



**Wellfleet Board of Selectmen  
Minutes of the Meeting of June 24, 2014  
Wellfleet Senior Center, 7:00 p.m.**

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

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

**Announcements, Open Session and Public Comment**

Terkanian announced that Tim King has been selected to be the Town Administrator of Westport, Mass and his last day of work will be July 3, 2014.

Terkanian announced that he had received and accepted the resignation of Officer Burns effective July 3, 2014.

Terkanian gave update on three matters:

1. NStar rebate for elevator repairs has been received.
2. Phase II of the Water System expansion has been completed. The only change orders were the ones requested by the Town for the water main installation on Baker, Hiller and Freeman Avenues and the culvert repair.
3. South Wellfleet Parking lot paving is in progress.

Bruinooge encouraged July 4<sup>th</sup> parade participation by the selectmen.

**Licenses**

**Motion 214-293:** Murphy moved and Bruinooge seconded to approve the requests of Hyannis Ice Cream Corp. common victualer license for Maguires Landing and Hyannis Ice Cream Corp. common victualer license for Newcomb Hollow beaches. The motion passed 5-0.

**Appointments**

**Motion 214-294:** Houk moved and Bruinooge seconded to appoint John Portnoy - Conservation Commission nominee, Patrick Winslow - Comprehensive Wastewater Planning Committee nominee, John Riehl, Natural - Resources Advisory Board nominee, Walter Baron - Marina Advisory Board nominee and Jacob Puffer – Shellfish Advisory Board nominee to the Mayo Creek Restoration Committee with terms ending June 30, 2017. The motion passed 5-0.

**Motion 214-295:** Murphy moved and Bruinooge seconded to appoint Kevin Carroll to the Recreation Committee with term ending June 30, 2017. The motion passed 5-0.

Since the applicant Kevin Carroll was not present, Houk requested that in the future applicants are informed to attend the selectmen meeting in case of questions or concerns for considering their applications.

Antonino Gabrielle was present for interview and appeared in front of the selectmen to explain why he was interested to serve on the Cultural Council.

**Motion 214-296:** Bruinooge moved and Houk seconded to appoint Antonino Gabriele to Wellfleet Cultural Council with term ending June 30, 2017. The motion passed 5-0.

**Motion 214-297:** Houk moved and Morrissey seconded to approve the request of Walter Baron to conduct the Second Annual Rowing Rendezvous on September 27, 2014 from noon to 4:00 PM at Mayo Beach. Event open to the public; no fee charged. Use of Town property fee(s): processing fee \$0; event (\$0). The motion passed 5-0.

**Pilcher opened the Public Hearing at 7:15 pm.**

Shellfish Constable Andrew Koch presented his recommendation<sup>1</sup> to transfer shellfish grant licenses #737, #821 and #821A from Robert Wallace to Robert Wallace and John S. Wallace; and to renew shellfish grant licenses #737, #821 and #821A for a ten year period. The motion passed 5-0.

**Motion 214-298:** Houk moved and Morrissey seconded to approve Robert Wallace's application dated June 9, 2014 to transfer shellfish grant licenses #737, #821 and #821A from Robert Wallace to Robert Wallace and John S. Wallace; and to renew shellfish grant licenses #737, #821 and #821A for a ten year period. The motion carried 5-0.

The public hearing was closed at 7:16 pm.

**Use of Town Property (continued)**

Joseph Rugo was present to speak about his request to provide a food truck at Baker Field. Terkanian spoke about similar instances for fees charged for the use of Town Property. Recreation Director Becky Rosenberg spoke in favor of the idea and the benefit to families and visitors of the recreation department. Rosenberg said that she will set specific hours of operation, so the food truck does not conflict with the recreation department fundraising events. Murphy reminded Rugo about the green area repairs at the end of the season. Rugo said that the truck will be removed each evening. Morrissey had concerns about the bidding process. Due to time constraints the bidding process would not be possible for summer 2014, but would be enforced in 2015. Houk asked if Rugo had talked to neighboring businesses and their opinion on the food truck. Rugo confirmed that he talked to the Pearl's managers, Mac's Shack and The Bookstore owners.

**Motion 214-299:** Bruinooge moved and Morrissey seconded to approve the request of Joseph Rugo to provide a food truck at Baker Field from the beginning of July through September 10, 2014, at specific times allowed by the Recreation Department. Use of Town property fee \$2,500. A liability insurance and food service permit required. The motion carried 5-0.

