



## Board of Selectmen

**The Wellfleet Board of Selectmen will hold a public meeting on Tuesday, December 8, 2015 at 7:00 p.m. at the Wellfleet Senior Center, 715 Old Kings Highway, Wellfleet, MA 02667. It is anticipated that the meeting will be recorded by the Town. Anyone else desiring to record the meeting may do so only after notifying the chair and may not interfere with the conduct of the meeting in doing so.**

- I. Announcements, Open Session and Public Comment [7:00]** *Note: Public comments must be brief. The Board will not deliberate or vote on any matter raised solely during Announcements & Public Comment.*
- II. Public Hearing(s) [7:05]**
  - A.** To amend the Town of Wellfleet Shellfish Rules and Regulations by adding section 7.18.7: Conditions for Overwintering Gear on Licensed Areas.
- III. Licenses/Appointments/Reappointments/Use of Town Property**
  - A. Licenses**
    - 1) Vote to approve estimated temporary increased population of Wellfleet: 30,000
  - B. Appointments & Reappointments**
    - 1) Susan Qurgley to Library Trustees with term ending Annual Town Election 2016 (joint meeting with the Library Trustees)
    - 2) Nomination of Wellfleet representative to Cape Cod National Seashore Advisory Committee. Applications received from Lilli Ann Green, Jeffrey Tash, Kathleen Bacon and Steven Larsen.
    - 3) Appointment of Rosemary Moriarty as Wellfleet representative to the Cape Cod Municipal Health Insurance Group to June 30, 2017.
  - C. Use of Town Property - NONE**
- IV. Business**
  - A.** Mayo Creek Restoration Committee update and grant proposals [Riehl]
  - B.** Cape Cod National Seashore Comprehensive Shorebird Management Plan [Green]
  - C.** Snow & ice removal from private ways – Proposed standards and requests to date [TA]
  - D.** Eversource right-of-way-vegetation management - Request of POCCA for lobbying and litigation support [TA]
  - E.** Discussion of possible reuse of funds from repaid Community Development Block Grant (CDBG) loans [Pilcher]
  - F.** Possible requests from the Cultural Council and Wellfleet Chamber of Commerce for economic development funds [Pilcher]
  - G.** Discussion of inspection fee policy for non profits [TA]
  - H.** Updated Recreation Department Fees for 2016 [Thomas and Rosenberg]
  - I.** Initial presentation and discussion of Town Administrator's FY 2017 budgets [TA]
  - J.** Approval of 2016 Board of Selectmen meeting calendar [TA]
  - K.** Discussion of possible areas of inter-municipal cooperation [Pilcher]
  - L.** Town Administrator's request to carryover unused vacation leave [TA]
  - M.** Contract award for Police Station renovation for Owner's Project Manager [TA]
- V. Town Administrator's Report**
- VI. Future Concerns**
- VII. Correspondence and Vacancy Report**
- VIII. Minutes [November 24, 2015]**
- IX. Adjournment**

TOWN OF WELLFLEET  
PUBLIC HEARING

In accordance with MGL Chapter 130 Sections 52, 57, 58, 60, and 68 and all applicable Town Shellfish Regulations, notice is hereby given that the Wellfleet Board of Selectmen will hold a public hearing on Tuesday, December 8, 2015 at 7:05 p.m. in the Wellfleet Council on Aging to consider the following:

- To amend the Town of Wellfleet Shellfishing Policy and Regulations.

Recommendation of the Shellfish Constable will be available in the Administration Office.

WELLFLEET BOARD OF SELECTMEN

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f. they forfeit any claim to a hardship waiver under Section 6.1.4 Hardship Exemption of the Town of Wellfleet Shellfishing Policy and Regulations.

7.16.1 Transfer of Oysters to Wholesale Dealers Trucks During Vibrio Control Season: See Section 4.3.2

## 7.17. Predator Control

### 7.17.1. No Lethal Predator Control Measures

Unless specifically authorized by the Director, in consultation with the U.S. Fish and Wildlife Service and/or the National Marine Fisheries Service, it shall be unlawful to use lethal means to control or exclude predators or other organisms from any area used for aquaculture. Non-lethal enclosures, including, but not limited to, nets, fences, bubble curtains and noise may be used, if approved for a specific site and purpose. Invertebrate predators, pests and fouling organisms may be removed manually from an aquaculture site and disposed of in a lawful manner ([CMR 322, Section 13.7.2](#)).

### 7.17.2. No Taking of Horseshoe Crabs or Whelks/Conks Without Permit.

Being in possession of horseshoe crabs and whelks (conchs) for any reason requires a State permit. In this regulation, whelk/conch refers to either knobbed whelk (*Busycan carica*) or channeled (smooth) whelk (*Busycotypus canaliculatus*). (See [CMR 322 6. 34: Horseshoe Crab Management](#) and [322 CMR Section 6.21: Minimum Size for Conch.](#)) As stated in 7.17.1, neither species shall be intentionally killed while practicing predator control.

### 7.17.3. No Harm to Endangered Species

No person shall maintain a predator control method that will intentionally threaten any endangered species.

## 7.18. Aquaculture Gear and Equipment

### 7.18.1. Grants Shall Be Marked

Every licensee shall mark the corners of the area licensed under their license with buoys marked with the license number. From April 1st to November 1st, the corners shall be marked with fluorescent yellow balls, at least twenty (20) inches in circumference. Buoys shall be attached to their anchor by cables, chains or non-floating lines. Numbers shall be marked on said buoys, and shall be at least two (2) inches high and shall be black in color. Temporary buoys shall be required from November 1 through April 1.

### 7.18.2. Height and Arrangement of Equipment

With the exception of spat collection devices there shall be no equipment or gear made of metal that rises more than eighteen (18") inches above the grade, and equipment or gear made of plastic (or another equally flexible material) higher than twenty-four (24") inches above the grade, within the boundaries of a licensed area.

### 7.18.3. Marking of Gear

Every licensee shall clearly and permanently mark any and all trays, boxes, holding cars and all other aquaculture gear with the license number of the license area in a manner that is clearly visible.

### 7.18.4. Removal of Damaged Gear or Equipment

All equipment or gear which is either damaged, or can no longer used as it was originally designed or intended to be used in the opinion of the Constable, must be removed from a licensed area and either disposed of properly or moved to an appropriate site not located within a protected resource area. This includes, but is not limited to, loose nets, twisted and damaged racks, loose envelopes, grow-out bags and fastening devices.

### 7.18.5. Overwintering of Equipment on Grants

Racks, rebar or u hooks used to secure nets on a licensed area must either be securely fastened to within eight inches (8") of the bottom or removed by January 15, or before ice prevents removal, whichever comes first. Any licensee who wishes to overwinter racks on their grant must obtain and sign an agreement form available from the Shellfish Department.

FORM OF AGREEMENT

I, \_\_\_\_\_

agree to remove all metal racks, rebar or u hooks used to secure nets to the bottom, or anything constructed of metal, by January 15th, or before ice prevents removal, whichever comes first.

If I decide to store racks on my grant(s) over the winter, I agree to the following conditions:

1. All racks shall be tagged with the owner's name and grant number.
2. An accurate number of racks being left on the grant will be provided on this agreement form
3. All such racks must be pumped down to within 8" of the bottom.
4. Any racks that are damaged during the winter must be cleaned up by March 1st or when the departure of ice allows, whichever comes first.
5. I understand that I am solely liable for any damage my equipment may cause to other aquaculturists or the public.
6. Failure to adhere to these conditions can result in suspension or revocation of my grant license, in accordance with Section 11 of the Wellfleet Shellfishing Policy and Regulations.

Grant license #: \_\_\_\_\_

Number of racks to be overwintered:

Signature \_\_\_\_\_

Date:



**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 Susan Quigley Date November 9, 2015

Mailing Address P.O. Box 289  
Wellfleet MA 02667

Phone (Home) 508-349-6225 (cell) \_\_\_\_\_

E-mail squig @ hotmail.com

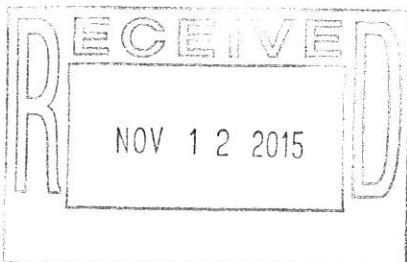
☐ Please describe briefly any work experience, including volunteer service, that you feel would be useful to the Town: \_\_\_\_\_

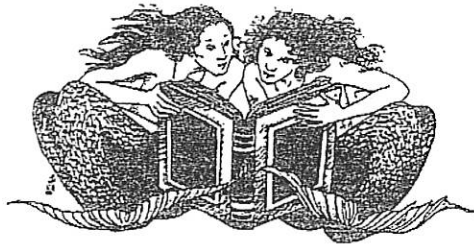
I have worked ~~at~~ at the library for about 25  
years and continue to volunteer now that I have retired.

