



**Wellfleet Board of Selectmen
Minutes of March 15, 2016
Wellfleet Senior Center**

Present: Selectmen Paul Pilcher, Dennis Murphy, Helen Miranda Wilson; Berta Bruinooge, Jerry Houk; Town Administrator Harry Sarkis Terkanian and Assistant Town Administrator Brian Carlson

Regrets: Paul Pilcher

Vice-Chairman Dennis Murphy called the meeting to order at 7:00 pm.

Announcements, Open Session and Public Comment

- Curt Felix presented the Town with \$57,000 Proud Pour award for the Oyster Project.

Future Concerns

- Wilson announced that the Board should consider a presentation on the status of the fishery and diseases in the Harbor sometime after Town Meeting.

Public Hearing(s) [7:05]

Murphy opened the public hearings at 7:05 pm

Public Hearing on the Adoption of Food Truck Regulations

Assistant Town Administrator Brian Carlson presented the revised draft of the proposed food truck regulations and went over the changes. Discussion ensued about the hours of operation and the April 15 deadline for applying for a food truck permit. Community Services Director Suzanne Grout Thomas suggested adding additional language for applications received after the deadline. Planning Board members Janet Reinhart and Janet Morrissey explained that the Planning Board thought that there may be instances where a food truck may want to come for event or other occasion that was not known before the April 15 deadline, and this was the reason for the additional language proposed by the Planning Board. Wilson clarified that the April 15 deadline is appropriate.

MOTION 215-487: Wilson moved to strike the application deadline sentence. Bruinooge seconded but agreed to address the location change separately. Terkanian suggested trying it out and see how it works. Wilson disagreed. The motion passed 3-0.

Wilson had concerns about licensing board delegating authority to a third party, in this case the Town Administrator. She felt that this may open up a big problem and suggested taking this section out. Terkanian said it is up to the Board how to handle it, but did not see an issue with delegating it. Bruinooge said that it would be good to have an “escape clause” for occasions where an immediate action is needed and the Selectmen’s meeting is in couple of weeks, and supported the idea of leaving it in. Murphy agreed with Bruinooge. After all changes were addressed separately the Board discussed a fee for the food truck licensing. Wilson said that the State already charges a fee and proposed the Town to charge less than \$100. Terkanian explained that the charge for business license is \$50. Sam Bradford wanted to know if this fee

would apply to each SPAT vendor for OysterFest. The Board members discussed the options. Terkanian suggested adding an event blanket language. Wilson agreed that a section should be added to deal with short term events. Terkanian offered adding language to say “*Excluded from the operations of these regulations are events licensed by the Town at which the event organizers propose food trucks.*”

MOTION 215-488 Wilson moved and Bruinooge seconded to set the food truck license fee to be \$50. The motion passed 3-0.

The Selectmen unanimously voted to continue the hearing to March 22

Request from Wellfleet Harbor Seafood Co., Inc. dba Mac’s Shack, Mac Hay, Manager for an alteration of licensed premises to include outside dining, bar and waiting area.

Sam Bradford presented the request of Wellfleet Harbor Seafood Co., Inc. dba Mac’s Shack with Mac Hay, Manager for an alteration of licensed premises to include outside dining, bar and waiting area. Terkanian explained the need for the change to the description of the licensed premises is in order to conform the description to the areas where alcohol is served.

MOTION 215-489: Wilson moved to approve the request of Wellfleet Harbor Seafood Co., Inc. dba Mac’s Shack, Mac Hay, Manager for an alteration of licensed premises to include outside dining, bar and waiting area. Bruinooge seconded and the motion passed 3-0.

Business

Amendment of Transfer Station Fee Schedule

Terkanian explained the need for amendments of Transfer Station fee according to the memo¹ presented by the Health Agent.

MOTION 215-490: Bruinooge moved to approve the proposed Transfer Station fee schedule. Wilson seconded and the motion passed 3-0.

Discussion and approval of memorandums of understanding² with employee unions revising provisions governing the employee Sick Leave Bank Program

Assistant Town Administrator Brian Carlson explained the revised language for the Sick Leave Bank program. Wilson found two paragraphs redundant. Terkanian explained the difference. Wilson wanted to better understand the function of the Sick Bank Committee. Carlson went over the logistics and functions of the committee.

