



**Wellfleet Board of Selectmen and  
Wellfleet Finance Committee  
Minutes of the Meeting of March 9, 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; Finance Committee members Dennis Murphy, Robert Kelly, Janet Loewenstein, John Morrissey, and Sam Bradford.

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

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

May announced that he met with Representative Sarah Peake when she had office hours in Wellfleet on March 5<sup>th</sup>. They discussed the Town's efforts regarding NSTAR herbicide spraying along the right of way. May said that Peake was seeking support of the Cape towns in her efforts to obtain a one-year moratorium on NSTAR's herbicide spraying. Peake asked for letters to be sent to Scott Soares, Commissioner of the MA Department of Agricultural Resources, requesting such a moratorium to allow the towns to continue their work on a Yearly Operation Plan (YOP) for vegetation management with the aim of eventually ending herbicide spraying on Cape Cod altogether.

May suggested that the board write such a letter.

**MOTION 10-0079:** Wood moved that the board write a letter to Scott Soares, Commissioner of the MA Department of Agricultural Resources, in support of the efforts to obtain a one-year moratorium on NSTAR spraying of herbicides along the right of way to allow the towns to continue their work on a Yearly Operation Plan (YOP) for vegetation management with the aim of eventually ending herbicide spraying on Cape Cod altogether.

May seconded, and the motion carried 5-0.

Donovan noted the passing of Helen Freeman Olsen who passed away on February 24<sup>th</sup>. There will be a service for her at the Congregational Church this Saturday.

COA Director Suzanne Grout Thomas announced that the Wellfleet Senior Center would host a *Listening Session* with Secretary Ann Hartstein of the Executive Office of Elder Affairs on March 11<sup>th</sup> at 2:00pm. She invited the board and members of the public to attend.

Lilli Green, a resident of Wellfleet for over 30 years, came forward to introduce herself and her work on sustainable and green initiatives, and to voice her opposition to the industrial grade wind turbine in Wellfleet. She said that she is a member of a group called "Citizens for a Responsible Green Wellfleet." Green said that Selectman Ira Wood recently agreed to tour the proposed wind turbine site with the group. The group invites other board members to tour site with them and to explore ways to move forward with responsible green energy efforts that are less destructive to the Town, its residents and visitors.

Preston Ribnick, a resident of Wellfleet for over 30 years, also came to voice his strong opposition to the proposed 410' industrial grade wind turbine in Wellfleet. He is also a member of "Citizens for a Responsible Green Wellfleet."

Wellfleet resident Helen Miranda Wilson spoke in opposition to the proposed poisoning of crows by the Cape Cod National Seashore to protect the piping plovers. She urged the board to look into it and make a statement against it. Wilson also spoke in favor of the wind turbine project and said that she finds them to be beautiful. She said that taste is a matter of individual choice, but she feels that it is vitally important to support green technologies sooner than later, and that many things are much worse/more harmful than the proposed wind turbine.

Jim Rogers, a non-resident tax payer, spoke in opposition to the proposed 410' industrial grade wind turbine. Rogers said that the desert and out in the sea are good places for 410' wind turbines. Wind turbines do not fall from the sky, and there is much destruction of land and the environment involved in their installation.

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

#### **Cancel Annual Wine and Malt Beverage License**

Public hearing to cancel the Annual Wine and Malt Beverage Package Store License of C.K. Smith & Co., Inc., d/b/a Wellfleet Irving.

Donovan noted that many people have no doubt noticed that this business closed some time ago, but this matter is being taken up now because the Town had to allow time to advertise the public hearing to cancel the license.

**MOTION 10-0080:** Wood moved to cancel the Annual Wine and Malt Beverage Package Store License of C.K. Smith & Co., Inc., d/b/a Wellfleet Irving for failing to operate the licensed business.

May seconded, and the motion carried 5-0.

### **Appointments**

Application received February 23, 2010 from Jefferson Thomas to be a member of the Recycling Commission.

