750	\$ 79,688	\$ 95,625	\$ 96,196	\$ 96,196	\$ 96,196
15	\$ 67,770	\$ 84,713	\$ 98,046	\$ 98,046	\$ 98,046	\$ 98,046
16	\$ 71,790	\$ 89,738	\$ 99,896	\$ 99,896	\$ 99,896	\$ 99,896
17	\$ 75,810	\$ 94,763	\$ 101,746	\$ 101,746	\$ 101,746	\$ 101,746

Sources: "Annual Update of the HHS Poverty Guidelines", *Federal Register* 78 (24 Jan 2013): 5182-5183
"State Median Income Estimates", *Federal Register* 78 (15 May 2013): 28597-28599

Massachusetts Department of Housing and Community Development
Division of Community Services

May 2013

BOARD OF SELECTMEN

Baker's Field Tent Usage Policy and Procedures

Original Date: April 8, 2002; Updated: July 14, 2015
2002-1

1. Applicant must fill out a "Use of Town Property Form" and "Application for Use of Baker's Field Tent". Applications will be dated and timed as submitted. Applications will be reviewed by the Recreation Director for consideration. If the event does not conflict with existing recreational events and is deemed appropriate, the Use of Town Property Form will then be forwarded to other appropriate Department Heads for approval and comment. Applications received to use the tent in months other than July and August will require the applicant to pay for installation and taking down the tent and arrange for inspection by the Town Building Inspector prior to the event. Recommendations will then be forwarded to the Board of Selectmen for approval.
2. A 50% deposit is required at time of application. If application is denied, deposit will be returned. Upon approval, deposit becomes nonrefundable. Balance, along with a security deposit of 10% of the total cost, is due no later than ten business days prior to use of tent. (Security deposit will be held by Town Treasurer)
3. Applicant will be notified by the Recreation Director as to the status of the application no later than ten business days after the application date.
4. The tent is available to municipal groups and Recreation Department sponsored events for no fee. All other groups shall submit a use of town property form and the use fee and any other conditions will be set by the Board of Selectmen in accordance with the Selectmen's policy on use of Town property. Appropriate insurance coverage is mandatory and the responsibility of the lessee. Tent rental is available on a first come, first served basis.
5. No smoking alcoholic beverages are allowed on Town property at any time. Alcoholic beverages are not allowed on Town property without a waiver by the board of selectmen and an appropriate liquor license.
6. Only minimal, temporary storage will be available for any equipment that is required during performances. Any storage shall be approved in advance by the Recreation Director. The Town of Wellfleet is not responsible for any equipment stored on Town property.
7. An employee of the Recreation Department will be provided to supervise and assist during each tent activity.
8. Any exceptions to the above regulations may be made only by the Board of Selectmen.
9. This "Policy and Procedures" will be reviewed annually.

Deleted: , the Recreation Committee and all relevant Department Heads for consideration.

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10. Any questions or concerns should be directed to either the Recreation Department Head or Assistant Director.

BOARD OF SELECTMEN

Policy on Policies

Original Date: November 9, 1988

1988-5

Revised: January 23, 1990 (1990-1)

Revised: November 22, 1993

Reaffirmed: January 16, 1996

Reaffirmed: February 2, 1998

Revised: January 16, 2001

Reaffirmed: March 9, 2004 Revised:

March 23, 2004

Revised: August 14, 2007

Proposals for new policies or changes to an existing policy can be initiated by any Board member, employee or citizen. Proposals shall be submitted in writing to the Chairman of the Board of Selectmen through the Town Administrator who shall place them on a meeting agenda for consideration.

For the purpose of efficient drafting, a new policy or a policy revision considered by the Board shall not be adopted at the meeting at which it is introduced, but shall require additional readings at subsequent meetings before adoption is final.

Revocation of an entire policy may be voted on at the same meeting during which it is initially discussed.

SCHEDULE FOR ADOPTION OF POLICY

1. A topic or amendment is proposed and placed on the agenda by a Board member or the Town Administrator. The Board votes that the topic is worthy of formulation as a policy, or that amending a policy is a good idea.

2. The Town Administrator prepares a draft of the policy and sends it to department heads and other appropriate members of Town government for review and comment. If necessary, the Town Administrator refers the proposed policy to Town Counsel.

3. The draft of the proposed policy or policy amendment is placed on the agenda. The Board discusses it and then votes on it. If further amendment is necessary, they vote on the final draft at a subsequent meeting.

4. This process shall take no longer than eight weeks.

CATALOGING OF POLICIES:

Include the original, effective date of the policy and the dates of any subsequent revisions.

Have the title clearly and briefly identify the content so that it will be easy to find in the table of contents.

List the policies in alphabetical order in the table of contents.

All new policies or substantial changes in an existing policy shall be published in the annual report of the Town.

Deleted: It is the intent to develop a coherent, rational, logical method for developing policies with as much input as possible.¶

¶ Adopting policies and changing existing policies are solely the responsibilities of the Board of Selectmen.

Deleted: The Town Administrator shall seek legal advice whenever there may be questions of legality or proper procedure.

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¶ The topic is referred to

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¶ The draft of the proposed policy is placed on the agenda or in the Town Administrator's report. The Board of Selectmen discusses, and amends if necessary

Deleted: At a subsequent Selectmen's meeting the Board votes to adopt the proposed policy.

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Deleted: Subject: Title of Policy

Deleted: Example: Board of Selectmen Policy on Policies¶

¶ Effective Date: When policy is ad ... [1]

Example: Board of Selectmen Policy on Policies

Effective Date: When policy is adopted

Example: November 9, 1988

Policy Number: Number sequentially by year

Example: 1988-5

Date of Original: If policy is a revision in an existing policy, list all dates of revisions and date of original.

Cancels Policy: If the policy cancels an existing policy, state which policy it cancels by title, number and date adopted.

Dated: Today's date.

USE OF TOWN PROPERTY FEES POLICY

Adopted: As Policy 2015-xx

The Board of Selectmen shall permit use of Town property by individuals or groups for only those activities which are not detrimental to public safety and convenience and which are completely in accordance with all relevant laws and regulations. Insurance coverage and potential liability exposure will be considerations whenever the use of Town property is requested.

Fees are established for use of Town property in order to balance the Town's responsibility to manage the assets entrusted to it by the voters, including Town real estate, in a manner that is consistent with the need to insure that Town government operations can be conducted and citizens access to Town property is preserved while balancing community needs for exclusive use of Town property for specific events. In order to balance these competing needs the Wellfleet Board of Selectmen adopts the following fee structure:

This fee structure applies only to properties under the control, care and custody of the Board of Selectmen. It therefore excludes from its operation properties such as the Wellfleet Elementary School which is under the care, custody and control of the School Committee and the Wellfleet Public Library which is under the care, custody and control of the Library Trustees.

Application fee: \$20.00. The application fee is required for all applications regardless of the event or sponsoring organization and is intended to partially cover the time required to review and process the application.

Reimbursement of direct costs: In addition to the application fee and the use fee, the sponsoring organization shall reimburse the Town for the cost of all Town services requested by the applicant or required by the Town as a condition of approval. The cost of services shall include any equipment charges, required minimum payment to employees for callbacks, private duty fees, etc. to which will be added an administrative surcharge to cover the administrative costs associated with furnishing services.

Insurance: As a condition of approving any application, the Town, in its sole discretion, may require the sponsoring organization to furnish proof of liability insurance covering the interests of the Town with such coverage limits as the Town shall require.

Bond or deposit: As a condition of approving any application, the Town, in its sole discretion, may require the sponsoring organization to furnish a bond or security deposit to insure the payment of all costs and the restoration of the property to its original condition.

Other conditions: As a condition of approving any application, the Town, in its sole discretion, may impose such additional conditions as it determines are reasonably necessary to protect the interests of the Town.

Basic use fee per day (or portion thereof) per parcel (or portion thereof): Between zero (\$0.00) and one thousand (\$1,000) dollars depending on the application of the following criteria. Parcel as used in this document means a parcel shown on the Town of Wellfleet assessing atlas in use at the time of the application.

In determining the fee to be charged for a specific application the Selectmen shall consider the following criteria:

First: The nature of the parcel or parcels for which application is made. Parcels which are heavily used by the public warrant a higher fee than parcels not as frequently or as intensively used by the public. An example of a heavily used parcel is the Town Hall parking lot which is used by persons having business at Town Hall or with Main Street merchants, employees, persons parking in order to travel on public transportation, etc. Less heavily used parcels would warrant a fee toward the lower end of the fee scale.

Second: The degree of exclusivity required. An application that requires the use of an entire parcel or a significant portion of a parcel to the exclusion of all others warrants a higher fee than uses which do not exclude the public or requires only a small portion of a parcel. In evaluating this criterion the Board may also consider whether and the extent to which adjacent public streets will be used by the event. An example of a use that warrants a high fee is one which requires use of the Town Hall parking lot and adjacent streets to the exclusion of the public for a day or more. An example of a use that warrants a lower fee is one that uses a beach parking lot to stage a road race during the early morning hours before the lot is manned by the Beach Department staff.

