



Board of Selectmen

The Wellfleet Board of Selectmen will hold a public meeting on Tuesday, March 15, 2016 at 7:00 p.m. at the Wellfleet Senior Center, 715 Old Kings Highway, Wellfleet, MA 02667. It is anticipated that the meeting will be recorded by the Town. Anyone else desiring to record the meeting may do so only after notifying the chair and may not interfere with the conduct of the meeting in doing so.

- I. **Announcements, Open Session and Public Comment [7:00]** *Note: Public comments must be brief. The Board will not deliberate or vote on any matter raised solely during Announcements & Public Comment.*
- II. **Public Hearing(s) [7:05]**
 - A. Public Hearing on the Adoption of Food Truck Regulations
 - B. 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.
- III. **Business**
 - A. Amendment of Transfer Station Fee [Board of Health]
 - B. Discussion and approval of memorandums of understanding with employee unions revising provisions governing the employee Sick Leave Bank Program. [ATA]
 - C. 2016 Annual Town Meeting and Annual Town Election warrant approval, article placement and recommendations. [TA]
 - D. Approval and execution of Police Station Designer Contract [TA]
- IV. **Future Concerns**
- V. **Minutes**
 - A. February 23, 2016
 - B. March 8, 2016
- VI. **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.) [TA]
 - B. To conduct strategy sessions in preparation for negotiations with nonunion personnel (Permanent Fire Fighters and WEA Units A, B & C.) [TA]
- VII. **Resume Open Session**
 - A. Possible vote on approval of employment contracts with the police chief and police lieutenant. [TA]
- VIII. **Adjournment**

TOWN OF WELLFLEET
PUBLIC HEARING

Notice is hereby given that the Wellfleet Board of Selectmen will hold a public hearing on Tuesday, March 15, 2016 at 7:05 p.m. in the Wellfleet Council on Aging, 715 Old Kings Highway, Wellfleet, to discuss and adopt Rules and Regulations regarding the operations of Food Trucks. Copies of the rules and regulations will be available in the Administration Office and on the Town of Wellfleet website at www.wellfleet-ma.gov.

WELLFLEET BOARD OF SELECTMEN

TOWN OF WELLFLEET
PUBLIC HEARING

In accordance with M.G.L. Chapter 138, notice is hereby given that a public hearing will be held on Tuesday, March 15, 2016 at 7:05 p.m. in the Wellfleet Council on Aging to consider the following:

- Application received February 22, 2016 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.

WELLFLEET BOARD OF SELECTMEN

BOS Regulations for the operation of Food Trucks.

TOWN OF WELLFLEET
COMMONWEALTH OF MASSACHUSETTS

RULES AND REGULATIONS REGARDING THE OPERATION OF FOOD TRUCKS



Effective:

Local Licensing Authority: Wellfleet Board of Selectmen

BOS Regulations for the operation of Food Trucks.

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Protocol for issuing a Food Truck License

The Town of Wellfleet, through the Board of Selectmen (the Board) and serving as the Licensing Board, regulates the retail sale of food or beverage from Food Trucks pursuant to Chapter 101 of the Massachusetts General Laws that governs so-called Hawkers, Peddlers and Transient Vendors. In addition, Food Truck Vendors (Mobile Food Vendors) are required to obtain a food service permit, pursuant to 105 CMR 590.000 State Sanitary Code – Minimum Sanitation Standards for Food Establishment and the Town Board of Health relevant regulations. For these purposes, a Mobile Food Vendor is defined as any person who travels from place to place upon public ways and dispenses food from a Food Truck. A Food Truck shall be defined as a readily movable trailer, cart or motorized wheeled vehicle, currently registered with the Mass Division of Motor Vehicles, designed and equipped to cook, prepare or serve food and shall include any food truck, food cart, canteen truck, catering truck, breakfast truck, lunch truck, lunch wagon, or any other mobile food vehicle.

Before granting a license to operate a Food Truck, the Board must determine if the public good requires it. In making this determination, the Board will consider the following:

- Traffic and pedestrian safety issues
- Impact on nearby parking, residences, and businesses
- Sanitation arrangements and conditions (Health Department Inspection and issuance of a permit shall be required)
- Noise, odors or other disruptions to the surrounding neighborhood
- Zoning compliance (Building Department signoff may be required)
- Fire safety (Fire Rescue Department sign off may be required)
- Hawkers and Peddlers license (obtained through the State and signed by the Police Department)
- Any other public safety issues, as identified by the Board of Selectmen
- The number of food trucks operating within the Town
- Previous issues with compliance or performance of the food truck vendor(s)

These regulations are intended to supplement and not usurp existing state law and regulations where applicable. Should these regulations conflict with state law or regulation, state law/regulation will control. In addition and where applicable, any Zoning Board of Appeals permit issued for private property or any contract entered into and authorized by the Town through a Request for Proposal public procurement process for use of public property for the operation of a Food Truck, shall supersede and have precedence over these regulations. At their discretion the Board of Selectmen may at any time cap the total number of Food Truck licenses issued.

The use and operation of a Food Truck is not regulated by the Zoning Bylaws of the Town. Rather, these regulations promulgated by the Board of Selectmen shall govern the use and operation of Food Truck activity within the Town of Wellfleet and shall use the following prequalifications:

BOS Regulations for the operation of Food Trucks.

Food Trucks shall adhere to the following guidance for the use and operation within the municipality.

- Central District: Allowed when permitted and conditioned by the Board of Selectmen.
- Residential 1 District: Prohibited.
- Residential 2 District: Allowed when permitted and conditioned by the Board of Selectmen.
- National Seashore Park District: Allowed only on Town Property when permitted and conditioned by the Board of Selectmen.
- Commercial District: Allowed when permitted and conditioned by the Board of Selectmen.
- Commercial 2 District: Allowed when permitted and conditioned by the Board of Selectmen.

Each application for use and operation of a Food Truck shall be permitted and conditioned on a case by case basis and according to these established regulations.

Application requirements and procedure:

Any person wishing to apply for a Food Truck License shall fully complete the application form supplied by the Town Administrator's office and follow the procedure below. Upon completion of the application review process, the applicant shall be scheduled for a public hearing before the Board of Selectmen.

In order to facilitate the process of issuing a Food Truck license applications shall be received no later than April 1 each year. A Food Truck license shall expire on December 31.

When determining whether to renew a Food Truck license, the Board of Selectmen will utilize the same criteria as set forth in these regulations. Renewal forms may be obtained from the Town Administrator's office and must update all previously filed statements and plans, as appropriate.

1. Submit completed Food Truck application with all approvals from Town Departments to the Principal Clerk in the Town Administrators Office with required fee.
2. The Town Administrators Office will schedule your application on an upcoming Board of Selectmen meeting agenda. This is a public hearing process and will require proper noticing in the newspaper.
3. The application will be heard by the Board of Selectmen and a decision rendered.
4. If approved, the permit will be issued by the Office of the Town Clerk.

Maintenance of order and decorum and cooperation with Town officials

Any person to whom a Food Truck License is issued under these regulations shall ensure that order and decorum is maintained in the licensed area and immediate vicinity at all times, and shall cooperate in every respect with town officials including, but not limited to, representatives of the Board of Selectmen, the Fire Rescue and Police Departments, the Building Department, the Health Department, Board of Health, and Town Administration. The licensed area including any vehicles shall be available at all times for inspection by said officials or any other department or official of the town so directed by the Board of Selectmen.

