

**Wellfleet Board of Selectmen
Minutes of the Meeting of June 4, 2013
Council On Aging Building, 7:00 p.m.**

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

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

Announcements, Open Session and Public Comment

- Town Administrator Harry Terkanian announcements:
 - Nauset Superintendent Hoffman sent an email stating the likelihood that the Wellfleet Elementary School roof project will be accepted by Massachusetts School Building Authority (MSBA) as an expedited project at their June 5, 2013 meeting. A fall Town Meeting may be needed to approve borrowing for the project.
 - The Nauset Middle School roof replacement also looks like it will be approved at the June 5 MSBA meeting and will likely require a borrowing authorization at the 2014 Annual Town Meeting.
 - A list of Private Roads which do not meet the standards for plowing will be published and posted on the Town web site. DPW, Police and Fire are continuing the inspections and there may be additions to the list.
 - Chapter 90 funds. Only \$150 million of the \$300 million authorized by the Legislature is being released. Wellfleet's share is \$187,232, less than the estimated \$248,942.
 - Preliminary Flood Insurance Rate Maps (FIRM) and the DPW private road inspection report are posted on the announcements section of the Town web page.
- Police Chief Ron Fisette announcements:
 - The Wellfleet Police Department will participate in the Special Olympics Torch Run fundraiser on Thursday, June 6, 2013.
 - A local senior citizen was scammed out of funds over the phone. Fisette urged seniors not to give out personal information over the phone and to call the Police if they doubt the validity of the caller.
- Energy Committee member Lilli Green thanked the Board and Town for all of their sympathy and support after the passing of her husband Preston Ribnick.

Licenses

Motion 13-0205: Houk moved to renew the annual business license for The Juice. Murphy seconded the motion and it passed 5-0.

Appointments

Motion 13-0206: Murphy moved to approve the appointment of Dennis O'Connell to the Planning Board for a 5 year term ending 6/30/18 and Curt Felix to the Cape Cod Water Protection Collaborative Technical Advisory Committee for a 2 year term ending 6/30/15. Houk seconded the motion and it passed 5-0.

Reappointments

Motion 13-0207: Morrissey moved to approve the reappointment of John Neuwirth to the Bike and Walkways Committee for a 3 year term ending 6/30/16 and Justina Carlson to the Board of Water Commissioners for a 3 year term ending 6/30/16. Murphy seconded the motion and it passed 5-0.

Public Hearing 7:15 p.m.

Motion 13-0208: Murphy moved to approve the application received from Rookies, Inc. to transfer the Seasonal All Alcohol License to Rino's, LLC, dba Rookies Family Restaurant. Houk seconded the motion and it passed 5-0.

Motion 13-0209: Pilcher moved to amend the Town of Wellfleet Shellfishing Draft Rules and Regulations to include new Vibrio regulations and other written adjustments as provided by Helen Miranda Wilson in an email correspondence¹. The Town Administrator will write a letter to the Division of Marine Fisheries to encourage a speedy approval. Murphy seconded the motion and it passed 5-0.

Use of Town Property

Motion 13-02010: Pilcher moved to approve the amended request from Beth Brehmer to set up vendor booths to sell artwork and promote Recycling Committee activities at 325 Main Street (the Penny Patch) on a trial basis for four (4) Wednesdays between June 19 and September 25, 2013 from 8:00 a.m. to 12:00 p.m. Brehmer and any other vendor selling goods will donate 25% of sales to promote Recycling Committee activities. The approval is contingent upon a written letter of support from the Recycling Committee. Murphy seconded the motion and it passed 5-0. [No processing or Use of Town Property fee applies].

Motion 13-02011: Morrissey moved to approve the request from Colter Miller from Northeast Skim Tour to use Whitecrest Beach on Saturday, July 14, 2013 from 8:00 a.m. to 5:00 p.m. for an annual skimboarding contest. Bruinooge seconded the motion and it passed 5-0. [Processing fee: \$20. Use of Town Property fee: \$100].

Motion 13-02012: Pilcher moved to approve the request from Paul Curley from the American Lung Association to set up a volunteer water stop table at the Whitecrest Beach Parking lot on Sunday, September 29, 2013 from 9:00 a.m. to 1:00 p.m. for bicyclists on the 29th Annual Autumn Escape Bike Trek. Beach Administrator Suzanne Grout Thomas noted that the restrooms will be open as requested. Murphy seconded the motion and it passed 5-0. [No processing or Use of Town Property fee applies].