Third: The nature of the organization and its relationship to the Town.

- No fee is required of Town departments.
- Not for profit organizations formed solely to support Town government operations, such as the PTA, Friends of Recreation and Friends of the Library, would qualify for a reduced fee or no fee.
- Not for profit organizations formed to support a specific segment of the community or region as opposed to directly supporting Town operations would pay a larger fee than not for profits which directly support Town government.
- Organizations with commercial or quasi commercial purposes pay a larger fee. An example would be a commercial film crew.

Fourth: Whether an admission fee is charged by the event organizers for entrance into the event and for what purpose.

Fifth: Whether the event includes as participants businesses which pay a fee to the event organizers in order to participate in the event.

The five criteria taken together provide a basis for establishing a fee which reflects the importance of the public space, the degree to which the public is displaced from that space and the degree to which the Town benefits, directly, indirectly or not at all.

LOCAL HOUSING PARTNERSHIP

At least 7 members; 3 Community, 1 Housing Authority, 1 Open Space, 1 Planning Board, 1 ZBA

Staff assistance: Inspector of buildings, Health & Conservation Agent, ATA/Town Planner

To work in conjunction with the Wellfleet Housing Authority. 1 year term

BOS 11/10/03

Members will work in coordination with the Wellfleet Housing Authority to promote, provide and maintain affordable housing.

WELLFLEET, MASSACHUSETTS

**COMMUNITY PRESERVATION ACT
GRANT AGREEMENT FOR**

Wellfleet Historical Society and Museum, Inc.

This GRANT AGREEMENT ("Agreement") is made on this _____ day of _____, 2015, by and between the Town of Wellfleet, a municipal corporation duly organized under the laws of Massachusetts and having its usual place of business at Wellfleet Town Hall, 300 Main Street, Wellfleet, MA 02667, acting by and through the Board of Selectmen (the "Town"), and the Wellfleet Historical Society and Museum, Inc., having an address of 266 Main Street, Wellfleet, MA 02667 (the "Grantee").

WITNESSETH:

WHEREAS, the Wellfleet Community Preservation Committee (the "CPC") invited submission of proposals for grants of funds for purposes consistent with the Community Preservation Act, G.L. c. 44B (the "Act"); and

WHEREAS, the Grantee submitted a proposal in response thereto (the "Proposal") for the purpose of acquiring the mid-section of 262 Main Street, Wellfleet (the "Acquisition"), and the CPC reviewed and approved the Proposal and recommended that Town Meeting vote to appropriate from the Community Preservation Fund the sum of One hundred eighty-nine thousand dollars and no cents (\$189,000.00) to be used for the purpose of the acquisition of 262 Main Street (the "Property"); and

WHEREAS, the Wellfleet Town Meeting thereafter appropriated the funds recommended by the CPC for the Acquisition and authorized the Town to enter into a grant agreement with the Grantee for the purposes set forth in the Proposal.

NOW THEREFORE, the Town and the Grantee agree as follows:

1. Funding. As recommended by the CPC under Article 21 of the April 27, 2015 Town Meeting, and as appropriated by said Town Meeting, the Town shall grant to the Grantee the sum of One hundred eighty-nine thousand dollars and no cents (\$189,000.00) (the "Funds") on the condition that the Grantee shall use the Funds only for the purposes of the Acquisition, as set forth more particularly in the Proposal and the documents attached thereto and in accordance with the terms of this Agreement.
2. Conditions. The Funds provided pursuant to Section 1 above are subject to the following terms and conditions:

- a) The Grantee agrees to use the Funds solely for the acquisition of the Property, which shall include paying outstanding amounts due on any loan or loans used to previously the Property. The Grantee shall provide written documentation that the Funds have been used for the purpose set forth herein.
- b) The Grantee shall grant to the Town a historic preservation restriction on the Property meeting the requirements of G.L. c.184, §§ 31-33, in a form acceptable to the Town (the "Restriction") within three (3) months of the date of this Agreement, which may be extended by the Board of Selectmen, in its discretion, running to the benefit of the Town and guaranteeing that the Restriction will be enforceable in perpetuity or for the maximum term allowed by law. Grantee shall convey the Restriction free of liens and free of easements and restrictions that would interfere with the Town's exercise of its rights under the Restriction. All mortgages and other monetary liens on the Property, if any, shall have been subordinated to the Restriction.
3. Liability of the Town. The Town's liability hereunder shall be to make the payment specified in Section 1 of this Agreement, provided that the conditions set forth in Section 2 are followed, and the Town shall be under no further obligation and shall have no further liability. Nothing in this Agreement shall be construed to render the Town or any elected or appointed official or employee of the Town, or their successors in office, personally liable for any obligation under this Agreement.
4. Indemnification. The Grantee shall indemnify, defend, and hold the Town and its departments, officers, employees, servants and agents harmless from and against any and all claims, demands, liabilities, actions, causes of action, costs and expenses, including attorneys' fees, arising out of or relating to the Grantee's acquisition of the Property, or the negligence or misconduct of the Grantee or the Grantee's agents or employees.
5. Successors and Assigns. This Agreement is binding upon the parties hereto, their successors, assigns and legal representatives. The Grantee shall not assign, subcontract or otherwise transfer this Agreement, in whole or in part, without the prior written consent of the Town.
6. Termination. In the event the Grantee fails to fulfill all obligations under the terms of this Agreement, as determined by the Town, and such failure is not cured within forty-five (45) days after the Town has given written notice to the Grantee specifying such failure, the Town shall have the right, in its sole discretion, to terminate this Agreement upon written notice to the Grantee. Upon termination, the Town shall be free to pursue any rights or remedies provided within this

Agreement, including without limitation, recapture of Funds as set forth in Section 7 below.

7. Return of Funds. If the Grantee fails to fulfill its obligations under the terms of this Agreement as a result of negligent or intentional acts or omissions of the Grantee, its agents, employees, contractors or invitees, the Grantee shall be liable to repay to the Town the entire amount of the Funds provided under this Agreement, and the Town may take such steps as are necessary, including legal action, to recover such Funds. Any Funds so returned or recovered shall be placed in the Town's Community Preservation Fund. In the event that the Town takes legal action under this Agreement, the Grantee shall pay any and all costs, including reasonable attorneys' fees, expended by the Town for the enforcement of this Agreement.
8. Notice. Any and all notices, or other communications required or permitted under this Agreement shall be in writing and delivered by hand or mailed postage prepaid, return receipt requested, by registered or certified mail or by other reputable delivery service, to the parties at the addresses set forth on Page 1 or furnished from time to time in writing hereafter by one party to the other party. Any such notice or correspondence shall be deemed given when so delivered by hand, if mailed, when deposited with the U.S. Postal Service or, if sent by private overnight or other delivery service, when deposited with such delivery service.
9. Community Preservation Act Awareness. The Grantee agrees to post, at a location mutually acceptable to the parties, a permanent sign stating that the acquisition of the Property was funded through the Community Preservation Fund program. The Grantee shall also identify that the acquisition of the Property was funded through the Town of Wellfleet in its written materials, including press releases, brochures, and similar materials.
10. Severability. If any term or condition of this Agreement or any application thereof shall to any extent be held invalid, illegal or unenforceable by a court of competent jurisdiction, the validity, legality, and enforceability of the remaining terms and conditions of this Agreement shall not be deemed affected thereby unless one or both parties would be substantially or materially prejudiced.
11. Governing Law. This Agreement shall be governed by, construed and enforced in accordance with the laws of the Commonwealth of Massachusetts and the Grantee submits to the jurisdiction of any of its appropriate courts for the adjudication of disputes arising out of this Grant Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Grant Agreement on the day and year first written above.

TOWN OF WELLFLEET,
By Its Board of Selectmen

GRANTEE
Wellfleet Historical Society & Museum, Inc.

Paul Pilcher

By: _____
Name: _____
President

Dennis Murphy

By: _____
Name: _____
Treasurer

Helen Miranda Wilson

Berta Bruinooge

Jerry Houk

Town of Wellfleet
Police Department

July 6, 2015

To: Board of Selectmen
From: Chief Ronald L. Fisette

Subject: Recommendation for 111-F Designation

Sgt. Paul Clark was injured while taking an intoxicated male person into custody on June 27, 2015 in the performance of his duties. The intoxicated male went limp while being walked to the cruiser. While trying to lift the subject back to his feet is when he injured himself, causing a strain in the area of the shoulder. This resulted in pain and numbness to the right arm, elbow, shoulder and hand. Sgt. Clark has seen medical attention for this injury. As a result of the injury, Sgt. Clark was out of work on sick leave July 1st and 2nd. Sgt. Clark has returned to work on July 3rd.

