

**Wellfleet Board of Selectmen
Minutes of the Meeting of April 9, 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 that Wellfleet Blossoms will kick off the weekend of April 12-14, 2013 with a reception at the Lighthouse Friday night and art exhibits at Preservation Hall and the Library on Saturday and Sunday.
- Berta Bruinooge announced Wellfleet's Annual Beach Clean-Up will be held on April 20, 2013 and volunteers are welcome to participate.
- Sarah Peake will moderate a program at the Library entitled, 'Gun Violence: A Public Health Crisis' on April 27, 2013 at 3:00 p.m.
- Brent Valli asked the Selectmen to hold a full hearing to discuss an issue with the Harbormaster's office that occurred on April 2, 2013¹. Bruinooge said that the Selectmen will take the issue under advisement and work with the Town Administrator on next steps.
- Town Administrator Harry Terkanian announced the following:
 - The Barnstable County Home Consortium Draft 2013 Annual Plan has been received and is available in the Clerks' office and online on the Cape Cod Commission web site. The public comment period ends May 3, 2013.
 - The Town received Notice of Traffic Safety grant opportunities. Terkanian will forward to the Police, Fire and DPW.
 - Annual Town Reports have been received from the printer and will be distributed to public buildings and at Town Meeting.
- Police Chief Ron Fisette announced that Wellfleet will hold a Gun Buy Back program from May 11-19, 2013 at the Police Station. Fisette also gave an update on the storm damage reimbursement process.

Appointments

Motion 13-0154: Pilcher moved to appoint Janet Drohan to the Comprehensive Wastewater Planning Committee for a three-year term ending 6/30/16. Murphy seconded the motion and it passed 5-0.

Motion 13-0155: Pilcher moved to appoint Josie Anderson to the Cultural Council for a three-year term ending 6/30/16. Morrissey seconded the motion and it passed 5-0.

Motion 13-0156: Morrissey moved to appoint Yvonne Barocas to the Cultural Council for a three-year term ending 6/30/16. Houk seconded the motion and it passed 5-0.

Motion 13-0157: Houk moved to appoint Alan Platt to the Bike and Walkways Committee to finish out Dale Donovan's term ending 6/30/14. Murphy seconded the motion and it passed 5-0.

Business

Transfer Station Amnesty Day

Motion 13-0158: Murphy moved to approve the request from the Department of Public Works to schedule a Transfer Station Amnesty Day for April 27, 2013. Pilcher seconded the motion and it passed 5-0.

Public Hearing(s) [7:15]

Alteration of Licensed Premises

Motion 13-0159: Houk moved to approve the request from Beachside Management, LLC for an alteration of premises to the Wellfleet Beachcomber, 1120 Cahoon Hollow Road. Murphy seconded the motion and it passed 5-0.

Fee

Motion 13-0160: Pilcher moved to license Ice Cream vendors, establish a \$50 licensing fee for Ice Cream Truck Vending Application and establish an Administrative Fine for Violation of a 520 CMR 15.03 (1), 15.03 (2) and to adopt 15 CMR 15.06 (1) – assesses an administrative fine of \$500 for violations. Murphy seconded the motion and it passed 5-0.

Shellfish

Shellfish Constable Andrew Koch came forward to give his recommendations for the public hearings for Shellfish Grant Licenses. Koch also requested that the application approval for Keith Rose and Kelly Ruml be moved to a future Board of Selectmen meeting pending further investigation.

Motion 13-0161: Murphy moved to approve the application received March 13, 2013 from Matthew Parent to renew shellfish grant license # 04-03 for a ten year period. Houk seconded the motion and it passed 5-0.

Motion 13-0162: Houk moved to approve the application received March 26, 2013 from Robert & Barbara Olson to renew shellfish grant licenses # 95-1, 95-2 for a ten year period. Morrissey seconded the motion and it passed 5-0.

Motion 13-0163: Murphy moved to approve the request to amend the Town of Wellfleet Shellfishing Policy and Regulations. Morrissey seconded the motion and it passed 5-0.

Business, cont.

