



Town of Wellfleet - Board of Selectmen  
Wellfleet Public Library  
March 24, 2009  
Regular Scheduled Meeting

The meeting was called to order at 7:00 p.m. by Selectmen Michael May. Selectmen present included Dale Donovan and Ira Wood. Also attending Town Administrator Paul Sieloff. Excused: Jerry Houk. Jacqui Beebe arrived at 8:40pm.

## I. Public Hearing

### ◆ Proposed Amendments to Beach Rules and Regulations

Requesting acceptance of proposed amendments to the Beach Rules and Regulations.

*Represented by Beach Administrator Suzanne Thomas. Ms. Thomas reviewed the proposed changes.*

**MOTION 09-066:** *To move that the Board of Selectmen vote to approve the proposed amendments but deleting the suggested addition of "Kiteboarders".*

**Motion by:** Dale Donovan                      **Seconded by:** Ira Wood.                      Yea 3    Nay 0

### ◆ New Shellfish Grant

To hear a petition from Ethan Estey requesting a new ½ acre shellfish grant on Lieutenant's Island, adjacent to shellfish grants #891 and 891A. [Shellfish Constable does not recommend approval of this grant petition]

*Represented by Shellfish Constable Andy Koch. Mr. Koch informed the board that the upright owner is not in favor of the application. Mr. Koch does not recommend this application.*

**MOTION 09-067:** *To move that the Board of Selectmen vote to deny the application for the proposed location, but encourages the applicant to find a new location and come back for approval.*

**Motion by:** Dale Donovan                      **Seconded by:** Ira Wood.                      Yea 3    Nay 0

### ◆ Renewal of Shellfish Grant Licenses

To hear a petition from R. Andrew Cummings and Brad Kaplan to renew grant licenses #02-1 and 02-1 ext. for a ten year period.

**MOTION 09-068:** *To move that the Board of Selectmen vote to approve the renewal of grant licenses #02-1 and #02-1 ext..*

**Motion by:** Dale Donovan                      **Seconded by:** Ira Wood.                      Yea 3    Nay 0

## II. Announcements & Open Session

- ◆ Dale Donovan announced that Our Lady of Lourdes Open House will take place on Sunday March 29<sup>th</sup> at 3pm.
- ◆ Dale Donovan announced that the Annual Town Report is available at Town Hall

## III. New Business

### A. Appointments

- ◆ Historic Commission - Vote to rescind appointment of David Wright and Aylette Jenness
- ◆ Local Historic District Study Group – Vote to appoint David Wright and Aylette Jenness.

**MOTION 09-069:** *To move that the Board of Selectmen vote to rescind the appointment of David Wright and Aylette Jenness from the Historic Commission and appoint them to the Local Historic District Study Group.*

**Motion by:** Ira Wood                      **Seconded by:** Dale DONovan.                      Yea 3    Nay 0

### B. Use of Town Property

- ◆ Celeste Makely representing the **Wellfleet Community Garden Initiative**, requesting use of south-side 1/3+ acre of the COA property to be used daily from April through October for an initial period of three years during daylight hours for the purpose of a community garden.

*Represented by Celeste and John Makely. Mrs. Makely described the proposed use for a community garden. Mr. Makely described the specific proposed location at the Council on Aging property. There will be 20 lots which will be distributed through a lottery. Ira Wood has attended all of the community garden meetings.*

**MOTION 09-070:** *To move that the Board of Selectmen vote to approve the proposed use of Town Property for a Community Garden.*

**Motion by:** Ira Wood                      **Seconded by:** Dale Donovan.                      Yea 3    Nay 0

- ◆ Frank Szedlak representing **American Legion John R. McKay Post 287**, requesting use of the Town Hall front lawn (Rain date location: Wellfleet Elementary) on May 25<sup>th</sup>, 2009 from 8:30am – 10:30am for the Annual Memorial Day Service.

**MOTION 09-071:** *To move that the Board of Selectmen vote to approve the use of Town Property on May 25<sup>th</sup>.*

**Motion by:** Ira Wood                      **Seconded by:** Dale Donovan.                      Yea 3    Nay 0

- C. 2009 Renewal of Seasonal Liquor Licenses – Wellfleet Beachcomber, Winslow’s Tavern, Sweet Seasons, Marconi Beach Restaurant, Rookie’s, Wellfleet Motel & Lodge, Van Rensselaers. Maurice’s Campground, Wellfleet Marketplace, Wellfleet Wine Cellar & Spirits, Chequessett Yacht & Country Club, Flying Fish Café, Wellfleet Dairy Bar and Grill, Wellfleet Flea Market, The Juice, Catch of the Day, Wellfleet Harbor Actor’s Theater, Mac’s Shack.

