



**Wellfleet Board of Selectmen  
Minutes of the Meeting of January 26, 2010  
Wellfleet Public Library, 7:00 p.m.**

**Present:** Chairman Dale Donovan, Jacqueline Wildes-Beebe, Jerry Houk, Michael May, and Ira Wood; Town Administrator Paul Sieloff.

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

**Announcements, Open Session and Public Comment [7:00]**

Donovan announced that Roger Putnam, Wellfleet's representative to the Cape Cod Commission is here to discuss the DCPC Ocean Management Plan. Putnam discussed various aspects of the DCPC Ocean Management Plan that are troubling with regard to Wellfleet. Putnam feels that the plan strays from its purpose and delves into many areas that were not originally contemplated and are potentially problematic for Wellfleet.

Putnam said that there would be a series of five public hearings scheduled within the next month and strongly suggests representatives from Wellfleet attend to make their feelings and concerns about Wellfleet known. Putnam will get the dates and locations to the board a.s.a.p., as well as a summary of the plan.

Donovan suggested writing a letter to the Cape Cod Commission to put forth Wellfleet's concerns. Houk said he would like to first get a chance to read the summary of the plan, at least, before any letter is written.

Wood reported that State of the Town presentation at the COA last night was excellent. The presentation will be televised and he recommends that people watch it if they get the opportunity.

Assistant Town Administrator Rex Peterson announced that Planning Board holding public meeting from 9:00 to 11:30am on Saturday, January 30, 2010 at the COA to present zoning bylaw changes. The Planning Board is looking for input from the public on the proposed changes. Coffee and scones will be available.

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

**Request to Close**

Request received January 13, 2010 from Carrie and Briton Luhmann to close the Wellfleet Town Pizza from February 1, 2010 through February 17, 2010.

**MOTION 10-0017:** Houk moved to approve the request received January 13, 2010 from Carrie and Briton Luhmann to close the Wellfleet Town Pizza from February 1, 2010 through February 17, 2010.

Wood seconded, and the motion carried 5-0.

**Beach Rules and Regulations**

Continuation of hearing from December 8, 2009 and November 24, 2009 on the proposed changes to Items 10 – 22 to the Town of Wellfleet Beach Rules and Regulations.

Beach Administrator Suzanne Grout Thomas explained each of the proposed changes to Items 10 – 22. Thomas reported that she had met with the Shellfish Advisory Board to review the proposed changes, and she believes that they are in agreement and that she has the support of the board.

Shellfish Advisory Board member Helen Miranda Wilson commented on the need for consistent signs at all access points to Town beaches and landings. Inconsistent signs should be removed.

Thomas explained that the sign issue has been preliminarily addressed, and that she is working with Health Agent Hillary Greenberg to document all signs and identify signs for replacement.

**MOTION 10-0018:** Wood moved to approve the proposed changes to Items 10 – 22 to the Town of Wellfleet Beach Rules and Regulations as written, subject to spelling and grammar corrections.

May seconded, and the motion carried 5-0.

Donovan brought up the issue of nitrogen from animal urine and asked what could be done to monitor and control this type of contamination.

Thomas agreed that this was a problem and suggested that the estuaries project results could be effective method of monitoring nitrogen levels.

**Recreation Fees**

Continuation of hearing from December 22, 2009 on the proposed fee changes to the Recreation Department as follows:

<b><u>Bakers Field Morning Recreation</u></b>	<b><u>Current Fee</u></b>	<b><u>Proposed Fee</u></b>
Resident Pre Registration - First Child	\$50.00	\$55.00
- Each Additional Sibling	\$25.00	\$30.00
Resident Registration - First Child	\$70.00	\$75.00
- Each Additional Sibling	\$40.00	\$45.00
<b><u>Gull Pond Swimming Program</u></b>	<b><u>Current Fee</u></b>	<b><u>Proposed Fee</u></b>
Resident Pre Registration - First Child	\$50.00	\$55.00
- Each Additional Sibling	\$25.00	\$30.00
Resident Registration - First Child	\$70.00	\$75.00
- Each Additional Sibling	\$40.00	\$45.00
<b><u>Off-Season Sports Programs</u></b>	<b><u>Current Fee</u></b>	<b><u>Proposed Fee</u></b>
(Soccer, Basketball, Baseball/Softball) Per Child, Per Sport	\$0	\$15.00

Recreation Director Becky Rosenberg explained the rationale of the fee schedule for the various programs. She explained that the Recreation Department is sensitive to the need for sliding scale fees for its programs. Rosenberg said that she always takes financial need into consideration, and no children are denied because of money.