MOTION 215-491: Bruinooge moved to approve the Sick Leave Bank program memorandum of understanding. Wilson seconded and the motion passed 3-0.

2016 Annual Meeting and Annual Town Election warrant article placement and recommendations

Terkanian went over his memo³ with the latest changes to the 2016 Annual Town Meeting Warrant as reviewed by Town Counsel.

MOTION 215-492: Wilson moved and Bruinooge seconded to approve the snow plowing article as amended. The motion passed 3-0.

MOTION 215-493: Wilson moved to recommend Article II-17. Bruinooge seconded and the motion passed 3-0.

MOTION 215-494: Bruinooge moved and Murphy seconded to unplace completely and add additional language to Article 2. The motion passed 3-0.

MOTION 215-495: Wilson moved to unplace Article II-24. Bruinooge seconded and it passed 3-0.

MOTION 215-496: Wilson moved to place and recommend Article III-2. Bruinooge seconded and the motion passed 3-0.

MOTION 215-497: Wilson moved to place Article III-6 on the warrant as revised. Bruinooge seconded and it passed 3-0.

MOTION 215-498: Wilson moved and Bruinooge seconded to remove the age restriction language to servo on the COA Board out of Article III-8. The motion passed 3-0.

MOTION 215-499: Wilson moved and Bruinooge seconded to place and recommend Article III-10. The motion passed 3-0.

MOTION 215-500: Wilson moved and Bruinooge seconded to recommend article VI-1. The motion passed 3-0.

MOTION 215-501: Bruinooge moved and Wilson seconded to recommend VI-2. The motion passed 3-0.

Wilson suggested placing the petitioned articles earlier in the warrant to avoid what has happened at last year's Annual Town Meeting. Bruinooge disagreed for misplacing the articles, but said that Wilson can stand and re-organize the order of articles at Town Meeting. Terkanian explained the reasons behind the placement positions of the petitioned articles based on the contents of the articles.

MOTION 215-502: Bruinooge moved and Wilson seconded to not recommend Article V-4. The motion passed 3-0.

MOTION 215-503: Bruinooge moved and Wilson seconded to place and recommend VII-3. The motion passed 3-0.

Approval and execution of Police Station Designer Contract

\$305,000 as reviewed by Town Counsel and agreed by Kaestle Boos.

Minutes

MOTION 215-504: Bruinooge moved to approve the minutes⁴ of February 23, 2016 with amendments by Wilson. Wilson seconded and the motion passed 3-0.

MOTION 215-505: Bruinooge moved and Wilson seconded to approve the minutes⁵ of March 8, 2016. as corrected by Wilson. The motion passed 3-0.

Recess: 9:15 pm – 9:22 pm.

Executive session

In open session Murphy stated that the Board will convene in executive session, because discussing the below matters in open meeting may have detrimental effect and read the purpose of the executive session:

- A. To conduct strategy sessions in preparation for negotiations with nonunion personnel or to conduct contract negotiations with nonunion personnel (Police Chief and Police Lieutenant.)
- B. To conduct strategy sessions in preparation for negotiations with nonunion personnel (Permanent Fire Fighters and WEA Units A, B & C.)

MOTION 215-506: At 9:23 pm the Board convened in executive session with the option to go back in open session by a roll call vote where Bruinooge, Wilson and Murphy each said “Aye” for the above stated purposes and reasons.

The Board reconvened in Open Session at 9:41 pm.

Possible vote on approval of employment contracts with the police chief and police lieutenant.

MOTION 215-507: Bruinooge moved and Wilson seconded and to approve the employment contracts with the Police Chief and Police Lieutenant. The motion passed 3-0.

Adjournment

MOTION 215-508: Wilson moved and Bruinooge seconded to adjourn the public meeting at 9:43 pm. The motion passed 3-0.

Respectfully submitted,

Michaela Miteva, Executive Assistant

¹ Health Agent memo on proposed changes to the Transfer Station fee schedule

² MOU for the Sick Leave Bank Program

³ TA Memo on changes of the draft 2016 ATM & Election Warrant

⁴ Draft minutes of February 23, 2016

⁵ Draft minutes of March 8, 2016