

**Wellfleet Board of Selectmen
Minutes of the Meeting of January 8, 2013
Council On Aging Building, 7:00 p.m.**

Present: Berta Bruinooge, Jerry Houk, John Morrissey, Dennis Murphy, Paul Pilcher; Town Administrator Harry Sarkis Terkanian.

Chair Berta Bruinooge called the meeting to order at 7:00 p.m.

Announcements, Open Session and Public Comment

- Bruinooge announce the passing of committee members Robert Hankey and Sarah Rosenberg, mother of Recreation Director Becky Rosenberg.
- Suzanne Grout Thomas announced that the Wellfleet Public Library would open an exhibit on Saturday, January 12, 2013 from 3:30 p.m. to 5:30 p.m. entitled 'Oyster Shacks and Churches - Scenes of Historic Wellfleet' to celebrate the Town's 250th anniversary.
- Ned Hitchcock announced that the Comprehensive Wastewater Planning Ad Hoc Committee would like to present their report to the Selectmen at their February 12, 2013 meeting.
- Jan Morrissey announced that the Wellfleet Community Forum will host Town Administrator Harry Terkanian's State of the Town Address at 7:00 p.m. on Monday, January 28, 2013 at the Council On Aging.
- Selectman Jerry Houk welcomed Harry Sarkis Terkanian as the new Town Administrator and thinks he will do a great job. Houk also thanked Tim King for the wonderful job he has done as Interim Town Administrator over the past three months.
- Martha Wilson spoke to the Selectmen about the request from the Citizen's Economic Development Committee to use Town property for the Wellfleet Community Harborfest on June 1, 2013 at the Town Pier. Wilson also requested the use of the Old COA building to store items for the Nautical Flea Market. Assistant Town Administrator Tim King said the Town does not have the final lease documents for the building and is working to resolve the issue with attorney Ben Zehnder. From the floor, Suzanne Grout Thomas suggested using the beach sticker office and the Selectmen agreed that the use of that space was a great idea. Final approval of the Harborfest use of Town property request would be discussed at a future Selectmen meeting when the signed paperwork was returned from various Department Heads.

Licenses/Appointments/Reappointments/Use of Town Property

Motion 13-0001: Morrissey moved to approve the 2013 business license renewals for Boathouse Fish Market, Bob's Sub + Cones, Bookstore & Restaurant, Box Lunch Inc., Catch of the Day, Chequessett Yacht & Country Club, Cumberland Farms, Inc., Even'Tide Motel & Cottages, Express Mart, Finely J.P.'s, Flying Fish Café, Lighthouse Restaurant, Mac's Seafood Takeout, Mac's Shack, Maurice's Campground, Moby Dick's, A Nice Cream Stop, Pearl Restaurant, PJ's Family Restaurant, Rookie's Family Restaurant, Sunbird, Van Rensselaer's, Wellfleet Beachcomber, Wellfleet Cinemas, Wellfleet Drive In-Flea Market, Wellfleet Harbor Actor's Theater, Wellfleet Miniature Golf, Dairy Bar & Grill, Wellfleet Motel & Lodge, Wellfleet Town Pizza, The Wicked Oyster, Winslow's Tavern. Murphy seconded the motion and it passed 5-0.

Motion 13-0002: Houk moved to approve the 2013 license for automatic amusement for Southfleet Motor Inn. Pilcher seconded the motion and it passed 5-0.

The Selectmen asked for the closing times associated with the weekday entertainment and public entertainment on Sunday licenses and will address those renewals at the January 22, 2013 meeting.

Appointments

Motion 13-0003: Murphy moved to approve the appointment of Thomas Slack to the Open Space Committee with a term ending June 30, 2013. Pilcher seconded the motion and it passed 5-0.

Public Hearing(s) [7:15]

Motion 13-0004: Pilcher moved to approve the application from the Wellfleet Harbor Actor's Theater for a Change of Manager from Edward Vitale to Jeffry George Cismoski. Murphy seconded the motion and it passed 5-0.

Appointments, cont.

Motion 13-0005: Morrissey moved to approve the appointment of Mardi Steinau as the Wellfleet Representative to the Barnstable County Human Rights Commission with a term ending June 30, 2016. Pilcher seconded the motion and it passed 5-0.

Motion 13-0006: Houk moved to approve the appointment of Roger Putnam as a regular member to the Zoning Board of Appeals with a term ending June 30, 2015. Murphy seconded the motion and it passed 5-0.

