

**Wellfleet Board of Selectmen
Minutes of the Meeting of February 12, 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

- Paul Pilcher announced the 'All About Wellfleet' exhibit at the Library from March 30 to April 20, 2013. Submit entries for the exhibit to allaboutwellfleet@comcast.net. Decisions on exhibitors will be decided in March, 2013.
- Chief Ron Fisette announced that he and Lydia Vivante from the Recycling Committee have been working on a Gun Buy Back Program that is tentatively scheduled to start on May 11, 2013.
- Beth Brehmer from the Recycling Committee announced a viewing of the movie 'Bag It' at 2:00 p.m. on February 14, 2013 at the Council On Aging.
- Chiefs Fisette and Silverman gave a report on the February 8-10, 2013 snow storm and thanked various Town departments for working together to help citizens. Silverman gave an overview of successful regional efforts and full service shelters.

Licenses

Motion 13-0039: Morrissey moved to approve the license for weekday entertainment: Bookstore & Restaurant, Inc. (8:00 a.m. to 1:00 a.m.); Lighthouse Restaurant (1:00 p.m. to 1:00 a.m.); Wellfleet Harbor Actor's Theater (3:00 p.m. to 10:00 p.m.); Van Rensselaer's (1:00 p.m. to 1:00 a.m.). Pilcher seconded the motion and it passed 5-0.

Motion 13-0040: Murphy moved to approve the license for public entertainment on Sunday: Wellfleet Harbor Actor's Theater, Inc. (3:00 p.m. to 10:00 p.m.); Spring Brook Center, Inc. (12:00 p.m. to 6:00 p.m. & 6:00 a.m. to 12:00 p.m.); Sweet Seasons, Inc. (1:00 p.m. to 12:00 a.m.). Morrissey seconded the motion and it passed 5-0.

Appointments

Motion 13-0041: Houk moved to approve the request from Fire Chief Dan Silverman to appoint Gary Doolittle and Donald West as two new call members to the Wellfleet Fire Department. Pilcher seconded the motion and it passed 5-0.

Use of Town Property

Motion 13-0042: Pilcher moved to approve the application received from Frank Szedlak, Jr. from the American Legion to use the front and side lawn of Town Hall on Monday, May 27, 2013 (Memorial Day) from 8:30 a.m. to 10:30 a.m. for a Memorial Day Service. Request for the DPW to set up chairs (and a row of chairs for past members), dais and sound system and speakers for the band. No Town fee applies. Houk seconded the motion and it passed 5-0.

Motion 13-0043: Murphy moved to approve the application received from Jeremy Young from Creative Landscaping requesting approval to maintain the grounds of the Wilbur M. Ryder Memorial Square (gratis) on the corner island of Holbrook Avenue and Commercial Street every two weeks through the season. Area will be weeded and cleared of grass, then replanted with native shrubs and mulched. No Town fee applies. Pilcher seconded the motion and it passed 5-0.

Business

Reschedule the Annual Town Election

Motion 13-0044: Houk moved to reschedule the Annual Town Election from Monday, April 29, 2013 to Tuesday, April 30, 2013 to coincide with the state primary election to fill the vacant United States MA Senate seat. Morrissey seconded the motion and it passed 5-0.

Public Hearing [7:15 p.m.]

Motion 13-0045: Houk moved to approve the request received from Joseph Wanco to close The Lighthouse Restaurant from February 25, 2013 through April 12, 2013. Murphy seconded the motion and it passed 5-0.

Rules and Regulations Amendment

Bruinooge postponed the public hearing on the request to amend the Town of Wellfleet Rules and Regulations for Beach Sticker Eligibility for Taxpayers, Residents and Visitors to the February 26, 2013 Selectmen's meeting.

Motion 13-0046: Houk moved to approve the request to change Seasonal Boat Trailer Parking from \$318/Season to \$600/Season or \$200/Month. Morrissey seconded the motion and it passed 5-0.

Business, cont.

