



**Wellfleet Board of Selectmen
Minutes of the Meeting of November 25, 2014
Wellfleet Senior Center, 7:00 p.m.**

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

Regrets: Paul Pilcher, Chairman

Vice Chairman Dennis Murphy called the meeting to order at 7:00 p.m.

Announcements, Open Session and Public Comment

Police Chief Ronald Fisette announced:

- The Wellfleet Police Department is once again participating in the charitable program “Toys for Tots” and toys for needy families will be collected until Sunday, December 14, 2014.
- Fisette attended Route 6 Safety Group meeting on November 20, 2014 with Representative Sarah Peake and Outer Cape Town Officials. Several possible options were discussed in order to resolve the increased traffic accidents occurrence in Wellfleet. More details will be announced when the options are finalized.

Licenses

Motion: 15-109: Houk moved and Morrissey seconded to approve the requests for Common Victualler License for Box Lunch, Catch of the Day, Even’ Tide Motel, Express Mart, Moby Dick’s, Van Rensselaer’s, Wellfleet Harbor Actor’s Theater, Winslow’s Tavern. The motion passed 4-0.

Motion: 15-110: Houk moved and Morrissey seconded to approve the requests for Weekday Entertainment License for Van Rensselaer’s, Wellfleet Harbor Actor’s Theater, Wellfleet Preservation Hall, Winslow’s Tavern. The motion passed 4-0.

Motion: 15-111: Houk moved and Morrissey seconded to approve the request for Sunday Entertainment License for Wellfleet Harbor Actor’s Theater. The motion passed 4-0.

Public Hearing(s)

Murphy opened the public hearing at 7:05 pm. Joseph Wanco, owner of Wander Inc, dba Lighthouse Restaurant spoke about his request to change from an Annual Liquor License to a Seasonal Liquor License. Morrissey had questions about the seasonal period of operation of the Lighthouse Restaurant if the request was granted. Wanco clarified that the restaurant will be open during the permissible time frame under the Seasonal Liquor License from April through November.

Motion: 15-112: Houk moved and Bruinooge seconded to approve the request of Wander, Inc dba Lighthouse Restaurant to change from an Annual Liquor License to a Seasonal Liquor License. The motion passed 4-0.

Betsy Pontius presented the request of John Pontius to close Finely JP's from December 7, 2014 through January 15, 2015.

Motion: 15-113: Houk moved and Bruinooge seconded to approve the request of John Pontius to close Finely JP's from December 7, 2014 through January 15, 2015. The motion passed 4-0.

Murphy closed the public hearing at 7:15 pm.

Appointments

Charles Thibodeau was present for interview and spoke about his desire to serve on the Recycling Committee.

Motion: 15-114: Houk moved and Morrissey seconded to appoint Charles Thibodeau to the Recycling Committee with term ending June 30, 2017. The motion passed 4-0.

Use of Town Property

Jennifer Pierce, President of the Wellfleet Chamber of Commerce presented the Chamber's request for tree lighting ceremony on December 13, 2014 from 3:30 pm to 5:30 pm.

Motion: 15-115: Bruinooge moved and Houk seconded to approve Wellfleet's Chamber of Commerce request for tree lighting ceremony on December 13, 2014 3:30 pm to 5:30 pm. The motion passed 4-0.

Discussion of beach fire permits and related issues

Bruinooge opened a continued discussion of beach fire permits and related issues. Community Services Director and Beach Administrator Suzanne Grout Thomas presented her recommendation¹ and suggested reducing the number of permits issued, changing the allowed hours for beach fires and possibly installing pre cast fire rings in order to designate specific locations for the bon fires. Discussion ensued. Bruinooge had concerns about the large number of beach fire permits being issued and the appearance of the beaches as result of it. Bruinooge supported the idea of reducing the number of permits being issued. Morrissey did not support reducing the number of beach fire permits, and suggested a financial model for charging a fee for beach fires permits to generate revenue that could be used to enforce compliance with the Beach Fire Rules and cover beach clean-up costs. Thomas explained that fees are currently not charged because of liability coverage concerns. People from the audience had concerns with the proposed time change of the beach fires and over regulation. Thomas asked the selectmen for guidance on how to proceed. The Selectmen directed Thomas to provide cost estimate on the proposed pre cast fire ring solution.

Conservation restriction on land off of Wireless Rd (Map 30, part of Lot 605)

Denny O'Connell from the Conservation Trust presented the proposed conservation restriction on land off of Wireless Rd (Map 30, part of Lot 605)² owned by William R. Carlson and Lonni Jean Briggs.

Motion: 15-116: Bruinooge moved and Morrissey seconded to approve the conservation restriction on land off of Wireless Rd (Map 30, part of lot 605) as presented. The motion passed 4-0.

Review of proposed Senior Housing Independent Living Survey

Elaine McIlroy, Library Director and Chair of the Wellfleet Housing Authority presented the proposed survey to measure the level of interest and need for independent affordable senior housing

and asked the Selectmen for approval to launch it. The selectmen did not have any objections and authorized McIlroy to go forward with the survey launching.