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

masters + 15  
masters in education  
15 credits towards masters of library science

☐ Committees/Boards of Interest: 1) Trustees of Wellfleet Public Library  
2) \_\_\_\_\_  
3) \_\_\_\_\_





## Wellfleet Public Library

55 WEST MAIN STREET · WELLFLEET, MA 02667 · 508-349-0310 · FAX 349-0312

November 12, 2015

Board of Selectmen  
Wellfleet Town Hall  
Wellfleet, MA 02667

Dear Selectmen:

Library Trustee Robert Shreefter has submitted his letter of resignation from the Wellfleet Library Board of Trustees as of November 9, 2015. He is unable to attend meetings on a regular basis.

According to the Wellfleet Board of Library Trustees Bylaws: "A vacancy on the Board shall be filled by joint majority of the Board of Library Trustees and the Board of Selectmen in accordance with Massachusetts General Laws, Chapter 41, Section 11.

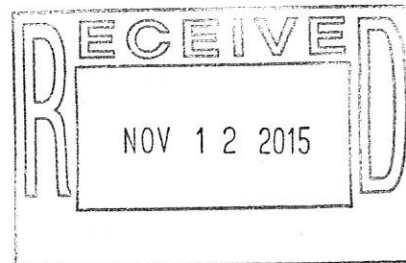
The Library Board of Trustees has voted to appoint Susan Quigley to serve as a trustee until Wellfleet Town Elections in the May of 2016. The Library Trustees request the Board of Selectmen's approval for this vacancy appointment.

We appreciate your assistance in this matter.

Regards,

*Reatha Ciotti*

Reatha Ciotti, Chair  
Wellfleet Library Board of Trustees







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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 Lilli-Ann Green Date November 4, 2014

Mailing Address P.O. Box 963

S. Wellfleet, MA 02663

Phone (Home) 508-349-9832 Phone (Business/cell) 508-801-6211

e-mail: sustainableinfo349@gmail.com

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

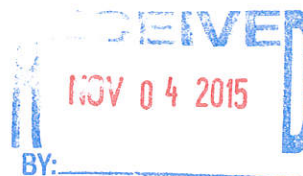
I have served as the Alternate Representative to the Cape Cod National Seashore (CCNS) Advisory Commission since 2014. I have attended all meetings held and acted in the capacity as the Representative for Wellfleet since the winter of 2015. I worked for the National Park Service (NPS) at CCNS as a naturalist/interpretive ranger for a number of years. I directed an environmental education school in the CCNS. I have been attending the CCNS Advisory Commission meetings on a regular basis since 2010. I am CEO of a health care education, research and consulting firm that has a national reach.

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

While working at CCNS I developed and presented on a weekly basis a lecture with the topic of the natural and human history of CCNS. I also participated in extensive training regarding the CCNS and the NPS.

☐ Committees/Boards of Interest:

☒ 1) Cape Cod National Seashore Advisory Commission – Wellfleet Representative





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**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 Jeff Tash Date 11/4/15

Mailing Address PO Box 56  
Wellfleet MA 02667

Phone (Home) 508-349-9798 (cell) 617-319-4750

E-mail jefftash@comcast.net

☐ Please describe briefly any work experience, including volunteer service, that you feel would be useful to the Town: Member of: Cable Advisory Board, Wellfleet Energy Committee, Wellfleet Historical Commission, Wellfleet Community Forum (VP), Friends of CCNS (VP), CCNS Volunteer Interpretive Program, CCNS Seal Education Team, Webmaster for Wellfleet Affordable Housing, Webmaster for WNRTA, Open University of Wellfleet Lecturer (History of Wellfleet course)

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

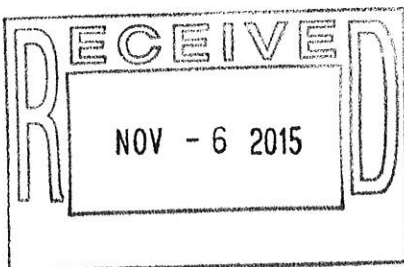
MS in Computer Science, MA in Cognitive Psychology

Public Service Websites: www.WELLFLEETian.com, www.OuterCape.info

☐ Committees/Boards of Interest: 1) CCNS Advisory Commission

2) \_\_\_\_\_

3) \_\_\_\_\_





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**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 KATHLEEN E BACON Date DEC 3RD 2015

Mailing Address BOX 2056 WELLFLEET, MA- 02667

Phone (Home) 1-508-349-6173 (cell) \_\_\_\_\_

E-mail WONE

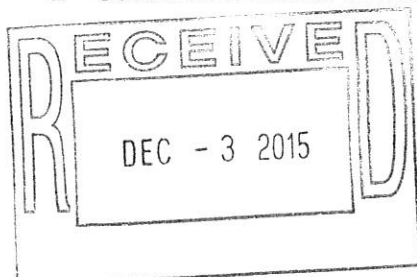
☐ Please describe briefly any work experience, including volunteer service, that you feel would be useful to the Town: \_\_\_\_\_

IN 2007 - I WORKED WITH SEVERAL AD HOC GROUPS - WELLFLEET COMMUNITY  
FORUM TO CHANGE THE ZONING BYLAW IN THE CAPE COD SEASHORE IN WELLFLEET  
I WENT TO MANY OF THE ADVISORY BOARD MTGS - THAT YEAR

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

CONSERVATIONIST  
ARTIST  
SELF EMPLOYED

☐ Committees/Boards of Interest: 1) CCNS Advisory Committee  
2) \_\_\_\_\_  
3) \_\_\_\_\_





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**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 Steven Larsen Date 12/4/15

Mailing Address Po # 1489  
Wellfleet MA 02667

Phone (Home) 617 983 0831 (cell) 213-700-8024

E-mail Steve Larsen 50 a aol.com

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

Have worked in Parks and Recreation for 10+  
years. Was Beach Director for Wellfleet for  
three seasons. Have spent many years involved in  
protecting natural resources.

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

See Resume'  
Attended Cape Cod Leadership Institute  
Have served on numerous boards + committees

☐ Committees/Boards of Interest: 1) Cape Cod National Seashore Advisory Commission  
 2) \_\_\_\_\_  
 3) \_\_\_\_\_



**Michaela Miteva**

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**From:** bos-owner@wellfleet-ma.gov on behalf of steven larsen [stevelarsen50@aol.com]  
**Sent:** Thursday, December 03, 2015 5:15 PM  
**To:** bos@wellfleet-ma.gov  
**Subject:** Cape Cod National Seashore Advisory Commission  
**Attachments:** Steve Larsen Resume.doc; Att02E77728.htm

Dear Wellfleet Board of Selectmen,

I would like to volunteer to serve on the Cape Cod National Seashore Advisory Commission. I have been a property owner in Wellfleet for ten years and, in the past, a Town of Wellfleet employee working both as an Assistant Harbormaster and as the Beach Director. I have also worked with the Department of Conservation and Recreation and the Town of Barnstable Parks Department. I have many years of experience directing outdoor recreation programs and helping protect our natural resources. I have served on the boards of the Jamaica Hills Neighborhood Association, the Massachusetts Camping Association, and the Jamaica Plain Community Center. I am an alumni of the Cape Cod Leadership Institute. As with most Wellfleet residents and visitors, I deeply value the National Seashore as a public treasure and would be honored to serve in an advisory capacity. I have attached my resume below. Thank you in advance for your consideration.

Sincerely,  
Steve Larsen

## STEVEN C. LARSEN

### SUMMARY OF QUALIFICATIONS

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Twenty years of directing and managing youth serving non-profit organizations. Ten years of successful camp, education, and recreation program administration.

### EMPLOYMENT SUMMARY

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**2015 Park Supervisor Sandy Neck Park Barnstable, Massachusetts**

As a seasonal supervisor I was responsible for the daily operation of town park, overseeing seasonal employees, fee collection, emergency response and providing for a safe visitor experience.

**2014 Food Pantry Manager Interfaith Social Services Quincy, Massachusetts**

Managed a large food pantry serving over twenty thousand families annually. Supervised volunteers, staff, and oversaw all aspects of food distribution.

**2013 Park and Forest Supervisor Massachusetts Department of Conservation and Recreation**

Responsible for the safety and security of Peddocks Island, a Boston Harbor Islands recreation site. As a nine month seasonal hire, was responsible for overseeing a new island campground and providing visitor services.

**2008 - 2013 Director of Programs Hale Reservation Westwood, Massachusetts**

Administered a large day camp, education, and aquatic program. Developed and directed summer Out of School Time education programs. Responsible for the development and oversight of a program budget. Also responsible for the supervision of two full-time staff and fifty seasonal employees. Managed partner agency relationships, program evaluation, and volunteer recruitment.

