



**Wellfleet Board of Selectmen  
Minutes of the Meeting of October 28, 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 Comments**

Pilcher requested a moment of silence in honor of the memory of recently deceased resident Harry Peabody.

Town Administrator Harry Terkanian announced:

- FY15 tax bills have been mailed and the first half payment is due on December 1, 2014.
- There is a vacancy on the CCNS, and everyone interested is encouraged to submit an application. All volunteer opportunities are posted online under employment and on the BOS page.

Lydia Vivante, Chair of the Recycling Committee announced a Furniture Swap event scheduled for Saturday, November 1, 2014, 8:00 am – noon (rain date November 8, 2014).

Police Chief Ronald Fisette announced the availability of Code *Red* notification alerts to subscribers. The service is provided by the Barnstable County Sheriff's Department.

**CPA Needs Hearing**

Peter Hall, Community Preservation Committee Chair and Mary Rogers, CPC Coordinator opened the annual Community Preservation Act Needs Assessment hearing at 7:05 pm and presented the list of needs<sup>1</sup>. Peter Hall presented the list<sup>2</sup> of allowed categories. Discussion ensued. Topics addressed were on affordable housing; on a possibility of the harbor being designated as recreational area; on percentage of taxpayers contribution to the CPA fund versus State Funds allocated; The hearing closed at 7:15 pm.

**Informational hearing on Noise Bylaw and Noise Issues**

Pilcher opened the informational hearing on noise issues at 7:15 pm. He went over the rules of the informational hearing, and explained that no decisions will be taken after the hearing. According to the sign-up sheet about 20 people have signed the list expressing desire to speak during the hearing. Steve Durkee spoke first and presented his concerns on the increasing noise levels in Town. Rachel Brown and Sylvia Smith were next on the list, but deferred to speak later in the hearing. Jane Sharp expressed her concerns about the increasing noise levels and her issues with the amplification, not with local musicians. Jake Ketchum also spoke against the noise levels. Toni Gisone spoke in favor of the current noise by-laws. Jody Birchall also spoke in favor of the existing noise by-laws and the dangers of over-regulating the various noises that can disturb residents. Sylvia Smith spoke about the

different noises residents and visitors can encounter. Lydia Vivante gave an example of the Farmer's Market and its peaceful co-existence with the residents and businesses in Town. Dick Guernsey gave opinion on the standards of noise level and the distance and the need for calibrated measurement instruments. Nancy Rae agreed with the fact that noise levels have escalated over the years; she spoke about quality of life, health concerns and stress levels and real estate values. Rae asked the Selectmen for consideration to put measured number for noise levels. Fred and Jeremy Young of the Holden Inn said that they have never received any noise complains from neighboring properties. Tim Callis and Janet Reinhart spoke about turning the volume down, not banning music, and supported the need for feasible decibel regulations. Lilli Green expressed her concerns about unintended consequences due to increased noise levels. Allan Brasch also spoke in favor of the current by-laws but supported stricter enforcement of the regulations. Rachel Brown asked for a simple amendment of the current noise by-law in order to help police enforce it by determining measurable decibel levels. Selectman John Morrissey wanted to know if people had concerns about noise levels from Town events such as the square dance. Rachel Brown clarified that the issue is not with specific events, but with amplification. Bruinooge said if a noise ordinance will be enforced, then everyone will be effected – landscape companies, tree and construction workers, and everyone else exceeding the set decibel level. Frederick Young requested that next time businesses are to be discussed, they should be informed. Nancy Rae pointed that other communities exclude certain categories as exempt for excessive noise level enforcement and gave the Towns of Chatham, Harwich and Nantucket as examples. Bruinooge had concerns with this, since the by-law would not be general any more, but rather specific to include certain groups only. Pilcher closed the informational hearing at 8:30 pm and went over the several possibilities the Selectmen may choose at a future meeting to address the noise level subject:

1. Decide to change the current noise by-law by recommending an article for Town Meeting;
2. Decide that they are not interested to further discuss the issue of noise levels;
3. Have voters with noise level issues submit a petitioned article for the ATM Warrant.

### **Presentation of Police Department needs study and conceptual plan and cost estimate for renovation of the Police Facility by Kastle Boos, Architects**

Todd Costa from Kastle Boos Architects presented the feasibility study for the Wellfleet Police Station. He said that the building has a solid and sound structure, but some of the materials are past their life expectancy and have deteriorated. He spoke about safety and security concerns due to the accessibility and design of the building. Costa presented a proposed re-design of police station for estimated cost of \$5,435,000. Morrissey wanted to know if all furniture and equipment were calculated in the total cost. Terkanian announced that the preliminary assessment of the Police Station building is available online. Terkanian wanted to know more about the need for elevator. Costa explained that the presented cost estimate was the worst case scenario and the need for elevator might be eliminated, if the State does not require it. People from the audience had questions about energy efficiency and quality of the materials that will be used to re-hab the building. Tom Reinhardt wanted to find out the process of going forward. Terkanian went over the process and time line. Fisette specified that if it was decided to move forward the process will be transparent.