Operating requirements for Mobile Food Vendors

1. Licensees may only operate at specifically approved public or private locations (hereafter, the "licensed area"), at specifically approved times. If on Town property, Food Trucks shall be removed from the licensed area at the end of each day and are not permitted to remain in the licensed area over night. For private locations, the Licensee shall provide written evidence with their application of the property owner's approval for use of that area. The license does not confer a right to operate without the written permission of the property owner. Food Trucks hired for private parties on private property do not require a license from the Town of Wellfleet.
2. If operations are located on a Town owned property the Licensees shall provide evidence of comprehensive liability insurance in the amount of at least \$1 million (single claim), and listing the Town of Wellfleet as an additional named insured.
3. Licensees shall not be permitted to operate within 200 feet of a licensed common victualler establishment without their written permission. Such permission shall not be required in instances where the licensee and the common victualler establishment share common ownership. The 200 feet distance shall be measured as the Board of Selectmen or its designee shall reasonably determine.
4. Licensees shall not deploy any free-standing sign or flags unless specifically permitted by the Board of Selectmen and in compliance with local Zoning Bylaw. Applicability of Zoning Bylaw shall be determined by the Town Zoning Enforcement Officer.
5. Licensees shall not deploy tables or seating unless specifically permitted by the Board of Selectmen with permission from the Health Agent.
6. Food Trucks shall not be positioned so as to expose clients to vehicular traffic, or otherwise in an unsafe manner. Food Trucks shall be parked on a hardened area such as a parking lot or packed surface and shall not be permitted on lawns or on vegetation. Any directive by a Police Officer in this regard shall be immediately complied with.
7. Licensees shall make specific provisions for potable water, electricity, electric lighting if operated at night, collection and proper removal of recycling, trash and wastewater.

BOS Regulations for the operation of Food Trucks.

8. Licensees shall ensure that the licensed area is kept clean, neat and sanitary at all times. Reliance on the use of municipal trash receptacles is not permissible. Upon request, proof of proper trash and wastewater disposal shall be submitted to the Health Agent.
9. No licensee or employee of the licensee shall consume any alcoholic beverage or unlawful controlled substance during the 4 hours preceding and while on duty.
10. No licensee or employee of the licensee shall be permitted to smoke while working as per Food Code regulations.
11. Operations are permitted between the hours of 7:00 a.m. and dusk, but not later than 9:00 p.m., unless otherwise specified. This guidance supersedes the permissible hours of operation for Hawkers and Peddlers.
12. Licensees are required to obtain a Hawkers, Peddlers and Transient Vendors license for each manager/owner from the State of Massachusetts and signed by the Wellfleet Police Department. The state license must be current for the duration of the locally permitted and licensed operation. If at any time, the state license is revoked, suspended and/or not active the local license shall be void.
13. Licensees shall not be authorized to sell non-food novelty items, t-shirts, hats, toys, etc. A separate retail license must be obtained from the Licensing Authority to receive permission to sell non-food items.

Amending a Food Truck License

Licensees who want to amend their current Food Truck License shall make such a request in writing to the Town Administrator. Upon review by the Town Administrator or his/her designee a decision will be rendered within 14 days. If the amendment is required to be heard by the Board of Selectmen the request will be posted on the next available agenda.

Violation, suspension, revocation or modification of a Food Truck License

Any violation of these regulations will be subject to a fine of \$50 (1st offense), \$100 (2nd offense) or \$300 (3rd and subsequent offenses). In addition, any violation may result in the immediate suspension of the license or removal of the Mobile Food Vendor's Food Truck or other vehicle at the owner's expense. Each day shall constitute a separate offense and if the circumstances warrant it in the judgment of the Police Department or other enforcement officer, in which case such suspension shall be reviewed by the Board of Selectmen at its next available public meeting scheduled in accordance with open meeting law requirements. A licensee may appeal any fine to the Board of Selectmen.

The Board of Selectmen may suspend, revoke or modify a Food Truck License if, after a public hearing, the Board finds that these regulations have been violated.

BOS Regulations for the operation of Food Trucks.

Application Instructions

1. Fill-out and sign the application form and attachments. Applications are due by April 1st and shall expire on December 31st.
2. Include a detailed list of the intended locations for operation, including a sketch for each location showing how the mobile food vehicle is to be positioned. For each location also provide the proposed times of operation.
3. Obtain all applicable initial plan reviews and/or preliminary approvals from the Building, Health, Fire Rescue and Police Departments, and obtain Hawkers and Peddlers Licenses for each owner of a Food Truck from the Commonwealth of Massachusetts before application is submitted to the Town Administrator's office.
4. Deliver the completed and signed application form and attachments (e.g., list of intended locations for operation, tax certification, resumes, copies of Hawkers and Peddlers licenses, etc.), along with a payment for the application fee.
5. For private locations, the Licensee shall provide written evidence of the property owner's approval for use of that location. The license does not confer a right to operate without the written permission of the property owner.
6. The Board of Selectmen may require the authorization by the applicant(s) and their employee(s) to process a Personal Criminal Record Information (CORI) check and Sex Offender Registry Information (SORI) check through the Police Department.
7. After the application materials are received and reviewed for completeness, an interview will be scheduled with the Town Administrator or the TA's designee to discuss the applicant's plans for operation. The applicant will then be required to appear before the Board of Selectmen for a public hearing. Staff in the Selectmen's Office will notify the applicant by telephone of the date and time of the public hearing.
8. The Board of Selectmen reserves the right to defer action on the license application until all issues and concerns raised by the Board are addressed by the applicant to the Board's satisfaction; and the Board also reserves the right to deny approval if the applicant fails to meet the application requirements, or does not/cannot resolve the issues and concerns raised by the Board.
9. The Board of Selectmen shall only approve the application once the applicant has obtained all required Health Department, Building Department, Police Department and Fire Rescue Department final approvals (i.e., permits, reviews and/or inspections) before the Food Truck License will be issued. If the applicant fails to obtain a required approval at any point in the process, the issuance of the License will be withheld until the issue or problem is resolved to the satisfaction of the appropriate body.

BOS Regulations for the operation of Food Trucks.

Specific questions should be addressed to:

Selectmen's Office, Jeanne Maclauchlan, Principal Clerk, 508-349-0300
Building Department, Richard Stevens, Building Inspector, 508-349-0309
Health Department, Hillary Greenberg-Lemos, 508-349-0308
Fire Rescue Department, Theresa Townsend, Administrative Assistant, 508-349-3754
Police Department, Ron Fisette, Chief of Police, 508-349-3702

Date Applied:

Date Approved:

Date Issued:

Office Use Only	Fees Paid:	Tax Cert:	Resumes:	H&P Info:	Plan:	Interview:
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The undersigned hereby applies for a Food Truck License in accordance with the provisions of Town of Wellfleet Board of Selectmen Regulations.

(PLEASE TYPE OR PRINT CLEARLY)

Name of Applicant:

Date:

D.O.B:

Drivers. License Number:

Fed.ID #:

Business Address:

Home Address:

Business Telephone:

Cell Phone:

Name of Operation:

Plan Review and/or Preliminary Approval (Required for Approval)

Reviewing Department	Signature of Approving Authority	Date of Plan Review/Approval
Building Department:		
Health Department:		
Police Department		
Fire Department:		

BOS Regulations for the operation of Food Trucks.

