



**Wellfleet Board of Selectmen  
Minutes of September 27, 2016  
Wellfleet Senior Center**

**Present:** Selectmen Dennis Murphy, Berta Bruinooge, Helen Miranda Wilson, Janet Reinhart; Jerry Houk; Town Administrator Dan Hoort, 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 Vern Jacobs for his service on the ZBA.
- Wilson announced the retirement of reporter Marilyn Miller and said that the Provincetown Banner is looking for free lancers to cover the Board of Selectmen meetings.
- Chief Fiset introduced newest members of Wellfleet Police - officers Ryan Golden and Mark Brown and congratulated them for their successful graduation from the Police Academy.
- Town Clerk Joseph gave information about early voting and absentee voting and said that all details will be posted on the Town web site.
- Judith Stiles requested the opportunity to present to the Board of Selectmen information about environmental impacts of the Herring River Restoration Project.

**Murphy opened the public hearing(s) at 7:05 p.m.**

**Request of Michael Patterson, Manager of Wellfleet Wine & Spirits to transfer and pledge seasonal package store license #134800023 to Patriot Spirits, Inc. dba Liquor 'N More.**

A legal counsel presented the request of Michael Patterson, Manager of Wellfleet Wine & Spirits to transfer and pledge seasonal package store license #134800023 to Patriot Spirits, Inc. dba Liquor 'N More.

**MOTION 217-062:** Wilson moved to approve the request of Michael Patterson, Manager of Wellfleet Wine & Spirits to transfer and pledge seasonal package store license #134800023 to Patriot Spirits, Inc. dba Liquor 'N More. Bruinooge seconded and the motion passed 5-0.

**Shellfish grant Transfers and renewals**

The Shellfish Constable recommended all of the shellfish grant transfers and renewals as printed and advertised.

**MOTION 217-063:** Reinhart moved to approve the transfer of shellfish grant licenses #95-11 and 95-12 from Edwin C Berrio, Jr. and Lisbeth C Berrio to Edwin C Berrio, Jr., Lisbeth C Berrio and Jeffrey Pickard. Bruinooge seconded and the motion passed 5-0.

Murphy recused himself from the next agenda item – a request of Shea Murphy to renew shellfish grant licenses #2000-7 and #2000-7 ext for a ten-year period due to family relationship with Shea Murphy and left the room. Bruinooge assumed the duties of the Board's chair.

**MOTION 217-064:** Wilson moved to approve the request of Shea Murphy to renew shellfish grant licenses #2000-7 and #2000-7 ext for a ten-year period. Reinhart seconded and the motion passed 4-0.

Murphy returned. Bruinooge recused herself from voting on the next agenda item – a request of Berta Bruinooge and Evan Bruinooge to renew shellfish grant license #771 and #771 ext for a ten-year period and left the room.

**MOTION 217-065:** Reinhart moved to approve the request of Berta Bruinooge and Evan Bruinooge to renew shellfish grant license #771 and #771 ext for a ten-year period. Wilson seconded and the motion passed 4-0. Bruinooge returned after the vote.

**MOTION 217-066:** Wilson moved and Bruinooge to approve the request of Jason Lance Weisman to renew shellfish grant license #14-1 for a five-year period. The motion passed 5-0.

### **Appointments/Reappointments**

Brenda Correia expressed her interest to serve as a volunteer and on the Open Space Committee. Wilson said that in the correspondence there is another application that was received on September 26. Bruce Hurter, Chair of the Open Space Committee asked the Board to defer decision until the applicant is available to come to the Board. The decision on this appointment was delayed until October 25, 2016.

### **Use of Town Property**

#### **Request of Lindsey Kreckler for a wedding ceremony at White Crest beach on June 10, 2017**

Suzanne Thomas representing Lindsey Kreckler presented Kreckler's request for a wedding ceremony at White Crest beach parking lot on June 10, 2017 from 4 pm to 6 pm.