Rosenberg explained that people seem to be more respectful of the programs when a fee is paid, even a nominal fee of \$15.00 to pay for uniforms and other costs. She has

discussed the fee issue with the Truro Recreation Director and found that no programs in Truro are free.

Rosenberg explained that a lot of time and consideration has gone into the fee recommendations. She met with the Recreation Committee and with parents to get input on the fees and the needs of parents. Rosenberg assured the board that this was not taken lightly and that every effort to accommodate the needs of the community was made.

Audience member Hugh Guilderson asked about unemployed parents and parents who are struggling financially. Rosenberg explained that she already makes accommodations for parents who come to her with requests for reductions in fees due to financial circumstances. She also noted the draft Fee Waiver Policy written by Beach Administrator/COA Director Suzanne Thomas that will be discussed later at this meeting. Rosenberg worked with Thomas on that policy and, if adopted, it would be applied to all Town fees.

**MOTION 10-0019:** Wood moved to approve the proposed fee changes to the Recreation programs as presented.

Beebe seconded, and the motion carried 4-1.

### **Licenses**

2010 Annual Business License Renewals:

- A. Boathouse Fish Market – Common Victualler
- B. The Box Lunch, Inc. – Common Victualler
- C. Chequessett Yacht & Country Club – Common Victualler
- D. Hatch's Fish Market – Common Victualler

**MOTION 10-0020:** Houk moved to approve the applications for renewal of 2010 annual Common Victualler's license for Boathouse Fish Market, The Box Lunch, Inc., Chequessett Yacht & Country Club, and Hatch's Fish Market.

Beebe seconded, and the motion carried 5-0.

### **New Business**

#### **Approval of 10-year Cable License Agreement [Tom Cole]**

Donovan explained that Tom Cole called today to postpone until the next meeting. A few minor details still need to be worked out, and Cole did not want to bring it to the board until it was final.

#### **Discussion and Approval of Board of Selectmen Proposed Budget [by last day of January]**

Sieloff explained that the Town Administrator's Budget was presented on December 4, 2009. He recommends that the board adopt the TA's Budget as the BOS Budget, including proposed changes on his memo to the board dated January 25, 2010.

Sieloff explained the proposed changes in the January 25, 2010 memo. There are a total of five changes because he recommends eliminating #4.

Sieloff explained the reason for elimination of #4 – he would like to move \$2,003 at the April ATM in this year's (FY2010) budget rather than dealing with this item in FY2011.

Sieloff noted that there is also a tanker truck for Fire Department in the CIP and Capital Budget for \$160K. Currently, the FinCom is looking into various options or alternatives, and Sieloff recommends leaving the tanker in the CIP and Capital Budget for now until the FinCom finishes its investigation.

Sieloff noted the Shellfish Department truck for \$6K in the CIP. He also recommended leaving it in for now, though he is not sure that it will happen this year. He will deal with this in a few weeks.

Sieloff explained that the Water Enterprise Fund budget still being worked on, but he should have something for the board soon.

Sieloff recommends the board adopt the TA's Budget of December 4, 2009 as the BOS Budget, including the proposed changes numbers 1, 2, 3, 5, and 6 on his memo to the board dated January 25, 2010.

**MOTION 10-0021:** Wood moved to adopt the TA's Budget of December 4, 2009 as the BOS Budget, including the proposed changes numbers 1, 2, 3, 5, and 6 on his memo to the board dated January 25, 2010.

Beebe seconded.

Town Accountant Marilyn Crary explained that currently there is \$160K for a new Fire Department tanker truck in the FY2011 Capital Budget, but that this should be an Article at the Annual Town Meeting if they decide to go ahead with it. It should be removed from the Capital Budget.

**MOTION 10-0022:** Wood moved to alter his motion to include the removal of the \$160K for the Fire Department tanker truck from the Capital Budget.