**2004 - 2008 Department Director Town of Wellfleet Wellfleet, Massachusetts**

Directed and managed a large seasonal aquatic program and Town permit and sales office. Managed municipal departmental budget. Supervised staff of fifty seasonal employees. Responsible for the safety and security of Town beaches and ponds.

**2000 - 2004 Center Director Circle Pines Center Delton, Michigan**

Managed a summer day camp for children and seasonal adult education programs for a member-owned cooperative. Responsible for the overall management of Center operations. Administered budget and supervised full time and seasonal staff. Also recruited and supervised volunteers.

### EDUCATION

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**College of Professional Studies**

Northeastern University Boston, Massachusetts  
Nonprofit Management Graduate Program (Certificate expected 2015)

**Master of Adult and Continuing Education**

University of Michigan Ann Arbor, Michigan

**Bachelor of Social Work**

Sienna Heights University Adrian, Michigan



# TOWN OF WELFLEET

300 MAIN STREET WELLFLEET MASSACHUSETTS 02667

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

[www.wellfleetma.org](http://www.wellfleetma.org)

To: Board of Selectmen  
From: Harry Sarkis Terkanian, Town Administrator  
Subject: Snow & Ice Removal from Private Roads  
Date: November 23, 2015  
CC:

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Previously I have prepared three other memoranda on snow and ice removal from private ways. Two dated May 26, 2015 are posted in the Town Administrator's documents section of the Town web site: <http://www.wellfleet-ma.gov/town-administrator/pages/town-administrator-documents>. The third, dated October 26, 2015, was included with the November 10, 2015 selectmen's meeting materials and was directed at cost issues only.

Snow and ice removal from private ways is an exception to the general rule that towns may not spend public money for private benefit. The exception is in Mass. General Laws, chapter 40, section 6C which provides as follows:

A city or town which accepts this section in the manner provided in section six D may appropriate money for the removal of snow and ice from such private ways within its limits and open to the public use as may be designated by the city council or selectmen; provided, that, for the purposes of section twenty-five of chapter eighty-four, the removal of snow or ice from such a way shall not constitute a repair of a way.

Wellfleet accepted this statute on September 14, 1982.

From 1983 through 2006 the selectmen authorized the plowing of certain private roads. The warrant for the 2006 annual town meeting included a listing of private roads which the selectmen determined would be plowed, and a further list of private dirt roads that will no longer be plowed. Copies of both are attached. I am not aware of subsequent votes by the Board of Selectmen to authorize the plowing of additional private roads. Since publication of the list in 2006 the DPW has been advising the Planning Board that approval of a subdivision plan does not mean that the roads on the plan will be added to the list of roads to be plowed. On December 11, 2012 the Board of Selectmen adopted the current policy on snow removal from paved private roads. The policy is posted on the Town web site along with a list of roads and their eligibility under the policy as determined by an inspection of their condition. The policy and list are posted at: [http://www.wellfleet-ma.gov/sites/wellfleetma/files/file/file/41\\_paved\\_private\\_road\\_maintenance\\_policy\\_2015-08-11\\_with\\_road\\_list\\_as\\_of\\_2015-08-13.pdf](http://www.wellfleet-ma.gov/sites/wellfleetma/files/file/file/41_paved_private_road_maintenance_policy_2015-08-11_with_road_list_as_of_2015-08-13.pdf). On August 11, 2015 the Board of Selectmen voted to defer enforcement of this policy until after the winter of 2015-16.

At the November 10, 2015 meeting the Board of Selectmen voted "to have a compassionate emergency response snow plowing plan where everyone with medical

condition should write a letter to the Selectmen. Discussion ensued. Ms. Bruinooge clarified that this will be just temporary one year solution until better solutions is found." Motion 2015-370 (minutes in draft form at present.)

In determining how to exercise the Board's discretion under the authority in section 6C I suggest that the following factors might be considered:

- (1) Are there are year round residents living on the road that would be put at risk should the town not plow the road? Examples might include individuals with known, significant medical conditions or individuals who are on some form of public assistance or otherwise unable to afford the cost of plowing.
- (2) Is the road open to public use? It is a requirement of the statute that he road be open for public use.
- (3) Is the condition of the road such that it can be safely plowed? The board may wish to adopt standards and may wish to request comment from the DPW. Standards adopted by other town include such requirements as signage, adequate cleared width, the presence of year round occupants and a road surface that does not contain significant surface irregularities (e. g. no depressions more than 1 inch deep.) The standards in the current paved private road policy could be easily adapted to unpaved roads. In many cases this could be achieved by nothing more than the removal of the word "paved" from the policy sections.
- (4) Does the Town have a sufficient snow and ice removal appropriation to service the additional road(s)?



# ANNUAL TOWN MEETING WARRANT

Monday, April 24, 2006

The Commonwealth of Massachusetts

To either of the Constables in the Town of Wellfleet in the County of Barnstable:

## GREETING:

In the name of the Commonwealth of Massachusetts you are hereby required to notify and warn the inhabitants of the Town of Wellfleet qualified to vote in Town affairs, to meet in the Wellfleet Elementary School in Wellfleet on the 24<sup>th</sup> day of April, 2006, at seven o'clock in the evening, then and there to vote upon the following articles:

## ALSO

In the name of the Commonwealth of Massachusetts you are hereby required to notify and warn the inhabitants of the Town of Wellfleet qualified to vote in Town Affairs, to meet at the **WELLFLEET SENIOR CENTER, 715 OLD KING'S HIGHWAY** in said Wellfleet on the 1st day of May, 2006, between twelve o'clock noon and seven o'clock p.m., then and there to vote for the election of the following Town officers: Moderator for one year; two Selectmen for three years; two members of the Wellfleet School Committee for three years; two members of the Wellfleet Library Trustees for three years; one Cemetery Commissioner for three years, also the following questions:

**QUESTION 1.** Shall the Town of Wellfleet be allowed to exempt from the provisions of Proposition 2 ½ so-called, the amounts required to pay for bonds or notes issued by the Town in order to pay for a new road grader?

**QUESTION 2.** Shall the Town of Wellfleet be allowed to exempt from the provisions of Proposition 2 ½ so-called, the amounts required to pay for bonds or notes issued by the Town in order to pay for a new street sweeper?

**QUESTION 3.** Shall the Town of Wellfleet be allowed to assess an additional \$52,000 in real estate and personal property taxes for the purpose of funding one (1) additional position for the Department of Public Works for the fiscal year 2007 beginning July 1, 2006?

**QUESTION 4.** Shall the Town of Wellfleet be allowed to assess an additional \$34,000 in real estate and personal property taxes for the purpose of funding contract services and materials for snow removal on private roads for fiscal year 2007 beginning July 1, 2006?

**QUESTION 5.** Shall the Town of Wellfleet be allowed to assess an additional \$25,000 in real estate and personal property taxes for the purpose of funding Wellfleet's share of the Flex Route bus system?

## PRIVATE ROAD SNOW PLOWING ARTICLES (ARTICLES 32-34)

**ARTICLE 32.** To see if the Town will vote to raise and appropriate, transfer from available funds or borrow the sum of \$180,000, or any other sum, for the purpose of purchasing and outfitting a new street sweeper, or do or act anything thereon.

FINANCE COMMITTEE RESERVES RECOMMENDATION TO TOWN MEETING  
BOARD OF SELECTMEN RECOMMENDS 5-0

**ARTICLE 33.** To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of \$52,000, including all benefits and overtime, or any other sum, to fund one (1) new position in the Department of Public Works, or do or act anything thereon.

FINANCE COMMITTEE RESERVES RECOMMENDATION TO TOWN MEETING  
PERSONNEL BOARD RESERVES RECOMMENDATION TO TOWN MEETING  
BOARD OF SELECTMEN RECOMMENDS 3-1-1

**ARTICLE 34.** To see if the Town will vote to raise and appropriate and/or transfer from available funds or borrow the sum of \$34,000, or any other sum, for the purpose of funding contract services and materials for snow removal on private roads, or do or act anything thereon.

