

**Wellfleet Board of Selectmen
Minutes of the Meeting of July 16, 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 applications for the Economic Development Fund will be available online and in the Administration Office.
- Town Administrator Harry Terkanian announcements:
 - The DPW director has furnished an estimate of the cost of reconstructing beach access at the four ocean beaches. Estimated cost: \$93,820 (includes manpower, equipment and material).
 - Designer funds have been appropriated for the Wellfleet Elementary School roof at the Annual Town Meeting so at this time, the Municipal School Building Association will not require a vote at a special fall Town Meeting.
 - The FEMA Flood Insurance Rate Map 90 day appeal period begins July 19, 2013. FEMA will hold an informational meeting for the four Outer Cape communities tentatively scheduled for August 15, 2013 at 4:00 PM at the Nauset Regional High School on Cable Road in Eastham.
 - On July 8, 2013, Wellfleet acquired an easement from the Pierces for CYCC Lot 101.
- Police Chief Ron Fisette announcements:
 - The Pan Mass Challenge will ride through Wellfleet on Aug 4, 2013.
 - Wellfleet Police will monitor and respond to any shark sightings on our beaches this summer.
- Dennis O'Connell announcements:
 - The Friends of the Library raised \$10,500 during their July book sale to benefit the Wellfleet library. The next sale will be held on Sunday, August 4, 2013 from 7:00 a.m. to 2:00 p.m. on the driveway next to Town Hall.
 - The Friends of the Wellfleet Libraries 2013 Distinguished speaker is the Nobel Prize winning scientist Dr. Eric R. Kandel. He will speak at the Wellfleet Congregational Church on Thursday, August 8 at 7:30 p.m. Tickets are \$20 and will go on sale at the Wellfleet Library on June 3, 2013.
 - Wellfleet Conservation Trust will dedicate the Robert Gordon Hankey Memorial on Saturday, August 17, 2013 at 11:30 a.m. at Pilgrim Springs Conservation Area in South Wellfleet.
- Suzanne Grout Thomas announced that the 250th Anniversary Remembrance books will be distributed throughout Wellfleet and are free of charge.

Appointments

Motion 14-0001: Houk moved to approve the appointment of Jared Meegan as a Full Time Police Officer¹ with a term commencing on September 2, 2013 (with an exact start date to be determined) through June 30, 2014. Murphy seconded the motion and it passed 5-0.

Public Hearing 7:15 p.m.

Shellfish

Motion 14-0002: Pilcher moved to accept the changes as presented to Wellfleet's Shellfish Regulations². Morrissey seconded the motion and it passed 5-0.

Motion 13-0003: Morrissey moved to approve the applications received May 21, 2013 from Jon Nordahl to transfer shellfish grant licenses #95-17 and 95-18 from Jon Nordahl to Jon Nordahl and Michael Seiser and to renew said shellfish grant licenses for a ten year period. Murphy seconded the motion and it passed 5-0.

Oysterfest

Motion 14-0004: Berta moved to approve the request received from Shellfish Promotion and Tasting (SPAT) to use several Town property locations (see attached Use of Town Property request for full venue and activity list) from Wednesday, October 16, 2013 at 12:00 a.m. to Tuesday, October 22, 2013 at 12:00 a.m. for Wellfleet OysterFest activities and to allow SPAT to charge an admission fee of up to \$5.00 through ticket sales and/or collecting cash at the entrance gate with no maximum (no limit) on ticket sales. Pilcher seconded the motion and it passed 5-0.

There was a lengthy discussion by the Selectmen and SPAT manager Michele Insley with other SPAT Board members on safety issues that may arise downtown during the event, and charging an admission fee to reduce crowds. Pilcher requested that the fire and police present the Oysterfest safety plan at the August 27, 2013 meeting and that a planning meeting for Oysterfest 2014 be set for October or November 2013. Bruinooge thanked SPAT for submitting their 2013 Community Benefits Statement³ for review. There was no final discussion on use of town property fees, which may be revisited at a future BOS meeting.

Beer and Wine License

Motion 14-0005: Pilcher moved to approve the application received June 6, 2013 from S.P.A.T, Mac Hay, for a two-day Beer and Wine License to the contained beer and wine tent behind Town Hall on Saturday, October 19, 2013 from 10:00 a.m. to 5:00 p.m. and Sunday, October 20, 2013 from 10:00 a.m. to 5:00 p.m. Houk seconded the motion and it passed 5-0.

Motion 14-0006: Pilcher moved to deny the application received June 3, 2013 from Olivia Crockett Gardenhour for a one day Beer and Wine License on August 9, 2013 from 5:00 p.m. to 10:00 p.m. at Duck Harbor and approved the request received from Olivia Crockett Gardenhour to use Duck Harbor beach and parking on Friday, August 9, 2013 from 5:00 to 10:00 p.m. for a rehearsal dinner clambake. No alcohol to be served at the clambake on Town Property. Murphy seconded the motion and it passed 5-0. [Processing fee: \$20. Use of Town Property fee: \$100].