Cape Cod Mosquito Control Budget

Terkanian presented the proposed FY16 budget by the Cape Cod Mosquito Control³ and did not recommend it since it represented an increase of over 4%, which is not in compliance with Proposition 2 ½ and the Board of Selectmen FY16 Budget Policy.

Motion: 15-117: Bruinooge moved and Morrissey seconded to not support the proposed FY16 Cape Cod Mosquito Control budget and authorized Terkanian to send a response relating this decision. The motion passed 4-0.

Possible Annual Town Meeting Article – Local Rooms Tax

Terkanian gave a background on the Room Tax Special Legislation⁴ and possibly placing an article on Local Room Tax for the Annual Town Meeting in April 2015. Discussion ensued.

Motion: 15-118: Morrissey moved and Bruinooge seconded to place a Local Rooms Tax article on the 2015 Annual Town Meeting warrant. The motion passed 4-0.

Request of Jeanne Hamilton for letter supporting remediation of Route 6 median in Sandwich

Terkanian presented the proposed letter of support⁵ to Jean Hamilton seeking remediation of Route 6 in Sandwich as a result of the NStar tree cutting.

Motion: 15-119: Morrissey moved and Bruinooge seconded to send a letter to Jeanne Hamilton expressing their support for remediation of Route 6 median in Sandwich. The motion passed 4-0.

Discussion of Chamber of Commerce sign at the Marina

Murphy opened a discussion of the Chamber of Commerce sign at the Marina. Terkanian presented his memo on the Marina sign⁶ and said that the sign has not been taken down, because a solution on how to deal with the fact that the sign was placed without the Building's Inspector permission is yet to be identified. Attorney Bruce Bierhans, representing the Wellfleet Chamber of Commerce and Jennifer Pierce, President of the Wellfleet Chamber of Commerce were present to speak about the sign. Attorney Bierhans explained that the sign was partially paid for with grant money from the Town's economic development fund. He noted that the entire process was done in good faith and transparency, with the intentions to promote local businesses and Town's points of interest in efforts to facilitate economic development. Birehans also said that he had filed two appeals with the ZBA as a result of the Building Inspector's sign permit denial. He expressed the Chamber of Commerce willingness to work with the Selectmen and Town officials in the process of possibly re-locating the sign or coming up with an alternate solution. People from the public talked about their disapproval of the size and aesthetics of the sign. The Selectmen acknowledged that the intents behind the sign were good, but had concerns that the proper permitting process was not followed with the Building Inspector. Murphy had concerns about the sign's ownership and liability issues as result of the ownership status and wanted to know if the sign has been wind rated. He suggested removing the sign until all issues are cleared.

Motion: 15-120: Morrissey moved and Bruinooge seconded to direct the Town Administrator to have the DPW remove and store the sign pending a resolution of the issues. The motion passed 4-0.

Town Administrator's Report

Terkanian presented his report of November 21, 2014⁷ and added:

- Town Hall has been connected to Open Cape free public wireless network and within a week the existing Comcast internet accounts will be discontinued.
- FY16 budget presentations meetings with Department Heads have been completed.

Future Concerns

- Morrissey requested to invite Shellfish Constable Andy Koch regarding the equipment left on the shellfish flats.
- Bruinooge asked for the hiatus for a year on non commercial shellfish licenses to be considered again in order to restore shellfish growth.
- Houk requested review of the Building Inspector's position to possibly become a full time.

Correspondence⁸ and Vacancy Report⁹

Morrissey reviewed the correspondence report and mentioned a letter received from the Wellfleet Montessori Preschool regarding missing the deadline to apply for a Town grant. Terkanian clarified that despite several reminding letters sent by Suzanne Grout Thomas the Preschool had failed to apply and Thomas had allocated the funds to other organizations.

Minutes

Motion: 15-121: Bruinooge moved and Morrissey seconded to approve the minutes¹⁰ of November 12, 2014. The motion passed 4-0.

Adjournment into Executive Session

Murphy read the purpose of the executive session "*To consider the value of real property*" in open session. He stated that discussing this matter in public meeting may have a detrimental effect. The Selectmen Murphy, Houk, Bruinooge and Morrissey took a roll call vote by each saying "Aye" to close the public meeting and enter into executive session and not go back in public session.

The public meeting adjourned at 8:50 pm.

Respectfully submitted,
Michaela Miteva, Executive Assistant

Public Record Documents:

¹ Suzanne Grout Thomas recommendation on Beach Fire Regulations/policies dated November 17, 2014

² Proposed conservation restriction on land off of Wireless Rd (Map 30, part of Lot 605)

³ Proposed FY16 Cape Cod Mosquito Control Budget

⁴ Room Tax Special Legislation

⁵ BOS letter to Jeanne Hamilton supporting remediation of Route 6 in Sandwich

⁶ TA Memo on the Marina Sign dated November 20, 2014

⁷ TA report of November 21, 2014

⁸ Correspondence report of November 25, 2014

⁹ Vacancy report of November 21, 2014

¹⁰ Minutes of November 12, 2014