FINANCE COMMITTEE RESERVES RECOMMENDATION TO TOWN MEETING  
BOARD OF SELECTMEN RECOMMENDS 4-0-1

The three preceding Articles will fund the additional equipment and personnel required to remove snow and sweep sand on all private paved roads. The Board of Selectmen recommends that the Town remove snow and sand on all 147 private paved roads beginning in fiscal year 2007. Private contractors will be used to plow approximately 30-40 private paved roads. The following is the breakdown of needed funds:

Contract Services - \$27,000

Materials - \$7,000

Sweeper - \$180,000

Personnel - \$52,000

## PRIVATE DIRT ROADS THAT WILL NO LONGER BE PLOWED

Aaron Rich Road  
Arthur Cashin Way  
Aunt Sally's Road  
Avery Road  
B Street (Lt. Island)  
Bay Ave.  
Bay View Ave.  
Beach Street  
Bellamy Lane  
Berry Street - map 30  
Berry Street - map 36

Bound Brook Way  
Capt. Otis Road  
D Street  
Fifth Street (Lt. Island)  
Fox Island Road  
G Street (Lt. Island)  
Heron Point Road  
Howes Road  
Meadow Ave. West  
Old Briar Cliff Road  
7 Old King's Highway

Old Salt Lane  
Pine Ave.  
Pine Street  
Ridge Street map 36  
Seventh Street (Lt. Island)  
Steele Road  
Third Ave. (Lt. Island)  
Third Street (Lt. Island)  
View Street  
Warren Street  
Way 657  
Western Ave.

need to  
add: Western Ave.  
Day Rd / dirt portion

PRIVATE PAVED ROADS TO BE PLOWED AS DETERMINED BY THE BOARD OF  
SELECTMEN IN ITS SOLE DISCRETION PURSUANT TO G.L. c.40, §6C

Alves Road  
Arey Lane\*  
Arrowhead Road  
Aunt Sarah's Way\*  
Back Drive\*  
Barquentine Court\*  
Bartlett Road\*  
Bay View Road\*  
Bayberry Lane\*  
Bearberry Way\*  
Beechwood Lane\*  
Belding Way\*  
Benjamin Way\*  
Big Chief Hill  
Billingsgate Road  
Bluberry Circle\*  
Blue Heron Road\*  
Brown's Neck Extension\*  
Caledonia Path\*  
Capt. Bellamy Road\*  
Castagna Drive\*  
Chequessett Bluff Road  
Chequessett Knolls Drive\*  
Chris Drive\*  
Cinema Circle  
Coors Way\*  
Cove View Road\*  
Cranberry Way\*  
Cypress St. dirt  
Dale Ave.  
Dalmas Trail\*  
Daniel's Drive\*  
Day Road\* partial dirt  
Deer Path Way\*  
Delphi Path  
Designer's Road  
DowDrive  
Drummers Cove Road\*  
Druzilla Laha Road\*  
East Hill Road\*  
Eastwind Circle\*  
Eden Lane  
Edmeister Drive\*  
Elisha Witherell Road\*  
Finn Road\*  
Franklin Lane\*

Fred Bell Way  
Freeman Ave.\*  
Fresh Brook Lane\*  
Governor Foss Drive\*  
Grist Mill Way\*  
Gross Hill Lane\*  
Harbor View Circle  
Harding Drive\*  
Haywain Way\*  
Henry Doane Lane\*  
Herring River Road\*  
Hidden Acres\*  
Hidden Valley Way\*  
Highland Ave.\*  
Highmeadow Road\*  
Hiram Hill Road\*  
Hog Cranberry Lane\*  
Homestead Lane\*  
Hopkins Drive\*  
Howard Court\*  
Huckleberry Lane\*  
Indian Pipe Circle  
Indian Walk\*  
Ira Freeman Lane\*  
Irene's Way\*  
Iron Horse Drive\*  
Isaiah Way\*  
Joshua Cook Lane\*  
Karen Lane  
Kerouach Road\*  
King Phillip Road  
Knowles Dyer Road  
Leila Rich Drive\*  
Liam's Hill Road  
Light Wing Drive\*  
Lookout Road\*  
Major Doane Road\*  
Marven Way\*  
Mayflower Drive\*  
Meadow View\*  
Michael's Way\*  
Midden Road\*  
Nanny Waterman Drive\*  
Newcomb Heights\*  
Newcomb Hill Road\*  
Newcomb Hill Way\*

Noble Way\*  
Oak Ridge Drive\*  
Oak Valley Road\*  
Old Bay Road\*  
Old Mill Way\*  
Partridge Way\*  
Peace Valley Road\*  
Perch Pond Way  
Pheasant Run\*  
Pier Road\*  
Pierce's Tavern Road\*  
Pine Field Road\*  
Pinecrest Way\*  
Pineneedle Road\*  
Pinewood Circle\*  
Quail Run\*  
Queen's Way\*  
Richard's Way  
Ridge St. Ext.\*  
Ridge Street\* /map 26  
Ridge View Drive  
River Harbor Road\*  
Riverview Road\*  
Rose Lane  
Salt Hay Lane\*  
Salt Meadow Lane\*  
Sandpiper Hill Road\*  
Sarett Lane  
Sea Pine Road\*  
Somerset Ave.\*  
South Wharf Lane\*  
Tess Lane  
Thomas Coles Lane\*  
Timway Road\*  
Uplands Drive\*  
Upper Marsh Road\*  
Wellfleet Woods Lane\*  
Whereaway  
Whidah Way\*  
Whiffletree Road  
Whitetail Lane\*  
Whitman Lane\*  
Wood Duck Lane\*  
Wood Lot Road\*  
Woodlot Way\*  
Zoheth Smith Way\*

\* roads currently being plowed

WILLIAM E. HAHN  
M. ANNABEL McELROY  
PO BOX 435  
WELLFLEET, MA 02667  
(802) 236-4290  
wehahn58@yahoo.com

November 8, 2015

Harry Sarkis Terkanian, Esquire  
Town Administrator  
300 Main Street  
Wellfleet, MA 02667


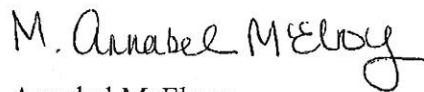
Dear Attorney Terkanian;

We are writing you for clarification regarding the snow plow removal policy for the town of Wellfleet. We purchased the property on Howard Court and completed a 9 lot subdivision which received the final approval in April, 2015. Last year the town plowed the first half of Howard Court but ended at the beginning of the extension. We have been told that the town will not plow any "new" private roads but cannot find any confirmation of that policy in the documents we have read on the town website – all we can glean from the information is that the existing Howard Court is non - compliant due to the fact there is no turn around which the extension does provide.

We do not understand how the town can provide a service to the majority of the residents and deny that same service to others. We would like to know the procedure that is needed in order to become eligible for plowing for the winter of 2015 -2016.

Thank you for you consideration.

Sincerely,

William E. Hahn and M. Annabel McElroy



To whom it may concern.

We are writing this letter in response to the suggestion by various people in authority at the BOS meeting on Nov. 10<sup>th</sup> 2015 that a letter be written outlining the reasons why the town should plow certain private roads that are open to public use

My wife is a type 2 diabetic with serious stress related blood sugar issues. She also has profound spinal deterioration, nerve issues, osteoporosis, osteoarthritis, stenosis and scoliosis. For these spinal problems she is required to receive twice weekly physical therapy.


As for myself at 93 I have atrial fibrillation which has required two ambulance trips to C.C. Hospital Emergency.

The issue of the "agreement road" also has legal ramifications which probably were not considered when the town unilaterally and without notification ceased to honor the longstanding practice of snow removal from certain private roads that are open to public use.

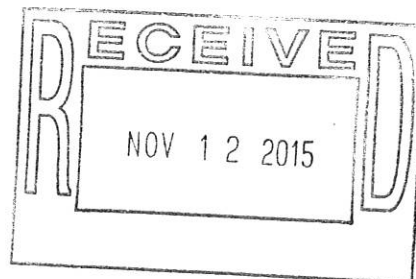
Based on the above we request that Beach St. be plowed by the town at least as far as number 30.

Respectfully yours,

  
Jill E. Putnam

  
Roger L. Putnam, Jr.

November 11<sup>th</sup> 2015



**Michaela Miteva**

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**From:** Gary Sorkin [gary.sorkin21@gmail.com]  
**Sent:** Sunday, November 22, 2015 2:28 PM  
**To:** paulpilcher@comcast.net; rrobinson@umassd.edu; Michaela Miteva  
**Subject:** Plowing Baker Ave

Hi Paul,

I was at Town Hall this week and Micheala said there was a possibility of getting our road plowed if we had a medical need. She said we had to send a written request to the Selectmen - so here goes.

As you know, Robin and I live year round at the end of Baker Ave off Bank Street. In the past, we have used a snow blower to clear the road. Unfortunately this is now problematic - I badly broke my foot last year and it has never healed properly. Its difficult for me to maneuver the snow blower effectively. Robin had knee surgery this fall and has had some complications so she can't do it either.

Also, Robin works full time so she does needs to get out even when it snows.

The Town already plows the portion of Baker Ave closest to Bank Street as it is a public road so I don't think doing the rest of our portion of the road would add a lot of effort. Even if they only did it when there was a significant snowfall (more than 4"?) they would certainly help.

Thanks so much and please let us know you think. Appreciate it.

