



**Wellfleet Board of Selectmen  
Minutes of the Meeting of August 25, 2009  
Wellfleet Senior Center, 7:00 p.m.**

**Present:** Chairman Dale Donovan, Michael May and Ira Wood; Town Administrator Paul Sieloff.

**Not Present:** Jerry Houk and Jacqueline Wildes-Beebe

Chairman Dale Donovan called the meeting to order at 7:00 p.m.

**Open Session and Public Comment**

Paul Sieloff reported that NSTAR has agreed to a meeting on spraying herbicide on their right of way. NSTAR representatives will meet with representatives from Wellfleet next week, particularly in relationship to their agreement with Eastham.

Donovan acknowledged the great deal of interest in this subject and invited discussion and comment.

Wood noted that there is apparently no regulation on the use of herbicide by the general public, particularly the use of Roundup, which is one of the most popular brands.

**MOTION 09-0200:** Wood moved that we begin the process of investigating an anti-herbicide bylaw by calling a meeting between the Board of Selectmen, the Board of Health, the Board of Water Commissioners, and any other group that will potentially offer expertise in this area, and have the meeting before October 15<sup>th</sup>.

May seconded the motion. Donovan also seconded the motion, and the motion carried 3-0.

Donovan opened the meeting to public comment.

Over a half dozen members of the audience spoke in opposition to NSTAR's spraying of herbicides, citing health, safety and environmental concerns. Sieloff stated that Wellfleet will work off the agreement that NSTAR has reached with Eastham, as reported in the local newspapers, and is hopeful that we'll be able to reach a similar agreement. The meeting will be at 11am on Tuesday and could be open to up to three representatives of the public.

Wood encouraged the number of people who are here tonight to show a similar level of support and encouragement at meetings going forward.

A suggestion from the audience was made that a group of property owners and the Town get together to map who owns what property in relation to NSTAR, and perhaps contract with a consortium of contractors to clear/trim vegetation on their own (without NSTAR).

**Public Hearing(s) [7:30]**

**MOTION 09-0201:** Wood moved to approve a request from by David Myers, representing WOMR, for a One Day Beer and Wine License on September 19<sup>th</sup> 2009 (rain date:

September 20, 2009) from 11am – 11pm at Baker’s Field for the 3<sup>rd</sup> Annual Boogie on the Bay community fundraising festival.

May seconded, and the motion carried 3-0.

### **Use of Town Property**

**MOTION 09-0202:** Wood moved to approve a request from David Myers/WOMR for use of Baker’s Field - Recreation Area for the 3<sup>rd</sup> Annual Boogie on the Bay community fundraising festival from 11am – 11pm on Saturday, September 19, 2009 (Rain date: Sunday, September 20, 2009).

May seconded, and the motion carried 3-0.

### **New Business**

Donovan thanked Beach Administrator Suzanne Grout Thomas for keeping the Town beaches and the Beach Office open and appropriately staffed and safe during this past weekend, when many other Cape towns made the decision to close beaches due to Hurricane Bill.

Suzanne Grout Thomas, Beach Administrator, proposed creating One and Two Day special end of season beach stickers for the last weekend of the season.

**MOTION 09-0203:** Donovan moved to approve the proposal creating One and Two Day special end of season beach stickers for the last weekend of the season.

May seconded, and the motion carried 3-0.

Donovan introduced Wellfleet’s representative to the Nauset Regional School Committee, John Porteus, who then introduced Dr. Richard Hoffmann, the new Nauset Regional School District Superintendent. Hoffmann introduced himself and made a brief presentation to Board of Selectmen on his background and experience, as well as his plans and expectations for his work in the Nauset Regional Schools.

### **Building and Needs Assessment**

The Board had received from the Building and Needs Assessment Committee (BNAC) a memo dated July 5, 2009 regarding a preventative and remedial maintenance schedule for all municipal buildings, along with an addendum clarifying some issues in the July 5<sup>th</sup> memo.

Donovan thanked Hugh Guilderson for the information and proposed sending the BNAC memo around to the various advisory committees as a model to for their work. Guilderson agreed. BNAC consists only of Guilderson and Adam Levinson at the moment, and they are looking for additional qualified members.

Guilderson clarified that there has been no disagreement with decisions that were made in the past, but rather a concern that there be adequate opportunity for the Town to make fully-informed decisions concerning building needs and maintenance. Guilderson assured the continuing availability of the BNAC members to meet the needs of the Town.