**MOTION 10-0081:** Wood moved to approve the application received February 23, 2010 from Jefferson Thomas to be a member of the Recycling Commission.

May seconded, and the motion carried 5-0.

### **Use of Town Property**

Application received February 8, 2010 from Nicholas Gulde of Wellfleet Preservation Hall to use 335 Main Street (front of Hall, sidewalk, and street in front of Hall) on Saturday, March 20, 2010 from 1:30 – 2:30pm for a groundbreaking ceremony with approximately 200 people.

Nicholas Gulde came forward to explain that, due to the construction trailer in front of the building, they will be moving the location of the event to the back yard and there will be no need to block off the road at all.

**MOTION 10-0082:** Wood moved to approve the application received February 8, 2010 from Nicholas Gulde of Wellfleet Preservation Hall to use the yard at 335 Main Street on Saturday, March 20, 2010 from 1:30 – 2:30pm for a groundbreaking ceremony with approximately 200 people.

May seconded, and the motion carried 5-0.

Application received February 16, 2010 from Paul Renard, Assistant Scoutmaster of Boy Scout Troop 83 to use the old Boy Scout Camp on Cahoon Hollow Road from 4:00pm on Saturday, March 20, 2010 to 9:00am on Sunday, March 21, 2010 for an overnight camping outing of Boy Scout Troop 83.

**MOTION 10-0083:** Wood moved to approve application received February 16, 2010 from Paul Renard, Assistant Scoutmaster of Boy Scout Troop 83 to use the old Boy Scout Camp on Cahoon Hollow Road from 4:00pm on Saturday, March 20, 2010 to 9:00am on Sunday, March 21, 2010 for an overnight camping outing of Boy Scout Troop 83.

Houk seconded, and the motion carried 5-0.

### **New Business**

#### **Budget Presentation for Wellfleet Elementary School and Nauset Regional School District**

Dr. Richard Hoffmann and Mary Beth Rodman came forward to give a presentation on the Wellfleet Elementary School FY2011 budget.

Hoffmann explained that the revised FY2011 budget request was reduced from \$130,953 to \$110,882, largely due to administrative concessions. However, they still need an additional \$56,159 over the Town-recommended 2.5% increase.

Dr. Ann Coretti came forward to explain how Special Needs students are identified within the school system and the referral process. She explained that Special Education is mandated by federal and state law. Coretti said that 11 out of 123 students at the Wellfleet Elementary School require Special Education, approximately 9%. The state average is 16.1%. Not all students receive same level of service, as each case is unique.

Rodman explained that, prior to beginning the Special Needs referral process, the school does everything in its power to provide the assistance that a specific student who is struggling needs. A Special Needs referral is made only after the school has made unsuccessful attempts to help a struggling student.

Houk asked how many students per grade are identified as Special Needs. Rodman and Coretti did not have that information.

Wood asked if the school has everyone they need on site to provide Special Education. Coretti said that they do have people on site to provide the needed services, but not every day. They often receive support from the Cape Cod Collaborative and share resources with other district schools.

Donovan thanked them for the information on Special Needs, as this is often just a budget number that is never really well understood.

Hoffmann continued to explain the FY2011 budget revisions.

Wood asked about the salary increases of "3-3.5% COLA + Steps + Increments." Hoffmann explained that these are three different numbers and may in fact result in an increase of more than 3-3.5%.

Hoffmann explained that if the Town cannot support the Wellfleet Elementary School at a higher level, then the school would need to cut \$56,159 from the FY2011 budget and he reviewed possible options for doing so.

School Committee Chair Jan Plaué disagreed, saying that the School Committee voted to not take those cuts because they would harm the children too much. She said that the budget is just slightly over a 5% increase including the \$56,159, and the Regular Day budget is 2.72% over last year. Plaué explained that the additional costs are mostly due to Special Needs tuition and transportation increases. She reiterated that the School Committee does not want to make additional cuts at the expense of the Regular Day programs.