Gary

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**From:** Marusya Chavchavadze <marusya@afgeorgia.org>  
**To:** bos@wellfleet-ma.gov, harry.terkanian@wellfleet-ma.gov  
**Date:** 12/02/2015 07:13 AM  
**Subject:** Maintenance and Plowing of Aaron Rich Road

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Board of Selectman and Town Administrator  
300 Main Street, Wellfleet, MA 02667

To Whom It May Concern:

1. I am a year-round Wellfleet resident of 220 Aaron Rich Road. My house is located at the end of Aaron Rich Road. The original 1799 captain's house built by Captain Aaron Rich is next door to my house. It was bought by my grandparents, Paul and Nina Chavchavadze in 1939, and now belongs to my sister Alexandra Chavchavadze. Aaron Rich Road is currently the only access road to both houses, and to several other houses in the area (approximately 20 year round residents and 4 summer residents). My family has been paying Wellfleet taxes since 1939. I have been a year round resident since 1994. I am 62 years old.

2. In 2002, my sister and I sold 8 acres of land to the Wellfleet Conservation Trust at well below market rate, enabling the Town of Wellfleet to increase the footprint of the Fox Island Conservation area that now surrounds our property. The Conservation Trust now owns approximately 1/2 of Aaron Rich Road and provides maps for public access to the Fox Island Conservation trails. Aaron Rich Road is marked on these maps as a route for visitors to access the public trails.

Since the sale of our land to the Conservation Trust in 2002, I have personally paid for the maintenance/plowing of the entire Conservation Trust-owned section of Aaron Rich Road. I have been told by the Conservation Commission that they cannot share the cost of road maintenance. This has been a considerable hardship for me over the years and has become increasingly burdensome during recent snow storms, and as I approach retirement age.

3. In 2002, our neighbor granted us a legal easement across Moses Hinckley Road in order to facilitate the sale of our land for conservation. At that time, in the interests of conservation, we signed an agreement with the town saying that we would use Aaron Rich Road exclusively for our daily usage. I agreed to this because, at the time, Aaron Rich Road was being maintained by the town, and was listed by the town as one of the roads regularly maintained.

In 2006, the town voted to remove Aaron Rich Road (and other private, unpaved roads) from the list of maintained roads. I would never have signed the agreement with the town to use Aaron Rich Road exclusively if I had known the town would discontinue maintaining the road. This has created a further hardship for me. There are frequent times during the winter months when there is significant snow build-up on the road, rendering it impassable. As I reach retirement age and go onto a fixed income, this situation will become even more difficult for me. I hope you will consider approving the maintenance and plowing of Aaron Rich Road for the reasons listed above.

4. Aaron Rich Road is crossed by Moses Hinckley Road, a historic public way listed on an 1827 Wellfleet town meeting document. Moses Hinckley Road runs in a Northerly direction to Pilgrim Spring Road. This road, the original access to our property, now abuts our neighbor's property. Moses Hinckley Road continues to be the closest route to our house for emergency responders during storms, or when our electric line goes down, as it does usually once per winter (we have private electric lines so must call Farrells Electric in an emergency). Approximately two years ago, our neighbor blocked the entrance to Moses Hinckley Road with boulders and has planted trees in its path, so today emergency responders are not able to reach my house or electric lines this way. As far as I know, the north end of Moses Hinckley Road has never been closed by the town.

I am attaching a map of Aaron Rich Road showing my property (colored in—1.16 acres, Parcel ID 29-283-3) and other properties.

Sincerely,

Marusya Chavchavadze  
Email: [marusya@afgeorgia.org](mailto:marusya@afgeorgia.org)

Dear Wellfleet Board of Selectmen:

On behalf of POCCA Cape Cod - [poccacapecod.org](http://poccacapecod.org) - I present three requests for your consideration. Please invite me to be on your BoS meeting agenda in December.

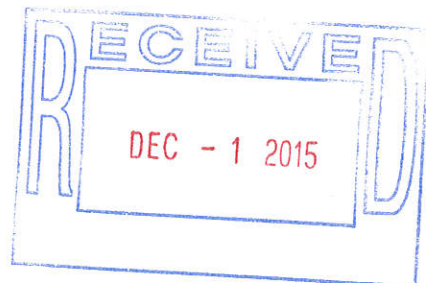
1.) That your BoS write a letter in support of Senator Dan Wolf's bill # S.478, an act that if passed would give each town the right to negotiate a no pesticide spraying agreement with Eversource Energy, by writing to Senator Anne Gobi, Senate Chair ENRA - at [anne.gobi@masenate.gov](mailto:anne.gobi@masenate.gov) - and Representative Paul Schmid, House Chair ENRA at [Paul.Schmid@mahouse.gov](mailto:Paul.Schmid@mahouse.gov).

2.) That the BoS prepare to write MDAR and prepare to testify in strong opposition to Eversource's YOP when the time for such comments arises after January 1, 2016.

3.) That POCCA and POCCA's Attorney, Bruce Taub, be invited to discuss with your town counsel, as we have done favorably with town counsel in Brewster and Orleans, the possibility of your town joining in efforts to take Eversource to court, conditioned on Attorney Taub's offer of his time in such an endeavor on a pro bono basis, in an effort to stop all herbicide spraying along town owned and privately owned ROW's. See original Motion for Temporary Restraining Order/Injunction and Court's response there to - attached.

Thank you for all you do to protect our natural resources.  
I look forward to meeting with you.

All the Best,  
Laura Kelley, Director  
POCCA Cape Cod.org





**SENATE . . . . . No. 478**

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The Commonwealth of Massachusetts

PRESENTED BY:

*Daniel A. Wolf*

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to vegetation management.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Daniel A. Wolf</i>	<i>Cape and Islands</i>
<i>Timothy R. Madden</i>	<i>Barnstable, Dukes and Nantucket</i>
<i>Sarah K. Peake</i>	<i>4th Barnstable</i>
<i>Chris Walsh</i>	<i>6th Middlesex</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>
<i>Brian R. Mannel</i>	<i>2nd Barnstable</i>

**SENATE . . . . . No. 478**

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By Mr. Wolf, a petition (accompanied by bill, Senate, No. 478) of Daniel A. Wolf, Timothy R. Madden, Sarah K. Peake, Chris Walsh and other members of the General Court for legislation relative to vegetation management. Environment, Natural Resources and Agriculture.

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**The Commonwealth of Massachusetts**

**In the One Hundred and Eighty-Ninth General Court  
(2015-2016)**

An Act relative to vegetation management.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 Any public utility, state agency or authority that maintains a right-of-way through a  
2 municipality or through property under the control of a water district shall offer a no- spray  
3 agreement, with reasonable provisions, for the municipality or water district to consider if it  
4 desires. Any such agreement negotiated may include but is not limited to the responsibilities of  
5 the parties, the allocation of costs and the rights and remedies of the parties in the event of  
6 default and may apply to all or any part of the right-of-way within the municipality or over  
7 which a water district has authority. Any agreement reached under this section must be  
8 negotiated in good faith, written, and signed by all parties. As part of the no-spray agreement the  
9 municipality or water district may either perform the vegetation control work to standards as  
10 provided in the agreement or contract with the public utility or others to conduct the work.

11 If the municipality or water district and the entity seeking to control the vegetation are  
12 unable to come to an agreement regarding a no-spray approach to vegetation management within

13 60 days of beginning discussions, the disputed issues shall be decided by arbitration using an  
14 arbitrator mutually agreed to by the parties. If the parties are unable to agree to an arbitrator  
15 within 15 days, each party shall choose one arbitrator each and those selected arbitrators shall,  
16 within 15 days of being selected, agree upon a third arbitrator. The panel of three arbitrators shall  
17 then determine the disputed issues within 15 days from the date the third arbitrator agrees to  
18 participate. Nothing in this section shall prevent the parties from using an organization such as  
19 the American Arbitration Association or a similar entity.

20 If a reasonable no-spray agreement is offered to a municipality and an agreement is not  
21 reached within 90 days after the date of the offer, the public utility, at its own option may apply  
22 pesticides, approved by the Massachusetts Department of Agriculture, in its right-of-way or use  
23 other methods to control the vegetation. If the municipality or water district agrees to perform  
24 vegetation control work but does not perform it by the agreed upon date or another date  
25 reasonably negotiated as the result of weather or other unforeseen events causing delay, the  
26 public utility, after 90 days written notice to the municipality or water district, at its own option  
27 may apply approved herbicides in its right of way or use other methods to control the vegetation.

28 It is the intent of this section that an alternative right-of-way maintenance procedure  
29 without the use of pesticides is made available to municipalities and water districts. This section  
30 does not affect a municipality's right to enact by-laws or ordinances not the public utilities to  
31 maintain its right-of-way clear of unwanted vegetation in the absence of a no-spray agreement.