Beebe seconded, and motion carried 4-0-1. (Houk did not vote; he briefly left the room.)

#### **Review of draft ATM Warrant Articles**

Sieloff explained that he will be presenting at least two more versions of this Warrant over the next month at the board's regular meetings.

Sieloff briefly explained each of the Articles on the draft Warrant.

Wood and Beebe both said they would need more convincing on Article N concerning the regionalization of schools. They said there is a distinct lack of support from the Wellfleet community for regionalization of the elementary school. Both recommended looking at cost-cutting measures rather than going in the direction of regionalization at this time. Wood also noted that there is a new Superintendent for NRSD, and we should give him time to work on solutions.

Beebe added that there were public forums held on the subject last year, and the overwhelming feedback was that Wellfleet residents were not interested in regionalizing the elementary school.

Donovan agreed and said that some rather serious budget problems would have to drive the regionalization issue.

Houk reiterated the lack of support for regionalization, and he feels it is a dead issue and should not even be discussed.

Sieloff said he would take Article N off the Warrant.

Donovan briefly reviewed the schedule and important deadlines leading up to the April ATM.

### **Report from Building Needs and Assessment Committee**

Donovan noted that BNAC members Hugh Guilderson and Adam Levinson were present to report on their work. Donovan explained that this committee currently has no quorum because they have only two members, but they are dedicated and active, and looking for new members.

Sieloff briefly explained a memo from the Town's IT Consultant Cristian Patapie concerning the purchase of facilities management software. Patapie is continuing to look at options, and Sieloff hopes to make decision on software in next few weeks.

Guilderson explained history of the facilities management software search, and noted that it took 14 months to build the new Fire Station, but 16 months has been spent on this project and still no software in hand. Guilderson recognizes that the budgeting process is difficult and not getting any easier. He explained that the BNAC needs to have well-trained members of the community to volunteer for the committee to look out for the long-term interests of the Town.

Sieloff said that he would report on this again at the board's February 23, 2010 meeting.

### **Letter to Barnstable County Commissioners re: County Assessing**

Wood explained that the County has decided that it would now like to act on developing a plan to have the County do assessing for all or many of the Cape towns. It is believed that this would save each of the towns a great deal of money on assessing, since many towns have excess assessing capacity, as well as providing other benefits.

**MOTION 10-0023:** Wood moved to send letter to the Barnstable County Commissioners requesting a study on the potential for County-wide assessing be funded and conducted.

Houk seconded, and motion carried 5-0.

Wood also reported on the Inter-Municipal Cooperation Committee meeting that took place on January 21, 2010 at the Wellfleet COA. Wood explained that Wellfleet has been asking NSTAR to provide their guidelines for maintenance and access to avoid having NSTAR come on to the land to spray herbicides starting in June 2010. Wood said that Wellfleet met with NSTAR last week and got some information verbally, but nothing in writing from NSTAR.

Houk asked Wood about the possibility of regionalization with regard to the Police Department. He noted the news of the retirement of the Truro Police Chief John

Thomas by June 2010 and the mandatory retirement of Wellfleet Police Chief Richard Rosenthal in September 2010.

Wood and Sieloff both reported that Truro seems to be much more open to the possibility of working together now that Truro's Police Chief is retiring. Sieloff briefly explained the study that was conducted about combining the Wellfleet, Eastham, and Orleans police departments. The report of that study came out at the end of December, and they are planning a meeting to discuss the police study in the next few weeks. The report is being called a "draft report," as one or two participants of the study wanted to meet to discuss the report before it is finalized.

Donovan suggested that this issue be put on the agenda for the board's February 23, 2010 meeting.

### **Discussion and Approval of Proposed Recycling Commission Insert in Tax Bills**

Sieloff explained that the Recycling Commission met today and has asked to postpone this item until the board's February 9, 2010 meeting.

### **Old Business**

#### **Discussion on Shellfish House and Beach Sticker House [continued from December 22, 2009]**

Sieloff asked the board for guidance for the concept of a new comfort station at Mayo Beach. Sieloff asked if there is interest by the board to have a Warrant Article for approximately \$200K to demolish the current Shellfish House and build a new comfort station and septic system. He said that is a rough estimate of cost, and he could get more specific estimates if requested. Sieloff clarified that this would be a borrowing item, debt excluded. He also thought that possible CPC funds are available, perhaps up to half.