I recommend that the Board of Selectmen grant Sgt. Clark injured on duty status from July 1, 2015 through July 2, 2015. He would be credited back the sick leave he used during that time.

Respectfully submitted for your information and consideration.



Ronald L. Fisette
Chief of Police

cc: Harry Terkanian, Town Administrator

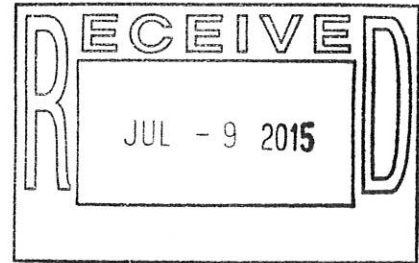


Charles D. Baker, Governor
Karyn E. Polito, Lieutenant Governor
Stephanie Pollack, MassDOT Secretary & CEO

massDOT
Massachusetts Department of Transportation

July 1, 2015

Town Administrator Sarkis Terkanian
Town of Wellfleet
300 Main Street
Wellfleet, MA 0



RE: Title VI/Nondiscrimination Assurance Requirement

Dear Town Administrator Sarkis Terkanian:

On behalf of the Massachusetts Department of Transportation (MassDOT), I am writing to request your review and signature on the attached Federal Highway Administration (FHWA) Title VI/Nondiscrimination Assurance (Assurance).

By signing and returning the attached Assurance, MassDOT will have a clear record of your community's commitment not to discriminate in any program, service or activity supported by federal financial assistance. MassDOT is required to sign this same Assurance as a condition of our receipt of federal funds from the FHWA, and must secure municipally signed Assurances as a prerequisite for state and local collaboration on the development of federally funded transportation projects.

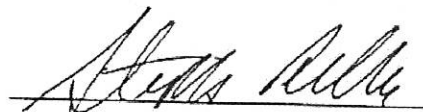
For reference, Title VI of the Civil Rights Act of 1964 prohibits discrimination based on race, color, or national origin (including limited English proficiency) in any program, service, or activity receiving or benefiting from federal financial assistance. Related federal nondiscrimination provisions further prohibit discrimination based on age, sex, or disability, the latter of which includes the obligation to plan, design and maintain transportation assets consistent with the Americans with Disabilities Act of 1990. MassDOT is making this request of all Massachusetts municipalities, including those without any active or pending transportation projects.

To facilitate this process, I have enclosed the Assurance document for your municipality's signature. The Assurance should be signed by your community's chief elected official(s) on page seven (7) and returned to MassDOT's Office of Diversity and Civil Rights (ODCR) electronically at MASSDOT.CivilRights@state.ma.us or by regular mail to MassDOT-ODCR, 10 Park Plaza, Suite 3800, Boston, MA 02116. Also enclosed is a copy of MassDOT's Title VI Notice to Beneficiaries and Subrecipient Brochure which provide foundational information on this obligation and demonstrate MassDOT's commitment thereto.

Please direct any question or request for assistance to MassDOT's Title VI Specialist, Gregory Sobczynski, via the e-mail address above or by phone at 857-368-8580. I request that these Assurances be signed and returned within thirty (30) days from the date of receipt of this letter. Failure to return a signed Assurance to MassDOT may delay or compromise our ability to provide federal financial assistance to your municipality, including any federally-aided transportation projects on municipally-owned roadways.

Thank you for your consideration of this request and I look forward to your prompt response in this instance.

Sincerely,



Stephanie Pollack
Secretary/CEO MassDOT

Enclosures (3)

Simple justice requires that public funds, to which all taxpayers of all races contribute, not be spent in any fashion which encourages, entrenches, subsidizes, or results

in racial discrimination.

Direct discrimination by Federal, State, or local governments is prohibited by the Constitution.

But indirect discrimination, through the use of Federal funds, is just as invidious; and it should not be necessary to resort to the courts to prevent each individual violation.

—John F. Kennedy



For more information, please contact:

Title VI Specialist

Office of Diversity and Civil Rights

Massachusetts Department of Transportation

10 Park Plaza, Suite 3800

Boston, MA 02116

(857) 368-8580

MassDOT.CivilRights@state.ma.us

TTY: (857) 368-0603

Guide for MassDOT Subrecipients: Implementing the FHWA Title VI/ Nondiscrimination Program



What Are the Legal Authorities Guiding the FHWA Title VI Program?

Title VI of the Civil Rights Act of 1964 is a federal law that protects individuals, groups, and organizations from discrimination on the basis of race, color, or national origin in federally assisted programs and activities.

Other nondiscrimination authorities have expanded the scope of Title VI application to include income, gender, disability, and age. Under the FHWA Title VI Program, reference to Title VI includes other provisions of federal statutes and related authorities to the extent that they prohibit discrimination in programs and activities receiving federal financial assistance.

Who Is a Subrecipient?

A **subrecipient** is an entity or person that **indirectly** (usually through a grant or contract) receives federal financial assistance in order to implement a program or activity, which obligates them to Title VI compliance responsibilities. Subrecipients include, but are not limited to, metropolitan planning organizations, local public agencies, and colleges/universities.

What Is the Definition of "Federal Financial Assistance"?

Federal financial assistance can be more than just money. It includes aid that enhances the ability to improve or expand allocation of a subrecipient's resources. Examples include:

- Training of employees
- Assistance from federal personnel
- Grants, loans, and tax exempt bonds
- Property or land
- Loan of personnel
- Technical assistance

What Are Your Responsibilities as a Subrecipient?

- Submit to MassDOT a signed assurance that programs, activities, and facilities will be operated in a nondiscriminatory manner.
- Maintain a policy statement that indicates your commitment to nondiscrimination in your programs and activities to the effect that no person shall on the grounds of race, color, national origin, gender, age, or disability be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination or retaliation under any program or activity administered by you or your contractors whether it is federally assisted or not. The policy statement must be signed by the head of your organization.
- Disseminate Title VI information to your beneficiaries and stakeholders (for example, members of the general public, employees, and any subcontractors).
- Ensure that Title VI provisions are in all contracts and in those extended to subcontractors.
- Voluntarily comply with Title VI.
- Extend subcontracting opportunities to Disadvantaged Business Enterprises (DBEs).
- Keep complete and accurate records that clearly show Title VI compliance.
- Appoint a Title VI/Nondiscrimination Coordinator.
- Develop Title VI/Nondiscrimination-related procedures and mechanisms to ensure nondiscrimination in all programs, activities, and services. These include procedures for involving the public, including people with limited English proficiency and other protected groups, and complaint procedures. Subrecipients may develop their own procedures or adapt or adopt MassDOT's Title VI/Nondiscrimination Program.

- Provide (to MassDOT, upon request,) data about the participants and beneficiaries of your programs and activities.

- Produce a Title VI/Nondiscrimination Annual Update Report detailing the results of all process reviews and of analysis of statistical data collected during the reporting period to determine if there are any deficiencies.

- Identify and implement processes to address identified deficiencies in an expeditious manner.

MassDOT's Office of Diversity and Civil Rights is available to explain, at your request, any of your responsibilities under Title VI, as outlined above.

Other Applicable Federal Statutes and Authorities

The Civil Rights Restoration Act of 1987 clarified the intent of Title VI to include all programs and activities of federally assisted entities, including those programs and activities that are not specifically federally funded.

The 1970 Uniform Act (42 U.S.C. 4601) prohibits unfair and inequitable treatment of persons displaced or whose property will be acquired as a result of programs or activities receiving federal financial assistance.

Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 790) prohibits discrimination based on a disability.

The Federal Aid Highway Act of 1973 (23 U.S.C. 324) prohibits discrimination based on gender.

The Age Discrimination Act of 1975 (42 U.S.C. 6101) prohibits discrimination based on age.

The Americans with Disabilities Act of 1990 (42 U.S.C. 126) prohibits discrimination based on a disability.

Environmental Justice (EJ), under Executive Order 12898, addresses disproportionate adverse environmental, social, and economic impacts that may occur in communities with minority or low-income populations.

Limited English Proficiency (LEP), under Executive Order 13166, addresses access to services by persons whose primary language is not English and who have limited ability to read, write, speak, or understand English.

Notice of Nondiscrimination Rights and Protections to Beneficiaries

Federal "Title VI/Nondiscrimination" Protections

The Massachusetts Department of Transportation (MassDOT) operates its programs, services, and activities in compliance with federal nondiscrimination laws including Title VI of the Civil Rights Act of 1964 (Title VI), the Civil Rights Restoration Act of 1987, and related statutes and regulations. Title VI prohibits discrimination in federally assisted programs and requires that no person in the United States of America shall, on the grounds of **race, color, or national origin** (including **limited English proficiency**), be excluded from participating in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving federal assistance. Related federal nondiscrimination laws administered by the Federal Highway Administration, the Federal Transit Administration, or both prohibit discrimination on the basis of **age, sex, and disability**. These protected categories are contemplated within MassDOT's Title VI Programs consistent with federal interpretation and administration. Additionally, MassDOT provides meaningful access to its programs, services, and activities to individuals with limited English proficiency, in compliance with US Department of Transportation policy and guidance on federal Executive Order 13166.