Presentation from Richard Sullivan from Powers and Sullivan Town Audit Exit

Richard Sullivan from Powers and Sullivan gave a presentation on the Town Audit². Sullivan said the Town had a positive Free Cash balance and all accounting and treasurer ledgers were in sync. Sullivan had several suggestions for future improvements, including completion of a broad risk assessment and disaster recovery plan, submission of full receipts for meal reimbursement and a review of the turnover process at the DPW. Sullivan also reviewed the use of personal credit cards to pay Town expenses and said that the auditors frowned upon the practice. The Selectmen congratulated the Paul Sieloff, the Town Accountant and Clerk, and all of the Department Heads for their excellent work on managing the Town finances.

Water Commissioners Phase II Expansion update

Water Commissioners Justina Carlson and Jim Hood gave the Selectmen an update of the Phase II Expansion of the Wellfleet Water System³. They also addressed questions about the expansion of the water system on private roads, in particular Baker Avenue, and requested approval to move forward with construction pending public hearings to adopt a consistent set of regulations regarding expansion on private roads in Wellfleet. Murphy thanked the Commissioners for their plan to adopt appropriate regulations and offered his support for the private road expansion. Houk would like to see Briar Road included in a future expansion plan. Murphy asked about the possibility of expanding the water system to South Wellfleet because of the poor water quality in that area. Commissioner Jim Hood said that Indian Neck and Cove Plaza might be included if it is financially feasible.

Motion 13-0164: Pilcher moved to allow the Phase II expansion of the water system to include Baker Avenue. Murphy seconded the motion and it passed 5-0.

The Selectmen and Water Commissioners next discussed the approval of the engineering contract with Environmental Partners Group (EPG) for the Phase II of the Wellfleet Water System Expansion. Murphy and Morrissey raised issues about bidding out the project as a good business practice versus approving EPG as the engineering firm to complete the Phase II build-out. The Selectmen concluded that because of timing constraints imposed by USDA grant funding, EPG should continue work as the approved vendor on the project but that the Water Commissioners should be prepared to bid out any future construction or expansion phases of the water system project. From the audience, Moe Barocas said that as a former Water Commissioner, he was impressed by the work done by EPG and their development of a long-term relationship with the Town. Terkanian approved of appointing EPG as the engineering firm for the project but recommended that the Selectmen delay in signing the contract with EPG until four deficient areas were revised through further negotiation. Bruinooge said that when Terkanian advises that the contract is in order, the Selectmen will authorize the contract with EPG. Houk supported this approach to complete the project.

Motion 13-0165: Houk moved to select Environmental Partners Group, Inc. (EPG) as the engineering firm for the Phase II expansion with the Wellfleet Water System, and further charged the Town Administrator to continue contract negotiations with EPG to reach final terms for the scope of the approved project. Bruinooge seconded the motion and it passed 4-1 (Morrissey).

Approval of Lot 101 easement agreement

Terkanian has withdrawn the right of first refusal pending the acceptance of the easement for Lot 101. Terkanian also spoke to Attorney Michael Ford concerning the size and placement of the bike rack requested by Jerry Houk and is awaiting final approval on the terms of the easement from Ford. Once he has the final agreement, Terkanian will present the easement to the Selectmen for signature.

Wellfleet Employees Association (WEA) Contracts

Motion 13-0166: Murphy moved to ratify Wellfleet Employees Association (WEA) Contracts - Units A, B and C. Morrissey seconded the motion and it passed 5-0.

Pay As You Throw Discussion

Mark Vincent addressed issues related to the possible need for increased seasonal staffing at the Transfer Station once PAYT is implemented. Vincent is also reviewing traffic records at the Transfer Station and will re-evaluate the hours of operation to conserve spending. Paul Pilcher asked if smaller-size bags would be available at the Senior Center for singles and elderly who do not produce large amounts of garbage. Houk would like to see a breakdown of the financial impact on the taxpayers who will have to purchase PAYT bags and a Transfer Station sticker. From the audience, Chris Easley asked about the recycling education effort and wanted to know why there has not been a more robust effort to educate residents about the benefits of recycling before PAYT implementation. Houk raised the concern that if Wellfleet ultimately decided to contract with SEMASS, the Town Administrator should look to add a provision that ensures a lower tipping fee if recycling efforts are increased.

Review of Draft Borrowing Articles

Terkanian gave his recommendations for the draft borrowing Articles from the 2013 Annual Town Meeting Warrant and reviewed the approximately \$1 million in debt service and the impact retiring the debt would have on a home assessed at \$350,000 based on borrowing for 10 years at 4%⁴. The Selectmen will consider final recommendations for the borrowing Articles at the April 22, 2013 BOS pre-Town meeting.