FY2014 School Budget Review

Wellfleet Elementary School (WES)

Principal Mary Beth Rodman reviewed the high academic performance achieved by WES and current budget reductions¹. The overall increase to the FY 2014 WES Budget came in at 1.22%. School Committee member Jan Plaue said that the WES budget was passed earlier in the evening at the School Committee meeting. Terkanian said that the approved WES Budget for FY 2014² is lower than the placeholder used in the current FY 2014 Wellfleet Operating Budget. Murphy and Pilcher congratulated Mary Beth Rodman on her fugal budget and academic achievement.

Nauset Regional School District (NRSD)

Richard Hoffman, Nauset School Superintendent, presented a summary of the NRSD budget for FY 2014³. Wellfleet's net portion of the \$20 million operating budget is \$2,419,253, an increase of \$2,466 over FY2013. NRSD Wellfleet Representative Jon Porteus said that the Central Office trimmed as much as possible from the budget without causing detriment to the children. Terkanian added that the overall FY2014 NRSD operating budget and Capital Plan numbers are approximately \$41,000 lower than the placeholder the Administration has been using in the Town FY2014 budget. Pilcher asked why the Central Office budget reflects a 20% increase rather than the 5-6% increase seen in the overall NRSD budget. Hoffman cited two employee budget line shifts from contract services to the Central Office and the cafeteria revolving fund. Morrissey asked about a mechanism to fund Other Post-Employment Benefits (OPEB). Hoffman said the School Committee may set up a separate account to fund OPEB. From the audience, Tom Reinhart spoke to the new legislation on OPEB, and funding the account as pay as you go model versus a trust fund.

Cape Cod Technical Regional High School (CCRT)

Bob Sanborn from Cape Cod Regional Technical School thanked Dr. Hoffman for allowing NRSD students the option to tour CCRT. The school is expecting a 2.79% budget increase from FY2013, with Wellfleet's contribution down 1.6% to \$66,914⁴. Terkanian said that the estimate for Wellfleet's contribution is approximately \$1,700 less than the placeholder in the Town's FY2014 budget estimate.

Approve FY2014 Operating Budget and Capital Improvement Plan

Terkanian said that the only Town Department budgets not finalized after reviewed by the BOS and FinCom were Recreation and the school budgets. Recreation Director Becky Rosenberg defended her original budget

requests, citing the increase of the length of the summer program to help working parents. The current Recreation budget, as recommended by the Assistant Town Administrator (ATA), would not even fund the current, unexpanded program. The current differential between the original budget request and the ATA recommendation is \$8,300. Fee increases in FY2014 from the expanded day program is projected to offset that amount by approximately \$6,300. Terkanian suggested putting \$8,300 in Recreation contract service and several other lines.

Motion 13-0047: Morrissey moved to add \$8,000 to Recreation contract service and \$300 to Recreation seminars and training. Pilcher seconded the motion and it passed 5-0.

Houk said that families are hurting financially in Wellfleet. He proposed transferring \$10,000 from the \$25,000 allocated to the Economic Development Fund to a new line item created under 5350 Human Services for 'home heating.' Pilcher thought the \$10,000 should be an additional allocation to the budget and the funding should not be taken from the Economic Development Fund.

Motion 13-0048: Morrissey moved to add \$10,000 to the Human services budget for Wellfleet home heating. Houk seconded the motion and it passed 5-0.

Motion 13-0049: Pilcher moved to accept FY2014 operating budget as presented with the additional approved funds to the Recreation and Human Services Budgets. Murphy seconded the motion 5-0.

Bruinooge postponed the vote on the FY2014 Capital Budget until the February 26, 2014 BOS meeting.

Recess was called from 9:04 p.m. to 9:10 p.m.

Revoke a State of Emergency

Motion 13-0050: Murphy moved to rescind a State of Emergency in the Town of Wellfleet due to the impact of the February 8-10, 2013 winter storm. Morrissey seconded the motion and it passed 5-0.

Ad Hoc Wastewater Planning Committee Report

Curt Felix of the Ad Hoc Wastewater Planning Committee reviewed the new proposal for the Baker's Field restrooms cost estimates for the project⁵, and requested placement of the two Articles relating to the issue on the 2013 Town Meeting Warrant. Felix mentioned that the Town can apply for up to 80% in grant funding to offset costs of the system if the \$324,000 for the project is approved at Town Meeting.

