



**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 notice that they will be pruning along the power lines during the month of March.
- 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]

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 Fisetta 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 in 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 and said that the water quality in Town is generally 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 ground water flow in Town and said that it flowed West. 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 Fisetto for taking the lead on this. Police Chief Fisetto 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 Fisetto 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