State Nondiscrimination Protections

MassDOT also complies with the Massachusetts Public Accommodation Law, M.G.L. c 272 §§ 92a, 98, 98a, prohibiting making any distinction, discrimination, or restriction in admission to or treatment in a place of public accommodation based on **race, color, religious creed, national origin, sex, sexual orientation, disability, or ancestry**. Likewise, MassDOT complies with the Governor's Executive Order 526, section 4 requiring all programs, activities, and services provided, performed, licensed, chartered, funded, regulated, or contracted for by the state shall be conducted without unlawful discrimination based on **race, color, age, gender, ethnicity, sexual orientation, gender identity or expression, religion, creed, ancestry, national origin, disability, veteran's status** (including Vietnam-era veterans), or **background**.

Additional Information

To request additional information regarding Title VI and related federal and state nondiscrimination obligations, please contact:

Title VI Specialist
MassDOT, Office of Diversity and Civil Rights
10 Park Plaza
Boston, MA 02116
857-368-8580
TTY: 857-368-0603
MASSDOT.CivilRights@state.ma.us

Complaint Filing

To file a complaint alleging a violation of Title VI or related federal nondiscrimination law, contact the Title VI Specialist (above) within 180 days of the alleged discriminatory conduct.

To file a complaint alleging a violation of the state's Public Accommodation Law, contact the Massachusetts Commission Against Discrimination within 300 days of the alleged discriminatory conduct at:

Massachusetts Commission Against Discrimination (MCAD)
One Ashburton Place, 6th Floor
Boston, MA 02109
617-994-6000
TTY: 617-994-6196

Translation

English: If this information is needed in another language, please contact the MassDOT Title VI Specialist at 857-368-8580.

Portuguese: Caso esta informação seja necessária em outro idioma, favor contar o Especialista em Título VI do MassDOT pelo telefone 857-368-8580.

Spanish: Si necesita esta información en otro idioma, por favor contacte al especialista de MassDOT del Título VI al 857-368-8580.

Chinese Simplified: (mainland & Singapore): 如果需要使用其它语言了解信息, 请联系马萨诸塞州交通部 (MassDOT) 《民权法案》第六章专员, 电话857-368-8580。

Chinese Traditional: (Hong Kong & Taiwan): 如果需要使用其它语言了解信息, 請聯繫馬薩諸塞州交通部 (MassDOT) 《民權法案》第六章專員, 電話857-368-8580。

Russian: Если Вам необходима данная информация на другом языке, пожалуйста, свяжитесь со специалистом по Титулу VI Департамента Транспорта штата Массачусетс (MassDOT) по тел: 857-368-8580.

Haitian Creole: Si yon moun vle genyen enfòmasyon sa yo nan yon lòt lang, tanpri kontakte Espesyalis MassDOT Title VI la nan nimewo 857-368-8580.

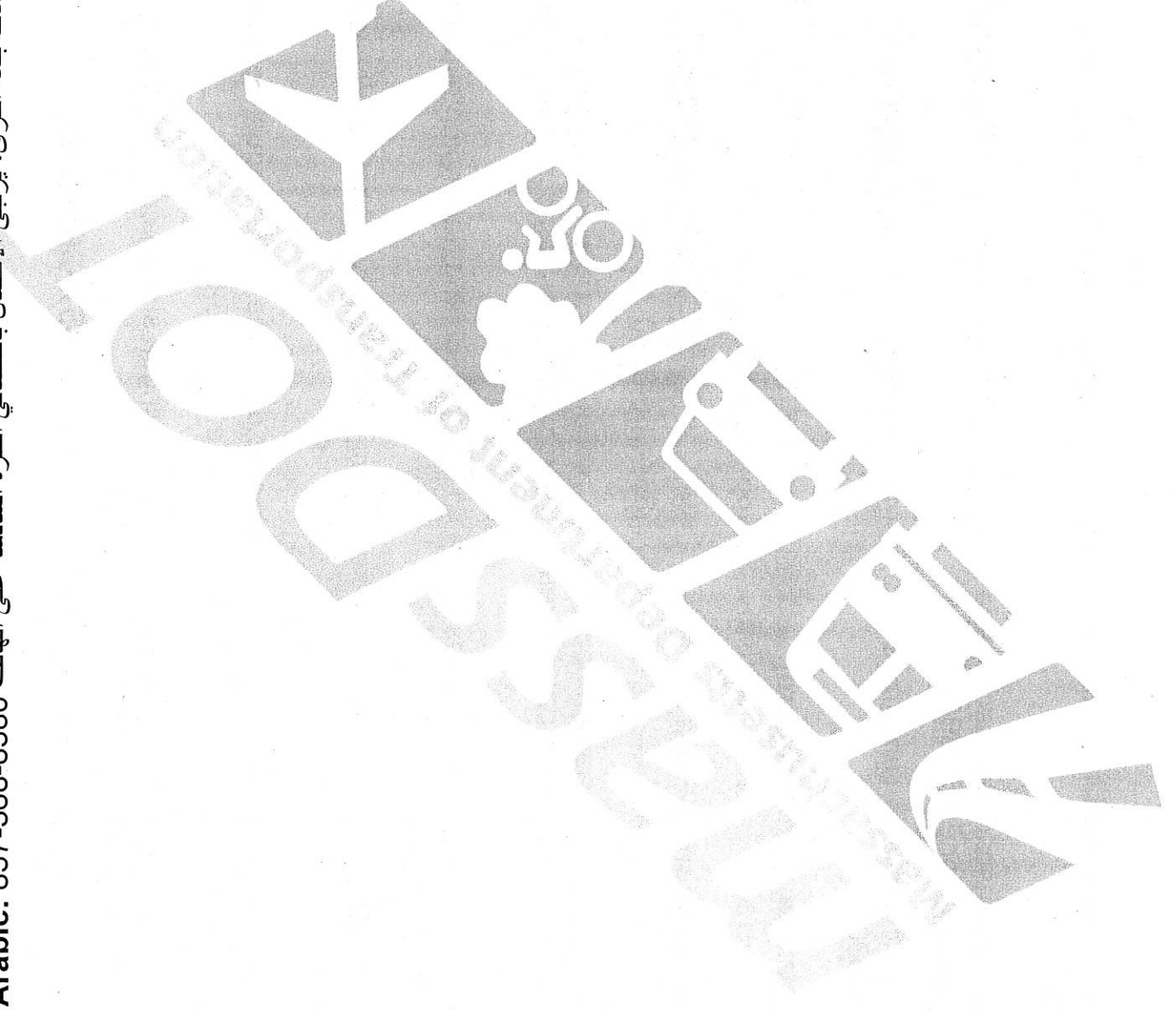
Vietnamese: Nếu quý vị cần thông tin này bằng tiếng khác, vui lòng liên hệ Chuyên viên Luật VI của MassDOT theo số điện thoại 857-368-8580.

French: Si vous avez besoin d'obtenir une copie de la présente dans une autre langue, veuillez contacter le spécialiste du Titre VI de MassDOT en composant le 857-368-8580.

Italian: Se ha bisogno di ricevere queste informazioni in un'altra lingua si prega di contattare lo Specialista MassDOT del Titolo VI al numero 857-368-8580.

Khmer: ប្រសិនបើលោក/អ្នកត្រូវការរបស់ប្រព័ន្ធថវិកាទេសៈ សូមទាក់ទងកម្មវិធីសេចក្តីចំណុចទី៦ របស់ MassDot តាមរយៈលេខទូរស័ព្ទ **857-368-8580**

إن كنت بحاجة إلى هذه المعلومات بلغة أخرى، يُرجى الاتصال بأخصائي الفقرة السادسة على الهاتف 857-368-8580 Arabic:





Charles D. Baker, Governor
Karyn E. Polito, Lieutenant Governor
Stephanie Pollack, MassDOT Secretary & CEO

massDOT
Massachusetts Department of Transportation

TITLE VI/NONDISCRIMINATION ASSURANCES

The United States Department of Transportation (U.S. DOT) Order No. 1050.2A

The Massachusetts Department of Transportation (hereinafter referred to as the "Recipient") hereby agrees that, as a condition to receiving any Federal financial assistance from the U. S. Department of Transportation (DOT), through the Federal Highway Administration (FHWA), is subject to and will comply with the following:

STATUTORY/REGULATORY AUTHORITIES

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d *et seq.*, 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin (including limited English proficiency));
- 49 C.F.R. Part 21 (entitled *Non-discrimination in Federally-Assisted Programs of the Department of Transportation—Effectuation of Title VI of the Civil Rights Act of 1964*);
- 28 C.F.R. section 50.3 (U.S. Department of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964);
- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 *et seq.*), (prohibits discrimination on the basis of sex);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 *et seq.*), as amended, (prohibits discrimination on the basis of disability);
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 *et seq.*), (prohibits discrimination on the basis of age);
- Americans with Disabilities Act of 1990, as amended, (42 U.S.C. § 12101 *et seq.*), (prohibits discrimination on the basis of disability);
- 49 C.F.R. Part 27 (entitled *Nondiscrimination On The Basis Of Disability In Programs Or Activities Receiving Federal Financial Assistance*);
- 49 C.F.R. Part 28 (entitled *Enforcement Of Nondiscrimination On The Basis Of Handicap In Programs Or Activities Conducted By The Department Of Transportation*);
- 49 C.F.R. Part 37 (entitled *Transportation Services For Individuals With Disabilities (ADA)*);
- 23 C.F.R. Part 200 (FHWA's Title VI/Nondiscrimination Regulation);
- 28 C.F.R. Part 35 (entitled *Discrimination On The Basis Of Disability In State And Local Government Services*);

The preceding statutory and regulatory cites are referred to as the "Acts" and "Regulations," respectively.



