



**Wellfleet Board of Selectmen  
Minutes of February 24, 2015  
Wellfleet Senior Center**

**Present:** Selectmen Paul Pilcher, Chairman, Dennis Murphy, Berta Bruinooge, John Morrissey, Town Administrator Harry Sarkis Terkanian and Assistant Town Administrator Brian Carlson

**Regrets:** Jerry Houk

**Announcements, Open Session and Public Comment [7:00]**

Town Administrator Terkanian Announced:

- The Fire Department has a request from the community to help with shoveling fire hydrants
- Eversource, former NStar filed a Yearly Operating Plan, including vegetation management by spraying and trimming of the power lines throughout Wellfleet in 2015 and the public comment period expires on March 27, 2015.
- Coastal Living had nominated Wellfleet on of the Top 10 Happiest Seaside Towns in USA

Police Chief Ronald Fisette announced:

There may be State funds and possible reimbursement for cost associated with the January 26 Blizzard Juno; more to be known after Thursday's conference call

Nancy Rae on behalf of Friends of Wellfleet Library announced an invitation to attend an event at the Library on March 8, 2 pm-5 pm in recognition of retiring Library Director Elaine McIlroy and welcoming the new Library Director Jennifer Wertkins.

Beth Brehmer from the Recycling Committee announced volunteer opportunities at the Swap Shop.

Lilly Green announced an issue with CVEC Phase II Solar Energy projects and handed informational materials on the subject.

**Pilcher opened the Informational Public Hearing at 7:14 pm**

Pilcher explained the purpose of the informational hearing - to consider revision of Use of Town Property fees for nonprofit organizations and events that charge admission fees for using Town Property. He said that no decisions will be made during the informational hearing and set some basic rules of the hearing. Mac Hay, President of SPAT spoke first and expressed his disapproval of the proposed changes in Use of Town Property fees for nonprofits based on the fact that this change is specifically targeting and singling out OysterFest. Judith Stiles from the audience said that she is a vendor at OysterFest and merchant in Town and expressed her opinion against the proposed fee change and talked about the benefits of the event to the local artisans. Helen Miranda Wilson wanted to know what SPAT has done to the shellfish community. Michelle Insley, Directo of SPAT answered the question by listing various charitable activities and scholarships in support of the local shellfishing industry. Alfred Pickard proposed a parking fees program to raise funds this way. The Selectmen directed Community Director Suzanne Grout Thomas to come up with a proposal. Trudy Vermehen also spoke against the proposed fee schedule. Barbara Austin spoke in favor of SPAT and against the proposed fee. Mac Hay added comments on the economic impact of

OysterFest and said the Town should not make money out of nonprofit organizations. Nancy Civetta also spoke against the proposed fee change. Pilcher closed the public comments and opened it for discussion from the Board. Pilcher expressed his support to SPAT and their contribution to the Town and the community and said that he agrees that the Town does not have any business getting into finances of nonprofits, but the Town has the right to charge fees for use of Town property. Dennis Murphy agreed with Mac Hay about the benefits of OysterFest to the Town. He went back two years ago when the admission fee was first introduced under the argument to keep the amount of people under control. He proposed raising the admission fee by certain amount and giving this additional amount back to the Town, but said that he would not support charging fee to the individual vendors. Bruinooge spoke in favor of SPAT and OysterFest, but said that many citizens and residents are inconvenienced by the event and the Town is impacted for days before and after the event. She said that she is not in favor of charging a vendor fee, but supported the idea of some sort of payback to the Town. Mac Hay responded to the comments by the Selectmen and asked for a fair fee per day. Nancy Civetta asked the selectmen to not set a nonprofit precedent by changing the fee schedule. Picher closed the informational hearing at 7:52 pm.

### **Reappointments**

**MOTION 215-069:** Murphy moved and Bruinooge seconded to appoint Roger Putnam to Cape Cod Commission with term from April 25, 2015 to April 24, 2018. The motion passed 4-0.

### **FY14 Auditor's Report findings**

Richard Sullivan of Powers and Sullivan presented the FY14 Auditor's Report findings and talked about the auditing process. He expressed how pleased he is with the timely book closings at the end of the fiscal year. Sullivan talked about the Governmental Accounting Standards Board (GASB) 45 and Other Post Employment Benefits (OPEB) numbers in terms of liability. He gave a brief overview of how FY14 compared to FY13 and said that fiscally the Town has pretty much the same performance and is right on budget for revenue estimates. According to the Auditor's findings the real estate collections were in good shape at about 90%. Sullivan talked about the financial status of the two enterprise funds and acknowledged small losses, but said those are not unusual. In summary, Sullivan said that the report is healthy and gives clean opinion of the auditors and does not get better than this. Sullivan also went over the management letter and the recommendations and said that the Town should be satisfied with the auditor's reports. Murphy wanted to know if there is a point where free cash is considered overused. Sullivan explained that the bonding agencies want to see use of free cash for funding capital or one time events, not funding operating gaps, and in general free cash should be avoided to fund structural matters. Morrissey wanted to know about elements of risk for towns similar in size to Wellfleet and if the risk assessment is done internally or externally. Sullivan explained the elements of risk and fraud risk assessment and said that he can provide the Board with additional information.