Herring River Project proposed project oversight model

Harry Terkanian reviewed a proposal⁶ from the Friends of Herring River outlining a structured plan and associated costs for a third-party entity to manage construction, operation and maintenance of the estuary restoration infrastructure. A discussion ensued among the Selectmen about Wellfleet's liability and ceding control of the dike to a third party entity. Morrissey brought up the idea of negotiating a weighted vote among the project managers. Friends of Herring River member Don Palladino and Paul Pilcher both agreed that the question the Board needed to consider was supporting the MOU III Working Group's investigation of a third party oversight body. Bruinooge said it was an excellent idea and a way to move the project forward.

Motion 13-0051: Pilcher moved to allow the MOU III Working Group to explore conceptual plan for a third-party entity to manage construction, operation and maintenance of the estuary restoration infrastructure. Murphy seconded the motion and it passed 5-0.

Herring River Project grant support letters

Friends of Herring River are applying for two grants to fund engineering and design of the project infrastructure. Don Palladino requested that the Selectmen approve two project support letters to NOAA and the Massachusetts Environmental Trust (MET)⁷ to include with the grant applications, which also lists the Town's in-kind match over the next three years.

Motion 13-0052: Murphy moved to approve and sign BOS letters of support to NOAA and MET for the restoration of the Herring River Estuary to its pre-1909 state. Pilcher seconded the motion and it passed 5-0.

Act on SEMASS issues

The Cape Cod Solid Waste Advisory Committee is requesting two items from the BOS: a vote supporting an application for additional District Local Technical Assistance (DLTA) funding for continued legal support of regional negotiation efforts for long-term municipal solid waste disposal contracting⁸; and a statement of interest in participating in continuing negotiations with SEMASS. Terkanian advised against entering into an agreement to exclusively negotiate with SEMASS.

Motion 13-0053: Pilcher moved to approve BOS support for letter requesting additional DLTA funds to employ legal counsel for Cape Cod Solid Waste Advisory Committee municipal solid waste contract negotiation efforts. Murphy seconded the motion and it passed 5-0.

Town Meeting Warrant – Article and Question Placement & Recommendations

Bruinooge postponed the discussion on the 2013 Annual Town Meeting Warrant until the February 26, 2013 BOS meeting.

Town Administrator's Report

Town Administrator Harry Terkanian reviewed the Town Administrator's report⁹. Pilcher asked to review Truro's tax exemption at the February 26, 2013 meeting.

Future Concerns

- The Shellfish Advisory Committee asked if the BOS can hold a public hearing to review and approve the draft Shellfish Policy and Regulations.
- Pilcher asked the Administration to invite an NSTAR representative to speak about Emergency preparedness.

Correspondence and Vacancy Report

Dennis Murphy had prepared the Correspondence Report¹⁰. A copy was made available for review. Bruinooge asked the Administration to put the committee vacancies on the Town web site.

Minutes

Motion 13-0054: Pilcher moved to approve the minutes of January 22, 2013, February 5, 2013 and February 8, 2013¹¹. Morrissey seconded the motion and it passed 5-0.

Adjournment

Motion 13-0055: Murphy 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:

1. To discuss the reputation, character, physical condition or mental health, rather than professional competence, of an individual, or discuss the discipline or dismissal of, or complaints or charges against, a public officer, employee, staff member or individual.

Morrissey 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 February 12, 2013 'Investing in Our Future' FY2014 Budget Presentation

² Proposed FY 2014 Wellfleet Elementary School Budget

³ Proposed FY 2014 Nauset Region Schools Budget and Presentation

⁴ Cape Cod Regional Technical School budget documents

⁵ Wastewater Article from the Wastewater Planning Team

⁶ Herring River Restoration Project MOU III Working Group Proposal on third-party project oversight

⁷ Letters of support for the Herring River Restoration Project to NOAA and MET

⁸ Letter of support for continued DLTA funding for legal counsel negotiating SEMASS contract

⁹ February 12, 2013 Harry Terkanian Town Administrator's Report

¹⁰ Correspondence Report for February 12, 2013

¹¹ Minutes of January 22, February 5 and February 8, 2013