PROVIDE THE FOLLOWING INFORMATION WITH RESPECT TO EACH LOCATION:

What will be the hours of operation?

Time(s) of Peak Customer Activity

Est. Number of Customers at Peak Time(s):

Est. Number of Employees at Peak Time(s):

What provisions have been made for trash, wastewater, potable water, electric and recycling?

LIST THE LOCATIONS WHERE THE MOBILE FOOD VEHICLE WILL BE DEPLOYED AND ATTACH A SKETCH OF HOW THE VEHICLE WILL BE POSITIONED AND OTHER DETAILS OF THE AREA TO BE LICENSED.

(Please provide a sketch for each location on a separate piece of paper.)

Location(s)

I the undersigned state that the information provided in this application, and associated attachments, is true and accurate to the best of my knowledge:

Signature:

Printed Name:

Date:

Note: No Food Truck License will be approved until the applicant addresses all issues and/or concerns to the satisfaction of the Board of Selectmen; and no Food Truck License will be issued until all required inspections have been conducted, permits granted, and final approvals given.

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FOR OFFICE USE ONLY

Final Permits/Approvals Granted (Required Before TFL will be Issued)

Approving Department	Yes	No	If "No," Reason Why	Date of Final Approval
Building Department:				
Health Department:				
Police Department:				
Fire Department:				

The Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
239 Causeway Street
Boston, MA 02114
www.mass.gov/abcc

RETAIL ALCOHOLIC BEVERAGES LICENSE APPLICATION
MONETARY TRANSMITTAL FORM

APPLICATION SHOULD BE COMPLETED ON-LINE, PRINTED, SIGNED, AND SUBMITTED TO THE LOCAL LICENSING AUTHORITY.

REVENUE CODE: RETA

CHECK PAYABLE TO ABCC OR COMMONWEALTH OF MA: \$200.00

(CHECK MUST DENOTE THE NAME OF THE LICENSEE CORPORATION, LLC, PARTNERSHIP, OR INDIVIDUAL)

CHECK NUMBER 35672

IF USED EPAY, CONFIRMATION NUMBER:

A.B.C.C. LICENSE NUMBER (IF AN EXISTING LICENSEE, CAN BE OBTAINED FROM THE CITY): 134800047

LICENSEE NAME: WELLFLEET HARBOR SEAFOOD COM, INC D/B/A MAC'S SHACK

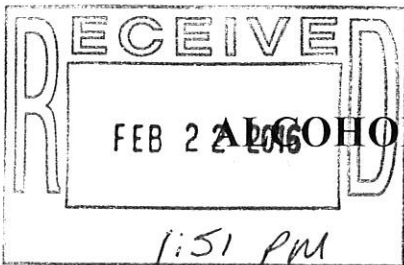
ADDRESS: 91 COMMERCIAL STREET / PO BOX 1768

CITY/TOWN: WELLFLEET STATE MA ZIP CODE 02667

TRANSACTION TYPE (Please check all relevant transactions):

- New License
- New Officer/Director
- Pledge of License
- Change Corporate Name
- Transfer of License
- Change of Location
- Pledge of Stock
- Seasonal to Annual
- Change of Manager
- Alteration of Licensed Premises
- Transfer of Stock
- Change of License Type
- Cordials/Liqueurs Permit
- New Stockholder
- Issuance of Stock
- Other
- 6-Day to 7-Day License
- Management/Operating Agreement
- Wine & Malt to All Alcohol

THE LOCAL LICENSING AUTHORITY MUST MAIL THIS TRANSMITTAL FORM ALONG WITH THE CHECK, COMPLETED APPLICATION, AND SUPPORTING DOCUMENTS TO:



ALCOHOLIC BEVERAGES CONTROL COMMISSION
P. O. BOX 3396
BOSTON, MA 02241-3396

The Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
239 Causeway Street
Boston, MA 02114
www.mass.gov/abcc

PETITION FOR CHANGE OF LICENSE

134800047

ABCC License Number

Wellfleet

City/Town

The licensee **Wellfleet Harbor Seafood Co, Inc dba Mac's Shack** respectfully petitions the Licensing Authorities to approve the following transactions:

- Change of Manager
- Pledge of License/Stock
- Change of Corporate Name/DBA
- Change of License Type (\$12 ONLY, e.g. "club" to "restaurant")
- Alteration of Premises
- Cordial & Liqueurs
- Change of Location

Change of Manager

Last-Approved Manager:

Requested New Manager:

Pledge of License /Stock

Loan Principal Amount: \$

Interest Rate:

Payment Term:

Lender:

Change of Corporate Name/DBA

Last-Approved Corporate Name/DBA:

Requested New Corporate Name/DBA:

Change of License Type

Last-Approved License Type:

Requested New License Type:

Alteration of Premises: (must fill out financial information form)

Description of Alteration:

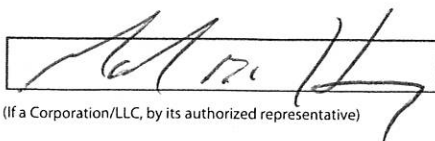
Two story 2500 square foot first floor has seating and kitchen. Second story is office and storage. 4 exits on first floor, 90 seat capacity, outside dining, bar, and waiting area approx 800 square feet.

Change of Location: (must fill out financial information form)

Last-Approved Location:

Requested New Location:

Signature of Licensee


(If a Corporation/LLC, by its authorized representative)

Date Signed

February 22, 2016

From: Scott Kaupin

Sent: Sunday, February 28, 2016 9:01 PM

To: Mac Hay

Subject: Liquor License Public Hearing

Mac,

Just a quick note to wish you good luck at the public hearing to be held on March 15th. I received your letter dated February 23rd regarding the alteration of the license to allow outside dining, bar and waiting area.

The Kaupins at 84 Commercial Street, Unit #5 fully support your efforts and thanks for being a very good neighbor.

We look forward to our visits to Mac's Shack once you reopen for the season!

Scott Kaupin
Enfield, CT

Memo

To: Board of Selectmen
From: Board of Health
Date: March 10, 2016
Re: Transfer Station Fee Recommendation

After consultation with Mark Vincent, DPW Director, the Board of Health voted to recommend an increase in the commercial refuse fee from \$80.00/ ton to \$125.00/ ton. The reasons are as follows:

1. \$80.00/ ton is low compared with the cost of disposing of MSW in PAYT bags.

Currently large PAYT bags hold about 25 lbs so 80 bags are required to hold a ton of MSW. At \$1.50 per bag, the cost per ton becomes \$125.00. Medium PAYT bags hold about 15 lbs so 133 bags are required to hold a ton of MSW. At \$1.00 per bag, the cost per ton becomes \$133.00. Small PAYT bags hold 10 lbs so 200 bags are required to hold a ton of MSW. At \$.50 per bag, the cost per ton becomes \$100.00

2. The new contract with ABC Disposal for MSW is effective September 1, 2016 and the rate to dispose of rubbish is going to increase from \$18.00/ ton to \$55.00/ ton.

