

**Wellfleet Board of Selectmen
Minutes of the Meeting of November 13, 2012
Council On Aging Building, 7:00 p.m.**

Present: Berta Bruinooge, Jerry Houk, John Morrissey, Dennis Murphy, Paul Pilcher; Interim Town Administrator Tim King.

Chair Berta Bruinooge called the meeting to order at 7:00 p.m.

Announcements, Open Session and Public Comment:

- Bruinooge said that the Selectmen have received several correspondences from citizens who have blown their tires on the new curbing on Bank and Commercial Streets. The BOS invited Environmental Partners engineer Paul Millet to help mitigate the problem and report back solutions to Interim Town Administrator Tim King.
- Houk expressed concern about the Commercial/Bank Streets sidewalk project and raised issues concerning asphalt paving and drivers blowing tires on the new curbing. Murphy suggested that the DPW place signage to warn drivers about the potential issues with the high curbing.
- Houk raised issues about the Town's policies on maternity leave due to a correspondence from Health and Conservation Agent Hillary Greenberg-Lemos. Houk also said that Fire Chief Silverman should have informed the BOS of his deployment to aid Hurricane Sandy victims.
- Police Chief Ron Fisette announced that the prescription drug collection box had arrived in the Police Station lobby and that the Department was also collecting toys for Christmas as well as food and pet supplies for the victims of Hurricane Sandy.

Use of Town Property

Bruinooge recused herself from the vote.

Motion 12-0364: Morrissey moved to waive part of the fee for Use of Town Property for Preservation Hall on Saturday and Sunday, December 8-9 from 9:00 a.m. to 5:00 p.m. for a holiday craft fair. Pilcher seconded the motion and it failed 2-2 (Houk/Murphy).

Motion 12-0365: Morrissey moved to approve the request from Preservation Hall to use the parking lot across from 335 Main Street on Saturday and Sunday, December 8-9 from 9:00 a.m. to 5:00 p.m. for a holiday craft fair held at Preservation Hall. Houk seconded the motion and it passed 4-0. Fee applies: \$100 per day.

Public Hearings [7:15]

Change of Manager

Motion 12-0366: Pilcher moved to approve the application received October 20, 2012 from PB Boulangerie Bistro for a Change of Manager from Kenneth D. Kornelson to Eliza Cox. Houk seconded the motion and it passed 5-0.

Restaurant Closing

Motion 12-0367: Murphy moved to approve the application received November 6, 2012 from The Wicked Oyster requesting permission to close the restaurant from November 26, 2012 to January 16, 2013. Houk seconded the motion and it passed 5-0.

Motion 12-0368: Morrissey moved to approve the request for use of local and state roads in Wellfleet for the 29th Annual Cape Cod Getaway MS Bike Ride on June 29-30, 2013. Murphy seconded the motion and it passed 5-0.

Business

OysterFest 2012 summary Report

Police Chief Ron Fisette gave a summary report of OysterFest 2012. Fisette said that the festival organizers and local businesses successfully addressed concerns from last year's festival and that the overall flavor of the event greatly approved. Bruinooge said that she thought this year's event was great too.

Recommendation on 111-F Designation

Motion 12-0369: Houk moved to approve the request from Police Chief Ron Fisette that the Board of Selectmen grant Sgt. Michael Turner injured on duty status for October 14-15, 2012¹. Morrissey seconded the motion and it passed 5-0.

Recommendation to act on the Right of First Refusal for Chequessett Neck Road Property: Interim Town Administrator Tim King reviewed unanimous votes by various Town Committees², including Finance, Open Space, Planning Board and NRAB, to waive, not exercise or take no action on the first right of refusal regarding the Chequessett Yacht and Country Club Lot 76.

Motion 12-0370: Houk moved that the BOS not take action on the right of first refusal regarding the Chequessett Yacht and Country Club Lot 76. Murphy seconded the motion and it passed 5-0.

Vote to accept Board of Selectmen Policy: Paved Private Roads Eligible for Plowing

Motion 12-0371: Murphy moved to accept the Board of Selectmen Policy regarding Paved Private Roads Eligible for Plowing³. Pilcher seconded the motion and it passed 5-0.

