



**Wellfleet Board of Selectmen
Minutes of the Meeting of June 22, 2010
Wellfleet Senior Center, 7:00 p.m.**

Present: Chair Jacqui Wildes Beebe, Berta Bruinooge, Dale Donovan, Jerry Houk, Ira Wood; Town Administrator Paul Sieloff.

Chair Jacqui Wildes Beebe called the meeting to order at 7:03 p.m.

Announcements, Open Session, and Public Comment

Bruinooge announced a joint benefit for the Wellfleet Community Garden and Preservation Hall. Outstanding gardens of Wellfleet will be open to the public Sunday, June 27. Garden Tour, 12 noon - 4 p.m., Reception with refreshments 4 - 6 p.m.

Donovan announced July 4 weekend events:

- July 3: Dedication of the Jan Rutz Memorial Bandstand. The Cutouts will perform at Wellfleet Harbor from 6:00-9:00 p.m.
- July 4: Road Race (adults 8:30 a.m., children's Fun Run, 10:00 a.m.)
- July 5: Parade (9 a.m. antique cars, 10 a.m. parade). This year's Grand Marshall is Peter Hall.

Beebe announced that the Wellfleet Marina Rules and Regulations public hearing will take place on July 13 at 7:30 p.m. at the Wellfleet Senior Center.

Alice Kelly, a neighbor of Finely JP's restaurant, seeks clarification on their entertainment license. Kelly will make an appointment with Sieloff about the issue.

Licenses

Houk recused himself.

Steve Swain of the Frying Pan Gallery requests a one-day liquor license for their opening night, July 3 from 4-8 p.m.

MOTION 10-0205 Donovan moved to approve a one-day liquor license pending the required signatures.

Bruinooge seconded, and the motion carried 4-0.

Houk rejoined the meeting.

Appointments

Selectmen asked the two new applicants to the Planning Board -- Deborah Samuels Freeman and Theodore Franklin -- about their expertise and what they see as the main issues facing the Planning Board:

Freeman would focus on how to preserve Wellfleet's rural character. Freeman spoke briefly of her qualifications and of her experience as an attorney. Bruinooge noted Freeman's Connecticut address and asked Freeman if she lived in Wellfleet full-time. Freeman said that she is currently a part-time Wellfleet resident.

Franklin spoke briefly of his qualifications and of his experiences serving with the Truro Planning Board.

Donovan was pleased to see several applicants. Bruinooge asked to hear from the two Planning Board members seeking reappointment before voting on Motion 10-0206.

MOTION 10-0206 Houk moved to appoint Theodore Franklin to the Planning Board.

Wood seconded. The motion carried 3-2. Wood, Donovan and Houk for and Bruinooge and Beebe opposed.

Reappointments

Two Planning Board members were up for reappointment: Barbara Gray and Gerald Parent. Barbara Gray said that the future is what all planning boards work for. Gray stated that it is a much more active Board than before -- surveying the public, going into the community and talking to neighbors. The current Board is proposing new house sizes for the next Town Meeting, and Gray briefly explained the gross floor area concept. Gray invited the public to come to future meetings.

Parent spoke of his 18 years on the Planning Board, and he said that a record 95% of his motions have passed at Town Meetings. Parent expressed interest in continued service on the Planning Board.

MOTION 10-0207 Donovan moved to reappoint Barbara Gray to the Planning Board.

Wood seconded. The motion was not passed with a vote of 2-2. Donovan and Wood were in support, Beebe and Houk opposed, and Bruinooge abstained.

Houk saw a breakdown at a recent Planning Board meeting led by its chair, Gray. Houk likes Parent's experience and likes to see diversity on the Planning Board. Bruinooge feels that there is something to be said for a long history on a board. Beebe hoped to reappoint both Gray and Parent so that the Planning Board would be experienced.

Wood chose Franklin because he has experience in another town, and he believes that he can bring expertise and fresh knowledge garnered from his experience with the Truro Planning Board.

MOTION 10-0208 Houk moved to reappoint Parent to the Planning Board.

Bruinooge seconded. The motion carried 4-1. Donovan opposed.

MOTION 10-0209 Donovan moved to appoint the three applicants listed below.

Houk seconded. The motion carried 4-0.

- a) Don Palladino – Zoning Board of Appeals
- b) Jeff Hughes – Herring Warden
- c) Carl Breivogel – Assistant Herring Warden
- d) [Jim Sexton – Cape Light Compact; name withdrawn]

Use of Town Property

a) Request from Judi Kagiwada & Bill Bonanno to be married at Cahoon Hollow Beach on Friday, August 27, 2010 from 2:00 p.m. – 3:00 p.m. The wedding party requests saved parking spaces.

Beebe notes that parking can not be saved for the wedding. Grout Thomas added that it would be cumbersome and inefficient to save parking for the wedding party at Cahoon Hollow Beach.

