



**Wellfleet Board of Selectmen
Minutes of July 26, 2016
Wellfleet Senior Center**

Present: Selectmen Dennis Murphy, Helen Miranda Wilson; Berta Bruinooge, Janet Reinhart; Acting Town Administrator Brian Carlson; FinCom Members: Stephen Polowczyk, Ira Wood, Janet Loewenstein, Linda Pellegrino, Arlene Kirsch; Police Station Design Building Committee: Hugh Guilderson, Harry Terkanian and Police Chief Ronald Fisette (no quorum)

Regrets: Selectman Jerry Houk; Fin Com Members: Robert Wallace; Liz Sorrell; Kathleen Granlund, Fred Magee; Police Station Design Building Committee: Sean Donoghue, Mark Vincent and Jay Horowitz

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

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

- Wilson announced that the Charter Review Committee is accepting comments and suggestions for the upcoming revision of the Town Charter.
- Terkanian announced that the Charter Review committee invitation to submit comments is posted online on the web site homepage under news and announcements.
- Steven Polowczyk announced a vacancy on the Finance Committee due to the resignation of Sam Bradford and invited people to get in touch with Town Moderator Dan Silverman if interested to join.

Parking Clerk Appointment

MOTION 217-014: Reinhart moved and Bruinooge seconded to appoint the Acting Town Administrator Brian Carlson as Parking Clerk with a term to June 30, 2017. The motion passed 5-0.

Public Hearing(s) [7:05]

Murphy opened the public hearing at 7:05 pm to consider to discontinue maintenance of portion of High Toss Road.

MOTION 217-015: Wilson moved pursuant to General Laws, chapter 82, section 32A, to discontinue maintenance of that portion of High Toss Road bounded on the west by its intersection with Duck Harbor Rd and bounded on the east by its intersection with Rainbow Ln, a distance of approximately one thousand feet. Reinhart seconded and the motion passed 4-0.

Cultural Council Appointments

The Selectmen interviewed Louise Ann Ledkovsky, Judith Cumbler and Richard Willecke who had applied to serve on the Cultural Council.

MOTION 217-016: Bruinooge moved to appoint Louise Ann (Gigi) Ledkovsky to the Cultural Council with a term to June 30, 2019. Wilson seconded and the motion passed 4-0.

MOTION 217-017: Reinhart moved to appoint Judith Cumbler to the Cultural Council with a term to June 30, 2019. Wilson seconded and the motion passed 4-0.

MOTION 217-018: Wilson moved to appoint Richard Willecke to the Cultural Council with a term to June 30, 2019. Bruinooge seconded and the motion passed 4-0.

Planning Board Appointment

Mary Ellen Manning presented her reasons for wanting to serve on the Planning Board.

MOTION 217-019: Reinhart moved to appoint Mary Ellen Manning to the Planning Board with a term to June 30, 2019. Wilson seconded and the motion passed 4-0.

Use of Town Property

The Board discussed a use of town property request by the Wellfleet Democrats to distribute literature on Saturdays and Sundays in August and September on Town Hall lawn. Wilson said that based on the US Constitution Freedom of Speech Act she would recommend no fee.

MOTION 217-020: Wilson moved to grant the request of Wellfleet Democrats to use Town Hall lawn to distribute literature on Saturdays and Sundays from 10 am to 12 pm in August and September with the condition to pick-up trash after the event and no fee. Reinhart seconded and the motion passed 4-0.

Joint meeting with the Finance Committee and the Police Station Building Committee to hear an update on the police station renovation project

Steven Polowczyk called the Finance Committee meeting to order at 7:17 pm.