BOS Meeting Schedule Adjustment

Town Administrator Harry Terkanian noted that he will be on vacation the week of the May 14, 2013 and will be attending MCPppo courses in Boston on June 11-13 and 25-27, 2013. Selectmen meetings are scheduled the weeks Terkanian will be unavailable to attend and so he asked the Board if they would like to reschedule the May 14, June 11 and June 25 BOS meetings. The Selectmen agreed to reschedule the meetings for May 7 and June 4 and 18, 2013.

Town Administrator's Report

Town Administrator Harry Terkanian reviewed the Town Administrator's report⁵, which contained supplementary information on the following issues:

- The DPW has made temporary repairs to the backstop at the Elementary School so that it will be usable this spring. Money from insurance will fund the backstop replacement later in the year.
- Mark Vincent from the DPW has another employee out on sick leave, possibly for a long duration, and expects fill the gap with temporary help.
- The Town received a request for route approval for fee based shuttle for access to beaches from Main Street. Terkanian met with Police, DPW, Beach, Harbor and the Principal Clerk to discuss the issue. There was concern from the group that limited parking resources downtown would be taken up by beachgoers. Recommendation is that route request be denied.
- Terkanian met with the Building Inspector and counsel for PB Boulangerie to discuss resolution of outstanding issues.
- The contract with Barnstable County Information Technology is ready for signature, with an adjustment of support hours from 9:00 a.m. to 3:00 p.m.

Terkanian reviewed a list of Town Administrator goals⁶ and asked for feedback from the Selectmen. Pilcher is interested in performance standards for Department Heads and Bruinooge asked about the development of a disaster plan for the Town. The Selectmen praised Terkanian for his accomplishments to date.

Future Concerns

Terkanian reviewed issues for future consideration:

- Parking. The loss of some beach parking over the winter has resulted in a number of issues (including a rumor that "Wellfleet's beaches will be closed this summer"). Long term solutions to the beach parking issues are needed, including replacing the lost parking, alleviating the traffic issues at the entrance to the parking lots at Whitecrest and possible beach shuttle services. Clay Schofield at the Cape Cod Commission is actively working on this issue on behalf of other Outer Cape towns and has invited Wellfleet to participate. Morrissey would like to see private enterprise step in to provide shuttle and taxi service.
- Government Cable Channel. Tom Cole is in the early stages of acquiring equipment for Wellfleet's government TV channel. Terkanian has toured the Library and COA with Cole. Facilities at the Library appear to be adequate for both a head end and to record meetings in the Library's meeting room. Secure space at the COA for equipment storage and for a videographer appear to be unavailable. The Town will need to either address the space needs at the COA or move all meetings which are to be recorded for either live or delayed replay to the Library meeting room.

Correspondence and Vacancy Report

Dennis Murphy had prepared the Correspondence Report⁷. A copy was made available for review. The letter from Dick Bagge was highlighted. Murphy, Morrissey and Houk volunteered to cut down the tree mentioned in the letter that is blocking a foot path. Terkanian and Murphy will look at Beachcomber site, per a letter from Todd LeBart.

Minutes

Motion 13-0167: Pilcher moved to approve the minutes of March 26, 2013⁸ as printed. Houk seconded the motion and it passed 5-0.

Adjournment

Motion 13-0168: Murphy moved to adjourn the meeting. Pilcher seconded the motion and it passed 5-0. The meeting was adjourned at 9:55 p.m.

Respectfully submitted,

Amy Voll, Executive Assistant

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- ¹ Written documentation from Brent Valli supporting the April 2, 2013 issue with Harbormaster's office
- ² Powers and Sullivan auditors management sheet for Wellfleet
- ³ March 2013 Agreement for services in connection with the water system expansion and February 6, 2013 EPG proposed scope of work for engineering services
- ⁴ March 29, 2013 Harry Terkanian memo re: 2013 ATM Borrowing
- ⁵ April 9, 2013 Harry Terkanian Town Administrator's Report
- ⁶ April 1, 2013 Terkanian memo re: Town Administrator Goals
- ⁷ Correspondence Report for April 9, 2013
- ⁸ Minutes of March 26, 2013