Appointments, con't.

Motion 14-0007: Pilcher moved to approve the appointment of John Ryerson as a regular member of the Energy Committee with a term ending 6/30/16 and Isaac Sargent as an alternate member of the Energy Committee with a term ending 6/30/15. Murphy seconded the motion and it passed 5-0.

Use of Town Property

Motion 14-0008: Houk moved to approve the request received from Noa Hall to use the front lawn of Town Hall on Tuesday, August 6, 2013 from 10:00 a.m. to 12:00 p.m. for a silent vigil to honor victims of Hiroshima and bear witness to the tragedies of war. They expect about 20 participants and are a non-political organization. Morrissey seconded the motion and it passed 5-0. [No processing fee or use of town property fee applies].

Motion 14-0009: Houk moved to approve the request received from the AIM Thrift Shop to use the Town Hall driveway in front of Abiyoyo on Saturday, July 20, 2013 from 8:30 a.m. to 10:30 a.m. for their annual art sale to benefit Outer Cape health-related organizations. Free event. Pilcher seconded the motion and it passed 5-0. [No processing fee or use of town property fee applies].

Motion 14-0010: Murphy moved to approve the request received from Marta Hansen to use Indian Neck Beach on Saturday, July 27, 2013 from 5:00-6:00 p.m. for a wedding ceremony. 25 people in attendance, 20 chairs. Parking lot needed for guests. Morrissey seconded the motion and it passed 5-0. [Processing fee: \$20. Use of Town Property fee: \$100].

Motion 14-0011: Morrissey moved to approve the request received from Olaf Valli from Sickday, Inc. to use Whitecrest Beach only (no lessons at other Town beaches) from April 1, 2013 to December 31, 2013 from sunup to sundown to offer surf and paddleboard lessons. The Board of Selectmen authorized the Town Administrator and Beach Administrator to approve or deny any individual event presented by Olaf Valli from Sickday, Inc. during the approved time period with an additional use of town property fee of at least \$100 per event. Pilcher seconded the motion and it passed 5-0. [Processing fee: \$20. Use of Town Property fee for surf lessons: \$350; events if approved by TA and Beach Admin: at least \$100 per event. Proof of insurance required].

Business

Approve excused absence from Town Boards/Committees

Motion 14-0012: Morrissey moved to waive John Duane's absences from the Shellfish Advisory Board and Natural Resources Advisory Board. Murphy seconded the motion and it passed 5-0.

Second reading and approval of revisions to the Policy on Designer Selection Procedures

Motion 14-0013: Murphy moved to approve the revised policy on Designer Selection Procedures⁴. Morrissey seconded the motion and it passed 5-0.

Appointment of committee to oversee designer selection for the Baker Field restroom project

Town Administrator Harry Sarkis Terkanian recommended Ned Hitchcock and Paul Lindberg from the DPW to serve in addition to the members of the Building and Needs Assessment Committee.

Motion 14-0014: Bruinooge moved to appoint the Building and Needs Assessment Committee, as well as Ned Hitchcock and Paul Lindberg from the public to the committee that will oversee the designer selection for the Baker's Field restroom project. Houk seconded the motion and it passed 5-0.

Letters regarding Town's position on revision to the Barnstable County Charter

The Selectmen reviewed two letters; one from the Board of Selectmen⁵ and the second from Ned Hitchcock⁶, Wellfleet's representative to the Assembly of Delegates, regarding recommendations of the Barnstable County Special Commission on Governance. The Selectmen fully endorsed both of the letters. Murphy commended Hitchcock on his thoughtful and thorough explanation of the Town's position on several of the Commission's recommendations. Houk suggested inviting County Commissioner and Wellfleet resident Sheila Lyons to come before the Board and explain her support the proposed changes to the structure of Barnstable County government.

Motion 14-0015: Pilcher moved to send two letters as prepared; one from the Board of Selectmen and the second from Ned Hitchcock, Wellfleet's representative to the Assembly of Delegates, regarding recommendations of the Barnstable County Special Commission on Governance, and co-sign the letter from Ned Hitchcock. Houk seconded the motion and it passed 5-0.

BOS support for MA House Bill 2048

Lilli Green spoke before the Board and asked for their support of MA House Bill 2048⁷ to establish a State commission to study wind turbine health related issues. Green reviewed the genesis of the bill and several documents siting health problems purportedly caused living in close proximity to large wind turbines. Terkanian drafted an alternate letter of support for consideration by the Selectmen⁸.