John Porteus from the Nauset Regional School District explained that transportation bids just came in and they are now looking at areas where savings can be achieved. Houk asked about whether the district was looking into using smaller buses rather than large buses. School Committee member Mort Inger explained that, surprisingly, the bids showed that there is no difference in cost between large and small buses. Inger assured the board that the Transportation Subcommittee is always looking for ways to reduce transportation costs, including changing routes and pick up locations.

Finance Committee member Janet Loewenstein asked why Special Needs tuition and transportation costs went up so much relative to other costs. Hoffmann explained that much of the increase in Special Needs transportation is due to liability and program requirements. Coretti explained that the increase represents a share of what it costs to educate Special Needs students.

Finance Committee member John Morrissey asked about prior year cuts, specifically, what percentage was cut in past years relative to the overall budget? No one had this information, but said the School Committee would email the information to the Town Administrator to give to the FinCom.

Robert Kelly asked about the rather small increases in Special Needs for Nauset as compared to the Wellfleet Elementary School. Hoffmann explained that Special Education is all about individual student needs, and is based on who lives here, who moves away, who comes in. If a Special Needs student moves out of the district, costs can plummet, which is probably what is reflected in the Nauset budget.

Wood asked whether it is possible that what the Wellfleet Elementary School is doing with Special Education is actually working, so that students no longer need the special attention as they advance into middle and high school. Hoffmann said absolutely, that if the schools give younger children adequate attention, then don't require so much as they get older.

Donovan added that much of this is simply out of our control because it is mandated by state law. He said that the biggest chunk of peoples' tax money goes to schools, which is always a big part of the budget discussions, be he also acknowledged that nobody that he has spoken with is in favor of regionalizing our schools, even those who know the numbers and the possible savings involved with regionalization.

Finance Committee Chair Dennis Murphy invited all of the School Committees to the March 17<sup>th</sup> FinCom meeting at 7pm at COA to have a more in-depth discussion on the FY2011 budget. Murphy said many members of the FinCom did not have the complete school budget and it is difficult to have this discussion without it. Porteus noted that the FinCom is always welcome at the School Committee meetings as well.

Hoffmann and Porteus reviewed the Nauset Regional School District FY2011 budget handout.

Wood noted the "outside the box ideas to save \$\$\$" and asked how seriously are these being considered. Hoffmann said that they were actively pursuing many of these ideas, particularly the savings opportunities involved in solar and wind energy. Porteus said that they were also looking at recruiting international students to attend Nauset High School and pay higher tuition, since Nauset is a highly-ranked school and located near many prestigious colleges and universities.

Houk asked how many of the 86% of students that go on to college actually complete a four-year degree, how many get two-year degree, and how many drop out? Hoffmann said that the high school does not have that data, though he agreed that it would be interesting to know.

#### **Update on the Cape Cod Commission by Paul Niedzwiecki, Executive Director**

Paul Niedzwiecki came forward with Roger Putnam to report on the work of the Cape Cod Commission over the past year. Niedzwiecki noted that the Regional Policy Plan had been implemented and 9 of 15 Cape towns now have Land Use Vision Maps. He also reported on the \$40M Open Cape broadband project, which he feels is a big deal for the Cape and will greatly benefit smaller towns like Wellfleet. Niedzwiecki said that last year was a busy year for the Cape Cod Commission and he anticipates another busy year ahead. Looking forward, wind and wastewater will be the two big initiatives this year, in addition to the issues relating to NSTAR utility corridors, herbicides, and their vegetation management plan. Niedzwiecki hopes to draft a detailed letter soon requesting a one-year moratorium on the spraying of herbicides along the right of way to allow time to respond to NSTAR's vegetation management plan.

#### **Wellfleet Preservation Hall – Request for Permit Fee Waivers**

Nicholas Gulde of Wellfleet Preservation Hall withdrew this request.