### **Restoration of Indian Neck Area; proposed signage and closure of some driving paths.**

Trudy Vermehen, Chair of the Conservation Commission presented the ConsCom concerns for restoration of Indian Neck Area and the proposed signage and closure of some driving paths. Murphy wanted to know if funding for the closure is available. Vermehen said the CCNS has funds for the purpose, and also added that AmeriCorps and volunteers will also participate in the process. Discussion ensued. Shellfisherman William Young, Jr. from the audience had concerns about the closure. Pilcher wanted to know if a public hearing on the subject has taken place. Vermehen said that the public hearing has to be scheduled. The selectmen took no action on the request, pending public hearing and recommendation by the Conservation Commission.

### **Closure of the sluiceway to vehicular traffic**

Trudy Vermehen, Chair of the Conservation Commission presented the proposed closure of the sluiceway to vehicular traffic. Community Services Director Suzanne Grout Thomas joined the discussion and presented the history of the sluiceway closure over the last two years and the proposed permanent closure for vehicular traffic. Thomas said that she was not sure of the logistics of the process for closure of Town road. Pilcher wanted to know if any other parties would be affected if the vehicular traffic closure were to be considered. Thomas suggested informational hearing involving all affected parties before decision is made by the Selectmen. Bruinooge said that the reason for the proposed closure is over use. The discussion concluded with no decision taken by the Selectmen.

### **2015 White Ribbon Day Proclamation**

Police Chief Fissette presented the history of White Ribbon Day and recommended that selectmen adopt the proposed proclamation<sup>1</sup> and read its text.

**MOTION 215-070:** Morrissey moved and Bruinooge seconded to adopt White Ribbon Day proclamation for the week of March 5, 2015. The motion passed 4-0.

### **Town participation in “Light it Up Blue” autism awareness**

Terkanian presented the request of CapeAbilities, Inc for the Town participation in “Light it Up Blue” autism awareness in April.

**MOTION 215-071:** Bruinooge moved and Morrissey seconded to participate in the “Light it Up Blue” autism awareness CapeAbilities, Inc. initiative in April. The motion passed 4-0.

### **Annual Town Meeting warrant and budget discussion votes and recommendations**

Terkanian talked about the Annual Town Meeting warrant draft<sup>2</sup> and opened a discussion on article placement and recommendation votes. He said that the petitioned article has not been received yet. He went over items and articles that have changed since the packets have been produced and explained that some articles such as debt exclusions and overrides require 2/3 of vote to be placed.

**MOTION 215-072:** Bruinooge moved and Morrissey seconded to place questions 1-5 and 7, 8 on the Warrant. The motion passed 4-0.

Morrissey wanted to find out more details on question 7. Terkanian talked about current and possible transfer requests. Placement and recommendation of Articles 1-3 were deferred until the operating budget and transfer numbers are finalized.

**MOTION 215-073:** Murphy moved and Bruinooge seconded to place Article 4. The motion passed 4-0.

**MOTION 215-074:** Murphy moved and Morrissey seconded to recommend Article 4. The motion passed 4-0.

**MOTION 215-075:** Morrissey moved and Bruinooge second to place and recommend Article 5. The motion passed 4-0.

**MOTION 215-076:** Morrissey moved and Bruinooge seconded place without recommendation at this time articles 6,7 and 8. The motion passed 4-0.

**MOTION 215-077:** Murphy moved and Bruinooge seconded to place but not recommend at this time Article 9. The motion passed 4-0.

Discussion ensued on Article 10 regarding the total cost involved in hiring 13<sup>th</sup> police officer including training, salary and benefits and placing this article was deferred.

**MOTION 215-078:** Morrissey moved and Murphy seconded to place and recommend Article 11. The motion passed 4-0.

Bruinooge wanted to know how this budget is balanced with so many unknowns. Terkianian presented the reasoning behind the assumptions and how the balance would be achieved.

**MOTION 215-079:** Bruinooge moved to place articles 12 and 13 and to be silent on the recommendation. Morrissey seconded and the motion passed 4-0.

**MOTION 215-080:** Murphy moved and Bruinooge seconded to place and recommend Article 14. The motion passed 4-0.

**MOTION 215-081:** Pilcher moved and Bruinooge seconded to place and recommend Article 15. The motion passed 4-0.

Placing Article 16 was deferred until a recommendation from the Energy Committee

**MOTION 215-082:** Morrissey moved and Bruinooge seconded to place Articles 17-23. The motion passed 4-0.

Placing Article 24 was deferred.

**MOTION 215-083:** Murphy moved and Bruinooge seconded to place and recommend Article 25. The motion passed 4-0.

Article 26 was placed on hold until supporting materials are provided by DPW.

