



**Wellfleet Board of Selectmen  
Minutes of the Meeting of May 10, 2011  
Wellfleet Senior Center, 7:00 p.m.**

**Present:** Acting Chair Ira Wood, Jerry Houk, Berta Bruinooge, Mark Borrelli, Paul Pilcher and Town Administrator Paul Sieloff.

Acting Chair Wood called the meeting to order at 7:00 p.m.

**Announcements, Open Session and Public Comment**

The Board of Selectmen Acting Chair Wood introduced the two new Board of Selectmen members Paul Pilcher and Mark Borrelli.

Houk announced that the Wellfleet Alzheimer's Association will hold a dancing event at Duck Creek Inn on Saturday, May 21, 2011 at 7:30 pm. The admission will be \$10 and all proceeds will go to support Alzheimer's Association.

Bruinooge announced that there will be a ribbon cutting ceremony at Wellfleet Preservation Hall on Saturday, May 14, 2011 at 6 pm, followed by a pot luck supper at 8 pm and said that all town officials are invited.

Sieloff confirmed with the Board of Selectmen that the minutes at the Inter-Municipal meeting in Truro at 6 pm on May 19, 2011 will be taken by Truro's staff.

Wood announced that he received an email from Andrew Petty from the Health Department about the trees taken down Main Street and said that all free wood has been picked up by the residents.

Lydia Vivante from the audience announced that there will be a Trash Collection pick up also called an Eco Expo, sponsored by the Wellfleet Recycling Commission on May 21, 10 am – 2 pm at the Transfer Station. Wood talked about his recent reviewing of the Open Meeting Law, and said that he believed that the New Board should act according to the Open Meeting Law and not discuss anything that has not previously been put on the public agenda.

**Licenses/Appointments/Reappointments/Use of Town Property**

**Use of Town Property**

A. Licenses

**MOTION 11-00126:** Houk moved to approve the application received from Todd E. LeBart of The Beachcomber to request permission to serve alcoholic beverages starting at 11:30am on Sunday mornings. Bruinooge seconded and the motion passed 5-0.

**MOTION 11-00127:** Houk moved to approve the application received from Peter Hall of Van Rensselaer's Restaurant to request permission to serve Alcoholic Beverages starting at 10:00am on Sunday mornings. Bruinooge seconded. He motion passed 5-0.

B. Appointments

**MOTION 11-00128:** Houk moved to approve the request received May 5, 2011 from Police Chief Ron Fisette to appoint Lacey De Oliveira as a Special Police Officer from May 11, 2011 through June 30, 2012. Bruinooge seconded. The motion passed 5-0.

**Old Business & New Business**

- A. Discussion on possible rehearing of the licensing of rental properties: Wood said that there have been questions about the April 28 meeting. The matter has been sent to Town Counsel by the previous chair Beebe. According to the Town Counsel there is no legal issue, but Wood clarified that this meeting has not been advertised as a Public Hearing and there will be no public discussion. Wood proceeded with discussion by the Board. Pilcher disclosed that he has several rental properties but according to him it will not be a conflict of interest to vote. Houk summarized what has happened on the April 19 and April 28 meetings about the Licensing on Rental Properties. He voiced his opinion that he disagreed with the process and said that he read the Town By-Laws and according to his understanding the BOS did not follow their own policy and By-Laws. Pilcher wanted to know if the action on April 28 meeting changed the policy. Houk said that it did change and hoped to have a public hearing on this matter again in the future. Bruinooge said that she was not at the April 19 meeting, but the meeting on April 28 was a Board of Selectmen meeting and not a Public Hearing. Wood said that he believes that there should be another Public Hearing on the Rental

**MOTION 11-00129:** Houk moved to approve another public hearing discussing the Licensing of Rental Properties. Borelli seconded. The motion passed 5-0.

Wood asked the Town Administrator Sieloff when would be possible to have a hearing scheduled. Sieloff said June 14, 2011.

- B. Paul Niedzwiecki and Patty Daley from the Cape Cod Commission presented their annual report to the Board of Selectmen. Niedzwiecki also announced that the Land-based Wind Turbine discussion about the regional threshold with the Assembly of Delegates to allow local towns to create their own By-Laws for the 65 foot threshold for the ocean DCPC process is also moving along. He also said that there will be a meeting on May 11 where the DCPC committee will discuss offshore wind turbines. Houk wanted to know if the individual towns going to regulate it. Niedzwiecki explained that this will be to establish the regular threshold and then the towns can decide if they want to have wind turbines or not. Pilcher wanted to know how the wind turbines affect Wellfleet with the Cape Cod Commission. Niedzwiecki then explained the wastewater treatment issue. He said that different towns on the Cape have done it differently. Some towns have betterments adding thousands of dollars to the homeowners' cost. According to him adding the burden of betterments may change the fabric of the community forever leading to massive foreclosures. Niedzwiecki explained that this is not as relevant to Wellfleet as Wellfleet tends to show as a seasonal and wealthier community. Borelli said that he works at the Provincetown Center for Coastal Studies and had seen the Commission's reports on renewable energy. He encouraged everyone to go to the Cape Cod Commission Web site and look at the renewable energy information and then have their input. Wood asked what is going to happen to Cape Cod Bay. Niedzwiecki explained that most of Cape Cod Bay is excluded from wind turbines because of the whale migration and said that no wind turbines are allowed on the North Atlantic side.