Donovan asked Guilderson for any specific highlights or comments regarding the July 5<sup>th</sup> memo and addendum. Guilderson mentioned the need for a preventative remedial program and an examination of the high cost of maintenance of Town buildings. This was not meant as a criticism, just an observation. Guilderson said the BNAC is open to suggestions and input from those with relevant experience in the trades. Guilderson suggested an annual inspection for Town buildings by the Plumbing and Building Inspectors as a place to start the process.

### **Special Town Meeting Possible Articles**

*A. Wind turbine land survey and application [estimated \$40,000]*

*B. Wind turbine project design [estimated \$250,000]*

*C. Membership in Cape & Vineyard Electric Cooperative, Inc.*

Donovan asked for someone from the Energy Committee to comment on the first three proposed articles (above).

Griswold Draz of the Energy Committee felt that the first two proposed articles were worth pursuing at this time, but that the CVEC membership was not as pressing. Draz said that the Energy Committee was prepared to answer questions and have public meetings ahead of the Town Meeting to inform people.

*D. By-law change relating to temporary signs*

Sieloff explained that the initial temporary sign proposal was voted down at the last ATM. He will be asking Planning Board to support a less complex article on the temporary signs this time.

*E. Local Option Meals Excise Tax*

*F. Local Room Occupancy Tax*

Donovan asked Sieloff for information on these two proposed articles. Sieloff reported that the estimated local revenue (estimated by the MA DOR Division of Local Services) from these proposed local option taxes would be approximately \$150K in the next fiscal year.

Wood and Donovan asked for more information on this and wondered whether this was the right time for this, given the economy.

*G. Water System Enterprise Fund*

Sieloff explained that the Board of Water Commissioners supports creating a water enterprise fund.

*H. S.T.R.A.P. grant authorization*

*I. S.T.R.A.P. grant borrowing [estimated \$810,250]*

Sieloff explained that there is a proposal for \$1.3M road project for repair of Lt. Island Road from Rt. 6 to Cat Boat Rd., and that there are significant incentives and opportunities from the State to do this under the Small Town Road Assistance Program (S.T.R.A.P.).

Wood asked what the total cost to the Town would be in the end. Sieloff said it would be approximately \$960,000.

There was some support for pursuing such a project, but Wood, Donovan and May had questions about the need to repair this particular road at this time.

*J. Tax Collector Demand Fees modification*

Sieloff explained that this is a proposal for an additional \$15 fee for each demand notice from Tax Collector. The proposal was supported.

*K. Appointment of Town Clerk/Treasurer*

Wood commented that there was less than enthusiastic support for this article at last April's ATM and suggested that we leave it alone. May agreed.

Sieloff agreed, but clarified that there are real concerns for the Town if the current Town Clerk/Treasurer retires and another person with little-to-no experience gets voted into office and has a longer learning curve, and that such a situation could prove to be a problem for the Town. Sieloff also explained that the appointment could be by the Board of Selectmen.

Wood and others agreed to look into the issue further before making a decision about the proposed article.

*L. Charter amendments in relation to annual budget calendar*

Sieloff explained the practical need for delaying the TA's annual budget due date one month – e.g., start process in October, interview department heads in November, prepare budget in December and submit the budget in January.

Sieloff explained that these changes may take up to two years to make in the Charter, anyway, but recommends starting the process now.

Donovan suggested that an agreement may be reached with the FinCom on this matter to affect this year's schedule, as there is no real enforcement issue of Charter provisions.

*M. Transfer of fire department surplus capital funds to the solar projects for the COA building and DPW building [estimated \$80,000]*

Sieloff explained that the current environment for solar projects with regard to incentives and funding is extremely positive.

Wood asked about the durability, maintenance, and repair of solar roof panels. Geoff Karlson of the Energy Committee explained that the life expectancy of the rooftop units

is actually quite long (approx. 20 years) and that they are extremely durable and reliable. Draz added that there are reports that suggest that the rooftop units actually act to protect the roof from deterioration from sun, wind, etc.

Donovan also suggested that we distribute the BNAC memo to the Energy Committee for their reference on this subject.

Wood noted the proposed STM schedule and suggested that the various Boards & Committees get notice regarding proposed articles in advance of September 9<sup>th</sup>.

**Minutes of 8/11/09**

**MOTION 09-0204:** Wood moved to approve the minutes of August 11, 2009.

May seconded, and the motion carried 3-0.

**Announcements**

None

**Adjournment**

There was a need to go into Executive Session for possible real estate transactions/negotiations.

**MOTION 09-0205:** Wood moved to go into executive session and not return to open meeting.

May seconded. May, Donovan, and Wood each said yes, and the regular meeting was adjourned at 8:57 p.m.

Respectfully submitted,  
Susan Cox  
Executive Assistant