U.S. Department of Transportation
Federal Highway Administration

FEDERAL EXECUTIVE ORDER AUTHORITIES

Although not applicable to Recipients directly, there are certain Executive Orders and relevant guidance that direct action by Federal agencies regarding their federally assisted programs and activities to which compliance is required by Recipients to ensure Federal agencies carry out their responsibilities. Executive Order 12898, 3 C.F.R. 859 (1995), entitled "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations" emphasizes that Federal agencies should use existing laws to achieve Environmental Justice, in particular Title VI, to ensure nondiscrimination against minority populations. Recipients should be aware that certain Title VI matters raise Environmental Justice concerns and FHWA intends that all Recipients evaluate and revise existing procedures (as appropriate) to address and implement Environmental Justice considerations.

Additionally, Executive Order 13166, 3 C.F.R. 289 (2001) on Limited English Proficiency, according to the U.S. Department of Justice in its Policy Guidance Document dated August 16, 2000 (65 Fed. Reg. at 50123), clarifies the responsibilities associated with the "application of Title VI's prohibition on national origin discrimination when information is provided only in English to persons with limited English proficiency." When receiving Federal funds Recipients are expected to conduct a Four-Factor Analysis to prevent discrimination based on National Origin. (See also U.S. DOT's "Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient (LEP) Persons," dated December 14, 2005, (70 Fed. Reg. at 74087 to 74100); the Guidance is a useful resource when performing a Four-Factor Analysis).

GENERAL ASSURANCES

In accordance with the Acts, the Regulations, and other pertinent directives, circulars, policy, memoranda, and/or guidance, the Recipient hereby gives assurances that:

No person in the United States shall, on the grounds of race, color, national origin (including limited English proficiency), age, sex, disability, or low-income status, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity, for which the Recipient receives Federal financial assistance from U. S. DOT, including FHWA.

The Civil Rights Restoration Act of 1987 clarified the original intent of Congress, with respect to Title VI and other Non-discrimination requirements (The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973), by restoring the broad, institutional-wide scope and coverage of these non-discrimination statutes and requirements to include all programs and activities of the Recipient, so long as any portion of the program is Federally assisted.

Additionally, the Recipient may not discriminate in the selection and retention of contractors, including without limitation, retaining contractors whose services are for, or incidental to, construction, planning, research, highway safety, engineering, property management, realty, fee contracts, and other commitments with persons for services and expenses incidental to the acquisition of rights-of-way.

Federal-aid contractors may not discriminate in their selection and retention of first-tier subcontractors and first-tier subcontractors may not discriminate in their selection and retention of second-tier subcontractors, who participate in Federal-aid highway construction, acquisition of rights-of-way, and related projects, including those who supply materials and lease equipment.

The Recipient may not discriminate against eligible persons in making relocation payments and in providing relocation advisory assistance where highway rights-of-way acquisitions necessitate relocation(s).

The Recipient may not discriminate by preventing Title VI/Nondiscrimination populations from accessing and using facilities and services provided for public accommodations (i.e., eating, sleeping, rest, recreation, and vehicle servicing) constructed on, over, or under the rights-of-way of Federally-assisted highways.

The Recipient shall not locate, design, or construct a highway in such a manner as to deny access to, and use thereof, to any persons on the basis of race, color national origin (including limited English proficiency), age, sex, or disability, including low-income status.

Additionally, the Recipient shall develop and implement a Public Participation Plan in a manner that ensures the identification of Title VI/Non-discrimination population(s), affords the population(s) opportunities to comment on transportation planning and highway project development, and provides for consideration of and prompt response to all substantive comments.

SPECIFIC ASSURANCES

More specifically, and without limiting the above general Assurance, the Recipient gives the following Assurances:

1. The Recipient agrees that each "activity," "facility," or "program," as defined in §§ 21.23(b) and 21.23(e) of 49 C.F.R. § 21 will be (with regard to an "activity") facilitated, or will be (with regard to a "facility") operated, or will be (with regard to a "program") conducted in compliance with all requirements imposed by, or pursuant to the Acts and the Regulations.
2. The Recipient will insert the following notification in all solicitations for bids, Requests for Proposals for work, or material subject to the Acts and the Regulations made in connection with all its programs and activities and, in adapted form, in all proposals for negotiated agreements regardless of funding source:

The Massachusetts Department of Transportation, in accordance with Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4) the Acts and the Regulations (FHWA Title VI/Nondiscrimination Assurance), hereby affirmatively ensures that for any contract entered into pursuant to this advertisement, all bidders, including disadvantaged business enterprises, will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, national origin (including limited English proficiency), age, sex, disability, or low-income status in consideration for an award.

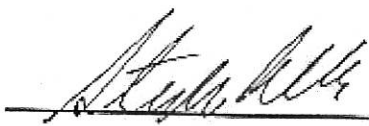
3. The Recipient will insert the clauses of Appendix A and E of this Assurance in every contract or agreement subject to the Acts and the Regulations;
4. The Recipient will insert the clauses of Appendix B of this Assurance, as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to the Recipient;
5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the Assurance will extend to the entire facility and facilities operated in connection therewith for the duration of Recipient ownership of the facility and future deeds, leases, licenses, permits, or similar transfers where the use of the facility remains transportation related (see Specific Assurance #8, below).

6. That where the Recipient receives Federal financial assistance in the form, or for the acquisition of real property or an interest in real property, the Assurance will extend to rights to space on, over, or under such property.
7. That the Recipient will include the clauses set forth in Appendix C and Appendix D of this Assurance, as a covenant running with the land, in any future deeds, leases, licenses, permits, or similar instruments entered into by the Recipient with other parties:
 - a. for the subsequent transfer of real property acquired or improved under the applicable activity, project, or program (Appendix C); and
 - b. for the construction or use of, or access to, space on, over, or under real property acquired or improved under the applicable activity, project, or program (Appendix D).
8. That this Assurance obligates the Recipient for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property or interest therein or structures or improvements thereon, in which case the Assurance obligates the Recipient or any transferee for the longer of the following periods:
 - a. the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or
 - b. the period during which the Recipient retains ownership or possession of the property.
9. The Recipient will provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom he/she delegates specific authority to give reasonable guarantee that it, other recipients, sub-recipients, sub-grantees, contractors, subcontractors, consultants, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed by or pursuant to the Acts, the Regulations and this Assurance.
10. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Acts, the Regulations and this Assurance.

By signing this Assurance, the Massachusetts Department of Transportation also agrees to comply (and require any sub-recipients, sub-grantees, contractors, successors, transferees, and/or assignees to comply) with all applicable provisions governing the FHWA's access to records, accounts, documents, information, facilities, and staff. You also recognize that you must comply with any program or compliance reviews, and/or complaint investigations conducted by FHWA. You must keep records, reports, and submit the material for review upon request to FHWA, or its designee in a timely, complete, and accurate way. Additionally, you must comply with all other reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.

The Massachusetts Department of Transportation gives this Assurance in consideration of and for obtaining any Federal grants, loans, contracts, agreements, property, and/or discounts, or other Federal-aid and Federal financial assistance extended after the date hereof to the recipients by the U.S. Department of Transportation under the Federal-aid Highway Program. This Assurance is binding on the Massachusetts Department of Transportation, other recipients, sub-recipients, sub-grantees, contractors, subcontractors and their subcontractors, transferees, successors in interest, and any other participants in the Federal-aid Highway Program. The person signing below is authorized to sign this Assurance on behalf of the Recipient.