Dear ENRA Committee Chairs Senator Gobi and Representative Schmid:

The Wellfleet Board of Selectmen writes to respectfully ask that the ENRA committee move forward and favorably report out Senator Dan Wolf's bill S.478, a bill regarding vegetation management in rights-of-ways.

The intent of this bill is to give individual towns such as Wellfleet the right to negotiate a no pesticide spraying agreement with Eversource Energy Corp. The bill will provide the citizens of Wellfleet an alternative method of maintaining rights-of-way without the use of toxic pesticides.

Wellfleet, located on the outer arm of Cape Cod, is located in a single source aquifer. The Town's municipal water system and many of our residents rely on locally driven wells for potable water. Many of these wells, including the Town's municipal wellfield are located in close proximity to the Eversource transmission right of way and are therefore place at risk by use of chemical means to control right of way vegetation.

Wellfleet strongly supports a mechanism to provide for alternatives to the application of chemicals in close proximity to our community's only sources of drinking water; we call upon you to move promptly report this bill favorably.

Respectfully,

Paul Pilcher, Chair  
Wellfleet Board of Selectmen

Cc: Senator Dan Wolf  
Representative Sarah K. Peake

Please send this document to:  
[Anne.gobi@masenate.gov](mailto:Anne.gobi@masenate.gov)  
[Paul.schmid@mahouse.gov](mailto:Paul.schmid@mahouse.gov)





# TOWN OF WELFLEET

300 MAIN STREET WELLFLEET MASSACHUSETTS 02667  
Tel (508) 349-0300 Fax (508) 349-0305  
[www.wellfleetma.org](http://www.wellfleetma.org)

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## MEMORANDUM

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**TO:** BOARD OF SELECTMEN  
**FROM:** MICHAELA MITEVA, EXECUTIVE ASSISTANT  
**SUBJECT:** EVERSOURCE RIGHTS-OF-WAY SPRAYING  
**DATE:** 11/20/2015  
**CC:** HARRY SARKIS TERKANIAN, TOWN ADMINISTRATOR

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As directed on October 27, 2015 below are the positions of the Board of Water Commissioners and the Conservation Commission in regards to EverSource spraying of the rights-of-way in Wellfleet:

**BOARD OF WATER COMMISSIONERS** (Discussed during the meeting of November 3, 2015):  
The Board discussed differing views on the topic of the value and safety of herbicide spraying done by EverSource on Cape Cod, and specifically within Wellfleet.

Vanderschmidt made the motion for the to BWC stand opposed to EverSource spraying; Chair Carlson seconded; the motion passed 3-1 (Nass).

Nass made a motion that the BWC recommend testing be done on the effects on the groundwater after the recent spraying, and that the testing be done by an independent party; Chair Carlson seconded; the motion passed 4-0.

**CONSERVATION COMMISSION** (Discussed during the meeting of November 18, 2015):  
The Conservation Commission remains concerned about public and private drinking water and wetland resources along the power line Right of Way.

Out of concern for public health and the environment our preference is for an herbicide free Right-of-Way and we would strongly encourage the use of mechanical removal of targeted species in lieu of herbicide application.

If herbicides must be used then strict adherence to the label requirements must be followed and extreme diligence to ensure the most minimal effective quantity of product are used on targeted species only. We have also recommended to Eversource in the past that flagging and signage be used to indicate the presence of wells and wetlands so that contractors are well aware of the location of these sensitive receptors. In addition, the Commission did want to commend the Utility for allowing shrubs to grow on the Right of Way as this creates important wildlife habitat. Complete mowing of the Right of Way would have detrimental effects and this activity would not be desirable.

**Michaela Miteva**

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**From:** Hillary Greenberg Lemos [hillary.lemos@wellfleet-ma.gov]  
**Sent:** Thursday, November 19, 2015 11:44 AM  
**To:** 'Michaela Miteva'  
**Cc:** 'Harry Terkanian'  
**Subject:** NSTAR MEMO to BOS 2015

**Wellfleet  
Conservation  
Commission**

# Memo

**To:** Board of Selectmen  
**From:** Conservation Commission  
**Date:** November 19, 2015  
**Re:** Eversource Herbicide Application

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The Conservation Commission remains concerned about public and private drinking water and wetland resources along the power line Right of Way.

Out of concern for public health and the environment our preference is for an herbicide free Right of Way and we would strongly encourage the use of mechanical removal of targeted species in lieu of herbicide application.

If herbicides must be used then strict adherence to the label requirements must be followed and extreme diligence to ensure the most minimal effective quantity of product are used on targeted species only. We have also recommended to Eversource in the past that flagging and signage be used to indicate the presence of wells and wetlands so that contractors are well aware of the location of these sensitive receptors.

In addition, the Commission did want to commend the Utility for allowing shrubs to grow on the Right of Way as this creates important wildlife habitat. Complete mowing of the Right of Way would have detrimental effects and this activity would not be desirable.



# TOWN OF WELLFLEET

300 MAIN STREET WELLFLEET MASSACHUSETTS 02667

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

[www.wellfleetma.org](http://www.wellfleetma.org)

To: Board of Selectmen  
From: Harry Sarkis Terkanian, Town Administrator  
Subject: Inspection Fees for Non Profits  
Date: December 1, 2015  
CC:

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My office has been requiring all persons and institutions requiring inspection related permits, such as food service permits, to pay the inspection fee set by the Town. I have approved this policy based on the fact that it cost the Town money, in the form of staff time, to conduct these inspections and issue the required permits. A decision to waive an inspection fee for a not for profit is, effectively, a contribution of public funds to that not for profit.

I have received a verbal complaint from one organization suggesting that the good work that the organization does warrants a waiver of the fee. In response I have agreed to make the Board of Selectmen aware of the practice of this office and provide an opportunity for its review.

## Proposed Beach Fees through 2020

	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





# TOWN OF WELLFLEET

300 MAIN STREET WELLFLEET MASSACHUSETTS 02667

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

[www.wellfleet-ma.gov](http://www.wellfleet-ma.gov)

To: Board of Selectmen  
From: Harry Sarkis Terkanian, Town Administrator  
Subject: FY 2017 Town Administrator's Budget Materials  
Date: December 4, 2015  
CC:

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FY 2017 Town Administrator's budget proposal and all related materials are available for review online. On the Town of Wellfleet home page please click on Reports and Documents on the left hand side and scroll down to the 2016 Annual Town Meeting Section or follow this link: <http://www.wellfleet-ma.gov/reports-documents>

# TOWN OF WELLFLEET

## BOARD OF SELECTMEN 2016 MEETING SCHEDULE

REGULARLY SCHEDULED AT 7:00 P.M. ON THE SECOND AND FOURTH TUESDAY OF THE MONTH  
AT THE COUNCIL ON AGING (715 OLD KING'S HIGHWAY) UNLESS OTHERWISE NOTED.

2016 Board of Selectmen Meeting Dates	Location of Meeting	Filing Deadline for Board Agenda Items
January 12	COA	January 7
January 26	COA	January 21
February 9	COA	February 4
February 23	COA	February 18
March 8	COA	March 3
March 15	COA	March 10
March 22	COA	March 17
April 12	COA	April 7
April 25 (ATM, 6:00 p.m.)	School	April 21
May 10	COA	May 5
May 24	COA	May 19
June 14	COA	June 9
June 28	COA	June 23
July 12	COA	July 7
July 26	COA	July 21
August 9	COA	August 4
August 23	COA	August 18
September 13	COA	September 8
September 27	COA	September 22
October 11	COA	October 5
October 25	COA	October 20
November 8	COA	November 3
November 22	COA	November 17
December 6	COA	December 1
December 13 (with FinCom)	COA	December 8

*ADDITIONAL MEETINGS MAY BE SCHEDULED AS NEEDED.*

### LEGAL HOLIDAYS TOWN HALL WILL BE CLOSED

January 1, 2016 New Year's Day - Observed	Jan 18, 2016 Martin Luther King Day	Feb 15, 2016 Presidents' Day
April 18, 2016 Patriots' Day	May 30, 2016 Memorial Day	July 4, 2016 Independence Day
September 5, 2016 Labor Day	October 10, 2016 Columbus Day	November 11, 2016 Veterans Day
Nov 24, 2016 Thanksgiving Day	December 25, 2016 Christmas Day (observed Dec. 26)	



# TOWN OF WELFLEET

300 MAIN STREET WELLFLEET MASSACHUSETTS 02667  
Tel (508) 349-0300 Fax (508) 349-0305  
[www.wellfleetma.org](http://www.wellfleetma.org)

To: Board of Selectmen  
From: Harry Sarkis Terkanian, Town Administrator  
Subject: Request to Carryover Vacation Days  
Date: December 1, 2015  
CC:

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By the end of December, 2015 I will have accrued 96 hours (12 days) of vacation leave. I plan to take some leave, perhaps three or four days, between the Christmas and New Year's holidays. Even with my planned leave during December I will be unable to reduce my unused vacation leave to the five days I am permitted by contract to carry over annually while continuing to meet my responsibilities as Town Administrator. I am requesting the Board's approval to carry over my unused vacation days, which I estimate will be somewhere between eight and eleven days depending on how much time I am able to take off between Christmas and New Year's Day.