**Town of Wellfleet
Board of Health
Schedule of Fees and Conditions for Solid Waste Disposal
at the Wellfleet Transfer Station
EFFECTIVE: TBD**

Residential Waste Disposal

- 1. Resident Vehicle Sticker
 - A. 1st vehicle.....\$25.00
 - B. 2nd vehicle.....\$10.00
 - C. 3rd vehicle.....\$35.00

Stickers are to be permanently affixed to the upper part of the exterior of the rearmost side window on the driver’s side of the vehicle, and allow unlimited entry for disposal of reasonable quantities of ordinary household waste from a single residence only. All waste must be in Wellfleet designated “Pay as You Throw” bags.

- 2. Pay As You Throw Bags
 - A. large (about 33 gallons).....\$1.50
 - B. medium (about 15 gallons).....\$1.00
 - C. small (about 8 gallons).....\$.50

- 3. One Time User Fee.....\$5.00/bag
Pay as You Throw bags not required however, there is a 35 gallon bag limit.

Commercial Waste Disposal

- 1. Commercial Business Vehicle Sticker
 - A. small vehicle (<1 ton).....\$65.00
 - B. large vehicle (>1 ton).....\$95.00

Disposal of waste from hotels, motels, cottage colonies, condominiums, restaurants, and commercial businesses requires a commercial business vehicle sticker.

- 2. Commercial Refuse Fee
 - A. waste in Pay as You Throw bags.....free
 - ~~B. waste not in Pay as You Throw bags.....\$80.00/ton~~
 - B. waste not in Pay as You Throw bags.....\$125.00/ton

Commercial Refuse Hauler

- 1. Commercial Refuse Hauler Vehicle Sticker.....\$95.00
- 2. Commercial Refuse Hauler Residential Refuse Fee.....\$30.00/ton

If waste is to be disposed of at the Wellfleet Transfer Station it is required to be in Wellfleet designated “Pay as You Throw” bags.

Construction and Demolition Disposal

1. Construction and Demolition Disposal Fee.....\$270.00/ton

Construction and demolition includes sheet rock, bricks, asphalt, shingles, windows, doors, and scrap lumber which is cut into six foot lengths.

Bulk Metal

1. Bulk Metal Disposal Fee.....\$40.00/ton

Special Fee Items

Appliances.....\$10.00 each
Carpets.....\$10.00 each
50 Gallon Drums.....\$5.00 each
Mattresses and Box Springs.....\$20.00 each
Petroleum Tanks-300 Gallons.....\$30.00 each
Propane Tanks- 20 lb Capacity.....\$3.00 each
Propane Tanks- >20 lb Capacity.....\$20.00 each
Sofas and Chairs.....\$10.00 each
Televisions and Computer Monitors.....\$10.00 each
Car Tires.....\$2.00 each
Water Tanks.....\$5.00 each
Other Bulky Items.....\$10.00 each

THERE WILL BE NO FEE FOR RECYCLABLE MATERIALS



DRAFT

**Wellfleet Board of Selectmen
Minutes of February 23, 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

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

Announcements, Open Session and Public Comment

- Houk reminded everyone that there are more tickets available for the March 7, 2016 Alzheimer's Association fundraising event at PB Boulangrie.
- Wilson announced a public meeting on March 2 4 pm dealing with proposed amendment to the restrict use of pesticides.

Licenses/Appointments/Reappointments/Use of Town Property

MOTION 215-448: Murphy moved and Wilson seconded to approve Common Victualler License for Blue Willow Fine Foods, Bocce Italian Grill, Bob Sub & Cone, Box Lunch, Flying Fish Café, Harbor Stage Company, Sunbird, and Wellfleet Town Pizza. Wilson asked if Sunbird is a food truck. Planning Board member Janet Reinhart explained that since it is a pre-existing it would not be affected by the coming regulations. The motion passed 5-0.

MOTION 215-449: Bruinooge moved and Murphy seconded to approve Weekday Entertainment License for Bocce Italian Grill and Flying Fish Café. The motion passed 5-0.

MOTION 215-450: Murphy moved and Bruinooge seconded to approve the Automatic Amusement License for Bob Sub & Cone. The motion passed 5-0.

Pilcher opened the Public Hearing(s) at 7:05 pm.

Amendment of fees of the Recreation Department (continued from February 9, 2016)

Community Services Director Suzanne Grout Thomas explained the background and justified the proposed fees for the Summer Recreation Program and said that the winter recreation activities would not be affected. She explained how the proposed fee changes will be implemented and how the application will be reformatted.

MOTION 215-451: Wilson moved and Bruinooge seconded to approve the proposed schedule of changes for the Recreation Department. The motion passed 5-0.

Appointment of a Full Time Police Officer

Police Chief requested the appointment of Officer Mark A. Broun as a Full Time Police Officer.

MOTION 215-452: Murphy moved and Wilson seconded to appoint Mark A. Braun from Special Police Officer to Full Time Police Officer from April 4, 2016 through April 3, 2017 with the condition as outlined in Police Chief's memo. The motion passed 5-0.

MOTION 215-453: Bruinooge moved and Wilson seconded to approve the request of Benjamin Libby to use the East platform of Mayo Beach for a wedding on October 1, 2016, 2 pm to 5:30 pm. Application fee paid; event fee due: \$100; the location should be specified with Suzanne. The motion passed 5-0.

Wellfleet Sprint Triathlon request for date change from June 11 to June 4, 2016

John Braden and Kathleen Walker explained the request for change of date based on a large competing event on the original date.

MOTION 215-454: Murphy moved and Bruinooge seconded to approve the request of WOMR/John Braden and Kathleen Walker to change the date for the Wellfleet Sprint Triathlon from June 11 to June 4, 2016; all other terms remain unchanged as approved with the original application on January 12, 2016. The motion passed 5-0.

Business

Cape Cod Mosquito Control Project – Review of Project operations and FY2017 Budget Request. Gabrielle Sakolsky, Assistant Superintendent of CCMCP gave background information about the CCMCP and answered questions about the FY17 budget request. Wilson wanted to know if the Green Head Flies are still under the activities of the organization. Sakolsky said that the Green Heads are a covered, but they have a separate budget. Wilson wanted to know what physical activity takes place to control the mosquitoes. Sakolsky explained the technical aspect and the logistics of the mosquito control activities. Wilson had questions on mosquito –born diseases. Sakolsky talked about West Nile Virus and referred to the Mass DPH for additional information. Murphy wanted to know what kind of impact the HRRC would have on the CCMCP activities. Sakolsky spoke favorably. Murphy thanked Sakolsky for the activities and efforts.

MOTION 215-455: Wilson moved and Bruinooge seconded to authorize the TA to sign and return the form approving the proposed CCMCP budget to the CCMCP. The motion passed 5-0.

Review and possible adoption of “White Ribbon” Proclamation.

Police Chief Fisetta read the White Ribbon Day Proclamation¹ and respectfully requested that the Selectmen to adopt it.

MOTION 215-456: Bruinooge moved and Wilson seconded to adopt White Ribbon Day during the week of March 3, 2016. The motion passed 5-0.

Review of February 10th Lower Cape Detectives Meeting

Wilson explained that the Lower Cape Detective Meeting is a joint group between Wellfleet, Truro and Provincetown. The members of the group meet to discuss current issues including opioid addiction and abuse. Wilson announced that the next meeting will be on April 13, 2016 at 5PM at the Wellfleet Fire Station and the meeting is open to the public.