Motion 13-02013: Morrissey moved to approve the request from Lianne Hawes and Eric Greenspan to use Mayo Beach on Saturday, July 27 from 6:30-7:30 p.m. for a wedding ceremony. 18 people total with 4-5 cars in the parking area. No food or beverages served – ceremony and pictures only. Houk seconded the motion and it passed 5-0. [Processing fee: \$20. Use of Town Property fee: \$100].

Motion 13-02014: Murphy moved to approve the amended request from Lisa Amy Gray to use Mayo Beach on Saturday, August 3, 2013 from 6:00 p.m. to sunset (7:57 p.m.) for a wedding and 'casual' beach party to follow with food, a small tent (to cover the food) and possibly music. No alcohol will be served. Gray said that Van Rensselaer's Restaurant in Wellfleet will be catering the events and is in charge of beach clean-up after the party. Houk seconded the motion and it passed 5-0. [Processing fee: \$20. Use of Town Property fee: \$100].

Business

Updates on Quality Results for Duck Creek Cape Cod Water Protection Collaborative/208 Plan
Curt Felix, Wellfleet's representative to the Cape Cod Water Protection Collaborative, reviewed water quality improvements in Wellfleet Harbor from oyster propagation. The oysters are doing an excellent job in removing nitrogen from the harbor, with levels below EPA 'Excellent.'² Spikes in nitrogen come from the active bird population and the use of the marina bathroom facilities during summer. Felix also secured a \$100,000 grant to boost oyster propagation efforts. Next, Felix went over revisions to the 208 Water Quality Management Plan for Cape Cod. This update will recommend a range of solutions for each watershed; recommend Cape-wide policies, management approaches, regulatory changes

implementation priorities and other actions beneficial to all Cape towns and watersheds; aggregate costs and evaluate regional or cape-wide financing or funding mechanisms to minimize cost impacts and ensure affordability. The plan will also compile the individual watershed plans into an overall Cape Cod 208 Plan Update, which has a preliminary schedule associated with it. Murphy wanted to be sure that the County plan will not be forced upon Wellfleet. Selectmen congratulated Felix on all of his successful efforts on the Town's behalf.

Discuss joint meeting with Planning Board

The Selectmen agreed to hold a joint meeting with the Planning Board on June 19, 2013 at 7:15 p.m. to discuss a list of proposed changes and additions to the zoning bylaws, including:

- Proposed bylaw to impose fines on owners of rundown buildings.
- By-right permits for new businesses. Pilcher was concerned that entrepreneurs have been 'discouraged by hurdles.'
- Formula Business Bylaw - unintended consequences.
- Sign rules and regulations – uneven enforcement.
- Affordable housing accessory buildings – review provisions. Houk would like to discuss the possibility of renting some accessory dwelling units at market rate to financially assist homeowners.
- Plan fall meeting of all of the regulatory boards to discuss priority issues and share information.

Before the meeting on June 19, John Morrissey suggested that the Planning Board submit a priority list to the BOS of the top 3-4 issues that they are currently working on. The BOS will submit their discussion list to the Planning Board before the meeting.

Proposed Economic Development Fund guidelines

Terkanian requested that the BOS adopt proposed guidelines³ to administer the \$25,000 appropriated at the 2013 Annual Town Meeting to the Economic Development Fund as of August 1, 2013.

Motion 13-0215: Murphy moved to adopt the proposed guidelines to administer the Economic Development Fund. Morrissey seconded the motion and it passed 5-0.

Taxation Aid Committee Charge and Appointments

Motion 13-0216: Murphy moved to approve the Taxation Aid Committee charge and appoint Manuel Smith (3 year term ending 6/30/16), Susan Messina (2 year term ending 6/30/15) and Lisa Benson (1 year term ending 6/30/14) as community members of the committee. Morrissey seconded the motion and it passed 5-0.

Guidelines for use of town property by organizations

Terkanian reviewed the current fee schedule for Use of Town Property requests and asked the Selectmen to clarify the guidelines for greater consistency. Ideas include requiring a deposit in certain cases to offset any financial burden to the Town if Police, Fire or DPW are needed for clean-up, etc.; a signed acknowledgement for the noise bylaw or any other applicable bylaw; lead-time for application needed for signature by Town Departments, etc. Paul Pilcher wants to make sure that guidelines are clear when a request for Use of Town Property is made by a Town committee. Terkanian will distill this information and make a more formal proposal at a future BOS meeting.