**MOTION 09-072:** *To move that the Board of Selectmen vote to approve the all seasonal liquor licenses except Mac’s Shack, Wellfleet Harbor Actors Theater and the Wellfleet Marketplace..*

**Motion by:** Ira Wood                      **Seconded by:** Dale Donovan.                      Yea 3    Nay 0

*Ira recused himself.*

**MOTION 09-073:** *To move that the Board of Selectmen vote to approve Mac’s Shack, Wellfleet Harbor Actors Theater and the Wellfleet Marketplace.*

**Motion by:** Dale Donovan                      **Seconded by:** Ira Wood.                      Yea 2    Nay 0

- D. Proposed acceptance of EyeMed Vision Care to the Town Employee voluntary health plans. [Dawn Rickman]

**MOTION 09-074:** *To move that the Board of Selectmen vote to approve the acceptance of EyeMed to the Town’s Employee voluntary health plans.*

**Motion by:** Ira Wood                      **Seconded by:** Dale Donovan.                      Yea 3    Nay 0

- E. Local Comprehensive Plan Implementation Committee Update [Paul Pilcher]  
*Represented by Paul Pilcher. Mr. Pilcher handed out the Interim Report to the Board of Selectmen. The LCPIIC plans on bringing back before June 1<sup>st</sup> specific recommendations to the Board. Dale Donovan suggested the borad members to meet with members of the committee*

~~F. 2009 Board of Selectmen Goals moved to next meeting.~~

- G. Discussion on Fire Station Purchases and Contingency Fund Proposals.  
*Represented by Chief Silverman and Bill Reich. Mr. May questioned purchases of appliances for the new building. Chief Silverman discussed the process of bidding out. Ira Wood questioned why the department had to pay \$6,000 for a stove. Chief Silverman stated that it was meant to feed large groups of people. Mr. Donovan asked what his definition of large groups of people were. Chief Silverman said that it was for the staff, emergency uses. Ira Wood stated that he was disappointed in the elaborate choice of appliance. Chief Silverman felt that the choices were not extravagant or foolish. Ira Wood asked about the purchased washer and dryer. Arlene Kirsch asked what role the Procurement Officer had in the approval of the purchase the appliances. Mr. Sieloff stated that proper procedures were followed; however he admitted that he could have looked through the*

particular items more closely. Steve Oliver spoke against the perception the department has about this project. He feels the entire project is extremely extravagant and a dream house has been built. Hugh Guilderson spoke in favor of the project. Ben Zehnder spoke in favor of the process the construction of the building. However the process of the procurement of the purchases is obviously broken. Andy Koch spoke about the difficulties the Shellfish department has undergone with getting supplies denied for payment through the accounting office. Ira Wood asked the Town Accountant what makes an item create a red flag. Marilyn Cray notified the board that when an item stays within the budget it is deemed non-excessive. Mr. May stated that he will be watching the Fire Department as well as other like a hawk from now on.

Chief Silverman gave a brief description of the process and proposed basement renovations which would cost close to \$77,000. Bill Reich spoke about the particulars on what the cost would give the Town in renovating the basement. The costs would include architectural and engineering fees. Steve Oliver questioned what efforts in regionalism were being taken. Chief Silverman spoke about inviting other Towns for training. This would not include heating or plumbing.

Jim Sexton joined the discussion on the Solar-Voltaic Array. 40kw would cost \$120,000. Paul Sieloff recommended moving forward with the solar panel now.

Jacqui Beebe joined and took over as Chair.

**MOTION 09-075:** *To move that the Board of Selectmen vote to spend up to \$120,000 for installment of solar panel and up to \$80,000 to finish off the basement*

**Motion by:** Dale Donovan                      **Seconded by:** None.

**MOTION 09-076:** *To move that the Board of Selectmen vote to spend up to \$125,000 for installment of solar panel*

**Motion by:** Ira Wood                      **Seconded by:** Michael May                      Yea 4                      Nay 0

**MOTION 09-077:** *To move that the Board of Selectmen vote spend up to \$80,000 to finish off the basement as described.*

**Motion by:** Dale Donovan                      **Seconded by:** Michael May                      Yea 3                      Nay 1

#### **IV. Old Business**

- A. Review of Cape Cod Bay Water Quality Monitoring Program [Provincetown Center for Coastal Studies Marine Policy Coordinator Pat Hughes]

Dale Donovan read a portion of a letter from Health Agent Hillary Greenberg. Paul Sieloff recommended that