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To: Board of Selectmen  
From: Harry Sarkis Terkanian, Town Administrator  
Subject: Contract Award Recommendation; Police Station Renovation Owner's Project  
Manager Services  
Date: December 4, 2015  
CC:

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Article 29 of the 2014 Annual Town Meeting approved the appropriation of \$540,000 for design, bidding and project management costs for renovation of the Police Station. A request for qualifications for owner's project management services was issued with responses due on September 30, 2015. On September 9, 2015 an optional site visit was held which eight potential vendors attended. Eight timely responses were received. One untimely response was received and returned unopened. On October 19, 2015 the Designer Selection Committee met to select three applications for further review. On October 28, 2015 the Designer Selection Committee interviewed the three firms selected. On November 9, 2015 the Designer Selection Committee met to review reference checks and to rank the firms which had been interviewed. Pomroy Associates was ranked highest. I met with Richard Pomroy on November 23, 2015 and have reviewed his firm's fee proposal and scope of services. The fee estimate is consistent with owner's project manager services fees for other recent public safety building projects including Plymouth, Dartmouth, Chatham and Brewster. The scope of services is consistent with the request for qualifications.

I recommend the Board of Selectmen award the contract for owner's project manager services for the police station project to Pomroy Associates.





# TOWN OF WELFLEET

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Tel (508) 349-0300 Fax (508) 349-0305  
www.wellfleetma.org

To: Board of Selectmen  
From: Harry Sarkis Terkanian, Town Administrator  
Subject: Town Administrator's Report  
Date: December 4, 2015

This report is for the period November 20, 2015 through December 3, 2015.

- 1 Procurement:
  - a. Police Station Renovation. The Designer Selection Committee has ranked Pomroy Associates proposal for owner's project manager services highest and the firm has been invited to submit a fee proposal to me. The initial meeting with Pomroy was held on November 23, 2015. A recommendation for a contract award to Pomroy is on the December 8<sup>th</sup> agenda.
- 2 Fiscal 2017 budgets. Preparation of the Town Administrator's recommended budget has occupied much of my time since the last report. The Fiscal 2017 Operating, Capital, Water Enterprise and Marina Enterprise Budgets with supporting information have been submitted to the Board of Selectmen and Finance Committee. A joint budget meeting with the Finance Committee is scheduled for December 15, 2015 and a Meeting with the Nauset Region superintendent and Elementary School Committee is scheduled for the January 12, 2016 Selectmen's meeting.
- 3 Additional Meetings. Nine budget related meetings have been held.
  - a. November 20, 2015. Met with ATA Carlson and relevant department heads to discuss town wide parking issues.
  - b. November 20, 2015. Met with ATA Carlson and Don Jacobs to review status of Classification and Compensation Plan.
  - c. November 23, 2015. Met with Richard Pomroy to discuss owner's project manager services for the Police Station renovation.
  - d. November 24, 2015. Cape Cod Purchasing Managers meeting.
  - e. November 25, 2015. Met with Wellfleet Employees Association..
  - f. December 1, 2015. Dredging Working Group meeting.
- 4 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): NONE
  - b. Current employment vacancies (Charter 5-3-2 (i)):
    - i. Building – Building Inspector is part time.

## ***Town of Wellfleet Committee Vacancies***

Date: December 3, 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
2 Positions	Board of Selectmen	3 years
Requesting Appointment: No applications on file		

### **Board of Health (5 members)**

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

### **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		

**Cultural Council** (no more than 22 members)

Vacant Positions                      Appointing Authority  
11 positions                      Board of Selectmen  
Requesting Appointment: No 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 Regular Position                      Town Moderator  
1 Alternate Position  
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  
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  
1 Position                      Board of Selectmen  
Requesting Appointment: No applications on file

Length of Term  
3 years

**Shellfish Advisory Board** (7 Members, 2 Alternates)

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

Length of Term  
3 years

**Wellfleet Library Trustees** (6 Members)

Vacant Positions                      Appointing Authority  
1 Position                      BOS/Library Trustees  
Requesting Appointment: **One application on file**

Length of Term  
fill term until 2016 ATE



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**Wellfleet Board of Selectmen  
Minutes of November 24, 2015  
Wellfleet Senior Center**

**Present:** Selectmen Paul Pilcher, Dennis Murphy, Helen Miranda Wilson; Berta Bruinooge, Jerry Houk; Town Administrator Harry Sarkis Terkanian and Assistant Town Administrator Brian Carlson

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

**Announcements, Open Session and Public Comment**

- Wilson announced that the comment period for the proposed Cape Cod National Seashore (CCNS) Shorebird Management Plan has been extended to January 11, 2016 and said that public comments are accepted online.
- Terkanian announced that the joint Board of Selectmen meeting with FinCom to review the the FY 2017 budget requests of the Police, Fire, DPW, School and Water Enterprise Fund budgets will be on December 15, 2015.
- Suzanne Grout Thomas announced “Wellfleet Tales” – an author reading and book signing at the COA on December 3 at the COA.

**Licenses**

**MOTION 215-376:** Bruinooge moved and Houk seconded to approve the renewal of annual liquor licenses for Bookstore & Restaurant, Finely J.P.’s, JB’s Pizza Bar & Grill, Marconi Beach Restaurant, PB Boulangerie Bistro, Wellfleet Harbor Actor’s Theater – Route 6, Wellfleet Preservation Hall, Inc., The Wicked Oyster, Seaside Liquors, Wellfleet Spirits Shoppe, Wellfleet Marketplace, Wellfleet Mobil and Blackfish Variety. The motion passed 5-0.

**Public Hearing(s)**

Chairman Pilcher opened the public hearings 7:05 pm.

**Community Preservation Committee (CPC) annual needs hearing in accordance with the Community Preservation Act, G.L. c.44B.**

Peter Hall, CPC Chair and Mary Rogers, CPC Coordinator introduced the annual Community Preservation Act applications and went over the list<sup>1</sup> individually and explained how these applications fit within the requirements of the Community Preservation Act needs for housing, historical preservation, open space, recreation. No action was taken by the Selectmen.

**Transfer of shellfish grant licenses #95-23 and 95-24 from Peter Rennert to Peter Rennert and Zachary Rennert.**

Shellfish Constable recommended the transfer of shellfish grant licenses #95-23 and 95-24 from Peter Rennert to Peter Rennert and Zachary Rennert.

**MOTION 215-377:** Wilson moved and Bruinooge seconded to approve the transfer of shellfish grant licenses #95-23 and 95-24 from Peter Rennert to Peter Rennert and Zachary Rennert. The motion passed 5-0.



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**Amendment of the Town of Wellfleet Shellfish Rules and Regulations by adding section 7.18.7: Conditions for Overwintering Gear on Licensed Areas.**

Terkanian recommended taking no action on this item and postponing it to December 8, 2015 giving the opportunity of the revised proposed language to be re-advertised.

**Request for closure of the Wicked Oyster from November 30, 2015 to January 13, 2016**

**MOTION 215-378:** Bruinooge moved and Wilson seconded to approve the request received October 29, 2015 from Ken Kozak on behalf of TEK Restaurant Group, Inc. d/b/a the Wicked Oyster to close from November 30, 2015 through January 13, 2016 to do renovations and general clean up. The motion passed 5-0.

**Request for closure of Marconi Beach Restaurant from November 16, 2015 to January 15, 2016**

**MOTION 215-379:** Houk moved and Wilson seconded to approve the request received November 9, 2015 from Russell Swart to close Marconi Beach Restaurant from November 16, 2015 through January 15, 2016. The motion passed 5-0.

**Request for closure of the Finely JP's Restaurant from December 6, 2015 to January 15, 2016**

**MOTION 215-380:** Murphy moved and Wilson seconded to approve the request of Request received November 9, 2015 from John Pontius to close Finely JP's Restaurant from December 6, 2015 through January 15, 2016. The motion passed 5-0.

**Use of Town Property**

**MOTION 215-381:** Houk moved and Bruinooge seconded to approve the request of the Chamber of Commerce to hold 2015 Holiday Tree Lighting and sing along on December 12, 2015, from 4 pm to 5:30 pm; event fee waived and no conditions attached. The motion passed 5-0.

