



**Wellfleet Board of Selectmen
Minutes of April 21, 2015
Wellfleet Senior Center**

Present: Paul Pilcher, Chairman , Dennis Murphy, Berta Bruinooge, John Morrissey, Jerry Houk, Town Administrator Harry Sarkis Terkanian

Chairman Paul Pilcher called the meeting to order at 7:00 pm.

Announcements, Open Session and Public Comment

Pilcher congratulated Judith Stiles about the success of Wellfleet Blossoms. He reminded that Amnesty Day is on Saturday, April 25, 2015 and made the following announcements:

- A Candidates Night sponsored by the Wellfleet Community Forum will be held on Wednesday, April 22 at the COA at 7:00 pm.
- Two informational meetings will be held on Thursday, April 23. The first one will be hosted by the Recycling Committee at 5:00 pm on the proposed plastic bag bylaw; the second one - on Animal Control Officer Bylaw article on dog ordinances will be hosted by the Town Clerk at 7:00 pm at the COA.

Town Administrator Harry Terkanian announced:

- The 2014 Annual Town Report is now available at Town Hall and at the Library.
- The annual beach clean up is scheduled for May 2, 2015 on Mayo Beach. Coffee, donuts and a trash bag will be provided.

Police Chief Ronald Fisetite informed the Selectmen that he has met with the party interested in the rumble strips re-locations on Route 6, and said that he is willing to work with the request, unless the Selectmen decide otherwise and announced:

- WESFest is coming up and volunteers are needed.
- Narcan training will be offered free of charge to the public in the near future.

Dick French of 30 Day Road had concerns about unpaved private roads and snow plowing and gave information about how in the past Day Road used to be plowed until the new snow plowing policy took effect. He asked the Selectmen to consider revisiting the policy and reconsider plowing the road. Pilcher said that this matter will be discussed further in the agenda. Arleen Barnhouse reaffirmed the position of French.

Public Hearing(s)

Hardship – Commercial Shellfish Permit-Late Application: Rafe Emond - *postponed to May 12, 2015*

Licenses

MOTION 215-187: Bruinooge moved and Murphy seconded to approve the Common Victualler License for The Fleetian, Flying Fish Café and Mainstay Motor Inn. The motion passed 5-0.

MOTION 215-188: Bruinooge moved and Houk seconded to approve Weekday Entertainment Licenses for The Fleetian, Flying Fish Café and Mainstay Motor Inn. Discussion ensued between the

Selectmen and Ms. Gail Ferguson regarding her letter about noise issues from the Flying Fish Café. The motion passed 5-0. Bruinooge suggested that Ms. Ferguson talks directly with the owner about the noise amplification. Pilcher explained that amplified noise issues have been extensively discussed inuring several recent meetings and asked why this matter has not been brought up then. Fergusson suggested people to be informed when matters of concerning abutters are discussed.

Appointments

Thomas Siggia's appointment was deferred to May 12 to give opportunity to Mr. Siggia to attend and speak about serving on various boards of interest.

Use of Town Property

Becky Rosenberg, Recreation Director spoke on behalf of International Women's Flag Football Association and presented the details of their request to use Baker Field on September 19 and 20, 2015 for the 10th Annual Kate Clinton Flag Football tournament. Rosenberg explained that the number of participants will be determined as the event approaches. Terkanian recommended requiring proof of liability insurance. Houk wanted to know why the event was moved from Provincetown back to Wellfleet. Murphy wanted to know if any consideration was given to repair the field after the tournament. Terkanian referred to the newly adopted policy of Use of Town Property and suggested that \$100 a day would be appropriate.

MOTION 215-189: Pilcher moved to approve the request of International Women's Flag Football Association to use Baker Field on September 19 and 20, 2015, 9 am - 5 pm for 10th Annual Kate Clinton Flag Football tournament with a fee of \$200, paying for portable potties and providing a proof of liability insurance. Bruinooge seconded the motion. Further discussion ensued. Morrissey suggested asking for \$1,000 security bond. Murphy supported the idea. Bruinooge disagreed with the proposed bond fee and said that this will make it difficult for people to come to Wellfleet. Morrissey did not make a new motion and the original motion passed 5-0.

Ragnar Events to use various town property for charity road race

Terkanian gave a background about the Ragnar's charity road race over the last three years.

MOTION 215-190: Bruinooge moved and Murphy seconded to approve the request of Ragnar Events to use White Crest and Newcomb Hollow Beach parking lots, Lecount Hollow Road, Ocean View Drive and Gross Hill Road for charity road race on Saturday, May 9, 2015 from 4 AM to 5 PM contingent on paying for portable potties, provide proof of liability insurance and paying the processing fee. The motion passed 5-0.

