



Town of Wellfleet - Board of Selectmen
Wellfleet Public Library
March 10, 2009
Regular Scheduled Meeting

The meeting was called to order at 7:00 p.m. by Selectmen Jacqui Beebe. . Selectmen present included Dale Donovan, Jerry Houk, Ira Wood and Michael May. Also attending Town Administrator Paul Sieloff.

I. Public Hearing

- ◆ Application from Slackman, Inc., Brian Sluis mgr d.b.a. **Pearl Restaurant**, 250 Commercial Street, requesting a new Seasonal All Alcohol Restaurant License.

Represented by Atty. Ben Zehnder and Brian Sluis. Ira Wood asked about the proposed hours and had concerns with noise complaints. Mr. Sluis mentioned that the proposed hours were subject to weather conditions but requested the full amount of hours with no conditions and they might act accordingly when the time arises.

MOTION 09-043: *To move that the Board of Selectmen vote to approve the license.*

Motion by: Dale Donovan **Seconded by:** Michael May. Yea 5 Nay 0

- ◆ Application from Kevin Millet mgr d.b.a. **D'Italia's Restaurant**, 955 Route 6, requesting change in Annual Alcohol Restaurant license from Beer & Wine to an All Alcohol license.

Represented by Lenny D'Italia. He has had a Beer and Wine license for the past two years, with no complaints or violations. The request for an all alcohol would enhance the property's value.

MOTION 09-044: *To move that the Board of Selectmen vote to approve the liquor license.*

Motion by: Dale Donovan **Seconded by:** Jerry Houk. Yea 5 Nay 0

II. Announcements & Open Session

- ◆ DPW Assistant Director Paul Lindberg would like to request Board of Selectmen approval of April 4th as Amnesty Day at the Transfer Station.

MOTION 09-045: *To move that the Board of Selectmen vote to approve April 4th as Amnesty Day with the regulations outlined by the Board of Health.*

Motion by: Dale Donovan **Seconded by:** Michael May. Yea 5 Nay 0

- ◆ Michael May announced that there is a wood Recycling program at the Transfer Station.
- ◆ Dale Donovan mentioned a New York Times article regarding the excellent plowing service in the Town.
- ◆ Police and Fire Department Switch-over on business phone lines [Chief Rosenthal]
- ◆ Chief Dan Silverman announced the Fire Station offices being closed beginning Monday. No permits will be issued during the week's move. Burn permits will continue to be issued, but the Police dispatch office will be assisting.
- ◆ Sunday May 3rd will be the official grand opening of the Fire Station.

III. New Business

A. Appointments

- ◆ Board of Water Commissioners – Hannelore Vanderschmidt
- ◆ ~~Conservation Commission – Kathleen Bacon~~
- ◆ Special Police Officers – Jared Meegan and Edward Mitchell

Ira Wood mentioned receiving letter of resignation from Moe Baracas.

MOTION 09-046: *To move that the Board of Selectmen vote to approve Hannelore Vanderschmidt to the Board of Water Commissioners.*

Motion by: Ira Wood **Seconded by:** Michael May. Yea 5 Nay 0

MOTION 09-047: *To move that the Board of Selectmen vote to approve Jared Meegan and Edward Mitchell as Special Police Officers.*

Motion by: Ira Wood **Seconded by:** Michael May. Yea 5 Nay 0

MOTION 09-048: *To move that the Board of Selectmen vote to grant Don Paladino authorized vote of leave of absence.*

Motion by: Dale Donovan **Seconded by:** Ira Wood. Yea 5 Nay 0

B. 2009 Common Victualler Business License Renewal – *The Best of the Wurst*

MOTION 09-049: *To move that the Board of Selectmen vote to approve the license renewal of the Best of the Wurst*

Motion by: Ira Wood **Seconded by:** Michael May. Yea 5 Nay 0

C. Use of Town Property – Jon Hammond requesting use of ***Newcomb Hollow Beach*** on Saturday April 11, 2009 from 2:30-4pm for a Wedding Ceremony.

MOTION 09-050: *To move that the Board of Selectmen vote to approve the use of Town property*

Motion by: Ira Wood **Seconded by:** Michael May. Yea 5 Nay 0

D. Possible dates for 2009 Fireworks [proposed Friday August 28th and Raindate on August 29th]

MOTION 09-051: *To move that the Board of Selectmen vote to approve August 28th and a rain date of August 29th.*

Motion by: Jerry Houk **Seconded by:** Ira Wood. Yea 5 Nay 0

E. Board of Water Commissioners Presentation on proposed Water Project
Represented by Emily Beebe and Steve Gazzano. Ms. Beebe thanked everyone they have met with to give them guidance. At this point, the Board of Water Commissioners would like to propose improvements to the current water system for articles on the Annual Town Meeting Warrant. 5.6 million dollars is the estimated costs, but there are options for low rated loans, and assistance through grants being sought for. Dale Donovan announced March 23rd and April 6th Board of Water Commissioners meetings. Ms. Beebe discussed what will be the focus of those meetings. Mr. Makely announced that the Water Commissioners will be meeting with the Finance Committee next week, as well as the Zoning Board of Appeals and the Board of Health. Ms. Beebe mentioned that they have support from the Fire Department, and numbers are being worked out on cost savings through insurance with the fire hydrants being connected to the proposed improvements. Mr. Sieloff mentioned that this is a pro-active project. Ms. Beebe mentioned a Press Release has been put together and will be distributed tomorrow. Ira Wood mentioned that Sarah Peake is on board with this project.