Motion 13-0007: Houk moved to approve the appointment of Don Palladino as an associate member to the Zoning Board of Appeals with a term ending June 30, 2015. Morrissey seconded the motion and it passed 5-0.

Use of Town Property

The Selectmen discussed the use of Town property request from Ragnar Events and decided that they would address the request at a future Selectmen meeting after reviewing information about Town insurance liability coverage, hold harmless clauses and waiver documents for outside groups requesting use of Town property for road races.

Business

Approval of tax insert regarding recycling information

Motion 13-0008: Houk moved to approve the excise tax insert (1) created by the Wellfleet Recycling Committee to inform residents that milk, juice and soup cartons are now being accepted for recycling at the Transfer Station. Morrissey seconded the motion and it passed 5-0.

Herring River Restoration Project MOU III Working Group

Motion 13-0009: Pilcher moved to approve the request to appoint Board of Selectmen member Dennis Murphy and Town Administrator Harry Terkanian as members Herring River Restoration Project Memorandum of Understanding (MOU) III (2) Working Group. Don Palladino informed the Board that the first meeting would be held on Thursday, January 17, 2013 at the National Seashore Marconi Headquarters. Subsequent meetings will be held monthly, and decisions will be made regarding the Town's share of monetary contributions, maintenance and repairs associated with the project that will need Selectmen approval. Pilcher suggested that Murphy act as the BOS representative to the working group. Murphy has filed conflict of interest paperwork (his property abuts the affected land) and said that he supports the project and would be happy to represent Wellfleet. Morrissey seconded the motion and it passed 4-0 (Murphy abstained from the vote).

Request for BOS support on NRAB Coastal Access issues

John Riehl, chair of the Natural Resources Advisory Board (NRAB), gave the Selectmen an updated inventory of coastal access points (3) within the Town and asked the Selectmen approve their request to place signs, paid

with funds from the NRAB FY2013 Budget, at selected Town access points outlined in a memo to the Selectmen (4).

Motion 13-0010: Pilcher moved to approve the request to place signs, paid with funds from the NRAB FY2013 Budget, at selected Town access points outlined in a memo to the Selectmen. Murphy seconded the motion and it passed 5-0.

Vote to accept Board of Selectmen Policy: Town Building Projects

Terkanian explained that this new policy (5) should be used as a guidance document in conjunction with the Capital Improvement Plan. Murphy thanked Hugh Guilderson for his diligence in creating this document and said it has the potential to save the Town hundreds of thousands of dollars. Ned Hitchcock extended thanks as well because the policy also covers new projects in development.

Motion 13-0011: Murphy moved to accept the Board of Selectmen Policy regarding Town Building Projects. Houk seconded the motion and it passed 5-0.

Disclosure Notification: Financial Interest

Motion 13-0012: Pilcher moved to approve the request to classify Elementary School Substitute Teachers (less than 800 hours) and members of the Wellfleet Elementary School Council (established by GL. c. 71, sec 59C) as special municipal employees under the conflict of interest statute (6). Houk seconded the motion and it passed 5-0.

Disclosure Notification: Conflict of Interest

Harry Terkanian filed a disclosure of his association as corporator of Cape Cod Five Cents Savings Bank (Disclosure of Appearance of Conflict of Interest as required by GL c. 268A sec 23b3(7)), as the Town is a customer of the bank. As the Town Treasurer is responsible for banking decisions, no appearance of conflict appears at present. The signed disclosure document will be held on file at the Town.

Review proposed 2013 Annual Town Meeting Article Index

Assistant Town Administrator Tim King reviewed an index of proposed Articles for the 2013 Town Meeting Warrant (8). The Selectmen inquired whether the Charter Review Committee needed to review two proposed articles requesting Charter changes. Morrissey would like to discuss the topic of rescinding borrowing authority at a future BOS meeting.

Recess: 8:24 p.m. to 8:30 p.m.