Proposed correspondence to Representative Sarah Peake

The Proposed correspondence to Representative Sarah Peake for support of H. Bill 3947, Section 17A & Section 17G was deferred per Wilson’s request.

Review of Herring River Restoration Project plans for High Toss Road

Don Palladino, Chair of the Herring River Restoration Committee (HRRC) explained that High Toss Road in question is State Creek to Griffin Island. He wanted to make sure the public understands the scope of work and the use of the road and gave a brief presentation on the subject by going over four concepts/options A. Removal; B. Timber Walk; C & D various raised embankments/ bridges. He said that the public has been presented about the concept during public meeting on February 11. He showed about a minute time lapse video demonstrating the tidal cycle at the Road. He asked the Selectmen for direction and answered questions. Pilcher went over the four options and explained how the Board made a decision for Option A+ in June 2015. Wilson wanted to know at what point Griffin Island became land accessible. Jodi Birchall said that High Toss Road is one of the very few places to ride a

horse on beautiful trails. She did not oppose the HRRC project, but did not support the idea of limiting access of the road and said that the current Option A+ is not in compliance with the ADA. She said that the HRRC should look into a viable, safe and cost friendly option to provide access to the Island. Gail Ferguson agreed with Birchall. Bill Karnduff wanted to know why series of culverts cannot be installed to achieve the benefits of full water flow and still leave land access to High Toss Rd. Palladino answered that the current elevation of three feet will require additional territory going beyond the current rights-of-way and would require significant materials resulting in raising the scope and cost of the project. He also said that series of culverts will be more expensive than several bridges. Police Chief answered a question raised by Pilcher about emergency access to the area during high tide by saying that the situation will be similar to Lt. Island. Wilson read a message² from John Portnoy to the Board advocating removing all High Toss Road improvements. Dave Koontz agreed with the comments by Portnoy and supported the idea of not over- maintaining the area. Steve Curley said that the flow could be accommodated by equal mounts of openings under the road. Wilson said that there are other ways to access the beach over Bound Brook Island Rd, different trails and over Route 6. Birchall wanted to know if this decision should be made by Town vote. Barbara Austin wanted to know how long it would take to see the scenario presented on the time laps video. Palladino answered that full restoration could be 6 to 8 years in the future and the decision will be made by the combined executive body of Wellfleet, Truro and CCNS. Stephen Spear, member of the HRRC said that High Toss Rd comes fairly early in the process and the impact will be seen very soon after the dike is opened. Gary Joseph said that this question has been reviewed for many years and the ultimate goal is restoration of the salt marsh while trying to accommodate the public and said any kind of roadway will obstruct the water flow. Terkanian explained that discontinuing a way will require Town Meeting approval, but a decision for abandonment of a way means that the Selectmen decide to not maintain a way, which requires a specific process, but it under the purview of the Board of Selectmen. The Board was not ready make a decision and deferred action to a future meeting.

Vote to add election to fill unexpired term on Board of Selectmen (1 year) to 2016 ATE

Bruinooge recused herself from this discussion and left the room. Wilson read the motion³.

MOTION 215-457: Wilson moved and Murphy seconded that the 2016 Annual Town Election Warrant include the following office and term: One Selectman for one year.. The motion passed 4-0.

Bruinooge returned after the vote.

Local Housing Partnership request for warrant article proposing initiative petition for deeds excise tax on certain real property transfers – deferred per LHP request.

Proposed correspondence to Representative Sarah Peake on rooms tax initiative petition

MOTION 215-458: Wilson moved and Murphy seconded to approve the proposed correspondence⁴ on local rooms tax initiative to be sent to Rep. Peake. The motion passed 5-0.

Discussion of extension of the water system to Briar Lane and Outer Cape Health Services

Barbara Prazak, Medical Director of Outer Cape Health Services and Gary Walker, Owners Project Manager presented the needs of OCHS for a public water supply as introduced in their memo⁵ to the Board. Wilson wanted to know the reason for nitrates in the existing well and said that she and Water Commissioner Neil Gadwa did some research and found two wells that are directly in the flow of the existing well. According to their research there is a possibility of having adequate radius to comply with MassDEP. She suggested considering this option. Walker explained the intentions of OCHS to build a new building and the resulting complications. He assured that they have looked at many different possibilities with environmental engineers and architects before coming to the Board asking for a municipal water connection. Bruinooge wanted to know why the main cannot be brought from the

Fire Station. Pilcher said that based on the cost of the project all options need to be explored before the Selectmen are asked to vote on it. Stephen Polowczyk, Chairman of the Finance Committee said that this needs to be revisited. Barbara Prazak said that last year 17,000 unique patients have been served and talked about the benefits of OCHS. She asked for the Town's support in continuing to operate and improve services. Houk said that this issue is important, but the Board needs to explore all options. Murphy wanted to know if the Water Commissioners would like to survey the abutters on Briar Lane for level of interest. Justina Carlson, BWC Chair talked about the fact that the water system is a major public infrastructure. She said that the proposed financial model of betterments needs to be fair in order to be affordable. Terkanian explained how betterments would work. According to Wilson betterments may force people to connect even if they do not need municipal water. Polowczyk asked if the OCHS will be willing to subsidize the project. Carlson said that the proposed financial model represents modest increase in taxes. Terkanian summarized that there are three possible routes to bring the main to OCHS: 1. Coles Neck Rd – which has a 4-inch PVC pipe and lack of capacity; 2. School Street to Route 6 – no flow issues but very limited number of connections; 3. Briar Lane – would provide the best return on investment of the construction cost. Pilcher said that the most effective way to pay for the water system to go to OCHS should be identified. Wilson stressed the importance of finding if there is a good water source on site. Pilcher summarized the discussion. All four possibilities will be explored at the next meeting.

Discussion and possible approval of Food Truck Regulations

Assistant Town Administrator Brian Carlson said that the regulations are advertised for Public Hearing on March 15, 2016 and went over the updates since last time the Selectmen have seen the document. Wilson said that the submission deadline should be repeated in Paragraph 7 and wanted to make sure that the CORI requirement is cleared by Town Counsel. Murphy wanted to make sure the number of allowed food trucks is capped. The final review and possible approval will be after the Public Hearing.

Discussion and possible approval of the Personnel Manual

Terkanian went over the latest changes in the Personnel Manual⁶ as requested by the Selectmen and alerted them on the proposed Buy Back Sick Leave change.

MOTION 215-459: Wilson moved and Bruinooge seconded to approve the Personnel Manual with the elimination of the Buy Back Sick Leave provision. The motion passed 5-0.

Reduce the Alternative Energy Committee from the current 7 members to 5 at-large members

Carlson explained why the reduction in membership of the number of Energy Committee members is needed.

MOTION 215-460: Bruinooge moved and Murphy seconded to approve the request to reduce the Alternative Energy Committee aka Energy Committee membership from the current 7 members to 5 at-large members. The motion passed 5-0.