F. Discussion on remaining funds from Fire Station project
Represented by Fire Chief Dan Silverman and Project Manager Bill Reich. Chief Silverman announced to the board that there is a significant portion of the contingency money remaining, and is requesting consideration of authorization for a change order through Bufftree to finish the Fire Station basement. Mr. Silverman feels this would be in the best interest to the Town while the building company is still on the premise and available. He has met with Town Accountant Marilyn Crary the financial costs of the proposed change order. Mr. Reich feels very comfortable with the numbers. Ira Wood asked the meaning of Emergency Operations Center. Mr. Silverman said that it would be for operations in case of a natural disaster, not for public use. Ira Wood also asked if the space could be used for a meeting room, or better spent to make the building more green? Dan Silverman had not thought of those ideas and would need more time to evaluate. Chief Rosenthal had not heard of an Emergency Operations Center before, and he is the Emergency Management

Director for the Town. Steve Gazzano said that it is important to have a center available during natural disasters. Mr. Paul Sieloff asked if numbers were sought for reduced options? Mr. Reich said that the numbers were looked at for a scaled back version. Mr. Sieloff mentioned that a few options of different versions and thoughts were discussed at the Building Needs and Assessment Committee Meeting. Mr. Sieloff would like the board to seriously consider green options, possibly solar array. Jim Sexton did calculations on the cost savings for an array being installed on the roof of the fire station. Dale Donovan suggested not finishing the basement and waiting till another time to do that. Mr. May asked where trainings would take place if the basement is not finished. Mr. Silverman said that it would take place in the basement or at the COA where they have been done in the past. Jerry Houk asked why Chief Rosenthal had not been consulted prior to this meeting. Jacqui Beebe asked Marilyn Crary what would happen if the funds are not used. Marilyn stated that Town Meeting vote can be made to use the money for another project or can be used for debt service on this project. Chief Silverman said that he is in support of the solar panels but also would like to see the basement finished.

MOTION 09-052: *To move that the Board of Selectmen vote to have the Town Administrator and Chief Silverman come back to the Board with plans to install solar panels on the fire station and begin plans of building an adequate meeting facility in the basement.*

Motion by: Dale Donovan **Seconded by:** Michael May. Yea 5 Nay 0

G. Discussion of Silver Maple Trees on Main Street [Ira Wood]
Ira Wood mentioned to the public that a Public hearing will take place in order to determine the fate of 6 Silver Maple Trees.

H. Discussion on Inter-Municipal Cooperation Committee Report
Jacqui Beebe, Dale Donovan and Michael May attended the meeting on March 4th. Ms. Beebe updated the audience on the report given by the Inter-Municipal Cooperation Committee. Ira Wood would like to know if the board would like to continue representation. Dale Donovan suggested putting together a laundry list which could be used as an effective tool. Ira Wood mentioned that the county is very active in assisting the town with this goal. Jerry Houk discussed a report outlining options for looking into shared services for Public Safety services. Paul Sieloff thinks there are opportunities available. A grant is has been awarded for a consultant to review ways of shared Public Services with Eastham and Orleans with either collective Bargaining issues, communications operations or more efficient ways to of cost savings.

MOTION 09-053: *To move that the Board of Selectmen vote to continued representation.*

Motion by: Dale Donovan **Seconded by:** Ira Wood. Yea 5 Nay 0

IV. Old Business

A. Discussion on Basketball Court Issue
Represented by Rebecca Rosenberg, Angel Robinson and Catherine Sugg. Ira Wood mentioned that the consensus of the board at the last meeting was not against repaving the current courts and to keep it at the same location. Becky Rosenberg distributed quotes of different options from New England Sealcoating Co., Inc. It was strongly recommended to redo the courts rather than reseal it. Dale Donovan read an email from Paul Pilcher, chair of Local Comprehensive Plan Implementation Committee, where he requested a fresh look is taken at the whole area before lasting decisions are made. Ned Hitchcock reviewed the area, and suggested look to the Economic Development Committee for suggestions. The big picture needs to be addressed rather than piecemeal it together as the Town has done in the past. Jacqui Beebe agreed that it's a wise decision to take a look at the whole scenario and evaluate what is best for the recreation department and the citizens of the Town. Discussions need to continue. Paul Lindberg stated that the quote of \$6,000 is not a sufficient price to resurface the courts. At least \$15,000 is necessary. Jerry Houk does not agree with doing half a job. Dale Donovan asked Marilyn what would spending all the money do to the current fiscal year. Marilyn Crary stated that it would not affect the current year in any way. Paul Sieloff suggested a plan that was designed by an engineer which can be modified. He feels that spending \$20,000 to temporarily save the courts for only five years is not cost effective. A member of the public asked if