**Appointments**

**MOTION 215-382:** Houk moved and Bruinooge seconded to appoint Dawn Rickman to Taxation Aid Committee member at large from December 8, 2015 to June 30, 2017. The motion passed 5-0.

**Business**

**Review and possible approval of proposed amendment to Board of Selectmen policy on investments – additional policy provisions for Other Post Employment Benefits funds<sup>2</sup>**

Terkanian went briefly over his memos<sup>3</sup> and explained the reasons for the OPEB investment policy under the Prudent Person Rule and said that this is the second reading. Pilcher asked clarification if this policy is under the purview of the Town Treasurer. Bruinooge suggested that the Treasurer should be consulting with experienced financial advisors.

**MOTION 215-383:** Bruinooge moved and Murphy seconded to approve the amendment to Board of Selectmen Policy on Investments by including an additional policy provisions for Other Post Employment Benefits funds. Wilson asked about the consequences of the policy amendments. Terkanian explained the authorization to invest is based on the Prudent Person Rule. The motion passed 5-0.

**Harbor Dredging Project Update and proposed letter in support of project**

Pilcher explained that this proposed letter<sup>4</sup> is a product of the Dredging Advisor Group (DAG) and their efforts to identify funding and support for the project. He thanked to all involved with this dredging funding efforts for their hard work and asked the Selectmen to authorize sending the letter to

the Army Corps of Engineers before the window of funding opportunity closes in mid January. He stressed the importance of getting Wellfleet Harbor on the list of fundable projects.

**MOTION 215-384:** Wilson moved to authorize and sign the letter as printed excluding small tweaks if needed. Murphy seconded and the motion passed 5-0.

### **Cape Cod National Seashore Comprehensive Shorebird Management Plan**

Lilli-Ann Green presented the Cape Cod National Seashore (CCNS) Comprehensive Shorebird Management Plan and went briefly over the four alternatives as presented on the summary sheet<sup>5</sup> for the plan. Green said that the comment period is open until January 11, 2016 and if the Selectmen are interested to provide input they should get in touch with the Cape Cod National Seashore. She presented a hand out on how to submit comments or contact the CCNS Superintendent George Price. Wilson said that she attended the open house. She explained that the predator birds have been poisoned with DRC-1339 and encouraged the people to do their own research on the chemical to understand its possible consequences and potential to get in the food chain. Bruinooge wanted to know what the role of the Selectmen in this process is. Green said that this is an opportunity for public comments and according to Superintendent Price the decision could be swayed based on received comments. Pilcher summarized the issues and asked Wilson if she is primarily objecting to the poison option because of the possibility of getting in the food chain. Wilson answered Bruinooge question by saying that this comment period is legally required and the public should be involved for input. Wilson suggested that the Conservation Commission and Water Commissioners should also comment on this matter. Murphy spoke about the dangers of chemical applications and their half life and suggested getting more information. Pilcher directed Terkanian to invite the CCNS Superintendent to one of the December meetings to specifically address chemical application.

### **Cape Cod Mosquito Control FY 2017 Budget request**

Terkanian presented the Mosquito Control Budget request<sup>6</sup> with 2.5% increase and said that this budget is part of and goes on the Cherry Sheet. According to the proposed document the FY17 share for Wellfleet is \$56,706.50. He explained that the Selectmen have the opportunity to support the request or not. Pilcher wanted to know if the 2.5% increase is a reasonable. Wilson said that this budget also used to cover greenheads control, but was not sure if this is still the case. The Board decided to table this until more information is available.

### **Christmas Eve Work Schedule; possible early dismissal for non essential employees**

**MOTION 215-385:** Wilson moved to allow nonessential employees to be dismissed at noon on December 24, 2015. Murphy seconded and the motion passed 5-0.

### **Status of the classification and compensation study**

Terkanian briefed the Selectmen on the goals of the classification and compensation study and how the WEA Union A and B positions and certain non-union employees were ranked<sup>7</sup> based on educational requirements, experience needed to perform the job, supervisory responsibilities and occupational risks involved. He talked about the process of how the job descriptions were generated and the employees' involvement in the process. The draft classification ranking presented was based on a formula used in order to group the jobs into grades. Terkanian also explained that that towns similar to Wellfleet were selected to survey for the comparable employee compensation. This study will be used as a benchmark for evaluating compensation of Wellfleet employees in terms of market equity. No action was required by the Selectmen.



**Waiver request from stormwater discharge permit regulation**

Assistant Town Administrator Brian Carlson presented a draft letter<sup>8</sup> for waiver request from stormwater discharge permit regulation and explained why this was needed.

**MOTION 215-386:** Murphy moved and Wilson seconded to approve the waiver request from stormwater discharge permit regulations letter. The motion passed 5-0.

**Possible revocation of Board of Selectmen's policy on Award of Shellfish Grants (Policy 1988-04)**

**MOTION 215-387:** Pilcher moved to revoke the Board of Selectmen's policy on Award of Shellfish Grants (Policy 1988-04). Wilson seconded and the motion passed 5-0.

**Proposed amendment to Board of Selectmen Equal Opportunity, Discrimination and Sexual Harassment Policy<sup>9</sup>**

**MOTION 215-388:** Wilson moved and Bruinooge seconded to approve the proposed amendment to Board of Selectmen Equal Opportunity, Discrimination and Sexual Harassment Policy. The motion passed 5-0.

**Town Administrator's Report**

Terkanian presented his report<sup>10</sup> and added that he met with one of the highest ranked Owner's Project Managers finalists for the Police Station Design. He said that an official recommendation should be available for the December 8, 2015 meeting.

**Future Concerns**

**Terkanian:** Request for Private Roads plowing criteria have been sent to the DPW director and a recommendation is expected for December 8, 2015. Pilcher suggested having all written requests collected by the EA.

**Terkanian:** There are vacancies on the Library Trustees and Planning Board. In order to fill these vacancies there is a statutory requirement for joint meetings. The Library Trustees will have a brief meeting with the Selectmen on December 8, 2015 to fill in their vacancy.

**Pilcher:** Invite the Cape Cod National Seashore to December 8, 2015 to address Shorebirds Management Plan concerns.

**Pilcher:** Invite Alice Boyd of Bailey Boyd for information on additional funds disbursement and possible uses for housing needs in Wellfleet.

**Pilcher:** Put the Inter-municipal Cooperation Committee on the December 8 agenda for Boar's input.

**Terkanian:** Outer Cape Health Services needs for public water supply on December 15, 2015 agenda.

**Correspondence and Vacancy<sup>11</sup> Report**

**Minutes**

**MOTION 215-389:** Bruinooge moved and Murphy seconded to approve the minutes<sup>12</sup> of November 10, 2015 with revisions by Wilson. The motion passed 5-0.

**Executive Session and Adjournment**

Pilcher said that the Board will convene into executive session, because discussing these matters in public meeting may have detrimental effect on the Town's negotiating position. Pilcher stated that the Board will not go back to public session and read the purpose of the executive session:

1. Strategy with respect to litigation – Cumberland Farms vs ZBA
2. To consider the possible purchase of real estate

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3. Approval of and determination whether to release minutes of prior executive sessions (January 13, 2015, January 29, 2015, February 10, 2015, March 17, 2015, April 28, 2015, April 27, 2015, May 26, 2015, June 9, 2015, June 23, 2015 and October 15, 2015.) [TA]
4. Strategy with respect to collective bargaining and negotiations with non union personnel. Personnel involved: Wellfleet Employees Association all three units, Teamsters (DPW), Permanent Firefighters, Communications, Police Chief, Police Lieutenant, Fire Chief and DPW Director.

**MOTION 215-390:** Pilcher moved and Wilson seconded to adjourn the public meeting at 8:22 pm. The motion passed by a roll call vote where each Murphy, Bruinooge, Pilcher, Wilson and Houk said “Aye”.

Respectfully submitted,

Michaela Miteva  
Executive Assistant

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<sup>1</sup> CPC 2016 Annual Needs List of applications

<sup>2</sup> Proposed amendment to Board of Selectmen policy on investments – additional policy provisions

<sup>3</sup> TA memo on OPEB provision addition to the Investment Policy

<sup>4</sup> Harbor Dredging Project proposed letter in support of project

<sup>5</sup> CCHS Shorebirds Management Plan Summary Sheet

<sup>6</sup> FY2017 Cape Cod Mosquito Control Budget Request

<sup>7</sup> Draft ranking of WEA and certain exempt positions

<sup>8</sup> Draft letter waiver request for stormwater discharge permit regulation

<sup>9</sup> Proposed amendment to the Board of Selectmen Equal Opportunity, Discrimination and Sexual Harassment Policy

<sup>10</sup> TA report of November 20, 2015

<sup>11</sup> Vacancy report of November 2, 2015

<sup>12</sup> Draft minutes of November 10, 2015