**MOTION 215-084:** Murphy moved to place and recommend Article 28. Pilcher seconded and the motion passed 4-0.

Placing Article 29 was postponed until Fire Chief comes back from vacation.

**MOTION 215-085:** Bruinooge moved and Murphy seconded to place and recommend Article 30. The motion passed 4-0.

**MOTION 215-086:** Pilcher moved and Morrissey seconded to place and recommend Article 31. The motion passed 4-0.

**MOTION 215-087:** Murphy moved and Morrissey seconded to place but not recommend at this time Article 32. The motion passed 4-0.

Placing Articles 33 and 34 was deferred.

Terkanian explained that the Selectmen already have the authority to accept gifts – the subject of Article 35.

**MOTION 215-088:** Bruinooge moved and Pilcher seconded to remove Article 35. The motion passed 4-0.

**MOTION 215-089:** Murphy moved and Bruinooge seconded to place and recommend articles 36, 37 and 38. The motion passed 4-0.

Placing Articles 39-45 was deferred awaiting Planning Board public hearing and recommendations.

**MOTION 215-090:** Bruinooge moved to place and recommend Article 46. Pilcher seconded and the motion passed 4-0.

Terkanian said that Article 47 is a placeholder.

**MOTION 215-091:** Pilcher moved and Bruinooge seconded to place and recommend Article 48. The motion passed 4-0.

Article 49 does not have a petition yet and the decision on it was deferred.

**MOTION 215-092:** Bruinooge moved and Morrissey seconded to place and recommend Article 50. The motion passed 4-0.

**MOTION 215-093:** Morrissey moved and Pilcher seconded to place and recommend Article 51. The motion passed 4-0.

**MOTION 215-094:** Bruinooge moved and Murphy seconded to place and recommend Articles 52 and 53. The motion passed 4-0.

Terkanian talked about the FY16 budget status and said that there are still several remaining uncertainties and went over his updated FY16 budget memo<sup>3</sup>. Murphy requested to see a priority list on Chapter 90 from the DPW Director. Terkanian concluded his presentation by saying that the FY16 budget is close to be balanced at the current state.

#### **Approval of letter to officer Murphy**

The selectmen agreed to sign and approve the letter<sup>4</sup> to officer Murphy as presented in their packets.

#### **Annual review of the TA**

Pilcher presented the summary<sup>5</sup> of the Annual review of the TA and went over the categories of evaluation. Terkanian said that he has taken remarks and works on the areas of suggested improvements.

#### **Future Concerns**

- Terkanian gave a background of the request for scheduling a hearing on proposed changes to gear height provisions in the Shellfish Policy and Regulations.
- Barbara Austin reminded the Selectmen that there has to be action on the blood arcs regulation.

## **Town Administrator's Report**

Terkanian presented his report<sup>6</sup> and added:

- A group contract for \$4,075 Wellfleet cost was procured for the Cape Cod Commission to develop planimetric database from orthimagery taken last year. This group procurement/subsidy contract price represents a significant cost saving from the fair market value of \$59,000 for this project and will be paid from the consultancy budget.
- Design sketches for Route 6/Main St Intersection are expected within a week and will be made available online.
- CVEC has approached members and nonmembers to submit a “statement of interest” on possible solar PV projects. The Town is putting together a list of possible projects to submit by the end of the week. Terkanian clarified that this is a “statement of interest” stage of the process and does not imply commitment.
- Offer of employment extended to Water System Clerk and Committee Secretary.

## **Correspondence and Vacancy<sup>7</sup> Report**

Morrissey presented the correspondence<sup>8</sup> report and mentioned an email from Dr. Borelli. Terkanian said that Dr. Borelli will be invited to a future meeting.

## **Minutes**

**MOTION 215-095**: Murphy moved and Morrissey seconded to approve the minutes<sup>9</sup> of February 13, 2015. The motion passed 3-0-1 (Pilcher did not vote).

**MOTION 215-096**: Pilcher moved and Morrissey seconded to approve the minutes<sup>10</sup> of February 10, 2015. The motion passed 4-0.

## **Adjournment**

**MOTION 215-097**: Murphy moved and Morrissey seconded to adjourn the meeting at 10:07 pm. The motion passed 4-0.

Respectfully submitted,

Michaela Miteva  
Executive Assistant

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<sup>1</sup> 2015 White Ribbon Day Proclamation

<sup>2</sup> ATM 2015 Warrant Draft dated February 20, 2015

<sup>3</sup> FY16 TA Budget Status Memo dated February 20, 2015

<sup>4</sup> BOS letter to Officer Murphy re Police Academy graduation

<sup>5</sup> Pilcher's summary of the Annual TA Review

<sup>6</sup> TA report of February 20, 2015

<sup>7</sup> Vacancy report of February 20, 2015

<sup>8</sup> Correspondence report of February 24, 2015

<sup>9</sup> Minutes of February 13, 2015

<sup>10</sup> Minutes of February 10, 2015