Continued discussion of FY 2017 operating, capital and enterprise budgets

Terkanian presented his revision of the FY17 Operating Budget and proposed alternatives on how to close the deficit gap. He went over his memo⁷ on the subject and presented the proposed solution to close the gap resulting to \$6,013 in surplus. He asked the Selectmen for guidance on how to proceed. Bruinooge found the proposed changes acceptable in order to balance the budget. Pilcher disagreed and said that the expenses are going up more than 2.5% and if the Town likes to continue to provide the same level of service the Town should face the reality. He talked about the importance of economic development. Houk agreed with Bruinooge and suggested staggering the restaurants closings. Wilson also agreed with Bruinooge and said that the presented cuts are appropriate. Bruinooge asked why two new cruisers are requested for next fiscal year and wanted to know if this could be reduced. Police

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Chief Fisette explained that every few years two cruisers are due for replacement. Murphy said that Terkanian has done an amazing job placing a band aid on the budget and recognized the fact that this is a may not be the case in the future and it is a short term solution to an ongoing problem.

MOTION 215-461: Bruinooge moved to accept the presented reductions and approve the FY 2017 Operating Budget with the reductions. Wilson seconded and the motion passed 4-1 [Pilcher].

Review of draft 2016 annual town meeting and annual town election warrant⁸

Terkanian went over the Ballot Questions individually. He said that no action is required at this time, but for March 8 the warrant will be in more final form and ballot questions and warrant articles should be placed and possibly recommended. He went over the proposed articles individually and answered Selectmen's question. No action was taken by the Board.

Discussion and first read of proposed Organic Land Management Policy

Wilson said that she is working with Terkanian on the proposed Organic Land Management Policy. No action was taken by the Selectmen.

Town Administrator's Report⁹

Future Concerns

- Houk said that he had received several complaints about the property on the corner of Holbrook and Commercial Street. He suggested asking the Health Agent to write a letter to the Bank requesting to clean up and vacate the property.
- Terkanian talked about possible short meeting on March 1 to deal with the Police Station Designer Selection contract.
- Pilcher said that he will not be able to attend the March 15 meeting.

Correspondence¹⁰ and Vacancy¹¹ Report and Minutes

MOTION 215-462: Murphy moved and Wilson seconded to approve the minutes¹² of February 9, 2016 as amended by Wilson. The motion passed 5-0.

Executive session & Adjournment

Pilcher read the purpose of the executive session: To conduct strategy sessions in preparation for negotiations with nonunion personnel (Fire Chief).

MOTION 215-463: Pilcher moved and Murphy seconded to adjourn the public meeting at 10:15 pm. The motion passed 5-0.

Respectfully submitted,

Michaela Miteva, Executive Assistant

¹ White Ribbon Day Proclamation

² Email from John Portnoy re High Toss Rd

³ Vote to add a 1-year Board of Selectmen term to the 2016 ATE

⁴ Proposed correspondence to Representative Sarah Peake on rooms tax initiative petition

⁵ OCHS memo to the BOS for municipal water source

⁶ Proposed final draft of the Personnel Manual

⁷ TA memo on proposed changes to the FY17 Operating, Capital and Enterprise Funds budgets

⁸ Draft 2016 2/18/16ATM Warrant dated

⁹ TA Report dated February 19, 2016

¹⁰ Correspondence Report of February 19, 2016

¹¹ Vacancy Report of February 23, 2016

¹² Draft minutes of February 9, 2016



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**Wellfleet Board of Selectmen
Minutes of March 8, 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

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

Announcements, Open Session and Public Comment

- Wilson announced that EverSource had sent a correspondence for pruning along the power lines.
- Wilson thanked Hannelore Vanderschmidt for her service on the Board of Water Commissioners.
- Houk said that the Alzheimer's Wine Tasting was a success and thanked everyone who attended the fundraising event.
- Gary Joseph from the Herring River Restoration Committee assured the Board that the project is advancing slowly and the Selectmen will be asked to make a decision in the near future and said that he is available for any questions.
- Fred Richard requested that the water quality should be checked and monitored while the Herring River restoration project goes forward in order to protect the shellfish industry.

Public Hearing(s) [7:05]

Barbara Boone, Manager of Chequessett Yacht and Country Club explained why the need for the liquor license alteration is needed as requested by the State ABCC request. Terkanian clarified that there is a need to amend the description of the premises of the existing liquor license and to approve a new liquor license for the boat house. Wilson asked for clarification about the entire golf course being included as licensed premises. Houk wanted to know why the ABCC did not contact the Town. The Selectmen decided to postpone decision on altering the liquor license to include the entire premises until more information is provided.

Chequessett Yacht and Country Club request for liquor license alteration and boat house license
MOTION 215-464: Bruinooge moved and Wilson seconded to continue the hearing on 680 Chequessett Yacht and County Club for alteration to March 22 and to approve the request of Barbara Boone, Manager of Chequessett Yacht and Country Club for a new seasonal liquor license at the Boathouse located at 675 Chequessett Neck Road. The motion passed 5-0.

Flying Fish Café request for liquor license alteration

Attorney Ben Zehnder presented the request of the Flying Fish Café for an alteration

MOTION 215-465: Houk moved and Murphy seconded to approve the request of Sarah Robin, Manager of Flying Fish Café for an alteration of licensed premises to include the outdoor deck/patio area. The motion passed 5-0.

Shellfish Grant Licenses

There were no recommendations provided by the Shellfish Constable for the requested shellfish grant licenses renewals and transfer. Pilcher preferred to postpone decision until a recommendation is provided. Wilson asked the applicants if they are domiciled in Wellfleet and they answered in the affirmative.

MOTION 215-466: Wilson moved and Bruinooge seconded to approve the request of Fred and Rose Richard for license #892 and Jeffrey Cox for license #862 to renew for 10 year period; The motion passed 4-1 [Pilcher]

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MOTION 215-467: Houk moved and Murphy seconded to approve the requests of James Gray for shellfish grant license #7312 to renew for 5 year period and Jim O'Connell to transfer shellfish grant license #2000-6 from James O'Connell to James O'Connell and Nick Sirucek. The motion passed 4-1 [Pilcher].

Amendment of Beach Department Fees

Community Services Director Suzanne Grout Thomas presented the proposed amendments to the Beach Department fees and explained that this is as a result of a renewal of the current 5-year plan.

MOTION 215-468: Murphy moved and Wilson seconded to approve the proposed amendments to the Beach Department fees. The motion passed 5-0.

Appointments/Reappointments

Heather Pilchard presented her interest to serve on the Recycling Committee.

MOTION 215-469: Wilson moved and Pilcher seconded to appoint Heather Pilchard to Recycling Committee with term ending June 30, 2018. The motion passed 5-0.

MOTION 215-470: Houk moved and Murphy seconded to appoint Jay Horowitz to Local Comprehensive Plan Working Group. The motion passed 5-0.

Judith Blau, Barnstable County Human Rights Commissioner supported the application of Eileen Golden to serve on the Barnstable County Human Rights Commission as Wellfleet Representative. Golden expressed her interest to serve on the Commission.

MOTION 215-471: Bruinooge moved and Houk seconded to appoint Eileen Golden to the Barnstable County Human Rights Commission with term ending June 30, 2018. The motion passed 5-0.

Use of Town Property

WesFest on Baker Field on May 28, 2016

Kathryn Kimec presented the WES PTA request to use Baker Field for WesFest on May 28.

MOTION 215-472: Bruinooge moved and Houk seconded to approve the WES PTA request to use Baker Field on May 28, 7 AM-4 PM for WES Fest; \$20 application fee paid; use fee waived; subject to the conditions as presented by department heads on the request form. The motion passed 5-0.