Vote to accept Board of Selectmen Policy: Town Building Projects

The Selectmen reviewed the proposed BOS Policy on Town Building Projects⁴ and suggested that the issue be tabled until a future Board of Selectmen meeting to give DPW Director Mark Vincent time to address several issues raised during the discussion; including the inspection process, required personnel, annual costs and funding sources.

BOS to create a list of questions regarding student population trends

John Morrissey prepared a memo⁵ to Nauset Regional School Superintendent Richard Hoffman, Wellfleet Elementary School Committee Chair Jan Plaue and Wellfleet Elementary School Principal Mary Beth Rodman that listed several questions regarding Nauset Schools student population trends. The school representatives would be invited to give a presentation on the subject matter addressed in the memo at the November 27, 2012 Board of Selectmen meeting.

Selection of new Wellfleet Town Administrator

Bruinooge invited Mark Morse from MMA Consulting to present a recap of the Town Administrator search process and then Bruinooge invited Houk to be the first to speak to his choice for Town Administrator. Houk said that he thought that all three candidates were good. Although King has years of municipal experience, he recommends Terkanian because he has lived and worked in Wellfleet for over 40 years and has budgetary experience from being the Town moderator.

Murphy agreed with Houk and thinks all three candidates have the ability to perform the job. Murphy feels that the choice can come down to a gut instinct and thinks Terkanian has earned a shot at this job. Murphy added that he has known Terkanian for 40 years and has nothing but positive things to say about him.

Morrissey agreed with Houk and Murphy and chose Terkanian. Morrissey feels better about the choice knowing that King will be the Assistant Town Administrator.

Pilcher also agreed that Terkanian could do the job of Town Administrator well and felt that King's candidacy had suffered because of his association with the previous Town Administrator. However, Pilcher thinks that Terkanian understands the problems facing Town and the morale issues. Pilcher is supporting Terkanian for Town Administrator to help bring the Town together.

Bruinooge struggled with a decision to support Terkanian because he has no experience in running a municipality but in order to make the decision among the Board unanimous, Bruinooge will support Terkanian for Town Administrator.

Motion 12-0372: Houk moved to make a conditional offer of employment as Wellfleet's Town Administrator to Harry Terkanian with the following conditions:

1. Passing a medical examination, including a stress test
2. Passing a drug test
3. Passing a background investigation to include financial, Criminal Offender Record Index (CORI) and check of references and employment
4. Reaching a successful agreement on an employment contract

Murphy seconded the motion and it passed 5-0.

Houk thanked King for his professionalism and assured him that he had the support of the Board of Selectmen.

Town Administrator's Report

Interim Town Administrator Tim King reviewed his bi-weekly report⁶. Morrissey added that he does not think the Fire Chief should be paid by the Town for his deployment during Hurricane Sandy. King said that he believes FEMA will reimburse the Town for expenses incurred.

Future Concerns

- Houk wants bids to be open at meetings publicly by BOS. Bruinooge said that she thought such an action could delay the start time for a project.
- The Selectmen requested that the business plan for tennis courts be placed on a future agenda

Correspondence and Vacancy Report

Dennis Murphy had prepared the Correspondence Report. A copy was made available for review.

Adjournment

Motion 12-0373: Morrissey moved to go into executive session with respect to contract negotiations and not return to the regular meeting. Murphy seconded the motion. Bruinooge, Pilcher, Houk Morrissey and Murphy each said yes, and the motion passed 5-0. The meeting adjourned at 8:20 p.m.

Respectfully submitted,
Amy Voll, Executive Assistant

¹ November 1, 2012 memo from Chief Fissette requesting a recommendation for 111-F Designation

² Tally of committee votes from NRAB, Finance, Open Space and Planning Board for the CYCC Lot 76 Right of First Refusal recommendation, plus supporting documentation.

³ Board of Selectmen Policy regarding Paved Private Roads Eligible for Plowing

⁴ Board of Selectmen Policy regarding Town Building Projects

⁵ November 13, 2012 memo from John Morrissey regarding Nauset School Enrollment Trends

⁶ November 13, 2012 Tim King Town Administrator's Report