MOTION 10-0210 Beebe moved to approve the request to use Cahoon Hollow Beach on Friday, August 27, 2010 from 2:00 pm – 3:00 pm for the Kagiwada and Bonanno wedding.

Bruinooge seconded. The motion carried 5-0. Excepting the saved parking space.

b) Request from Eric Gustafson of Fun Seekers to use primarily White Crest Beach sandbars for surfing instruction, May to October 2010.

Grout Thomas adds that surf instruction is limited to White Crest Beach during the summer season per beach rules and regulations.

MOTION 10-0211 Donovan moved to approve the use of White Crest only per Wellfleet's beach rules and regulations.

Wood seconded. The motion carried 5-0.

c) Use of Town Hall lawn by Democratic Town Committee on Saturdays throughout the summer from 10:00 a.m. to 12:00 p.m.

Donovan noted that it is against the law to solicit or receive donations on Town property.

MOTION 10-0212 Wood moved to approve the use of the Town Hall lawn by the Democratic Town Committee on Saturdays throughout the summer from 10:00 am to 12:00 pm.

Donovan seconded. The motion carried 5-0.

New Business

Lease for Preservation Hall [Bruce Bierhans & Marla Rice]

Bruinooge recuses herself.

Wood thinks that the existing contract is fair to the Town and to Preservation Hall. Beebe comments that the initial term will be 2.5 years with successive 5-year terms afterward. Houk asks if Preservation Hall could pay a nominal fee to the town for its use of town property. Bierhans replied that Preservation Hall is benefitting the town by maintaining the property.

MOTION 10-0213 Wood moved to accept the Management Agreement and the First Amendment to the Ground Lease.

Donovan seconded. The motion carried 4-0.

Bruinooge rejoins the meeting

Provincetown Parade for Monument Anniversary

Robert Littlefield extends an invitation to all Cape Cod towns to celebrate the 100th Anniversary Celebration for Provincetown Monument on August 5, 2010. Provincetown is recreating the 1910 dedication ceremony. President Obama has been asked to attend, and Wellfleet is encouraged to attend. Littlefield mentions that Wellfleet could create a float or sponsor a marching band. Please let him know who will attend. Robert Littlefield will be the contact person for the Town of Wellfleet.

Mass Open Meeting Law Trainings

Beebe announced two training sessions on new Massachusetts Open Meeting Law changes, June 30, 2010 at 2:00 p.m. and 6:00 p.m. at the Wellfleet Senior Center.

Letter of Support to the Town of Orleans

Discussion on whether Wellfleet will endorse a review of MEP policy and methodology submitted by the Town of Orleans Selectmen by sending a letter of support. Sieloff stated that Wellfleet Water Board Chair Alex Hay recommends that Wellfleet send a letter of support. Barnstable County opposes it. Ned Hitchcock addressed the issue.

MOTION 10-0214 Donovan moved to approve the Orleans's letter and to send a letter of support.

Beebe seconded. The motion carried 5-0

Designation of Municipal Employees

MOTION 10-0215 Donovan moved that we designate special municipal employees on the list as well as adding the cable advisory committee to the list.

Wood seconded. Motion passed 5-0.

Donation of Surplus Ambulance

[Chief Silverman, Jennifer Carlson, and Catharie Nass]

Donation of surplus ambulance to the Red Cross. Chief Silverman reports that Wellfleet's 4th ambulance was turned over to the DPW for disposal based on a decision from the last Town Meeting and is valued at \$1,500. The Red Cross would like to replace their current ERV, emergency response vehicle, which is based in the Lower Cape Zone with Wellfleet's 4th ambulance set for disposal.

MOTION 10-0216 Wood moved that Wellfleet donate the ambulance to the Red Cross.

Houk seconded. Wood and Houk favor the motion. The motion do not pass with a vote of 2-3.

Donovan asked how much money the Town of Wellfleet might get by selling the ambulance. Houk does not think that you can put a cash value on the Red Cross. Beebe wants to know the value of the ambulance before she makes her decision on whether to donate. Wood would like to know true value of Town Property in the future. Sieloff said that \$160,000 was paid for the ambulance. Sieloff recommends asking \$5,000 to \$10,000 for the ambulance and if the amount is not received, then the Town should give it to the American Red Cross.

MOTION 10-0217 Donovan moved to follow legal procedure for disposing of town property, and if the bid does not exceed \$5,000 that the ambulance be donated to the Red Cross.

Beebe seconded. Wood and Houk opposed. The motion carried 3-2.

Accountant Marilyn Crary handed out end of year transfer requests which included a few department budgets that were over. Crary said that next year's budgets would be on target. Beebe suggested that this should be an agenda item at every June Board of Selectmen meeting. Donovan suggested a monthly update on the legal budget from the Town Accountant.

