



**Wellfleet Board of Selectmen  
Minutes of June 14, 2016  
Wellfleet Senior Center**

**Present:** Selectmen Dennis Murphy, Helen Miranda Wilson; Berta Bruinooge, Janet Reinhart, Jerry Houk; Town Administrator Harry Sarkis Terkanian and Assistant Town Administrator Brian Carlson

Chairman Dennis Murphy called the meeting to order at 7:00 pm.

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

- Wilson thanked outgoing members Campbell Rea for serving on the Conservation Commission and Evi Sheffres for serving on the COA Board.
- Terkanian announced: 1) The Outer Cape Bicycle and Pedestrian Master Plan fourth public workshop is scheduled for Wednesday, June 15 at 7:30 pm at the Truro Community Center; 2) Congressman Bill Keating will be at the Library on June 17 from 8 to 9 am to have coffee with the Outer Cape community; 3) A full size set of Police Station progress prints are available at the Library for public to review;
- Wilson said that the Environmental Impact Statement (EIS) for the Herring River Restoration Project (HRRP) is available at the Library.
- Don Palladino said that the Cape Cod Commission will have a public hearing on June 30 at the COA on the HRRP EIS.
- Steve Oliver requested to be on the next Board of Selectmen agenda for the traffic on Route 6 and distributed letters to the Executive Assistant.

**Special Police Officers Appointments**

**MOTION 216-609:** Reinhart moved and Bruinooge seconded to appoint Leslie Reynolds, Craig Thatcher, Christopher Hartsgrove, Christopher Anderson, W. Russell Hughes, Anne Peterson, Ryan Peterson, Timothy Morrison, Eric Trudeau to Special Police Officers from July 1, 2016 through June 30, 2017. The motion passed 5-0.

Murphy opened the Public Hearings at 7:05 pm.

**Amendments to the Marina and Harbor Rules and Regulations**

Harbormaster Michael Flanagan gave a background information on the proposed changes to the Marina and Harbor Rules and Regulations. Terkanian added that there is another component to the requested change in terms of parking regulations and the ban of overnight parking on the Marina.

**MOTION 216-610:** Bruinooge moved and Wilson seconded to accept the proposed Marina Rules and Regulations changes as printed. The motion passed 5-0.

**Amendments to the Traffic Rules and Orders**

Police Chief Ronald Fiset and Terkanian presented the proposed changes to the Traffic Rules and Regulations. Terkanian went over each change individually and raised two concerns on pages 4 and 5 – the first one referring to the intersection with an unnamed road and West Rd; and the second to the parking area lost to erosion on Chequessett Neck Rd, and said that ways to correct these issues should be identified. Wilson suggested continuing this hearing for the purposes of clearing the above concerns and clarifying the language for Chequessett Neck Rd. Terkanian suggested getting public comments and continuing the hearing to June 28. Alice Iacuesa wanted to know if there were public parking lots for parking from 2 am to 5 pm. Wilson suggested adding this part to

**MOTION 216-611:** Bruinooge moved and Wilson seconded to continue the public hearing on amending the Traffic Rules and Orders to June 28. The motion passed 5-0.

### **Appointments and Reappointments**

Daniel Ranalli was present for an interview by the Selectmen and expressed his interest to serve on the Historical Commission.

**MOTION 216-612:** Reinhart moved and Wilson seconded to appoint Daniel Ranalli to the Historical Commission with term ending June 30, 2019. The motion passed 5-0.

Beth Ann Singer expressed her interest to serve on the Planning Board.

**MOTION 216-613:** Reinhart moved and Bruinooge seconded to appoint Beth Ann Singer to the Planning Board with term ending June 30, 2021. The motion passed 5-0.

Ali Sands expressed her interest to serve on the Conservation Commission. Wilson said that because Sands has been working for the Health and Conservation Department, there is a need for a conflict of interest disclosure form that needs to be filed with Town Clerk.

**MOTION 216-614:** Wilson moved and Bruinooge seconded to appoint Ali Sands to the Conservation Commission with term ending June 30, 2017 subject to the conditions discussed. The motion passed 5-0.

**MOTION 216-615:** Wilson moved and Bruinooge seconded to reappoint Jaya Karlson to the Recycling Committee with term ending June 30, 2019 – The motion passed 5 – 0.

**MOTION 216-616:** Reinhart moved and Bruinooge seconded to reappoint Andrea Pluhar as Registrar of Voters with term ending June 30, 2019. The motion passed 5-0.