Richard Pomroy of Pomroy Associates, Inc and Todd Costa of Kastle Boos Associates gave a power point presentation for the Police Station renovation project. The highlights of the presentation were the updated project cost estimate based on two independent estimators. The preliminary May 31, 2016 estimate was for \$6,025,513 and the updated July 2016 estimate is for \$6,795,909; both totals are not including \$420,000 for an elevator alternate with mark-ups. Pomroy explained the differences between the preliminary and their current estimates. Costa answered questions raised by Lowenstein about costly big ticket items. Pomroy gave details about a proposed temporary facility for the Police Department while under construction. He said that they went through the exercise of considering building a brand new Police Station versus renovating the existing building and based on the exercise a new facility would be more expensive and would delay the project by a year. He said that a renovated facility was the Police Chief's preferred option, and will meet the needs of the Police Department. The location adjacent to the water tower and across from Wellfleet Elementary School (WES) would be the most appropriate for the department's temporary headquarters during renovation. After the renovation the site could be used as an additional parking area. Polowczyk wanted to know if the Police Department could be housed at the Fire Station during renovations. Pomroy and Fisette answered that the Fire Station would not be an appropriate location. Terkanian confirmed that the WES Principal Mary Beth Rodman does not object to the proposed temporary arrangements across from the school. Costa and Pomroy answered Murphy's questions relating to the future maintenance of the T-base ground coverage at the temporary site, budget allowances and other variable expenses. Lilli Green wanted to know about any energy efficiencies for the proposed building renovation. Pomroy went over the proposed energy efficiencies and explained that photo-voltaic solar system will not be possible on the current roof design. Wilson wanted to know if the south-facing slope has been considered for possible solar panels location. Loewenstein suggested addressing solar panels at a later time, in order to not interfere with the project time-line. Wood wanted to know if building a new, but smaller facility would be an adequate option. Fisette explained that all of the proposed space is needed to address the operations of the Police Department. Terkanian talked about deficiencies of the current building and the need for more space. Kirsch stressed the importance of the fact that considering a new building would delay the project and would cost more. Costa and Pomroy answered a question raised by Murphy about an estimated cost per square footage in the basement versus the upper levels by saying that the most expenses are located in the basement area because of plumbing and utilities. Wilson asked questions about the difference between a synthetic siding versus wood shingles. Costa showed a

display of the proposed siding material. Pomroy went over the new manufacturer warranty policy of 30 years at 100% replacement guarantee versus the previously offered 50-year pro-rated warranty. Terkanian clarified that the warranty on the paint is only 15 years. In conclusion Pomroy confirmed that the project schedule is currently on track. Terkanian said that Town Clerk had confirmed the possibility for a Special Town Meeting on November 15, 2016.

Polowczyk closed the Finance Committee meeting at 8:04 pm.

The Board of Selectmen resumed their regular meeting.

Notice of Intent application; MESA Project Review Checklist and U.S. Army Corps of Engineers application for Department of the Army Permit for maintenance dredging of Wellfleet Harbor

Carlson presented his memo on the Harbor Dredging permitting and notice of intent application and checklist, and requested for the approval of the Board.

MOTION 217-021: Wilson moved and Bruinooge seconded to authorize the Chair of the Board of Selectmen to sign the Notice of Intent application and a MESA Project Review Checklist for maintenance dredging of all town managed channels and anchorages within Wellfleet Harbor. Discussion ensued about the impact of the Marina on the tidal flow and its impact on the Shellfishing industry. The motion passed 4-0.

Request for letter supporting legislation necessary for Herring River Restoration land swap

Ben Zehnder presented the proposed draft letter¹ and disclosed relationship with the Rosenbergs. Murphy said that Wilson had revised the letter and presented her changes. Zehnder appreciated the time taken by Wilson to revise the letter and said that the appropriate House Bill number needs to be inserted prior to sending.

MOTION 217-022: Wilson moved to send the legislative letter necessary for the Herring River Restoration land swap as amended to Representative Keating and Markey. Reinhart seconded. Zehnder clarified that he will provide the recipients list. The motion passed 4-0.

Approval of contract² for Housing Consulting Services

Carlson presented his memo³ requesting the Board to authorize him to sign the contract for housing consulting services with Karen Sunnaborg to June 30, 2017.

MOTION 217-023: Bruinooge moved to authorize Carlson to sign the contract with Karen Sunnaborg for housing consulting services to June 30, 2017. Wilson seconded and the motion passed 4-0.

Award of designer services contract for the Wellfleet Public Library reading room addition

Carlson went over his memo⁴ for the award of the designer services for the Library reading room addition. Hugh Guilderson clarified that the schedule needs to be updated due to delays caused by the prolonged bid review process, but spoke highly of the bidder. Bruinooge wanted to know if the reading room addition will have an impact on the parking area. Guilderson explained that the parking would actually be increased. Wilson asked if the sweet gum tree on the West side will be impacted. Guilderson said that he will check on it.

