

**Wellfleet Board of Selectmen
Minutes of the Meeting of November 28, 2017
Wellfleet Senior Center 7:00 p.m.**

Present: Kathleen Bacon, Jerry Houk, Janet Reinhart, Helen Miranda Wilson; Town Administrator Dan Hoort

Regrets: Dennis Murphy

Vice-chair Reinhart called the meeting to order at 7:00 p.m.

ANNOUNCEMENTS

- Shelia Lyons commented on the need for greater awareness of the Wellfleet Forum and announced topics for the next two Wellfleet Forum meetings: December 4, 2017 - Discussion of Library and Outer Cape Health Services and December 11, 2017 - the Cape Cod Commission.
- Police Chief Ron Fisette urged people to participate in the ongoing holiday Toys for Tots program and the Stuff a Cruiser with Toys program on Sunday, December 3, 2017.
- Janet Reinhart commended the Chamber of Commerce for their *Annual Review and Report*.

PUBLIC HEARING

Vice-chair Reinhart opened the public hearing at 7:05 p.m.

Flying Fish Café Request for One Day Extension of Seasonal Liquor License¹

Sarah Robin explained her request for a one day extension of the seasonal liquor license for Flying Fish Café on December 9, 2017.

Wilson moved to approve an extension of the All Alcohol Seasonal Liquor license for the Flying Fish Café through December 9, 2017. Kathleen Bacon seconded, and the motion carried 4-0.

The public hearing closed at 7:08 p.m.

LICENSES²

Reinhart read the list of Common Victualler licenses. Wilson recused herself from voting on Moby Dick, which was then removed from the list for a separate vote.

Bacon moved to approve the following Common Victualler licenses, excluding Moby Dick's:

- Blackfish Variety
- Boathouse Fish Market
- Bob's Sub & Cone

- Bocce Italian Grill
- Box Lunch
- Catch of the Day
- Express Mart
- Hatch's Fish Market
- JB's Pizza Bar & Grill
- Mainstay Motor Inn
- Moby Dick's
- Pearl Restaurant
- PJ's Family Restaurant
- Seaberry Surf Gift Shop
- Van Rensselaer's
- Wellfleet Marketplace
- Winslow's Tavern

Wilson seconded, and the motion to approve the Common Victualler licenses carried 4-0.

Moby Dick's Common Victualler License

Bacon moved to approve Moby Dick's Common Victualler license. Jerry Houk seconded, and the motion carried 3-0, with Wilson recused.

Weekly Entertainment Licenses

Reinhart read the list of establishments seeking a Weekly Entertainment license. Wilson recommended that the restaurants be copied with the Town's Noise Bylaw.

Bacon moved to approve the Weekly Entertainment licenses for the following restaurants with the inclusion of the text of the Noise Bylaw with the licenses:

- Bocce Italian Grill
- Pearl Restaurant
- Van Rensselaer's

Wilson seconded, and the motion carried 4-0.

Automatic Amusement

Reinhart said Automatic Amusement licenses were being requested for Bob's Sub & Cone and the Southfleet Motor Inn.

Kathleen Bacon moved to approve the Automatic Amusement licenses for:

- Bob's Sub & Cone
- Southfleet Motor Inn

Wilson seconded, and the motion carried 4-0.

APPOINTMENTS/REAPPOINTMENTS

The Board postponed a decision for the appointment of Anabel Ressler, who was not present to discuss her interest in filling a vacancy on either the Planning Board or the Shellfish Advisory Board.

USE OF TOWN PROPERTY³

Use of Town Hall - Summer 2018 Book Fairs

Wilson moved to approve the request of the Friends of the Wellfleet Library to use the Town Hall east-side driveway for their Annual Book Sales from 7:00 a.m. to 2:30 p.m. on July 8, 2018 with a rain date of July 15, 2018, and on August 5, 2018 with a rain date of August 12, 2018.

The event fee is waived. Bacon seconded, and the motion carried 4-0.

Chamber of Commerce Holiday Tree Lighting and Sing-Along

Bob Morrill from the Chamber of Commerce explained the Tree Lighting Ceremony, which may be the last one for the present trees.

Bacon moved to approve the request of the Chamber of Commerce to use the lawn area in front of Town Hall for the Town 's Holiday Tree Lighting and Sing-Along on December 9, 2017, from 4:00 p.m. to 5:30 p.m. subject to the conditions listed on the application form with no event fee.

Wilson seconded, and the motion carried 4-0.

WOMR Wellfleet Sprint Triathlon Fundraiser

Kathleen Walker from the Wellfleet Sprint Triathlon explained who benefits from this annual event. Considering the Town services requested for the event, Bacon questioned the absence of an event fee. It was determined that the DPW is charging for services, and the trash pick-up will be the responsibility of the event organizers.

Wilson moved to approve the request of WOMR to use Long Pond, the grassy area around the pond and the parking lot, for the Wellfleet Sprint Triathlon fundraiser on Saturday, June 2, 2018, subject to the conditions as listed on the application form, with no event fee. WOMR shall provide proof of insurance and is responsible for a police detail, toilets and trash removal. Bacon seconded, and the motion carried 4-0.

BUSINESS***Police Building Renovations Update⁴***

The Building Needs Committee Chair Harry Terkanian, Police Chief Ron Fisette, Rick Pomroy of Pomroy Associates, and Todd Costa of Kaestle Boos Associates architectural firm presented a three-part update on the Police building renovation and contract amendments. Their presentation covered a budget update, a schedule update and extra architect services.

Mr. Pomroy began with a budget update, explaining contingency figures and change orders (COs) that they are requesting. He said they are underbudget at this time. Harry Terkanian said all problems in the old building have been uncovered. Now they would deal with anticipated work. No additional grants have been secured for the project at this time.