SIGNED FOR THE RECIPIENT:



Stephanie Pollack

Secretary/CEO

Massachusetts Department of Transportation

6/19/15

Date

SUBRECIPIENT TITLE VI/NONDISCRIMINATION ASSURANCES

The _____ (hereinafter referred to as the "Sub-Recipient"), hereby agrees that, as a condition of receiving any Federal financial assistance from the United States Department of Transportation (U. S. DOT), Federal Highway Administration (FHWA), from the Commonwealth of Massachusetts, through its Department of Transportation (Recipient), it is subject to and must comply with the Acts and Regulations detailed in this document.

This Assurance is given in consideration of and for the purpose of obtaining any and all Federal grants, loans, contracts, agreements, property, and/or discounts, or other Federal-aid and Federal financial assistance extended after the date hereof to the recipients by the Department of Transportation under the Federal Highway Program and is binding on it, other recipients, sub-recipients, sub-grantees, contractors, subcontractors and their subcontractors', transferees, successors in interest, and any other participants in the Federal Highway Programs. The person or persons whose signature appears below are authorized to sign this assurance on behalf of the Sub-Recipient.

SIGNED FOR THE SUB-RECIPIENT:

(Signature & Date)

(Print Name & Title)

APPENDIX A

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the "contractor") agrees as follows:

1. **Compliance with Regulations:** The contractor (hereinafter includes consultants) will comply with the Acts and Regulations relative to Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation, Federal Highway Administration (FHWA), as they may be amended from time to time, which are herein incorporated by reference and made a part of this contract.
2. **Non-discrimination:** The contractor, with regard to the work performed by it during the contract, will not discriminate on the grounds of race, color, national origin (including limited English proficiency), age, sex, disability, or low-income status in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor will not participate directly or indirectly in the discrimination prohibited by the Acts and the Regulations, including employment practices when the contract covers any activity, project, or program set forth in Appendix B of 49 CFR Part 21.
3. **Solicitations for Subcontractors, including Procurements of Materials and Equipment:** In all solicitations, either by competitive bidding, or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials, or leases of equipment, each potential subcontractor or supplier will be notified by the contractor of the contractor's obligations under this contract and the Acts and the Regulations relative to nondiscrimination on the grounds of race, color, national origin (including limited English proficiency), age, sex, disability, or low-income status.
4. **Information and Reports:** The contractor will provide all information and reports required by the Acts, the Regulations, and directives issued pursuant thereto, and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Massachusetts Department of Transportation (MassDOT) or FHWA to be pertinent to ascertain compliance with such Acts, Regulations, and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information, the contractor will so certify to MassDOT or FHWA, as appropriate, and will set forth what efforts it has made to obtain the information.
5. **Sanctions for Noncompliance:** In the event of a contractor's noncompliance with the Nondiscrimination provisions of this contract, MassDOT will impose such contract sanctions as it or FHWA may determine to be appropriate, including, but not limited to:
 - a. withholding payments to the contractor under the contract until the contractor complies; and/or
 - b. cancelling, terminating, or suspending a contract, in whole or in part.
6. **Incorporation of Provisions:** The contractor will include the provisions of paragraphs one through six in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Acts, the Regulations, and directives issued pursuant

thereto. The contractor will take action with respect to any subcontract or procurement as MassDOT or FHWA may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the contractor becomes involved in, or is threatened with litigation by a subcontractor, or supplier because of such direction, the contractor may request MassDOT to enter into any litigation to protect the interests of MassDOT. In addition, the contractor may request the United States to enter into the litigation to protect the interests of the United States.

APPENDIX B

CLAUSES FOR DEEDS TRANSFERRING UNITED STATES PROPERTY

The following clauses will be included in deeds effecting or recording the transfer of real property, structures, or improvements thereon, or granting interest therein from the United States pursuant to the provisions of Assurance 4:

"Now, therefore, the U.S. Department of Transportation (hereinafter referred to as "U.S. DOT"), as authorized by law, and upon the condition that the Massachusetts Department of Transportation will accept title to the lands and maintain the project constructed thereon in accordance with Title 23, U.S.C., the Regulations for the Administration of the above statute, and the policies and procedures prescribed by the Federal Highway Administration (hereinafter referred to as "FHWA") of the U.S. DOT in accordance and in compliance with all requirements imposed by Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the U.S. DOT pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; 42 U.S.C. § 2000d to 2000d-4), does hereby remise, release, quitclaim and convey unto the Massachusetts Department of Transportation all the right, title and interest of the U.S. DOT in and to said lands described in Exhibit A attached hereto and made a part hereof."

(HABENDUM CLAUSE)

"To have and to hold said lands and interests therein unto the Massachusetts Department of Transportation and its successors forever, subject, however, to the covenants, conditions, restrictions and reservations herein contained as follows, which will remain in effect for the period during which the real property or structures are used for a purpose for which Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits and shall be binding on the Massachusetts Department of Transportation, its successors and assigns.

The Massachusetts Department of Transportation, in consideration of the conveyance of said lands and interests in lands, does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns, that:

(1) no person will on the grounds of race, color, national origin (including limited English proficiency), age, sex, disability, or low-income status be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination with regard to any facility located wholly or in part on, over, or under such lands hereby conveyed, and;

(2) that the Massachusetts Department of Transportation will use the lands and interests in lands and interests in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the U.S. Department of Transportation, Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations and Acts may be amended, and;

*(3) that in the event of breach of any of the above-mentioned nondiscrimination conditions, U.S. DOT will have a right to enter or re-enter said lands and facilities on said land, and that above-described land and facilities will thereon revert to and vest in and become the absolute property of the U.S. DOT and its assigns as such interest existed prior to this instruction.**

* Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to effectuate the purpose of Title VI.

APPENDIX C

CLAUSES FOR TRANSFER OF REAL PROPERTY ACQUIRED OR IMPROVED UNDER THE ACTIVITY, FACILITY, OR PROGRAM

The following clauses will be included in all deeds, licenses, leases, permits, or similar agreements entered into by the Massachusetts Department of Transportation, pursuant to the provisions of Assurance 7a:

1. *The (grantee, lessee, permittee, etc. as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree [in the case of deeds and leases add "as a covenant running with the land"] that:*
 - a. *In the event facilities are constructed, maintained, or otherwise operated on the property described in this (deed, license, lease, permit, etc.) for a purpose for which a Department of Transportation activity, facility, or program is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee, lessee, permittee, etc.) will maintain and operate such facilities and services in compliance with all requirements imposed by the Acts and Regulations (as may be amended) such that no person on the grounds of race, color, national origin (including limited English proficiency), age, sex, disability, or low-income status will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities.*
2. *With respect to licenses, leases, permits, etc., in the event of breach of any of the above Non-discrimination covenants, the Massachusetts Department of Transportation will have the right to terminate the (lease, license, permit, etc.) and to enter, re-enter, and repossess said lands and facilities thereon, and hold the same as if the (lease, license, permit, etc.) had never been made or issued.**
3. *With respect to a deed, in the event of breach of any of the above Non-discrimination covenants, the Massachusetts Department of*

* Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to effectuate the purpose of Title VI.

*Transportation will have the right to enter or re-enter the lands and facilities thereon, and the above described lands and facilities will there upon revert to and vest in and become the absolute property of the Massachusetts Department of Transportation and its assigns.**

APPENDIX D

CLAUSES FOR CONSTRUCTION/USE/ACCESS TO REAL PROPERTY ACQUIRED UNDER THE ACTIVITY, FACILITY, OR PROGRAM

The following clauses will be included in all deeds, licenses, leases, permits, or similar instruments/agreements entered into by the Massachusetts Department of Transportation pursuant to the provisions of Assurance 7b.

1. *"The (grantee, licensee, permittee, etc., as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds and leases add, "as a covenant running with the land") that (1) no person on the ground of race, color, national origin (including limited English proficiency), age, sex, disability, or low-income status will be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over, or under such land, and the furnishing of services thereon, no person on the ground of race, color, national origin (including limited English proficiency), age, sex, disability, or low-income status will be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, and (3) that the (grantee, licensee, lessee, permittee, etc.) will use the premises in compliance with all other requirements imposed by or pursuant to the Acts and Regulations, as amended, set forth in this Assurance.*
2. *With respect to (licenses, leases, permits, etc.), in the event of breach of any of the above non-discrimination covenants, the Massachusetts Department of Transportation will have the right to terminate the (license, permit, etc., as appropriate) and to enter or re-enter and repossess said land and the facilities thereon, and hold the same as if said (license, permit, etc., as appropriate) had never been made or issued.**
3. *With respect to deeds, in the event of breach of any of the non-discrimination covenants, the [description of the property] will there upon revert to and vest in and become the absolute property of the Massachusetts Department of Transportation and its assigns.**

* Reverter clause and related language to be used only when it is determined that such a clause is necessary to make clear the purpose of Title VI.