A representative of Colter Miller was present to speak about the request to use Whitecrest Beach for skimboarding event on July 13, 2014.

**Motion 214-300:** Houk moved and Murphy seconded to approve the request of Colter Miller for use of Whitecrest Beach for wave skimboarding event on July 13<sup>th</sup>. Use of Town property fee(s): event \$175 and \$20 processing fee. The motion passed 5-0.

Katherine Weeks appeared to present her request to provide surf lessons at Whitecrest Beach during the summer.

**Motion 214-301:** Houk moved and Bruinooge seconded to approve the request of Katherine Weeks of Sugar Surf Cape Cod to provide surf lessons for 1-15 people from June 18 through August 30, 2014 from 7:00 am – 5:00 pm outside the guarded zone at Whitecrest Beach. Use of Town property fee(s): application fee \$20; lessons \$350. The motion passed 5-0.

As condition to the approval Terkanian requested new proof of insurance, since the one provided would expire on July 1, 2014. Weeks explained that the new insurance policy was being processed.

Olaf Valli was present to speak about his request to conduct surf lessons at Whitecrest Beach during daylight hours April 1 through December 31, 2014.

**Motion 214-302:** Murphy moved and Bruinooge seconded to approve the request of Olaf Valli to conduct surf lessons at Whitecrest Beach during daylight hours April 1 through December 31. Use of Town property fee(s): application fee \$20; lessons \$350. Liability insurance required. The motion carried 5-0.

## **Business**

### **Harbor dredging update**

Harbormaster Mike Flanagan and Marina Advisory Committee members Joseph Aberdale, Chairman and Ned Hitchcock II presented information about the harbor dredging process and potential Federal and State funding sources. Terkanian gave information about the Marina Enterprise Fund Financial Operations<sup>2</sup>. He also spoke about the permitting process and funding. The Marina Advisory Board requested permission to proceed. The cost for engineering services would be \$200,000 and the process will take about 10 months if funding becomes available. Discussion ensued. Terkanian clarified that there should be a formal proposal from Bourne Engineering before any authorization or permission to proceed could be granted. Morrissey spoke in favor of a competitive bidding process. Terkanian explained that legally there is no requirement for a competitive bidding for engineering services according to one of the exclusions on Chapter 30B. Morrissey suggested that the matter should be decided at a special town meeting. The selectmen agreed that a formal proposal is necessary before considering the Marina Advisory Board request for permission for notice to proceed with the dredging project.

**Motion 214-303:** Houk moved to instruct Terkanian to get a proposal contract for partial engineering services for the marina dredging project. Murphy seconded and the motion passed 4-1 (Morrissey).

Jennifer Pierce from the Chamber of Commerce gave a presentation in support of the marina dredging project.

### **Status update on Baker Field restrooms project**

Terkanian reviewed the design study of the Baker Field Restroom project<sup>3</sup>. He recommended a step back, because further investigation about the designs and location is needed. Recreation Director Becky Rosenberg also supported the idea of revisiting the issue in the future. The selectmen agreed to continue to discuss this matter.

### **Approval of beach sticker door prize at town meeting.**

Town Moderator Dan Silverman presented his request for approval of beach sticker door prize at town meeting.

**Motion 214-304:** Houk moved and Bruinooge seconded to approve the beach sticker door prize at town meeting. The motion passed 5-0.

Dan Silverman re-capped the 2014 Annual Town Meeting. He suggested moving the consent calendar to the end of the warrant. He also asked if he could see a draft of the warrant before it goes to print.

**Motion 214-305:** Houk moved to amend his motion for the beach sticker door prize to become effective for 2015 annual town meeting. Murphy seconded. The motion carried 5-0.

### **FY15 Board of Selectmen goals**

Pilcher opened a discussion of FY 2015 Selectmen's goals and reminded that the selectmen should bring a list of five goals for the next meeting. Morrissey suggested that post employment benefits be taken out of the operating budget rather than free cash.

### **Use of Town Property policy and fees – continued discussion**

Terkanian continued the discussion on use of town property policy and fees and presented his suggestion for changes on the fee structure and the process<sup>4</sup>. Business licenses could be another approach to the issue according to Terkanian. Discussion ensued. Pilcher suggested a public hearing before any changes would be decided upon. The discussion will continue at future meetings and businesses and artisans should be invited to participate in the discussion.