**MOTION 09-078:** *To move that the Board of Selectmen vote to approve the \$5,000 contingent that the Health & Conservation Department be able to use the data collected.*

**Motion by:** Dale Donovan                      **Seconded by:** Jacqui Beebe                      Yea 4                      Nay 0

- B. Annual Town Meeting Warrant Article Placement and Recommendations

- ◆ Motion to refer revised Zoning by-law Town Meeting Article "Z" and "Za" back to the Planning Board

**MOTION 09-079:** *To move that the Board of Selectmen vote to refer Articles "Z" and "Za" back to the Planning Board.*

**Motion by:** Dale Donovan                      **Seconded by:** Ira Wood                      Yea 4                      Nay 0

- ◆ Motion to withdraw Article "F" from placement on Warrant.

**MOTION 09-080:** *To move that the Board of Selectmen vote to remove Article "F".*

**Motion by:** Ira Wood                      **Seconded by:** Dale Donovan.                      Yea 4                      Nay 0

**MOTION 09-081:** *To move that the Board of Selectmen vote to place Question One on the warrant.*

**Motion by:** Dale Donovan                      **Seconded by:** Ira Wood.                      Yea 4                      Nay 0

**MOTION 09-082:** *To move that the Board of Selectmen vote to recommend Article A.*  
**Motion by:** Dale Donovan                      **Seconded by:** Michael May.    Yea 4    Nay 0

*Paul Sieloff recommended suggested reductions; -\$95,000 in DPW Infrastructure, -\$12,000 from Fireworks, -\$10,000 from Amnesty Day, -\$10,000 in Legal Expenses, -\$10,000 from Reserve Fund, -\$5,000 from DPW Utilities, -\$3,000 from Beach Salary Wages, -\$2,000 Police Overtime, -\$2,000 Fire Overtime, -\$1,000 from Parking Clerk.*

*Jacqui Beebe spoke about the suggested changes. She agreed with most of them if personnel cuts are not an option. Arlene Kirsch asked the Board to consider reducing the Legal expenses line even more. Paul Sieloff is cautiously optimistic in coming into an agreement with WEA before the Annual Town Meeting which would allow a reduced cost in legal expenses. He asks the Finance Committee to look over the Town's legal bills and come up with suggestions on how the Town can reduce costs. Ben Zehnder suggested looking into bidding out legal services to find cost savings. Mac Hay spoke about the importance of having fireworks looking economically.*

**MOTION 09-083:** *To move that the Board of Selectmen vote to recommend Article B with the proposed changes.*

**Motion by:** Dale Donovan                      **Seconded by:** Ira Wood.            Yea 4    Nay 0

**MOTION 09-084:** *To move that the Board of Selectmen vote to recommend Article C-E.*

**Motion by:** Dale Donovan                      **Seconded by:** Michael May.    Yea 4    Nay 0

**MOTION 09-085:** *To move that the Board of Selectmen vote to Reserve recommendation to Town Meeting Articles G-L.*

**Motion by:** Dale Donovan                      **Seconded by:** Ira Wood.            Yea 4    Nay 0

**MOTION 09-086:** *To move that the Board of Selectmen vote to recommend Article M.*

**Motion by:** Dale Donovan                      **Seconded by:** Ira Wood.            Yea 4    Nay 0

**MOTION 09-087:** *To move that the Board of Selectmen vote to recommend Article N.*

**Motion by:** Ira Wood                      **Seconded by:** Dale Donovan.    Yea 4    Nay 0

**MOTION 09-088:** *To move that the Board of Selectmen vote to recommend Article O - R.*

**Motion by:** Dale Donovan                      **Seconded by:** Ira Wood.            Yea 4    Nay 0

**MOTION 09-089:** *To move that the Board of Selectmen vote to recommend Article S- Sa.*

**Motion by:** Dale Donovan                      **Seconded by:** Ira Wood.            Yea 4    Nay 0

**MOTION 09-090:** *To move that the Board of Selectmen vote to recommend Article T.*

**Motion by:** Dale Donovan                      **Seconded by:** Ira Wood.            Yea 4    Nay 0

**MOTION 09-091:** *To move that the Board of Selectmen vote to recommend Article Ta.*

**Motion by:** Ira Wood                      **Seconded by:** Dale Donovan.    Yea 4    Nay 0

**MOTION 09-092:** *To move that the Board of Selectmen vote to recommend Article Tb.*

**Motion by:** Dale Donovan                      **Seconded by:** Ira Wood.            Yea 4    Nay 0

**MOTION 09-093:** *To move that the Board of Selectmen vote to reserve recommendation Article Tc.*

**Motion by:** Ira Wood                      **Seconded by:** Dale Donovan.    Yea 4    Nay 0

**MOTION 09-094:** *To move that the Board of Selectmen vote to recommend Article U-Na.*

**Motion by:** Dale Donovan                      **Seconded by:** Ira Wood.            Yea 4    Nay 0

**MOTION 09-095:** *To move that the Board of Selectmen vote to recommend Article X.*  
**Motion by:** Ira Wood                   **Seconded by:** Dale Donovan. Yea 4 Nay 0