### **OysterFest post event discussion**

Terkanian presented the reports from Lt Hurley<sup>3</sup> and Fire Chief Richard Pauley<sup>4</sup>. Pilcher had questions on noise complaints and amount of alcohol consumed. Lt. Hurley spoke about safety measurements taken to keep the event under control and spoke about under aged drinking issues. Houk had concerns about a generator running 24-hours a day. Pilcher expressed gratitude on behalf of the Town for the safety efforts during 2014 OysterFest.

### **Discussion of nine month PAYT/SMART report**

Terkanian presented the nine month PAYT/SMART report<sup>5</sup>. Morrissey wanted to know how the dump sticker sales compared to prior to the implementation of PAYT/SMART. Terkanian said that no significant difference has been found so far. Bruinooge suggested simplifying the report. Terkanian offered to summarize it to a one-page executive summary in addition to the full report.

### **Requests for purchase of Town property: 1. Wetland behind Main Street & 2. Map 14, Parcel 154.1 – Holbrook Ave.; former railroad ROW**

Terkanian presented the request<sup>6</sup> of Beth Brehmer to purchase Town-owned wet land behind Main Street and recommended the Town to retain ownership of the property. Beth Brehmer spoke about her desire to purchase the property. Terkanian explained the process of selling Town Property.

**Motion: 15-094:** Pilcher moved to consider selling the wetland Town-owned property behind Main Street (Map 14, portion of Parcel 4) with a conservation easement. Bruinooge seconded and the motion passed 5-0.

Terkanian presented the request<sup>7</sup> of Barclay Resler and did not recommend the sale of Map 14, Parcel 154.1. Murphy spoke about the history of the granite stones on the property and suggested if the properly were to be sold; the stones should be removed and remain in possession of the Town.

**Motion: 15-095:** Murphy moved not to sell the Town-owned property known as Map 14, Parcel 154.1. Bruinooge seconded. The motion passed 5-0.

### **Discussion of bike and walkways committee recommendations**

Houk spoke about a letter received from the Bike and Walkways Committee recommendation on possible roads for bike and walkways. Terkanian gave a background on this matter. The Selectmen agreed to take the letter back to the Bike and Walkways Committee. Community Services Director Suzanne Grout Thomas spoke about Federal requirements that all newly developed roads require walkways under Chapter 90.

### **Employee holiday party**

Terkanian spoke about the request of employees to hold a Holiday party on December 16, 2014 from 1:00 pm – 3:30 pm. The Selectmen agreed to the requested date and time.

### **Request by TA for contract amendment re vacation carry over**

Terkanian presented his request to carry the reminder of his 2014 vacation days to 2015. Pilcher supported the request as a one time event.

**Motion: 15-094:** Pilcher moved to roll over the portion of Terkanian's unused vacation days from 2014 to 2015. Bruinooge seconded and the motion passed 5-0.

### **Town Administrator's Report**

Terkanian presented his report<sup>8</sup> of October 24, 2014 and added:

- Fire Chief is in the process of applying for three grants to replace SCBA, radios and engine equipment.

- Kendrick Ave – Chequessett Neck Rd intersection meeting with DPW and Police Chief. As a result of the joint meeting a yield sign was recommended.

### **Future Concerns**

- Terkanian requested to research noise by-laws from neighboring towns.

### **Correspondence<sup>9</sup> and Vacancy<sup>10</sup> Report**

Morrissey presented the correspondence report of October 28, 214.

**Motion: 15-096:** Murphy moved and Bruinooge seconded to approve the minutes<sup>11</sup> of October 14, 2014. The motion passed 5-0.

### **Adjournment**

**Motion: 15-097:** Bruinooge moved and Murphy seconded to adjourn the meeting at 9:19 pm. The motion passed 5-0.

Respectfully submitted,  
Michaela Miteva, Executive Assistant

### **Public Record Documents:**

<sup>1</sup> CPC Needs Assessment List

<sup>2</sup> CPC List of Allowed Categories

<sup>3</sup> Lt Michael Hurley's report for OysterFest 2014

<sup>4</sup> Fire Chief Richard Pauley's report for OysterFest 2014

<sup>5</sup> Nine month PAYT/SMART report

<sup>6</sup> Beth Brehmer's requests to purchase Town wetland behind Main Street lot

<sup>7</sup> Barclay Resler's request to purchase Town-owned property (Map 14, Parcel 154.1 – Holbrook Ave.; former railroad ROW

<sup>8</sup> TA Report of October 24, 2014

<sup>9</sup> Correspondence report of October 28, 2014

<sup>10</sup> Vacancy report of October 24, 2014

<sup>11</sup> Minutes of October 14, 2014