APPENDIX E

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the “contractor,” which includes consultants) agrees to comply with the following non-discrimination statutes and authorities; including but not limited to:

PERTINENT NON-DISCRIMINATION AUTHORITIES:

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d *et seq.*, 78 stat. 252) (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. § 4601) (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-Aid programs and projects)
- Federal-Aid Highway Act of 1973 (23 U.S.C. § 324 *et seq.*) (prohibits discrimination on the basis of sex)
- Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 794 *et seq.*), as amended (prohibits discrimination on the basis of disability) and 49 CFR Part 27
- The Age Discrimination Act of 1975, as amended (42 U.S.C. § 6101 *et seq.*) (prohibits discrimination on the basis of age)
- Airport and Airway Improvement Act of 1982 (49 U.S.C. § 471, Section 47123), as amended (prohibits discrimination based on race, creed, color, national origin, or sex)
- The Civil Rights Restoration Act of 1987 (PL 100-209) (broadened the scope, coverage, and applicability of Title VI of the Civil Rights Act of 1964, the Age Discrimination Act of 1975, and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms “programs or activities” to include all of the programs or activities of Federal-Aid recipients, sub-recipients, and contractors, whether such programs or activities are Federally funded or not)
- Titles II and III of the Americans with Disabilities Act (42 U.S.C. §§ 12131-12189), as implemented by Department of Transportation regulations at 49 CFR parts 37 and 38 (prohibits discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities)
- The Federal Aviation Administration’s Non-Discrimination Statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex)
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations (ensures discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations)

- Executive Order 13166, Improving Access to Services for People with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100)
- Title IX of the Education Amendments Act of 1972, as amended (20 U.S.C. 1681 *et seq.*) (prohibits discrimination on the basis of sex in education programs or activities)



TOWN OF WELFLEET

300 MAIN STREET WELLFLEET MASSACHUSETTS 02667

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

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To: Board of Selectmen
From: Harry Sarkis Terkanian, Town Administrator
Subject: Town Administrator's Report
Date: July 10, 2015

This report is for the period June 19, 2015 through July 9, 2015.

- 1 Procurement:
 - a. As required by the recently approved collective bargaining agreements with the Wellfleet Employees Association, a RFP for a wage and classification study for the WEA and non union positions has been issued. Two proposals have been received and have been evaluated. I expect to have a recommendation to the Board for an award for the July 14th meeting.
 - b. Bids were opened on July 1, 2015 for library trim painting. References for the apparent low bidder have been checked. Pending a recommendation from the DPW Director we will award the contract.
- 2 Snow and ice removal on private roads and private road maintenance. I met with the DPW Director and Assistant Director, and the Police and Fire Chiefs on June 17, 2015. I have asked the DPW director to update the cost figures for three snow removal options: (1) plow only public roads; (2) plow as at present, public roads and paved private roads in acceptable condition; and (3) pave all private roads. I have also asked the DPW Director to recommend a set of standards unpaved private roads must meet to be eligible for plowing. I anticipate this information and a report from the Police and Fire Chiefs for the July 14, 2015 selectmen's meeting. Currently 50 paved private roads have passed inspection under the current policy. Unless additional paved private roads are brought up to specification by the end of October and a re-inspection is requested, these roads will not be eligible for plowing this coming winter.
- 3 Dredging. The Dredging Working Group members met with Ed O'Donnell, Army Corps of Engineers Chief of Navigation for NE on June 22nd and held a further meeting on June 24th. The group's focus is on preparing the case for dredging Wellfleet Harbor, including public safety and economic aspects. A presentation as part of the July 28, 2015 Selectmen's meeting is being prepared. Letters of invitation to the July 28th meeting were sent to the State and Federal legislative delegations. A representative from Senator Warren's office has confirmed attendance on the 28th..
- 4 I have been appointed to the Cape Cod Regional Technical High School Building Committee and attended the initial meeting on July 8, 2015.
- 5 Cash control policy. Based on feedback from department heads revisions have been suggested to the treasurer.

- 6 Additional Meetings.
 - a. June 19, 2015. Department Heads Meeting.
 - b. June 24, 2015. Finance Committee.
 - c. June 25, 2015. Elementary School closing ceremony.
 - d. June 30, and July 2, 2015. Met with Chief Pauley and Truro representatives to discuss the possibility of an agreement for shared administrative services for the Wellfleet and Truro fire departments.
 - e. July 1, 2015. Met with Citizens Concerned for Community Policing.
 - f. July 7, 2015. Met with Town Hall employees. Met with former members of the Citizens Economic Development Committee to discuss economic development.
 - g. July 8, 2015. Met with David Ball (Seashore Intern) to discuss Town experience with beach food concessions. Attended the initial meeting of the Cape Cod Regional Tech High School Building Committee. Attended the Building and Needs Assessment Committee meeting.
 - h. July 9, 2015. Attended a meeting at the Seashore Visitor Center on concessions within the Seashore. Attended the July Cape Cod Managers meeting.
 - i. Other Meetings. Steve Gazzano re Personnel Board, Larry Francke re energy projects, Audrey Danforth re septic loans, John Ryerson re personnel matter.
- 7 Personnel Matters:
 - a. Administrative actions (appointments are subject to disapproval by majority vote of the Board of Selectmen within 14 days; Charter section 5-4-1):
 - i. Conducted performance reviews with four employees.
 - b. Current employment vacancies (Charter 5-3-2 (i)):
 - i. Building – Building Inspector is part time.
 - ii. Board of Health secretary position is vacant.
 - c. The following labor contracts and collective bargaining agreements expire on or before June 30, 2016:
 - i. Fire Chief – February 17, 2016
 - ii. Police Chief – June 30, 2016
 - iii. Police Lieutenant – June 30, 2016
 - iv. DPW Director – June 30, 2016
 - v. Town Administrator – June 30, 2016
 - vi. WEA Unit A (department heads) – June 30, 2016
 - vii. WEA Unit B (support staff) – June 30, 2016
 - viii. WEA Unit C (call firefighters) – June 30, 2016
 - ix. Permanent Firefighters – June 30, 2016
 - x. Communications Employees – June 30, 2016
 - xi. Teamsters (DPW & Marina permanent employees) – June 30, 2016.

Town of Wellfleet Committee Vacancies

Date: July 10, 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 Assessors (3 members, 1 Alternate)

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

Board of Health (5 members)

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

Building and Needs Assessment Committee (5 Members)

Vacant Positions	Appointing Authority	Length of Term
2 Positions	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		

Cape Light Compact Governing Board (2 Members)

Vacant Positions	Appointing Authority	Length of Term
1 Alternate Position	Board of Selectmen	to be determined by BOS
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		

Community Preservation Committee (9 Members)

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

Cultural Council (no more than 22 members)

Vacant Positions Appointing Authority
12 positions Board of Selectmen
Requesting Appointment: **Two applications on file**

Length of Term
3 years

Energy Committee (11 members total)

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

Length of Term
3 years

Finance Committee (9 members, 2 alternate)

Vacant Positions Appointing Authority
1 Alternate Position Town Moderator
Requesting Appointment: No applications on file

Length of Term
3 years

Herring Warden (1 Warden, 1 Assistant Warden)

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

Length of Term
3 years

Historical Commission (7 Members)

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

Length of Term
3 years

Marina Advisory Committee: (7 members, 2 alternate)

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

Length of Term
2 years

Personnel Board (4 Community Members)

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

Length of Term
3 years

Recreation Committee (5 members)

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

Length of Term
3 years

Recycling Committee (Up to 11 Members)

Vacant Positions Appointing Authority
2 Positions 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
2 Positions Board of Selectmen
1 Alternate Position
Requesting Appointment: **One Application 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



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**Wellfleet Board of Selectmen
Minutes of June 23, 2015
Wellfleet Senior Center**

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

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

Announcements and Public Comment

- John Martens informed the Selectmen about a problem he has with the Harbormaster and his missing mooring and said that because of this he is intending to file a legal suit. Houk wanted to know the details. Terkanian explained the background of this case. Pilcher said that no discussion and deliberation can take place, because it was not a posted on the agenda, but if Mr. Martens likes he can request to have the issue for discussion on a future meeting agenda.

Appointments

Wilson recommended the appointment of Jacob Puffer from SAB alternate to SAB regular member.

MOTION 215-251: Wilson moved and Bruinooge seconded to appoint Jacob Puffer from SAB alternate to SAB regular member with term ending June 30, 2018. The motion passed 5-0.

Joanna Marie Roche was present to answer Selectmen's questions regarding her interest to serve on the Cultural Council.

MOTION 215-252: Bruinooge moved and Wilson seconded to appoint Joanna Marie Roche to the Cultural Council with term ending June 30, 2018. The motion passed 5-0.

Steve Gazzano had asked to have the review of his request for Personnel Board appointment to be postponed.

Reappointments

MOTION 215-253: Murphy moved and Bruinooge seconded to reappoint Harry S. Terkanian to Parking Clerk with term ending June 30, 2016. The motion passed 5-0.