MOTION 10-0218 Wood moved to approve Town of Wellfleet fiscal year 2010 budget transfers.

Donovan seconded. Motion carried 5-0

Old Business

Discussion on Reduced Transfer Station and Beach Sticker Fees for Income Qualified Residents and Non-Resident Taxpayers.

Beach program administrator Suzanne Grout Thomas reminds everyone that this issue was discussed at the January 2010 Selectmen's meeting and was never formally voted on. Thomas does not recommend a reduction in the \$15 Beach Fee.

Thomas asks if Transfer Station fees will be reduced or waived for income qualified residents. Donovan would like to see a waiver of the transfer station sticker for Income Qualified residents because it is an absolute necessity and a health issue. He would suggest from this point forward that if fees are to be waived, that the Department Heads be in charge of garnering proof of financial need from applicants for fee reduction. Beebe noted that the pressure to raise fees is enormous.

Thomas's personal thought is when SEMASS triples or quadruples its refuse disposal rates that it would be an appropriate time to institute a sliding scale fee structure.

Houk mentions that he has been approached by three individuals about developing a policy wherein the handicapped or elderly can be dropped off in a beach parking lot without having to wait in a long line. Thomas suggested that the person on duty could call a supervisor to control traffic and allow such a drop-off. Donovan asked why they should have to wait since there is a designated space for them.

MOTION 10-0219 Donovan moved to follow the recommendations of Suzanne Grout Thomas to waive fees for the Recreation Department for the current year.

Wood seconded. Motion carried 4-0; Bruinooge abstained.

Discussion on Fees for Use of Town Property

Sieloff will set a public hearing date to discuss Use of Town Property application fees. It has been recommended that fees of \$25 per application for use of town profits be implemented with nonprofits fees being waived. A sum of \$50 for weddings has also been suggested. Town Clerk Dawn Rickman is in favor of the fee recommendations "plus some" and said that the Town has a bylaw for setting fees. It goes before voters at Town Meeting. Selectmen will decide on actual fee level in the future.

Discussion on Personnel and Government Reorganization Task Force

Sieloff said that 4 individuals responded and were interested in serving on the Task Force: Ben Zehnder, Arlene Kirsch, Steve Gazzano, and Pat Foley. Dale Donovan recommends John Makely because he was on the Personnel Board. John Makely states that he needs time to consider the position before committing to the position.

Arlene Kirsch suggests that a person from the Finance Committee be added to the task force. Sylvia Smith had been selected by the Finance Committee and it had been agreed that she would be their liaison. Sieloff counters that a person can be on the Finance Committee or the Personnel Board but not on both. The Finance Committee does, however, have a liaison to the Personnel Board.

John Makely reads Chapter 8 Section 2 from the Town Charter which states that one member of the Finance Committee should be appointed to the Personnel Board from its own membership.

Beebe states that she thinks that the Board members should be chosen from those that have already applied and then something can be sent to the finance committee. Beebe states that this committee is serving as an Advisory Board and that Town staff should not be a part of the committee.

Donovan gives the job description of the task force.

MOTION 10-0220 Donovan formally nominated Deborah Freeman Samuels to the Personnel Task Force.

Houk seconded. Motion carried 5-0.

MOTION 10-0221 Beebe moved to appoint Patricia Foley, Steven Gazzano, Arlene Kirsch, and Benjamin Zehnder to the Personnel and Organizational Task Force.

Houk seconded. Motion carried 5-0.

MOTION 10-0222 Bruinooge moved to appoint Sylvia Smith as the Finance Committee Representative to Personnel and Organizational Task Force.

Houk seconded. Motion carried 5-0.

Future Concerns

The following items of business for upcoming meeting agendas were noted: Wellfleet Marina Rules and Regulations, and the Wellfleet Police Chief appointment, and the Herring River presentation.

Donovan mentions that he would like the Selectmen to participate in the July 4th parade in a way that is different than the tradition of riding in a car in the parade. He suggests sitting at Town Hall and watching the parade.

Selectmen discussed obtaining a signature stamp for use of items already voted on. Sieloff will look into getting a stamp.

Correspondence

Bruinooge noted that all of the correspondence is upstairs in the Board of Selectmen's office.

Minutes

The following corrections to the June 8, 2010 meeting minutes were noted:

1. Motion number 10-202 was corrected.
2. The word 'of' was misspelled in the same motion.

MOTION 10-0223 Wood moved to approve the minutes of June 8, 2010 as corrected. ??? seconded.

Bruinooge seconded. Motion carried 4-0.

Adjournment

MOTION 10-0224 Wood moved to adjourn.

Donovan seconded, and the motion carried. 5-0. The meeting was adjourned at 9:15 p.m.

Respectfully submitted,

Lydia Vivante
Executive Assistant