**MOTION 217-067:** Bruinooge moved to approve the request of Lindsey Kreckler for a wedding ceremony at White Crest beach on June 10, 2017, 2 pm – 6 pm., with an event fee of \$100. Reinhart seconded and the motion passed 5-0.

#### **Chamber of Commerce request to place “Welcome to Wellfleet” sign on the side of Marina Building**

Sylvia Smith and Martha Wilson presented the request of the Chamber of Commerce to place the Welcome to Wellfleet sign on the east side of the Harbormaster's building. They gave background information about the history of the sign and the accompanying issues. Helen Miranda Wilson introduced an email communication from the Planning Board member Jan Morrissey. Hoort read the email<sup>1</sup>. Discussion ensued. Sylvia Smith said that if the objection is the Chamber of Commerce books they will leave the books off and leave the space for informational events such as recreation department schedules. Bruinooge disagreed with Morrissey's letter with respect for the comment “*the sign will dominate the Harbor*”. Reinhart said that the sign currently does not comply with the Town's bylaws and suggested getting a variance from the ZBA before asking the Board of Selectmen for approval. Houk did not find an issue with the proposed sign location and felt that the decision for the sign should come from the ZBA. Murphy also did not find an issue with the location, but suggested getting it right this time and waiting for Town Counsel's opinion before making any decisions. Helen Miranda Wilson talked about a case relevant to signs. She suggested making the sign smaller, so it can be in compliance with the ZBA regulations. A decision was deferred until legal opinion is available. Wilson said that she didn't think it would qualify for a zoning variance.

### **Business**

The Board heard the request of Russell Swart to rescind the August 23, 2016 vote for a new seasonal All Alcohol restaurant liquor license for ITILDO BBQ, dba Russ & Marie's Marconi Beach.

**MOTION 217-068:** Reinhart moved and Bruinooge seconded to approve the request of Russell Swart to rescind the August 23, 2016 vote for a new seasonal All Alcohol restaurant liquor license for ITILDO BBQ, dba Russ & Marie's Marconi Beach. The motion passed 5-0.

#### **Updated draft of the Hazard Mitigation Plan - vote to send it to FEMA and MEMA for approval.**

Dr. Caroline Harper of the Cape Cod Commission and Police Chief Ronald Fisette explained the need for the draft Hazard Mitigation Plan to be sent to FEMA and MEMA for review and approval.

**MOTION 217-069:** Bruinooge moved and Reinhart seconded to send the draft of the Hazard Mitigation Plan to FEMA and MEMA for approval. The motion passed 5-0.

### **Update on the Baker Field Recreation Facility Project**

Ted Touloukian, Architect of Touloukian Touloukian Inc. gave a conceptual presentation<sup>2</sup> including a preliminary cost estimates and options including tight tank and composting toilets, traditional Title V and portable toilets. Murphy wanted to know if the Mayo Creek Restoration Project has been considered into the planning and engineering. Discussion ensued about possibility for year-round versus three season building. Bruinooge suggested that a modular building should be explored. Murphy suggested taking a step back and considering all options given the cost involved and how the initial project escalated from \$375,000 to over \$2M. Houk supported Bruinooge idea for a modular building. Murphy and Houk agreed that the Finance Committee should be involved in this decision and ultimately the Town Meeting will determine the project viability.

### **Cape Cod Commission Update**

Paul Niedzwiecki, Executive Director of the Cape Cod Commission and Jack Yunits, Barnstable County Administrator briefed the selectmen about recent activities and programs at the Cape Cod Commission. Highlights of the presentation were capital planning; housing in general; aging demographics and Cape Cod's economy. Murphy had a question about the possibility of the County purchasing a dredger and barge for Towns' use. Yunits found this idea good and encouraged continuing this conversation. Murphy wanted to know the waste water situation in Wellfleet. Niedzwiecki confirmed that according to recent studies and reports Wellfleet is in a good shape. Houk suggested utilizing Sarah Peake's influence in the State House to address local needs. At Wilson's suggestion the Board delegated Murphy to continue the maintenance dredging discussion with the County officials. In conclusion Chief Fisette recognized the services of the Cape Cod Commission k support of the Town.