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

Murphy opened a discussion on item in the TA Report related to the hire of Andrew Souza as DPW/Transfer Station Equipment Operator. Houk said that the vacancy was advertised requiring a hoisting license and commercial driver's license. One of the applicants Mr. Floyd Pickard whose family has long-term connections with the Town should had been given a preference with all other terms being equal. He said he has not seen any of the resumes or applications, and that under the Town Charter the Board has 14 days to disapprove the hire. Bruinooge said that she does not recall seeing resumes of other hires to positions other than the Town Administrator. She said that it is not the job of the Selectmen to make hiring decisions. Murphy clarified that the Selectmen have the authority to disapprove and explained any potential consequences of this decision. Terkanian went over the hiring process that took place to fill the vacancy and briefly spoke about the applications received without going into details in order to preserve the privacy of the applicants. He explained his communications with the DPW Director and said that the hire of Souza is in the 12 out of the 14-day disapproval period. Wilson wanted to know how long the hired individual has had a hoisting license for. She agreed with Bruinooge that the hiring decisions should be made by Department Heads and the Town Administrator. According to her there was a good hiring process and any disapproval may not result in different outcome. Bruinooge did not like the idea of micromanaging. Houk added that Pickard passed a hoisting license test on May 26 and is a CDL holder and supported hiring a long-term Wellfleet resident and a veteran. Reinhart wanted to know when the applications were due, when the interviews were conducted and when the person was hired. Terkanian clarified that the hire was made on June 2. Murphy said that the weight should not be on who has what license, but it should be contingent on the Board of Selectmen right of disapproval. Murphy wanted to know if the Town will be paying for the CDL training and providing the equipment for the currently hired individual. He said that he would support disapproving the hire and completely understands the consequences.

**MOTION 216-617:** Houk moved to disapprove the appointment. Wilson seconded. Discussion ensued. Wilson said that based on the facts brought by Murphy and Houk, she had changed her opinion. Bruinooge said that she does not think the Selectmen should be reviewing resumes and making hiring decisions. Reinhart said that she will also favor disapproval of the hire, but agreed with Bruinooge to not get involved with micromanaging. The motion passed 5-0.

After the vote Murphy explained that the job has to be re-advertised and the process will have to begin all over. Reinhart suggested placing this on the agenda for June 28 and invite the DPW Director.

Houk left at 8:05 pm.

**Use of Town Property:** Wellfleet Recreation Department to hold a Skate Park grand opening on June 25 (*rain date July 9*) with food truck on premises and to use Baker Field tent and area for Reggie D.J. Dance Event on July 4, 1 pm – 4 pm with food truck on premises.

Recreation Director Becky Rosenberg presented the two requests for use of Town Property by the Recreation Department and explained the need for food truck vendor present at the events. Terkalian said that usually Town Boards and Committees are not required to fill in use of Town Property form and the only reason for this request is the food truck vendor. Terkalian explained that the food truck vendor proposed by the Rosenberg – Joey Rugo needs to provide an updated hawkers and peddler state license, because the current one will expire on June 21. The Selectmen agreed to allow food truck vendors present at the requested events with the above condition.

**Authorize the Town to file an application (possibly jointly with the Town of Truro) for approval of a Development of Regional Impact for the Herring River Restoration Project and authorization for the engagement of counsel for that purpose.**

Terkalian explained the requirement for an environmental impact statement for the HRRP and the need for professional legal help. The counsel company used by the Friends of Herring River is ESS and the requested authorization will make it official.

**MOTION 216-618:** Wilson moved and Reinhart seconded to have the Board of Selectmen vote to authorize the Town Administrator and/or the Chairperson of the Board of Selectmen to sign on behalf of the Town of Wellfleet as a Co-Applicant with the Town of Truro a Hardship Exemption (Project of Community Benefit) Application to be submitted to the Cape Cod Commission for review and approval of the Herring River Restoration Project as set forth in the Herring River Restoration Project Final Environmental Impact Statement/Environmental Impact Report, dated May 2016 (MA EOEEA Number 14272), and further to authorize the Herring River Restoration Committee and Friends of Herring River, Wellfleet/Truro, Inc., and their respective consultants, to represent the Town of Wellfleet in connection with the public hearing process with the Cape Cod Commission. The motion passed 4-0.

**Oysterfest 5K Road Race change of route request**

Recreation Director Rebecca Rosenberg and Police Chief Ronald Fisetta presented the request for change of route for the 5K Oysterfest Road Race based on safety concerns and traffic issues. They felt that the proposed route is a little more appropriate and safer. Chief Fisetta said that this route will be revisited annually. Wilson wanted to clarify the time of the race and suggested informing fishermen who may be affected by the event and will have to bring their product to the pier within the two-hour state required time frame. The Selectmen agreed with the requested change.

**AmeriCorps – Report of Service in Wellfleet**

Maggie Gardner and James Ryans gave a report<sup>1</sup> of the AmeriCorps services in Wellfleet and spoke about the AmeriCorps program. Denny O'Connell and the Selectmen thanked Maggie and James for their dedication and service.

### **Review of beach regulations re bus drop off fees**

Rafael Richter presented his request to review the beach regulations bus drop off fee for the reasons of being business unfriendly. He said that many of the trips have been booked and paid for before the new fee was imposed and how this charge will impact the bottom line of his business. Reinhart wanted to know how many companies are involved, how many trips a day and how much the charge for the charter trip is. Richter gave an overview of his services. Suzanne Grout Thomas answered questions about the fees due to the Beach Department. Murphy wanted to know the percentage increase per person over the course of the season. Rafael Richter said that the estimated percentage will be 2% to 3%. Bruinooge said that the fee is reasonable. Wilson agreed that the fee is reasonable. The discussion concluded with no action was taken by the Selectmen on this matter.