### **Oyster Fest – Use of Town Property fee**

Pilcher spoke about two memos – one with SPAT and another with Mac Hay regarding the Oyster Fest use of town property fee and arrangements. Pilcher will have a final document for the meeting on July 8, 2014.

### **7/8/14 Meeting with Rep. Sarah Peake**

Pilcher asked the selectmen to suggest questions for July 8, 2014 meeting with Rep. Sarah Peake. Suggestions included marina dredging project funding, room tax bill, rebuilding Lt Island Bridge and rebuilding Main St/Route 6 traffic lights.

**Motion 214-306:** Murphy moved to approve the adoption of amendments to Paved Private Road Policy. Bruinooge seconded and the motion carried 5-0.

**Motion 214-307:** Bruinooge moved and Morrissey seconded to approve the Adoption of Veterans Tax Work-Off Policy. The motion passed 5-0

Terkanian presented his memo on Contract Approvals for June 24, 2014 meeting<sup>5</sup>.

**Motion 214-308:** Morrissey moved and Bruinooge seconded to approve the FY15 IT services contract with Barnstable County. The motion carried 5-0.

**Motion 214-309:** Murphy moved and Morrissey seconded to approve the Regional Wide Area Network contract with Barnstable County The motion passed 5-0.

**Motion 214-310:** Bruinooge moved and Morrissey seconded to approve the designer contract for waterfront buildings study and contract award to Turowski2 Architecture, Inc. The motion carried 5-0.

Hugh Guilderson from the public from the Building Needs and Assessment Committee had a request for a review of the Police and Marina buildings study at a future meeting.

### **Review of proposed Assistant Town Administrator job description**

Terkanian reviewed the proposed assistant town administrator job description<sup>6</sup> and said that it is pending review and approval by the Personnel Board. Pilcher agreed that the planning component should be part of the job description so long term issues like affordable housing and economic development can be addressed. Houk thanked Tim King for his service to the Town.

Terkanian spoke about the advisability of dissolving the Charter Review Committee, Health Care Campus Committee and Local Comprehensive Plan Implementation Committee. He will revisit the issue at a future meeting.

### **Town Administrators Report**

Terkanian presented the Town Administrator's Report<sup>7</sup> of June 24, 2014.

### **Future Concerns**

- Chief Fisetto to provide a Community Policing Update in August.
- Zero Waste SMART report to be posted online.
- Outer Cape Health Services – waiving the building permit fees.

**Correspondence Report<sup>8</sup>** – Morrissey would like to continue the discussion on the land issue.

### **Vacancy Report<sup>9</sup>**

### **Minutes**

**Motion 214-311:** Murphy moved and Morrissey seconded to approve the Minutes<sup>10</sup> of May 13, 2014, May 27, 2014 and June 10, 2014 Board of Selectmen meetings. The motion passed 5-0.

### **Adjournment**

**Motion 214-312:** Murphy moved and Morrissey seconded to adjourn the public meeting at 10:13 pm. The motion carried 5-0.

Respectfully submitted,  
Michaela Miteva, Executive Assistant

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<sup>1</sup> Andrew Koch recommendation to transfer shellfish grant licenses #737, #821 and #821A from Robert Wallace to Robert Wallace and John S. Wallace; and to renew shellfish grant licenses #737, #821 and #821A for a ten year period.

<sup>2</sup> Town Administrator's Memo on Marina Enterprise Fund Financial Operations dated June 20, 2014

<sup>3</sup> Baker Field Restroom project; Review of Design Study of May 28, 2014; Revised June 13, 16 & 18, 2014

<sup>4</sup> Use of Town Property Recommendations dated June 18, 2014

<sup>5</sup> Contract Approvals Memo for June 24, 2014 meeting dated June 20, 2014

<sup>6</sup> Proposed Job Description for Assistant Town Administrator

<sup>7</sup> Town Administrators Report of June 24, 2014

<sup>8</sup> Correspondence Report June 11 to June 24, 2014

<sup>9</sup> Vacancy Report of June 20, 2014

<sup>10</sup> Minutes of May 13, 2014, May 27, 2014 and June 10, 2014