#### **Discussion on Potential Grant for Library [Elaine McIlroy]**

Library Director Elaine McIlroy came forward to discuss the potential for a USDA Community Facilities Grant and stimulus funds to support the library's expansion plans. The funding is available until September, unless the money runs out sooner. She explained that the library has been sitting on these expansion ideas for two years, but now, with the recent generous bequest of Martin Nerber, this grant opportunity, and the support of the Friends of the Wellfleet Libraries, they may be able to go forward much

sooner than expected. McIlroy explained that the application requires the Town to approve the project and, of course, if the grant funding does not come through, they would not pursue the project.

**MOTION 10-0084:** Wood moved to approve the library's application for a USDA Community Facilities Grant and to support the library in all its efforts to find funding to complete its planned expansion.

Houk seconded, and the motion carried 5-0.

### **Discussion and Approval of Change Order for Water System**

Sieloff said that this item would be postponed until the next meeting on March 23<sup>rd</sup>.

### **Discussion and Approval of Proposed Changes to Policy on Use of Town Property re: Temporary Signs**

Donovan briefly noted the current policy and the proposed changes to the policy. No discussion or vote occurred.

### **Discussion on Potential Taking of Chris and Mayflower Drives for Water System**

Sieloff explained that he is still doing research on this issue, but he wanted to bring it to the board's attention and get some feedback on the Town's options.

Beebe asked if the Town was planning to get more information and have a meeting with the residents on those roads. Sieloff said yes, but offered that Assistant Town Administrator Rex Peterson might be able to explain the situation better as he was more familiar with it at this time.

Peterson said that the issue was complex and that the Town just received an eight page memo from Town Counsel this morning detailing the various options that the Town can pursue. He said the Town needs to review the memo and make a decision how best to proceed under the circumstances.

### **Old Business**

#### **Review of Draft ATM Warrant Articles**

#### **Transfer of \$10K for Snow Overtime, \$2K for Paddle Board, \$16K for Portable Sign**

Sieloff explained that snow overtime amount is an estimate and may go up slightly, particularly if it snows again. He said the numbers will be updated soon.

Beach Administrator Suzanne Grout Thomas explained that the person who repairs the paddle board each year informed her that it cannot be repaired any more. It is time for a new one.

Thomas said that the Beach Department is also looking to purchase a portable sign board which would be located at the Wellfleet substation and would let people know which beaches are open and which are closed before they get on Ocean View Drive. The sign can be remotely programmed from a computer or Blackberry, so that it is always updated with the latest information for visitors. Thomas acknowledged that it is expensive, but said that it would be a great aid to the public and the Beach Department staff.

Donovan asked about the placement of the sign in South Wellfleet. Thomas explained that approximately 90% of the traffic to the beaches comes from the south.

Wood asked about the possibility of renting a sign for a year to see how it works. Thomas said that she looked into a rental and found that it would be about 1/3 the cost of buying the sign. She clarified that the price noted is the worst-case scenario. She is diligently looking at ways to get a better price on a sign.

#### Proposed Changes to Wind Turbine Article

Denny O'Connell, author of the petitioned article, explained that he wants to see a two-stage balloon test, to make sure it is well announced, and of sufficient duration that would allow people to see it.

Energy Committee Chair Geof Karlson said that the Energy Committee passed a resolution supporting the balloon test, with some minor changes. Since the purpose of the test is to show people the actual visual, then it really needs to be done at the site. O'Connell agreed.

Donovan explained that the board needs to refer this and the three other zoning articles (Articles Za, Zb, Zc, and Zba) to the Planning Board for a public hearing.

**MOTION 10-0085:** May moved to refer the four articles (Articles Za, Zb, Zc, and Zba) to the Planning Board for a public hearing.

Wood seconded, and the motion carried 5-0.

**MOTION 10-0086:** Wood moved to place four articles (Articles Za, Zb, Zc, and Zba) as written on the Annual Town Meeting Warrant.