Discuss and/or adopt FY 2014 Board of Selectmen Budget

The Selectmen reviewed the proposed FY2014 Operating and CIP Budget. Highlights from the discussion are as follows:

- Harry Terkanian told the Selectmen that the School Committee had adopted a ten-year Capital Plan at their last meeting.
- The requested increase in the Planning Board budget will pay for consultant Patrice Carson's services.
- The Citizens Economic Development Committee is requesting the establishment of the Economic Development Fund which would give up to \$2,500 in matching funds to approved proposals from businesses with viable ideas to extend Wellfleet's shoulder season and bring in additional tourism dollars. Pilcher said the Fund has been endorsed by the Wellfleet Chamber of Commerce, Finance Committee and the Citizens Economic Development Committee. Terkanian suggested that the same statute that allows the Town to fund the Chamber of Commerce can be used as a framework for establishing the new Fund. Houk requested that the Administration examine the possibility of procuring funds from the Community Preservation Act.
- John Riehl from NRAB requested \$1,000 for their committee budget to fund various Wellfleet coastal access projects.
- The Selectmen requested a report from Police Chief Ron Fisette to explain the impact of either filling or not filling a potential future vacancy at the department.

- The Selectmen requested that the Administration Office investigate fuel purchasing options for the Town.
- Morrissey requested that overtime budget lines reflect actual expenditures to avoid future transfer requests.
- The Selectmen asked that the request for building and needs improvements in the capital improvement budget be transferred to the consultancy line in the operating budget. Houk asked the Administration to investigate the building program offered by the Cape Cod Regional Technical School.
- The Selectmen requested an updated paving project priority list from DPW Director Mark Vincent.
- Suzanne Grout Thomas reviewed the addition of six part-time staff whose salaries will be offset by revenue and requested a revision of the COA budget to reflect those additions. Thomas also explained that the Beach budget ran in deficit and she will be asking for a transfer as well as additional funding for the FY 2014 budget. The 250th Anniversary Committee is also submitting an additional budget request for consideration.
- Morrissey made a case to fully fund a state guideline to spend 19.5% of the Library Operating budget on print and non-print materials. The Selectmen invited Library Director Elaine McIlroy and the trustees to a future Selectmen meeting to discuss the issue.
- The installation of a working toilet at the beach sticker office was discussed.
- Pilcher requested a dollar amount for salary increases in the FY2014 budget.
- The Administration Office will forward copies of the revised FY2014 budget to the Department Heads for final review.

Town Administrator's Report

Town Administrator Harry Terkanian reviewed his first bi-weekly report (9).

Future Concerns

- Houk reviewed an article from the Cape Cod Times on the benefits of solar power in reducing municipal electricity bills and asked the Administration to investigate opportunities.
- Morrissey requested a copy of all fees being charged by the Town.
- The Selectmen agreed to consider technology to enable paperless meetings and will consider the matter at a future Board of Selectmen meeting.
- Pilcher would like to review progress on Board of Selectmen Goals at a future BOS meeting.

Correspondence and Vacancy Report

Dennis Murphy had prepared the Correspondence Report (10). A copy was made available for review.

Minutes

Motion 13-013: Morrissey moved to approve the minutes of December 11, 2012 and December 20, 2012. Murphy seconded the motion and it passed 4-0 (Houk abstained from the vote as he was absent from the two meetings).

Adjournment

Motion 13-014: Morrissey moved to adjourn and not return to the regular meeting in order to go into Executive Session. Bruinooge read aloud the purpose for Executive Session:

2. To conduct strategy sessions in preparation for negotiations with non-union personnel or to conduct collective bargaining sessions or contract negotiations with nonunion personnel; and
3. To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigation position of the public body and the chair so declares]

Murphy seconded the motion. Bruinooge, Houk, Morrissey, Murphy and Pilcher each said yes, and the regular meeting was adjourned at 10:50 p.m.

Respectfully submitted,

Amy Voll, Executive Assistant

¹ Tax insert created by the Wellfleet Recycling Committee to inform residents that milk, juice and soup cartons are now being accepted for recycling at the Transfer Station

² December 28, 2012 memo from HRRC request for working group members and scope of responsibilities

³ November 27, 2012 NRAB coastal access inventory for Wellfleet

⁴ November 27, 2012 NRAB memo to BOS listing proposed signage for coastal access point

⁵ Board of Selectmen Policy regarding Town Building Projects

⁶ January 3, 2013 Disclosure of Appearance of Conflict of Interest: Harry Terkanian

⁷ January 3, 2013 Disclosure by Non-Elected Municipal Employee: Harry Terkanian

⁸ Index of proposed Articles for the 2013 Town Meeting Warrant as of January 8, 2013

⁹ January 4, 2013 Harry Terkanian Town Administrator's Report

¹⁰ January 8, 2013 BOS Correspondence Report