The project schedule, Mr. Pomroy, explained has met with challenges. The official start date was December 20, 2016 with a completion date of April 20, 2018. JJ Cardosi is now requesting an extension till June 4, 2018 because of delays, which caused fragmentation of the work. They anticipate getting the building fully enclosed during December. That will leave the interior work to be completed by Memorial Day, he said.

Harry Terkanian gave background on the conceptual architect's design with plans for a phased construction on site. This was changed so as to accommodate the Police Department in temporary units during construction. That meant there was an extra design element for the temporary quarters. Another change was for an elevator/lift, which also increased the architect's fee. There is also a budget increase because of the extended contract duration. Architect Todd Costa reviewed the process that Harry Terkanian had outlined. Harry Terkanian said there was an addendum to the bid to extend the contract. The Police Building Committee had unanimously approved the three adjustments to the architect's contract: additional services related to an elevator/lift appeal for \$24,800; the extension of the contract duration from 12 months to 16 months for \$21,600; and the temporary facility design and oversight for \$72,500.

When Wilson expressed her concerns about the roofing schedule, Mr. Pomroy explained there are two layers of waterproof material on the roof protecting it before the shingles are installed. He anticipated that the shingling would be completed by next week. The side-walling will begin in the next few weeks, he said. Interior materials are inside the building ready to be installed.

Bacon thanked Harry Terkanian for his work on the project and commended Mr. Pomroy and Mr. Costa for the integrity of their presentation of the work.

Bacon moved to approve the three amendments to the Kaestle Boos Associates Architectural Services contract as presented and recommend by the Police Building Committee.

Wilson seconded, and the motion carried 4-0.

Approval of Contract for Fiber Optics Expansion⁵

Town Administrator Dan Hoort explained the contract approval for an expansion of the fiber optic network to the Wellfleet Public Library, the DPW building and the Council on Aging building. Anyone along those routes would be able to hook up to the network at a low cost. He said he'd speak to the carriers about adding an antenna to the Municipal Water System's water tank for expanded internet service in town. Bacon suggested locating a cell tower for the network at the Town sandpit, instead of the water tower.

Members of the Board discussed whether the COA should be included in the plan. Dan Hoort said it might be possible to extend the network further along Old King's Highway if the COA was connected. Harry Terkanian said one benefit of wiring the COA building was to allow live streaming of meetings. He also offered his assistance for the entire fiber optic expansion effort.

Audience member David Crickets requested the total cost. Dan Hoort supplied a figure of \$86,775.

Bacon moved to authorize the Town Administrator to sign the contract for the expansion of the Open Cape fiber optic network to the Wellfleet Public Library, the Department of Public Works building and the Council on Aging building. Wilson seconded, and the motion carried 4-0.

Town Administrator Review

Dan Hoort suggested postponement of his performance review until the next meeting since Chair Dennis Murphy was absent.

Wilson moved to postpone the report of the Town Administrator's review to another meeting. Bacon seconded, and the motion carried 4-0.

Town Administrator's Report⁶

Dan Hoort said he has been getting the Budget prepared. He will be meeting with government representatives about the harbor dredging project. He explained that the Route 6 redesign conference call has led to plans to meet with the DOT to tell them a round-about, which the DOT is proposing, is not a workable solution for the Main Street-Route 6 intersection. Dan Hoort

discussed how out of state drivers do not know how to deal with a round-about. Bacon stressed that the solution needs to be resolved. Wilson said that one of the original intents for the redesign was to increase bicycle safety, which a round-about does not achieve. Bacon said she had witnessed the engineer spend only thirty-five minutes studying the intersection.

Wilson asked about the meeting with the proposed medical marijuana dispensary owners. She was concerned about that the process for opting for a local-hiring preference was being followed by the Town. Dan Hoort said the medical marijuana dispensary representatives will be back at the first meeting in December.

Topics for Future Discussion

Selectmen offered their suggestions for topics to discuss at a future meeting. Reinhart suggested a better communication system through once-a-year meetings with every board, committee and department. She also suggested forming a committee or task force for mapping plans for the Town for the next five to ten years. Assistant Town Administrator Brian Carlson said that the Local Comprehensive Plan Implementation Committee could do this. Wilson recommended better communications between committees as well.

Correspondence and Vacancy Report⁷

The Board received the Correspondence Report of November 15 through November 29, 2017.

Minutes

Wilson moved to approve the amended minutes of November 14, 2017. Kathleen Bacon seconded, and the motion carried 4-0.

Adjournment & Executive Session

There was a need to go into Executive Session to discuss collective bargaining with the Wellfleet Police Officers Union.

Reinhart moved to adjourn the public meeting and enter into Executive Session for the following reasons:

Pursuant to G.L. c. 30A, §21(a)(3), to discuss strategy with respect to collective bargaining and litigation if the Chair declares that an open meeting may have a detrimental effect on the Town's bargaining and litigating position, the Board will review the current collective bargaining status and strategy recommendations for the Wellfleet Police Officers Union, the regular meeting be

adjourned and the Selectmen enter into Executive Session. The Board will not reconvene in public session after the Executive Session.

Bacon, Reinhart, Wilson and Houk each said *aye*.

The regular meeting was adjourned at 8:30 p.m.

Respectfully submitted,

Mary Rogers, Secretary

Public Records Material for the Meeting of 11/28/17

- 1.) Flying Fish request for one-day extension of seasonal liquor license
- 2.) Licenses
- 3.) Use of Town Property request by Friends of the Public Library, Chamber of Commerce, and WOMR for Sprint Triathlon
- 4.) Police building renovation update
- 5.) Contract for fiber optics expansion
- 6.) Town Administrator's Report
- 7.) Correspondence Report of November 15-28, 2017