### **Meeting protocol and Board members training – continued from May 24<sup>th</sup>**

Wilson suggested waiting for the new Town Administrator to take office and re-open the discussion and make decisions then. She talked about implementing training requirements and conflict of interest disclosure process and having some procedures in place for each committee. Wilson will take the lead to draft a policy and bring it during one of the August Board's meetings.

### **Award of contracts and authorize the Town Administrator to execute agreements**

Terkanian went over his memo<sup>2</sup> and recommended awarding the Auditing Services to Powers and Sullivan. **MOTION 216-619**: Fiscal 2017 – 2019 auditing services contract to Powers and Sullivan and authorize Terkanian to sign the engagement letter. The motion passed 4-0.

Terkanian went over his memo<sup>3</sup> for the revaluation services RFP and recommended to award the contract to Paul S Capino and Associates.

**MOTION 216-620**: Bruinooge moved and Reinhart seconded to award Fiscal 2017 – 2019 revaluation services contract to Paul Capino and Associates and authorize Terkanian to sing the engagement letter. The motion passed 4-0.

### **Approval of Town Administrator contract with Mr. Hoort.**

Terkanian went over the previously agreed terms of the new TA contract of \$115,000 with Daniel Hoort in executive session.

**MOTION 216-621**: Wilson moved and Reinhart seconded to approve the contract with Mr. Hoort. The motion passed 4-0.

### **Request of Helen Miranda Wilson to speak to Congressman Keating in support of the Harbor Dredging during the Herring River Restoration Committee meeting on June 17.**

Wilson explained how this item appeared on the agenda and clarified the misunderstanding about the language. Murphy suggested that the meeting will not be a Selectmen meeting, and that the Friends of Herring River should decide the flow of their meeting. Don Palladino explained the purpose of the meeting with congressman Keating.

### **Town Administrator's Report<sup>4</sup> and additional:**

1. Discontinuance of the maintenance of High Toss Rd has been received by Town Counsel and will be on the agenda for July 26.
2. Police Station Building Committee will come with a progress report either on July 12 or 26 with a professional cost estimate
3. Cape Cod Commission Technical Assistance Grant Program - the Town has been presented with an opportunity for a software for performance management services and software. The Town's share

for this upgrade over the next three years will be \$20K. Based on the fact that capital funds have not been budgeted for, he did not recommend participating.

4. Town Hall lawn – Trudy Vermehren and Tim Callis have an idea for approaching the project from a different angle and this can be on the July 26 agenda.

### **Future Concerns**

- Reinhart – BOS Goals for FY 17 on June 28 agenda and review of department hiring procedures and have each department and committee do an annual report of accomplishments, goals and needs.
- Judith Blau requested to be on June 28 agenda for petition to divest from fossil fuel
- Wilson suggested clarifying the requirements for the Boards and Committees Annual Town Report submissions.
- Wilson suggested a public discussion on the snow policy before Chairman Murphy speaks to the nonresidents. Subsequently as a result of the discussion that ensued she withdrew this request.

### **Correspondence<sup>5</sup> and Vacancy<sup>6</sup> Report**

- Wilson brought the Selectmen’s attention a letter from George Price of CCNS. Terkanian confirmed that this will be on the agenda for June 28.

### **Minutes**

**MOTION 216-622:** Wilson moved to approve the minutes<sup>7</sup> of May 24, 2016 as amended. Reinhart seconded and the motion passed 4-0.

**MOTION 216-623:** Wilson moved to approve the minutes<sup>8</sup> of May 31, 2016. Bruinooge seconded and the motion passed 4-0.

### **Executive session and Adjournment**

In open meeting Murphy read the purpose of the executive session: To conduct strategy sessions in preparation for negotiations with nonunion personnel or to conduct contract negotiations with nonunion personnel (Department of Public Works Director.) and stated that the Board will adjourn and not go in open session.

**MOTION 216-624:** Murphy moved to enter in executive session at 9:39 pm for the above stated reasons and adjourn the public meeting. The motion passed by a roll call vote where each Murphy, Wilson, Reinhart and Bruinooge said “Aye”.

Respectfully submitted,

Michaela Miteva, Executive Assistant

### **Public Record Documents:**

<sup>1</sup> AmeriCorps Report of Services to Town of Wellfleet

<sup>2</sup> TA Memo on Auditing Services Award

<sup>3</sup> TA memo to award revaluation services RFP

<sup>4</sup> TA Report of June 10, 2016

<sup>5</sup> Correspondence report of June 14, 2016

<sup>6</sup> Vacancy report of June 10, 2016

<sup>7</sup> Draft minutes of May 24, 2016

<sup>8</sup> Draft minutes of May 31, 2016