Peter Panagiotis to use White Crest Beach on July 23 and August 20 for surfing competition

Community Services Director Thomas gave background information about this event in the past.

MOTION 215-473: Pilcher moved and Murphy seconded to approve the request of Peter Panagiotis to use White Crest Beach on July 23 & August 20. 11 AM-4 PM for surfing competition; \$20 application fee paid, use fee \$100 per event with the conditions as set by department heads on the application form. The motion passed 5-0.

American Legion to use Town Hall front lawn for Memorial Service on May 30

MOTION 215-474: Houk moved and Wilson seconded to approve the request of American Legion to use Town Hall front lawn for Memorial Service on May 30, 8:30-10:30 AM; \$20 application fee paid; use fee waived; the motion passed 5-0.

Ragnar Events to add small section of Old Kings Highway in addition to the original route

Police Chief Fisette recommended going over Long Pond Road instead of Old Kings Highway. A representative of Ragnar Events was present and agreed to the proposed change.

MOTION 215-475: Bruinooge moved and Wilson seconded to approve change of route to use Long Pond Road to Lawrence Road of Ragnar Events for the May 14 Running Relay; original application approved on January 26 with \$500 event fee and conditions of use. The motion passed 5-0.

Assembly of Delegates report

Ned Hitchcock gave a report on the Assembly of Delegates¹. He shared his intention to resign from the Assembly of Delegates and explained the process of the resignation and the new appointment. He talked about the activities of the Assembly of Delegates and gave a brief history of previous fiscal years and the current budget process for the next fiscal year. No action was taken by the Selectmen.

Continued discussion of extension of water system to Briar Lane and Outer Cape Health Services

Gary Walker, OCHS Owners Project Manager handed a report² for the need of public water supply at Outer Cape Health Services. He went over the process of investigation alternative sustainable water source and the challenges due to wetland habitat and water quality tests and asked that the Town proceeds with the Town Meeting articles to enable the feasibility of the Outer Cape Health Services expansion. Wilson had a question about the viability of a deep well test. Walker shared the challenges of the deep water well testing. Wilson encouraged Walker to proceed with the test. Walker explained why this may not be possible because of the small radius of the area and the uncertainty if Mass DEP will even allow and consider it. Pilcher wanted to know if there are any engineering estimates. Terkanian went over rough estimates presented by EPG and assumed that 40% of the engineering estimate would be for engineering services during the design and bidding phases. Pilcher wanted to know how the OCHS would be affected if the Town does not proceed with the request. Walker said that this would delay the entire process. Murphy wanted to know if OCHS would be willing to support the expansion and said that a letter of commitment would be appropriate. Discussion ensued. Justina Carlson said that the Briar Lane expansion has always been part of the Water System Master Plan and it has been the next priority of the Water Commissioners and spoke about the public benefits aspect and fire protection of town water. Fire Chief Pauley affirmed the many benefits of the municipal water supply. Wilson said that she supports OCHS, but did not find the need to expand the water main just for this. Pilcher asked Terkanian for guidance of what is needed from the Board at this meeting. Terkanian explained that there are three possible routes to bring the water main to OCHS, and went over the alternatives as presented in the packet³. He recommended Option 2 – via Briar Lane as the most cost effective route to do so. Terkanian said that he would prefer to have engineering services procurement done before Town Meeting. Bruinooge had a question about the drainage and paving cost of the project. Houk wanted to know why the Town should pay for supplying Moby Dicks with water. Pilcher supported the idea to appropriate funds in the warrant for engineering study. Wilson agreed that betterments are the most logical way to go, but did not support the idea of betterments and said that the water quality in Town is good and there is no need for further water expansions. Daniel Silverman said that OCHS is the largest employer and health care provider in Town and said that the financial model of the WMWS is broken, but provides essential function of the government. He said that the voters should be given the opportunity to decide the future and vote for municipal water. John Morrissey wanted to know if appropriated engineering funds would have to be spent or could they be retained if not needed. Terkanian asked Walker what the consequences would be to delay decision until Fall STM. Walker said that the whole project will be on hold for six months if there is no progress on sustainable water source. Lilli Greene wanted to know if there could be a provision for spending the money only if OCHS is not able to identify on-site water supply. Greene wanted to also find out how the water table flows. Wilson referred to USGS study about the water flow in Town. Pilcher said that OCHS should come to the Board with a progress report after the on-site water quality test results are available.

MOTION: Pilcher moved to select as preferred alternative the Briar Lane scenario and approve placing in the 2016 ATM warrant appropriation request for engineering study funds contingent on disbursing the

money only after confirmation from OCHS that there is no other viable water source. Houk seconded. Further discussion ensued. The motion passed 4-1 [Wilson].

Barnstable County Substance Abuse Council report

Dennis Cunningham gave a report on the Barnstable County Substance Abuse Council and passed around handouts⁴. He talked about the urgent substance abuse situation on the entire Cape and gave statistics. He said that there should be a coalition on the Lower Cape to address these issues and read a proposal and asked the Selectmen to consider it. Murphy said that for the past six months Wellfleet has been in collaboration meeting with Truro and Provincetown for the exact same subject. He said that the Towns on the Lower Cape have been making progress and credited Fisette for taking the lead on this. Police Chief Fisette said that there will be a meeting on April 13 at 5 PM at the Wellfleet Fire Station to discuss and advance this matter and said that the public is invited. Sheila Lyons applauded Dennis for his lead and encouraged the Selectmen to invite some people that have been involved with this and further the progress. She emphasized that the assessment of the community shows that there is an epidemic of substance abuse addiction. The discussion concluded with no action taken by the Selectmen.

MOTION 215-476: Wilson moved and Murphy seconded to approve the tax bill insert for the Local Comprehensive Plan Survey. The motion passed 5-0.

MOTION 215-477: Wilson moved and Bruinooge seconded to approve the tax bill insert for the Senior Citizens and Veterans Tax Work-Off Program. The motion passed 5-0.

Recess 8:45 pm – 8:50 pm.

Insert proposed Zoning Bylaw changes into 2016 Annual Town Meeting Warrant.

MOTION 215-478: Murphy moved and Wilson seconded to refer the proposed zoning bylaw change for articles V-1, V-2 and V-3 to the Planning Board. The motion passed 5-0.

MOTION 215-479: Murphy moved and Bruinooge seconded to approve the Police Station Building Committee Charge. The motion passed 5-0.

MOTION 215-480: Bruinooge moved and Wilson seconded to award the contract for police station design to Kastle Boos Associates subject to agreement as to contract terms. The motion passed 5-0.

MOTION 215-481: Houk moved and Murphy seconded to appoint members of the Building and Needs Assessment Committee ex-officio, Ronald Fisette as Police Department representative, Davis Walters as Department of Public Works representative, Michael Hurley as Police Department alternate, Mark Vincent as Department of Public Works alternate and the Town Administrator ex-officio without vote to the Police Station Building Committee. The motion passed 5-0.. The motion passed 5-0.

Approval of employment contract with the Fire Chief

MOTION 215-482: Murphy moved and Wilson seconded to approve the contract with the Fire Chief. The motion passed 5-0.

Review and approval of the FY 2017 Marina and Water Enterprise funds budgets.

MOTION 215-483: Murphy moved and Bruinooge seconded to recommend the Marina Enterprise Fund Budget. The motion passed 5-0.