Motion 14-0016: Bruinooge moved to send the letter drafted by the Town Administrator in support of MA House Bill 2048. Morrissey seconded the motion and it passed 3-2 (Houk/Murphy).

Marina parking spaces for slip and mooring permit holders

The Selectmen agreed to table the discussion on Marina parking spaces for slip and mooring permit holders⁹ until the Marina Advisory Committee meets and makes a recommendation on the subject.

Execution of lease termination for the old COA building

Motion 14-0017: Morrissey moved to approve the lease termination by Cape Cod Child Development for the old COA building at 95 Lawrence Road, Wellfleet, MA¹⁰. Murphy seconded the motion and it passed 5-0.

Approval of Massachusetts School Building Authority Document

Assistant Town Administrator Tim King explained that the Massachusetts School Building Authority (MSBA) invited the Town of Wellfleet to collaborate with the MSBA in conducting a feasibility study at Wellfleet Elementary for a potential partial roof replacement project. The Town must satisfy several prerequisites including approval of an Initial Compliance Certificate and proposed project schedule¹¹.

King asked the Selectmen to approve those two documents.

Motion 14-0018: Murphy moved to approve the Massachusetts School Building Authority Initial Compliance Certificate for Wellfleet Elementary School Roof Project. Pilcher seconded the motion and it passed 5-0.

Motion 14-0019: Pilcher moved to approve the Massachusetts School Building Authority proposed project schedule. Morrissey seconded the motion and it passed 5-0.

Alternatives to State run Cape Cod Mosquito Control Project

Wellfleet Assembly of Delegates representative Ned Hitchcock presented a letter from the Barnstable County Commissioners¹² asking for town support to commission a study to explore filing legislation to transfer the Cape Cod Mosquito Control program from the State to Barnstable County. Houk suggested putting off the issue until County Commissioner Sheila Lyons can address it before the Board in August. Pilcher said he would approve the transfer if State funding for mosquito control continues.

Report of Board of Selectmen Goals

Paul Pilcher presented a final list of Board of Selectmen Goals for 2013-2014¹³.

Town Administrator's Report

Town Administrator Harry Terkanian reviewed the Town Administrator's report¹⁴, which contained supplementary information on the following issues:

- The COA floor is continuing to deteriorate and probably will need replacement before FY 15. Although the floor is slated for replacement in the FY 15 CIP, the Town may need to replace the floor sooner. The DPW is working to revise the old estimate of \$75K.

Future Concerns

- Pilcher would like an Oysterfest safety plan report presented by the police and fire departments at the August 13, 2013 BOS meeting and a planning meeting for the 2014 Oysterfest soon after this year's event.
- Appointments to Beach Parking Task Force will be on the August 27, 2013 BOS agenda.

- The BOS would like to schedule a joint meeting with School Committee and Personnel Committee after Labor Day.
- The Local Comprehensive Plan needs to be updated and a new committee appointed to the task.

Correspondence and Vacancy Report

John Morrissey had prepared the Correspondence Report¹⁵. A copy was made available for review.

Minutes

Motion 14-0020: Murphy moved to approve the minutes of June 18, 2013¹⁶ as printed. Pilcher seconded the motion and it passed 5-0.

Adjournment

Executive Session

Motion 14-0021: Morrissey moved to go into Executive Session and not com back into public 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

Pilcher seconded the motion. Bruinooge, Houk, Morrissey, Murphy and Pilcher each said yes, each said yes, and the regular meeting was adjourned at 9:10 p.m.

Respectfully submitted,

Amy Voll, Executive Assistant

¹ 2013-07-03 Fissette memo re: Full Time Police Officer Appointment

² 2013-07-16 Wellfleet Shellfish Regulations

³ 2013-07-16 Wellfleet Oysterfest/SPAT 2013 Community Benefits Statement

⁴ 2013-07-16 BOS Policy: Designer Selection Procedures

⁵ 2013-07-16 BOS letter re: Special Commission on Governance recommendations

⁶ 2013-07-16 Ned Hitchcock letter re: Special Commission on Governance recommendations

⁷ 2013-07-16 Lilli Green letter in support of H.2048; CD containing documents submitted to Joint Committee on Public Health; copy of H.2048.

⁸ 2013-07-16 Town Administrator letter in support of H.2048

⁹ 2013-06-11 Wellfleet Marina Parking Proposal

¹⁰ 2013-07-16 35 Lawrence Road lease termination

¹¹ 2013-07-16 MSBA Initial Compliance Certificate and proposed project schedule

¹² 2013-06-19 County Commissioners request for mosquito control transfer to County control

¹³ 2013-07-16 Final list of 2013-2014 Board of Selectmen Goals

¹⁴ 2013-07-16 Harry Terkanian Town Administrator's Report

¹⁵ 2013-07-16 Correspondence Report

¹⁶ 2013-06-18 Minutes