MOTION 217-024: Reinhart moved to award the designer services contract for the Wellfleet Public Library reading room addition to Stephen Hale for the cost of \$25,000 paid out of the Board of Library Trustees funds appropriated for this purpose. Wilson seconded and the motion passed 4-0.

Assembly of Delegates Update

Lilli-Anne Green updated the Selectmen on the recent meeting of the Assembly of Delegates. She talked about a new tick-borne disease called Powassan Virus and gave a web site www.capecodextension.org for more information and public awareness. She also talked about two resolutions and their votes. Wilson gave a reminder that information about tick testing through the University of Amherst lab for medical zoology is available online on the Town's website home page.

Award of Septic Pumping Services Contract

Carlson went over his memo⁵ on the subject and recommended awarding the septic pumping service contract to Robert B. Our, Inc.

MOTION 217-025: Reinhart moved to award the septic services pumping contract to Robert B. Our, Inc. Wilson seconded and the motion passed 4-0.

Discussion and action on conflict of interest disclosures for Ali Sands

Carlson explained the need for the review of the conflict of interest form for Ali Sands disclosing financial interest.

MOTION 217-026: Bruinooge moved and Wilson seconded to make a determination that the financial interest is not substantial. The motion passed 4-0.

Authorize the BOS Chair to sign the Final Draft MOU III for Herring River Restoration Project

MOTION 217-027: Wilson moved to authorize the Chair of the Board of Selectmen to sign the Final Draft MOU III for the Herring River Restoration Project after it is reviewed and approved by Counsel. Reinhart seconded and the motion passed 4-0.

Carlson said that Michael Ford or Bruce Guilmore can be engaged to review the HRRP MOU III.

Discussion to increase efficiency of the Board in processing routine requests

Murphy opened a discussion about increasing efficiency of the Board in processing routine requests as an attempt to expedite meetings. He said that there has been a suggestion for delegating routine matters like requests for Town Property use for weddings to the Principal Clerk. Based on his conversation with Jeanne Maclauchlan she would request reclassification if there were newly assigned duties. The Selectmen discussed this and did not favor the idea of re-classifying a position for processing routine requests and took no action on this matter.

Discussion of the Board of Selectmen FY 2017 Goals

The Selectmen talked about their goals for FY 2017 individually. Murphy will compile a list of all goals and have them on a future meeting agenda for a review and approval.

Town Administrator's⁶ Report

Carlson presented his report and talked about the hire of Gabrielle Griffin as the Library Outreach Coordinator not subject of the 14-day disapproval rule. Murphy wanted to know the status of the re-hire for the Transfer Station operator.

Future Concerns

Reinhart requested discussing standardizing fees for use of town property during a future meeting. Wilson shared that Ed Miller had informed her of his intent to resign from the Cultural Council.

Correspondence⁷ and Vacancy⁸ Report

Wilson mentioned a correspondence from MassDOT informing the Board that the proposed bicycle accommodations on Route 6 have been approved, so that the permitting process can begin. Reinhart talked about communication with Dan Silverman about Open Cape and its importance to the Town.

Minutes [July 12 & July 14]

MOTION 217-028: Wilson moved and Reinhart seconded to approve the minutes⁹ of July 12, 2016 as amended by Wilson. The motion passed 3-0-1 (Bruinooge abstained).

MOTION 217-029: Wilson moved and Murphy seconded to approve the minutes¹⁰ of July 14, 2016. The motion passed 4-0.

Adjournment

MOTION 217-030: Bruinooge moved to adjourn the meeting at 9:13 pm. Wilson seconded and the motion passed 4-0.

Respectfully submitted,

Michaela Miteva, Executive Assistant

Public Record Documents:

¹ Draft letter by Ben Zehnder for legislative action for the HRRP

² Housing Authority contract with consultant for services ending June 30, 2017

³ TA memo on contract for consulting services for the Housing Authority

⁴ TA memo on contract award for the Library Reading Room addition

⁵ TA memo on awarding septic pumping services contract

⁶ TA Report of July 22, 2016

⁷ Correspondence Report of July 26, 2016

⁸ Vacancy Report of July 22, 2016

⁹ Draft minutes of July 12, 2016

¹⁰ Draft minutes of July 14, 2016