MOTION 215-484: Wilson moved and Bruinooge seconded to recommend the Water Enterprise Fund Budget. The motion passed 5-0.

Review of draft 2016 annual town meeting and annual town election warrant including placement of articles and recommendations

The Selectmen reviewed each ballot question and warrant articles and offered motions to place and/or recommend, or reserve recommendation to town meeting according to the attached motions list⁵ made part of the public record documents of these meeting minutes.

Town Administrator's Report

Terkanian added to his report:

- The Police Station Renovation designer selection contract will be final for March 15 meeting.
- Beach and Baker Field Concessions are due at the end of April.
- 2015 Annual Town Report is in final proofing.
- Dredging Project - Sarah Peake's Office called today to inform that Secretary Beaton has expressed interest in the project and is looking for status update.
- Rep. Sarah Peake has scheduled a Room Occupancy Tax meeting on March 30, 2016 in Boston.
- Terkanian is working on updating the list of Special Municipal Employees.
- There is a need for appointing a new parking hearing officer, because Beth Berrio does not wish to be reappointed.
- The DPW vacancy for Lead Equipment Operator resulting from the appointment of Warren Silva as mechanic will be filled internally by promoting Kevin McCarthy to the position; Once McCarthy assumes the LEO position, this will create a vacancy at the Transfer Station.

Future Concerns

- Pilcher - Herring River Restoration Project will be on the Agenda for March 22.
- Pilcher – Housing Authority CDBG repaid loan funds reuse will be on the Agenda for March 22.
- Wilson – Food Truck Owners should be notified about the public hearing on March 15. Assistant Town Administrator Carlson confirmed that they had been informed.
- Houk – Requested and update on the status of the response to the Health agent about the foreclosed property on the corner of Holbrook and Commercial Street. Enforcement order was sent to the property owner on March 3, 2016.

Correspondence⁶ and Vacancy⁷ Report

Adjournment

MOTION 215-448: Wilson moved and Murphy seconded to adjourn the public meeting at 10:20 pm. The motion passed 5-0.

Respectfully submitted,

Michaela Miteva, Executive Assistant

¹ Assembly of Delegates report by Ned Hitchcock dated March 8, 2016

² OCHS report to the BOS for need of municipal water supply

³ OCHS scenarios of alternative to get municipal water

⁴ Barnstable County Substance Abuse Council reports

⁵ List motions for placing and or recommending 2016 ATM warrant articles and ballot questions

⁶ Correspondence report of March 8, 2016

⁷ Vacancy report of March 3, 2016

Ballot Questions

Question	Move and Second	Vote	
1	Bruinooge, Houk	5-0	Majority - MGL c. 59 s. 21C(g) & (h)
2	Pilcher, Murphy	2-1-2	Majority - MGL c. 59 s. 21C(g) & (h)
3	Murphy, Bruinooge	5-0	2/3 - MGL c. 59 s. 21C(i1/2), (j) & (k)
4	Bruinooge, Pilcher	5-0	2/3 - MGL c. 59 s. 21C(i1/2), (j) & (k)
5	Bruinooge, Wilson	5-0	2/3 - MGL c. 59 s. 21C(i1/2), (j) & (k)

Articles: (In the order in which they appear in the draft)

Draft #	Proposed Final #	Move and Second	Place	Recommend	Not Recommend	Reserve to TM
Section I - Budget						
I-1	1	Wilson, Murphy	5-0	5-0		
I-2	2	Murphy, Wilson	5-0			5-0
I-3	3	Houk, Bruinooge	5-0	5-0		
I-4	4	Pilcher, Bruinooge	5-0	5-0		
I-5	5	Murphy, Bruinooge	5-0	5-0		
Section II - Financial						
II-1	6	Wilson, Murphy	5-0			5-0
II-2	7	Wilson, Murphy	5-0			5-0
II-3	8	Wilson, Murphy	5-0			5-0
II-4	9	Wilson, Murphy	5-0			5-0
II-5	10	Wilson, Murphy	5-0			5-0
II-6	11	Wilson, Murphy	5-0			5-0
II-7	12	Wilson, Murphy	5-0			5-0
II-8	13	Bruinooge, Pilcher	5-0	5-0		
II-9	14	Wilson, Murphy	5-0	5-0		
II-10	15	Bruinooge, Houk	5-0	5-0		
II-11	16	Bruinooge, Houk	5-0	5-0		
II-12	17	Houk, Murphy	5-0	5-0		
II-13	18	Murphy, Bruinooge	5-0	5-0		
II-15	19	Pilcher, Bruinooge	5-0	5-0		
II-16	20	Wilson, Murphy	5-0			hold
II-17	21	Houk, Murphy	5-0			hold
II-18	22	Wilson, Bruinooge	5-0	5-0		
II-19	23	Bruinooge, Pilcher	5-0	5-0		
II-20	24	Bruinooge, Murphy	5-0	5-0		
II-22	25	Murphy, Bruinooge	5-0	5-0		
II-23	26	Wilson, Bruinooge	5-0	5-0		
II-25	27	Murphy, Pilcher	5-0	5-0		
II-26	28	Pilcher, Murphy	4-1	4-1		
II-27	29	Houkold				hold
II-27A	30	Bruinooge, Murphy	5-0	5-0		
II-24	31					hold
II-28	32	Wilson, Murphy	5-0	5-0		
VII-1	33	Houk, Bruinooge	na	4-1		
Section III - Charter & General Bylaws & Statue Acceptance						

Draft #	Proposed Final #	Move and Second	Place	Recommend	Not Recommend	Reserve to TM
III-1	34	Murphy, Wilson	5-0	5-0		
III-7	35	Wilson, Murphy	5-0	5-0		
III-9	36	Murphy, Wilson	5-0	5-0		
III-2	37	Hold				hold
III-3	38	Bruinooge, Wilson	4-0-1	4-0-1		
III-4	39	Wilson, Murphy	4-0-1	4-0-1		
III-5	40	Wilson, Murphy	4-0-1	4-0-1		
III-6	41	Murphy, Pilcher	5-0	5-0		
III-8	42	Wilson, Murphy	5-0	5-0		
III-10	43	Pilcher, Wilson	5-0			hold
Section V - Zoning Bylaw Amendments						
V-1	44	Hold				hold
V-2	45	Bruinooge, Wilson	5-0	5-0		
V-3	46	Bruinooge, Murphy	5-0	5-0		
Section VI - Disposition of Town Property						
VI-1	47	Bruinooge, Pilcher	5-0	5-0		
VI-2	48	hold				hold
VI-3	49	Bruinooge, Wilson	5-0	5-0		
VI-4	50	na				hold
Section VIII - Other Articles						
VIII-1	51	Wilson, Murphy	5-0	5-0		
VIII-2	52	Bruinooge, Wilson	5-0	5-0		
Section IV - Standard Annual Articles						
IV-1	53	Pilcher, Bruinooge	5-0	5-0		
IV-2	54	Pilcher, Bruinooge	5-0	5-0		
IV-3	55	Pilcher, Bruinooge	5-0	5-0		
IV-4	56	Pilcher, Bruinooge	5-0	5-0		
Section IX - Closing Articles						
IX-1	57	Pilcher/Murph	5-0	5-0		
IX-2	58	Pilcher/Murph	5-0	5-0		