Business

Gull Pond Affordable Housing Project

Ted Malone presented the conversion of Gull Pond Road Affordable Housing project from ownership to rental. He said that the ZBA will support the change pending the review of Town Counsel. He added that the State has not been able to approve any funding for this project. He explained why the acknowledgment of notice of proposed change was needed. Houk wanted to know the rental amounts. Malone went over different rental tiers based on income eligibility. Morrissey wanted to know who the owner of the construction would be and how long the developer has been doing this, and if there were any financial issues. Malone talked about his experience with this kind of projects and affirmed that there are no financial issues. Houk wanted to know if these rental units would be available for purchase if the situation of the tenants would change in the future. Malone explained

that the property will be deed restricted as an affordable housing rental only, and will be owned by a private entity. In these terms a future purchase by a tenant would not be an option.

MOTION 215-191: Pilcher moved to have the Board authorize him to sign and send the two letters¹ as requested and presented in the package. Houk seconded and the motion passed 5-0.

Continuation or termination of no trespass order to David Hawkins

Police Chief Fisette presented the background of the No Trespass order to David Hawkins from last year and asked the Selectmen to reaffirm it for the purpose of docking his boat at the Marina. Pilcher wanted to know the exact details of the order. Fisette gave the specifics.

MOTION 215-192: Bruinooge moved and Murphy seconded to reaffirm the No Trespass order to David Hawkins until more information is provided by the Harbormaster. The motion passed 5-0.

Amendments to Police Department Rules and Regulations

Police Chief Fisette explained the reasons for the Police Department Rules and Regulations². He said that no action was needed by the Selectmen for the proposed new regulations to become effective May 1, 2015. The selectmen did not oppose the proposed changes.

Discussion of policy on plowing paved private roads

Bruinooge presented her concerns about plowing on private roads, based on conversation with and letters and emails by people who live on private roads and do not get plowed by the Town. Bruinooge acknowledged that the past winter has been extraordinary, but agreed that all taxpayers should be considered for plowing and encouraged the Selectmen to further discuss this matter. Murphy wanted to know why the change for plowing private roads was implemented. Paul Lindberg, Assistant DPW Director gave information about the change as a result of 2006 Annual Town Meeting vote. Pilcher referred to the Paved Private Roads policy currently in place and wanted to know how this related to the 2006 ATM vote. Lindberg explained the background of the process. Pilcher clarified that a Town Meeting vote cannot be revoked by the Selectmen. Terkianian said that there is limited record pertaining to the 2006 vote. Pilcher said that this matter should be revisited on May 26, 2015 when more information is available. Helen Miranda Wilson said that the Fire Department has a historical good record of plowing private unplowed roads in case of emergency. Richard Mason of South Wellfleet wanted to know what the response time of emergency in South Wellfleet would be when the road has not been plowed.

Report from the Citizens Economic Development Committee.

David Rheault, Judith Stiles and Manuel Smith were present to speak about the Citizens Economic Development Committee (CEDC) report. Stiles talked about the success of Wellfleet Blossoms. She went over other opportunities provided by the CEDC and how local entrepreneurs are featured. Smith added that the development of new businesses is a priority to the Committee. He said that the Committee is working with the Assistant Town Administrator to establish Wellfleet as a Cultural District by the Massachusetts Cultural Council and the potential benefits to the Town, the merchants and businesses.

Review of Board of Selectmen's goals

Pilcher reviewed the status of the 2015 Board of Selectmen's goals³ and expressed how pleased he is with the progress of the top two goals. He said that periodical review of the goals is important.

Town Administrator's Report

Terkanian went over his report⁴ and said that there are no other additions to the report.

Future Concerns

- Unpaved private roads plowing on May 26, 2015 meeting agenda
- New Vibrio regulations and deer issues on the flats either on May 12 or May 26, 2015 agenda
- Alternative for Route 6 – Main St design project on May 26 agenda or as a separate meeting

Correspondence and Vacancy Report

There were no comments on the correspondence⁵ and vacancy⁶ reports.

Minutes

MOTION 215-193: Morrissey moved and Bruinooge seconded to approve the minutes⁷ of April 7, 2015 as submitted. The motion passed 5-0.

Houk and Pilcher thanked John Morrissey for his service as a selectman.

Adjournment and Executive session

Pilcher read the purpose of the executive session in open session: 1. *To discuss strategy with respect to collective bargaining with Wellfleet Employees Association Units A, B & C* and 2. *To discuss strategy with respect to ongoing litigation;* and stated that discussing these matters in a public meeting may have a detrimental effect.

MOTION 215-194: Pilcher moved and Houk seconded to close the public meeting at 8:35 pm and enter into executive session and not go back to public meeting. The motion passed by a roll call vote where each Pilcher, Morrissey, Murphy, Bruinooge and Houk said "Aye".

Respectfully submitted,

Michaela Miteva
Executive Assistant

¹ BOS letters to Department of Housing and Community Development supporting Gull Pond Affordable Housing project

² Proposed amendments to Wellfleet Police Department Rules and Regulations (May 1, 2015)

³ 2015 BOS Goals

⁴ TA Report of April 16, 2015

⁵ Correspondence Report of April 21, 2015

⁶ Vacancy Report of April 16, 2015

⁷ Minutes of April 7, 2015