### **Authorization of contract with Sky Freys-Cole for LCP facilitation**

Hoort explained the need for Sky Freys-Cole's facilitating services for the Local Comprehensive Plan community workshop. Bruinooge and Wilson spoke highly of Sky Freys-Cole.

**MOTION 217-070:** Wilson moved to authorize the TA to enter in contract with Sky Ferys-Cole.. Bruinooge seconded. Town Accountant asked where the money will come from. Murphy said that the funds will come from the consultancy budget. The motion passed 5-0.

### **Discussion of Ice Bear Project**

Austin Brandt of Cape Light Compact (CLC) & Dick Elkin, Chair of the Energy Committee presented information and data about the proposed Ice Bear Project at the COA, Library, DPW buildings and possibly the WES. He said the idea is not so much to save energy, but rather shift levels of energy consumption from day time to night time and to help with the demands of the grid. He said it is the goal of CLC that equipment will be installed before next summer. Dick Elkin went over concerns identified by the Energy Committee and confirmed that all concerns have been addressed by CLC to the satisfaction of the Energy Committee. Elkin also said that the COA equipment is near the end of its life span and this project will give the COA an opportunity to get new equipment at no direct cost to the Town. According to Elkin, the only downside would be the maintenance of the new equipment. Brandt said that CLC prefers using the same contractor who is familiar with the equipment in order to have a consistency with the maintenance services. Wilson wanted to know where the parts of the equipment that make noise are located. Brandt said that the Town's commitment will come with contract execution. No action was required on this update at this time.

## **Draft FY 2018 Budget Policy and Statement [First Reading]**

The selectmen reviewed the proposed FY 2018 Budget Policy and Statement. No action was taken.

**Discussion with Mr. Alfred Pickard regarding tree cutting [Pickard]** – postponed to October 25.

## **Discussion of Licensing Board under the Charter review**

Wilson introduced the request of the Charter Review Committee for input from the selectmen in terms of creating a separate licensing board. Bruinooge did not find a need for a separate licensing board and did not find it burdensome. The rest of the selectmen agreed with Bruinooge and no action was taken on this agenda item.

## **Town Administrator's Report**

Hoort presented his report<sup>3</sup> of September 23 and added that he will meet with Sarah Peake on October 5. He also said that there will be Department Heads meeting on October 5, where he will focus on grant revenue and fees;

## **Topics for Future Agendas**

- Recreation restrooms and building.
- Add to the October 4, 2016 agenda appointments.
- Mark Forrest's support for dredging
- Executive session about the status of open legal cases.
- Landing strip status
- Status of the Town Hall floor replacement.
- Street signs for elections.
- Name plates for Town employees.

## **Correspondence<sup>4</sup> and Vacancy<sup>5</sup> Report**

### **Minutes**

Wilson went over her suggestions for amendments of the September 13, 2016 minutes.

**MOTION 217-071**: Reinhart moved and Wilson seconded to approve the minutes<sup>6</sup> of September 13, 2016 as amended by Wilson. The motion passed 4-0. (Bruinooge did not vote).

### **Adjournment**

**MOTION 217-072**: Bruinooge moved to adjourn the meeting at 9:43 pm. Wilson seconded and the motion passed 5-0.

Respectfully submitted,

Michaela Miteva, Executive Assistant

## **Public Record Documents:**

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<sup>1</sup> Email dated 9/27/16 from Janet Morrissey re Chamber of Commerce request to place sign on the Harbormaster's building.

<sup>2</sup> Touloukian Touloukian, Inc. presentation on status of Baker Field restrooms and recreation building project

<sup>3</sup> TA Report of September 23, 2016

<sup>4</sup> Correspondence Report of September 27, 2016

<sup>5</sup> Vacancy Report of September 23, 2016

<sup>6</sup> Draft minutes of September 13, 2016