the total amount was spent, how long would the courts last. Becky Rosenberg stated that the courts would last 20 -25 years. David Meyers, representing WOMR, read a letter to repave the current location. Graham White stated that Jacqui Beebe would like Environmental Partners to meet with the Recreation Department at the whole picture. Paul Sieloff feels that a plan of moving the courts can still be done and finished before the summer. He is requesting two weeks to try to resolve before a decision is made.

MOTION 09-054: *To move that the Board of Selectmen vote to have the Town Administrator do what is necessary to temporarily fix the courts for the next five years.*

Motion by: Jerry Houk **Seconded by:** Jacqui Beebe. Motion and second removed.

MOTION 09-055: *To move that the Board of Selectmen vote to repaving the basketball courts at the current location do what is necessary to get them playable before the summer and use the money as Town meeting voted for and not exceed \$45,000 dollars.*

Motion by: Jerry Houk **Seconded by:** Michael May. Yea 4 Nay 1

B. Board of Selectmen Policy – Proposed Inclement Weather

MOTION 09-056: *To move that the Board of Selectmen vote to have the inclement weather policy as an administration policy and not one of the Board of Selectmen*

Motion by: Dale Donovan **Seconded by:** Jerry Houk. Yea 5 Nay 0

C. Review of Cape Cod Bay Water Quality Monitoring Program [Provincetown Center for Coastal Studies Marine Policy Coordinator Pat Hughes] ***moved to March 24th***

D. Vote to Place Proposed Annual Town Meeting Warrant Articles and designate committees

Atty. Ben Zehnder handed the Board of Selectmen suggested articles and requests the board look the proposals over and address them at their next meeting to be placed on the warrant.

Article A was discussed. Dale Donovan read a memo from the Finance Committee to have paving and the graduate stipend proposed monies moved out into separate articles. Paul would like the Town to invest in infrastructure by depositing \$100,000 into the DPW budget. Ira Wood would like a budget statement from Paul Sieloff about the actual use of the proposed \$100,000.

MOTION 09-057: *To move that the Board of Selectmen vote to place Articles A thru Tc.*

Motion by: Dale Donovan **Seconded by:** Jacqui Beebe. Yea 5 Nay 0

Ashley Fawkes –Sylver spoke in favor of the Petitioned Article regarding the Wellfleet Pre-school and is asking for the Board of Selectmen support.

MOTION 09-058: *To move that the Board of Selectmen vote to place Articles U thru Na.*

Motion by: Dale Donovan **Seconded by:** Ira Wood. Yea 5 Nay 0

MOTION 09-059: *To move that the Board of Selectmen vote to place Articles X thru Za.*

Motion by: Ira Wood **Seconded by:** Dale Donovan. Yea 5 Nay 0

MOTION 09-060: *To move that the Board of Selectmen vote to place Articles AA thru BBa.*

Motion by: Ira Wood **Seconded by:** Dale Donovan. Yea 5 Nay 0

Dale Donovan is opposed on Articles CC and DD based on the fact that it's a one time savings and not long term. Jacqui Beebe feels that the little parcels could be useful on a yearly basis through taxes. She suggested looking at them, and revisit the articles in two weeks.

Dale Donovan would like the proposed Animal Rules and Regulations to be part of the General By-Laws.

MOTION 09-061: *To move that the Board of Selectmen vote to place Articles EE thru LLb.*

Motion by: Dale Donovan **Seconded by:** Ira Wood. Yea 5 Nay 0

MOTION 09-062: *To move that the Board of Selectmen vote to place Articles MM thru NN.*

Motion by: Ira Wood Seconded by: Michael May. Yea 5 Nay 0

MOTION 09-063: *To move that the Board of Selectmen vote to approve the suggested committee recommendations.*

Motion by: Dale Donovan Seconded by: Ira Wood. Yea 5 Nay 0

V. Correspondence

VI. Minutes – February 24, 2009

MOTION 09-064: *To move that the Board of Selectmen vote to approve the February 24, 2009 Minutes.*

Motion by: Ira Wood Seconded by: Dale Donovan. Yea 5 Nay 0

VII. Future Meetings & Agendas [See attached Memo]

MOTION 09-065: *To move that the Board of Selectmen adjourn at 10:03pm.*

Motion by: Dale Donovan. Seconded by: Michael May. Yea 5 Nay 0

The regular meeting adjourned at 10:03 p.m.

Respectfully submitted,



Elizabeth G. Hartsgrove
Executive Assistant

Jacqueline Beebe, Chair

Michael May

Ira Wood

Dale Donovan

Jerry Houk