May seconded, and the motion carried 5-0.

#### Proposed Changes to Petitioned Article Concerning Pre-Kindergarten Funding

##### *Draft Question 4: Proposition 2 ½ override for Pre-kindergarten*

Sieloff explained that this is currently a staff response to the petitioned article for funding of the pre-kindergarten program.

Donovan asked Superintendent Hoffmann whether the district is currently looking as the possible expansion of the pre-kindergarten program. Hoffmann said he would like to meet with the petitioners to better understand the goal of this article. Hoffmann expressed concern about funding the program and the specific needs that it intends to meet within the town. Hoffmann noted the existence of two other pre-kindergarten programs at the Wellfleet Elementary School, the regular pre-kindergarten program and the Montessori School program, and wondered how these would all work with each other. Houk explained that he made a promise at last year's ATM to come forward with an article and he is fulfilling that promise. Houk said he is not looking to get rid of the Montessori School, but this is a public school and should provide pre-kindergarten to all Wellfleet children.

Beebe asked for clarification. Is Houk asking for an expansion of the current pre-kindergarten program to provide for a full day of classes, or a completely new program? Houk said, ideally, it would be a full day program and would possibly expand to have two

classes instead of only one. Houk said he wants to see parents be able to bring their kids to pre-kindergarten without having to pay, fill out forms, or answer questions of any kind.

Beebe said that the way that the petitioned article is written would require the Town to raise and appropriate, which means that the money would have to come from free cash or be cut from somewhere in the budget, which doesn't seem possible. Beebe said she thinks this would require a Proposition 2 ½ override. Peterson agreed that this would have to be an override to avoid cutting something else.

Donovan said that coming forward at this time with a request for \$150K+ makes a mockery of the entire budget process and the cutting that has been, and is being, done across all departments. He said the Town needs to be consistent – Either we are in a budget crisis and can't afford these things, or we aren't in a budget crisis and let's spend the extra money.

Houk disagreed. He said he is talking about giving working families who are on the brink a place to send their children for pre-kindergarten. These are working families who need a leg up sometimes. They spend a good chunk of their earnings on childcare and cannot sustain it.

Donovan said that the board will not make a decision on this article at this time.

#### Discussion on Letter from Community Preservation Committee

Donovan explained that the board erred at the last meeting by voting to place the CPC articles on the Warrant. He explained that, according to the rules, the CPC can place whatever it wants on the Warrant without approval of the board. Donovan apologized for the mistake and wants this to be recorded in the minutes in case there is ever any question about it in the future.

#### **Discussion on Transfer Station Sharing with Eastham**

Sieloff explained that he received a proposal that now includes Orleans as well. He will make copies for the board and be ready to discuss this at the next meeting.

#### **Discussion on Fire Department Overtime**

Sieloff explained that he and the FinCom have now received explanations of Fire Department Overtime for two payroll periods. He would like to review the issue at the next meeting.

#### **Future Concerns**

Sieloff announced that there is a joint Board of Selectmen meeting next Tuesday, March 16<sup>th</sup> at 6pm at the Eastham Town Hall to discuss the final police study with Wellfleet, Eastham, and Orleans.

Donovan asked that the next regular meeting on the 23<sup>rd</sup> be devoted mainly to the ATM Warrant to allow enough time for discussion of all of the issues. He also asked that, next year, a meeting be devoted solely to the issue of the budget for the schools, as this subject always generates much discussion.



**Correspondence & Minutes [February 23, 2010]**

**MOTION 10-0087:** Wood moved to approve the minutes of February 23, 2010.

Beebe seconded, and the motion carried 5-0.

**Adjournment**

**MOTION 10-0088:** May moved to adjourn the meeting.

Wood seconded, and the meeting was adjourned at 10:13pm.

Respectfully submitted,  
Susan Cox  
Executive Assistant