**MOTION 09-096:** *To move that the Board of Selectmen vote to recommend Article Y.*  
**Motion by:** Dale Donovan                   **Seconded by:** Ira Wood. Yea 4 Nay 0

**MOTION 09-097:** *To move that the Board of Selectmen vote to recommend Article Z and Za.*  
**Motion by:** Dale Donovan                   **Seconded by:** Ira Wood. Yea 4 Nay 0

**MOTION 09-098:** *To move that the Board of Selectmen vote to recommend Article AA and BB.*  
**Motion by:** Ira Wood                   **Seconded by:** Dale Donovan. Yea 4 Nay 0

**MOTION 09-099:** *To move that the Board of Selectmen vote to place Hatches Article as request by Atty. Ben Zehnder.*  
**Motion by:** Jacqui Beebe                   **Seconded by:** Michael May. Yea 4 Nay 0

**MOTION 09-100:** *To move that the Board of Selectmen vote to recommend the Hatches Article as request by Atty. Ben Zehnder.*  
**Motion by:** Dale Donovan                   **Seconded by:** Jacqui Beebe. Yea 4 Nay 0

**MOTION 09-101:** *To move that the Board of Selectmen vote to place and recommend Article CC.*  
**Motion by:** Ira Wood                   **Seconded by:** Jacqui Beebe. Yea 4 Nay 0

**MOTION 09-102:** *To move that the Board of Selectmen vote to not place Article DD.*  
**Motion by:** Dale Donovan                   **Seconded by:** Jacqui Beebe. Yea 4 Nay 0

**MOTION 09-103:** *To move that the Board of Selectmen vote to reserve recommendation of Article EE – FF and request adding wording about retaining the incumbent until retirement or dismissal with cause.*  
**Motion by:** Dale Donovan                   **Seconded by:** Jacqui Beebe. Yea 4 Nay 0

**MOTION 09-104:** *To move that the Board of Selectmen vote to recommend Article GG-HH.*  
**Motion by:** Dale Donovan                   **Seconded by:** Jacqui Beebe. Yea 4 Nay 0

**MOTION 09-105:** *To move that the Board of Selectmen vote to recommend Article II - KK.*  
**Motion by:** Dale Donovan                   **Seconded by:** Michael May. Yea 4 Nay 0

**MOTION 09-106:** *To move that the Board of Selectmen vote to recommend Article LL.*  
**Motion by:** Dale Donovan                   **Seconded by:** Michael May. Yea 4 Nay 0

**MOTION 09-107:** *To move that the Board of Selectmen vote to recommend Article LLa-LLb.*  
**Motion by:** Dale Donovan                   **Seconded by:** Michael May. Yea 4 Nay 0

**MOTION 09-108:** *To move that the Board of Selectmen vote to recommend Article MM -NN.*  
**Motion by:** Ira Wood                   **Seconded by:** Michael May. Yea 4 Nay 0

## **V. Correspondence**

## **VI. Minutes – March 10, 2009**

**MOTION 09-109:** *To move that the Board of Selectmen vote to approve March 10<sup>th</sup>, 2009.*  
**Motion by:** Ira Wood                   **Seconded by:** Dale Donovan. Yea 4 Nay 0

## VII. Future Meetings & Agendas

**MOTION 09-0110:** *To move that the Board of Selectmen enter executive session and not to reconvene in open session for union contract negotiation matters.*

**Motion by:** Dale Donovan.

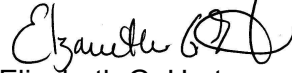
**Seconded by:** Ira Wood.

Yea 4 Nay 0

**Roll call (May, Beebe, Donovan and Wood – yea)**

The regular meeting adjourned at 10:37 p.m.

Respectfully submitted,



Elizabeth G. Hartsgrove  
Executive Assistant

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Jacqueline Beebe, Chair

\_\_\_\_\_  
Michael May

\_\_\_\_\_  
Ira Wood

\_\_\_\_\_  
Dale Donovan

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Jerry Houk