Discussion of FY 2014 Board of Selectmen Goals

Pilcher reviewed the current list of Board of Selectmen Goals for 2013 and the Selectmen collectively decided to move the harbor dredge to the top position. Paul Pilcher would like to add conditions surrounding oysters and quahogs, and universal preschool. Murphy would like to add a water system extension to South Wellfleet and Morrissey would like to review childcare capabilities by the Recreation Department. Pilcher will reorganize the list and present it at a future BOS meeting.

Review and Approve Chequessett Yacht Club Lot L1 Easement

Terkanian reviewed the various easement agreements⁴ between the Town of Wellfleet and the Pierce family for Chequessett Yacht Club Lot L1 and asked the Board of Selectmen for their final approval to execute the documents.

Motion 13-0217: Murphy moved to accept the three easement agreements between the Town of Wellfleet and the Pierce family for Chequessett Yacht Club Lot L1. Pilcher seconded the motion and it passed 5-0.

Intersection Improvements

Assistant Town Administrator Tim King asked the BOS to sign a letter of support⁵ for proposed improvements to the Route 6 and Main Street intersection.

Motion 13-0218: Pilcher moved to approve a Board of Selectmen letter of support for recommended improvements to the Route 6 and Main Street intersection. Houk seconded the motion and it passed 5-0.

Discuss possible climate change meeting

Wellfleet resident Harriet Korim suggested that the Town host a meeting to discuss climate change issues. Terkanian said that if the BOS are interested in pursuing the topic, he can organize the land use boards to hold a symposium through the Wellfleet Community Forum.

Review of BOS summer meeting schedule

The Selectmen reviewed the remaining BOS meeting schedule and by consensus cancelled the July 9 and July 23 meetings and scheduled one meeting on July 16, 2013 at 7:00 p.m. at the Council On Aging.

Town Administrator's Report

Town Administrator Harry Terkanian reviewed the Town Administrator's report⁶, which contained supplementary information on the following issues:

- Terkanian found unspent expense funds in the FY 2013 operating budget to fund Fire Chief's command car. There will be a series of transfers from various departments to the FD operating expense which will require Finance Committee and BOS approval.
- Terkanian spoke with Patty Daley of the Cape Cod Commission about the status of the Municipal Solid Waste contract, specifically the issue of Wellfleet's reduction in tonnage below 80%. ABC Disposal is offering a 10 year contract with a 5 year option to match Covanta. No maximum or minimum tonnage will be required. ABC Disposal financials are available to the BOS for review. ABC Disposal's price stands at \$60 a ton. Covanta is \$68. The right of first refusal on recycling was not raised by ABC.
- The Finance Committee will vote and bring Capital Improvement Plan recommendations to the BOS after their June 26, 2013 meeting.
- Installation work on the septic tank at the Beach Sticker Office will begin June 5, 2013. The Beach Sticker Office is scheduled to open June 8, 2013.
- The Wellfleet Elementary School Parade is scheduled for Friday, June 7, 2013.

Future Concerns

- The Beach Planning Committee charge will be on the June 18, 2013 agenda for discussion and/or adoption.
- From the audience, Laura Wanco asked if she could plant flowers at the Penny Patch. The Selectmen gave their unanimous consent.

Correspondence and Vacancy Report

John Morrissey had prepared the Correspondence Report⁷. A copy was made available for review.

Minutes

Motion 13-0219: Pilcher moved to approve the minutes of May 21, 2013⁸ as printed. Murphy seconded the motion and it passed 5-0.

Adjournment

Motion 13-0220: Murphy moved to adjourn the meeting. Pilcher seconded the motion and it passed 5-0. The meeting was adjourned at 9:13 p.m.

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Respectfully submitted,

Amy Voll, Executive Assistant

¹ May 30, 2013 Helen Miranda Wilson email: amended shellfish regulations

² Map/chart illustrating Oyster Propagation Zone and water quality in Wellfleet Harbor

³ May 28, 2013 Terkanian memo: Suggested Economic Development Fund Guidelines

⁴ June 4, 2013 – Three final easement agreements regarding Lot L1

⁵ June 4, 2013 BOS letter of Support for Rt.6/Main St traffic improvements and other related documents

⁶ June 4, 2013 Harry Terkanian Town Administrator's Report

⁷ June 4, 2013 Correspondence Report

⁸ Minutes of May 21, 2013