May asked if this would be a yearround or seasonal bathroom. Sieloff said it would be yearround bathroom. Houk, May, and Wood wondered why the Town would have a yearround bathroom at Mayo Beach considering the added heating costs. Sieloff said that this could be discussed further.

Donovan said board is generally supportive of moving ahead, but asked what would happen with the Shellfish House if this moves ahead.

Sieloff explained that he toured the Shellfish House with Building Inspector Paul Murphy and reconfirmed that the building is not salvageable. Also, any renovation to the current building would trigger a new requirement to raise the building and put flappers underneath to allow water to flow through, adding to the cost.

Beebe asked about the style of building Sieloff is proposing; specifically, would it be a pre-fab building as he had suggested before? Sieloff said it would be a pre-fab building, but that it could be made to look like a typical Cape Cod style building. Beebe and Houk both expressed concern about a pre-fab building and asked Sieloff if he had seen the bathrooms at the Cape Cod National Seashore beaches. Sieloff he had not, but made plans with Houk to do so.

Guilderson explained that pre-fab buildings get a bad rap, a reputation not deserved these days with the development of new technology. Pre-fab no longer means cheap or inferior quality.

The board asked Shellfish Constable Andy Koch what his thoughts were about proposed locations. Koch explained that he looked at the old COA building and the old South Wellfleet Fire Station, and there are pros and cons to both locations. He also discussed the option of relocating to Marina building, but recognized the space limitations, particularly for storage of gear. Koch commented that Wellfleet is a shellfishing town and the industry is very important to the local community and economy. Koch said he is open to suggestions, but wants to make sure that all suggestions are considered carefully to determine the best solution for all departments involved.

Donovan suggested that the Town consider another approach. Donovan said, given that Wellfleet is a shellfishing community and now has a world-class refurbished Marina, why not look at building a combined Marina and Shellfish facility that is able to meet the needs of both departments as well as the community and seasonal visitors. Donovan noted that the Town is approaching the time when certain long-term debts would be paid off, particularly the elementary school.

Beebe, May, and Houk were all supportive of Donovan's suggestion to look at building a new building at Marina location for the Shellfish Department and Marina.

May said that he recently toured the old COA and South Wellfleet Fire Station buildings with Koch and discovered that these buildings are in disrepair. May expressed concern that the Town let this happen, and that the current Police Station is also in very bad shape. Beebe agreed and said the Town should either fix them up or sell them.

Donovan asked Harbormaster Michael Flanagan for his thoughts on the subject. Flanagan said he was very supportive of Donovan's idea for a new combined facility and he would do whatever he could to make that happen.

### **Discussion on Fee Waiver Policy Draft [continued from November 24, 2009]**

Donovan briefly reviewed the Fee Waiver Policy draft prepared by COA Director Suzanne Grout Thomas. He explained that the primary goals of such a policy are that it be easy to document, easy for applicants to comply, and to respect the privacy of applicants. Both residents and visitors could qualify for reduced or waived fees for Town services by providing certain documentation indicating financial need.

Wood suggested adding a bullet point that *guarantees* privacy, though he recognized that considerable effort has been made to address this issue.

Donovan said that it is not necessary to vote on this tonight, but the board should try to address this issue soon, particularly in time for the renewal of Transfer Station stickers.

Houk asked about the logistics of where the registration for Recreation programs would take place. Thomas and Rosenberg explained that registration could take place at the Beach Sticker House, but that some of the details for implementing the policy still need to be worked out.

**Correspondence & Minutes [December 29, 2009 & January 12, 2010]**

**MOTION 10-0024:** Wood moved to approve the minutes of December 29, 2009.

May seconded, and the motion carried 4-0. (Houk did not vote; did not attend December 29, 2009 meeting).

**MOTION 10-0025:** May moved to approve the minutes of January 12, 2010.

Wood seconded, and the motion carried 3-0. (Houk and Beebe did not vote; did not attend January 12, 2010 meeting).

**Adjournment**

**MOTION 10-0026:** Donovan moved to adjourn the meeting.

Wood seconded, and the meeting was adjourned at 9:07pm.

Respectfully submitted,  
Susan Cox, Executive Assistant