MOTION 215-254: Bruinooge moved and Murphy seconded to reappoint Suzanne Trasavage to Animal Control Officer with term ending June 30, 2016. The motion passed 5-0.

Use of Town Property

Grant Reed presented his request to use Whitecrest Beach from July 1 to November 15 for surfing lessons and answered Selectmen's questions. He addressed concerns about the frequency and times of the lessons and the number of participants. Bruinooge suggested a later start of the lessons in order to avoid ticketing people taking lessons without beach stickers. Discussion about the use of town property fee ensued. Murphy had a question about the beach clean up provision in the request.

MOTION 215-255: Murphy moved and Bruinooge seconded to approve the request of Grant Reed to use Whitecrest Beach from July 1 to November 15 for surfing lessons; Conditions: Liability insurance

required; use fee \$350 and sign off from the Beach Administrator and DPW regarding the beach clean-up provision. The motion passed 5-0.

Julia Willacke, President of AIM Thrift Shop presented a request for annual thrift sale at the Town Hall driveway and spoke about how the proceeds of the fundraising event are allocated.

MOTION 215-256: Houk moved and Wilson seconded to approve the request of AIM Thrift Shop to use Town Hall driveway for annual thrift sale on July 25 from 8:30 AM – 10:30 AM (rain date August 1); The motion passed 5-0.

Request for approval of fiscal year end transfers between accounts

Terkanian presented the list of transfers between accounts with surpluses to accounts with existing or potential deficits. Wilson wanted to know if any of these transfers are appropriated by Town Meeting vote. Terkanian explained the inter-accounts transferring authority of the Selectmen and added that the list has to be approved by FinCom as well.

MOTION 215-257: Wilson moved and Murphy seconded to approve the fiscal year end transfers as presented. The motion passed 5-0.

Senior Housing Project Status – postponed to a future meeting per the Housing Authority request.

Selection of design alternatives for the Route 6 – Main Street intersection improvement project

Terkanian went over his memo¹ on the subject and said it is up to the Board to decide if they will act on this matter at the current meeting or hold a public hearing in July. Bruinooge wanted to discuss the topic based on her impressions of the meeting with the project designer. Terkanian had a Power Point presentation with four alternative approaches addressing the designer's concerns about the intersection and the environmental constraints. Discussion ensued. Heidi Homles had concerns about parking. Fire Chief Richard Pauley asked the Board to consider reducing the three lines on Route 6 to two lines for safety purposes. Janet Morrissey had comments about preservation of the vegetation along the intersection. Bruinooge said that based on the meeting with the project designed Alternative 1 emerged as the favorite design of the meeting attendees. Since there was no urgency to make a decision, the Selectmen decided to hold a public hearing on July 14, 2015 before selecting a design.

Status report on Baker Field Restroom Project & request for authorization to revise scope

Terkanian presented his memo² on Baker Field Restroom Project and talked about the 2013 ATM appropriation. The project architect will have to do a change of scope with updated cost estimates if the Selectmen direct him to do so. Terkanian asked for the Selectmen's guidance and comments. Bruinooge requested that a modular building is considered. Pilcher agreed with the proposed revision of the project scope. Wilson spoke about composting toilets; Houk had concerns about future maintenance of the building.

MOTION 215-258: Bruinooge moved and Wilson seconded to approve the recommendation of the TA to proceed with the revised scope of the Baker Field Restroom Project and Tennis Courts to include design and cost estimate for a joint restroom and recreation building. The motion passed 5-0.

Initial consideration of amendments to the Senior Citizens Tax Work-Off Policy, Veterans Tax Work-Off Policy, Baker Field Tent Use Policy and Equal Opportunity, Discrimination and Sexual Harassment Policy³

Terkanian presented the proposed changes for initial review of the Senior Citizens Tax Work-Off Policy. Discussion ensued.

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MOTION 215-259: Wilson moved and Bruinooge seconded to amend the section about eliminating the income 2014-2015 levels in the Senior Citizens Tax Work-Off Policy and leaving the authority of setting the income levels to the government agency responsible for it. Further discussion ensued. Pilcher said that the annual income level changes are already covered in the policy and said that he is against the motion. Bruinooge said that would be better if an attachment is provided with the policy. The motion passed 3-2 (Pilcher and Murphy).

Terkanian went over the proposed changes for initial review of the Baker Field Tent Use Policy. Bruinooge suggested raising the use fee. Pilcher said that the fee should become part of Use of Town Property fee process and should be assessed based on the nature of event plus the cost of the employee time needed to oversee the tent for the duration of the event.

Terkanian went over the proposed changes on the Equal Opportunity, Discrimination and Sexual Harassment Policy and said that the changes on that particular policy have been reviewed by Town Counsel. According to Wilson there was an overlap between the Equal Opportunity, Discrimination and Sexual Harassment Policy and the Workplace Violence Policy. She wanted to know why the committee volunteers are not included in the policy. Terkanian said that he will check with Town Counsel on this. Pilcher wanted to know what was meant when the term "Town" was used in the policy.

Review of Selectmen's policies

Terkanian said that all other policies are available for amendments if the Selectmen chose to do so.

Request to authorize litigation re tax title property

Terkanian presented the request to authorize litigation re tax title property as presented in his memo⁴. He explained the background of the property prior to the foreclosure. The Selectmen had questions and wanted to know why this summary action has not been taken sooner.

MOTION 215-260: Bruinooge moved and Wilson seconded to authorize the Town Administrator to proceed with summary action to take possession of the foreclosed property. The motion passed 5-0.

Review of Selectmen's Goals

Pilcher presented the compiled list of FY 2016 proposed Selectmen's goals⁵. Discussion ensued. Houk suggested combining Goals 9 and 10 on the list. Pilcher disagreed and said they should stay separate. Based on Wilson's comments the Selectmen decided to add Goal #11 derived out of Goal #10. Goal #11 would state "Improve methods of financial intake and output." Pilcher asked the Selectmen to prioritize the list of proposed goals and inform him of their selections prior to the July 14, 2015 meeting.

Approval and execution of landfill monitoring agreement

Terkanian explained that the approval and execution of the landfill monitoring agreement⁶ is needed to meet the Mass DEP landfill testing requirements. Murphy wanted to know how the contract has been procured and had concerns about the liability provision. Houk agreed with Murphy's comment on liability. The Selectmen directed Terkanian to conduct a competitive bidding process before the next landfill testing contract comes up for renewal.

MOTION 215-261: Murphy moved and Bruinooge seconded to approve and execute the landfill monitoring contract with Environmental Partners Group, Inc. and put it out to competitive bid for next year. The motion passed 5-0.

Town Administrator's Report

Terkanian presented his report⁷ and gave an update on the dredging meeting. Pilcher stressed the importance of timely action for the funding opportunity by creating public awareness and suggested holding a public hearing on the subject on July 28, 2015.

Future Concerns

- Public Hearing on Harbor Dredging on July 28, 2015.
- Public Hearing on Route 6 - Main St and Snow Plowing of Private Roads on July 14, 2015.
- Public Hearing on amendments to SAB Rules and Regulations on August 11, 2015.
- Wilson requested that Terkanian to check out Harbor Mapping project funding opportunities.
- Houk wanted to find out about the possibility of solar panels at the landfill.
- Houk wanted to explore the possibility of having No Smoking bylaw for part of Main Street.

Correspondence and Vacancy⁸ Report

Wilson presented the correspondence report⁹. She specifically talked about the Vegetation Management Plan of EverSource and recommended a public hearing on the subject.

Minutes

Wilson had additional language to Motion 2015-243 of the June 9, 2015 minutes and gave the changes to the Executive Assistant.

MOTION 215-262: Bruinooge moved and Wilson seconded to approve the minutes of June 9, 2015¹⁰ as amended. The motion passed 5-0.

Executive session & Adjournment

Pilcher read the purpose of the executive session in public meeting: *To conduct a grievance hearing involving the Wellfleet Police Officer's Union.*

MOTION 215-263: Murphy moved and Bruinooge seconded to enter into executive session and not go back into public session. The motion passed by each Pilcher, Murphy, Bruinooge, Wilson and Houk saying "Aye". The public meeting adjourned at 9:18 pm.

Respectfully submitted,
Michaela Miteva, Executive Assistant

Public Record Documents

¹ TA memo on Route 6-Main Street intersection design alternatives

² TA Memo on Baker Field restroom and tennis court project

³ First review of revised Senior Citizens Tax Work-Off Policy, Veterans Tax Work-Off Policy, Baker Field Tent Use Policy and Equal Opportunity, Discrimination and Sexual Harassment Policy

⁴ TA Memo on litigation re Tax Title foreclosed property

⁵ FY 2016 list of proposed Selectmen's goals

⁶ 2015 landfill monitoring agreement with EPG

⁷ TA report of June 19, 2015

⁸ Vacancy report of June 19, 2015

⁹ Correspondence report of June 23, 2015

¹⁰ Draft Minutes of June 9, 2015