Daley talked about solid waste disposal issues. She said that most of the SEMASS contracts with Cape towns end in 2015. There is committee tasked to identify the alternatives. Responses to a RFP are due June 1, 2011. Daley said that there is a national advertisement about the options of recycling and solid waste and they are even looking into “pay-as-you-throw” options. Wood said that the FinCom is also interested in “pay-as-you-throw” Pilcher asked if this means a regional trash disposal. Daley said that this should be a question for Attorney Mary Giorgio. Borrelli wanted to know if “pay-as-you-throw” is the future. Daley answered that Sandwich officially has adopted it and few other towns are looking into it. Houk was concerned that curbside pickup would be a big expense for Wellfleet, since the Town does not have the equipment. Niedzwiecki explained if the process is contracted out it would be less expensive, and it will promote more recycling. Wood suggested that the discussion continues with the Board of Health.

- C. Building Inspector Agreement with Barnstable County: Daley announced that Barnstable County will be conducting an experiment by hiring Sibel Asantugrul as a Regional Building Inspector and using her expertise. Sieloff clarified that Asantugrul is a Wellfleet resident and ex member of the Zoning Board and asked the BOS to move this option to hire Sebel as Regional Building Inspector for 12 hours per. Sieloff added that a sample agreement was provided in the selectmen’s packets and initially this will be done for one year.

**MOTION 11-00130:** Bruinooge moved to approve the position of a Regional Building Inspector. Houk seconded. Motion passed 5-0.

- D. Discussion on granting Bulkhead Easement to Stossel/Maguire<sup>1</sup>: Ben Zehner gave copies of the easement and explained that the easement is for purposes to create a right to install, maintain and repair bulkhead. He clarified that the Town retains the right to use and access the land and there will be a signage for public access. He proposed a payment of \$5,000 to buy the easement. Wood wanted to know if this easement will be clear for future owners. Zehner explained that the easement gets recorded and transfers with the property. Borrelli wanted to know how is the drill hole nourishment done. Zehner explained that the towns have annual requirements about nourishment.

**MOTION 11-00131:** Bruinooge moved to approve the Bulkhead Easement to Stossel/Maguire. Houk seconded. The motion passed 5-0.

- E. Vote on single election precinct authorization form: Town Clerk Dawn Rickman announced that the US Census Bureau announced the 2010 results and as a town with under 6,200 residents Wellfleet is still eligible for a single precinct, but needs to be approved by the that Wellfleet would remain a single precinct town.

**MOTION 11-00132:** There was a unanimous vote Wellfleet to remain a single precinct town. The motion passed 5-0.

- F. Discussion on perambulating boundaries with Eastham and Truro: Town Clerk Dawn Rickman explained that previously the BOS had to physically go and examine the Town’s boundaries, but now the Federal Census Bureau has a software program and it could be done in the Town Clerk’s Office.
- G. Discussion on Potential Appointment of Police Officer: Chief Fisette proposed Kevin LaRocco to be appointed as a full time police officer, contingent upon all necessary exams.

**MOTION 11-00133:** Houk moved to approve the appointment of Kevin LaRocco. Borrelli seconded. The motion passed 5-0.

H. Board of Selectmen reorganization

**MOTION 11-00134:** Houk moved to appoint Wood to become the new Board of Selectmen Chair. Pilcher seconded. The motion passed 5-0.

**MOTION 11-00135:** Houk moved to appoint Bruinooge to become the new Board of Selectmen Vice-Chair. Pilcher seconded. The motion passed 5-0.

**MOTION 11-00136:** Bruinooge moved to appoint Pilcher to become the new Board of Selectmen Clerk. Houk seconded. The motion passed 5-0.

Bruinooge asked the public if anyone wants to serve on the Personnel Board and suggests that this goes on the next agenda. She also talked about an email she got about Wellfleet's 250<sup>th</sup> Anniversary in 2013, and said she hopes that there is some sort of celebration to mark the anniversary.

Pilcher said he would like to focus on BOS goals. Wood proposed Personnel Board discussion to be put for the June 14<sup>th</sup> meeting and Selectmen Goals for the June 28<sup>th</sup> meeting.

### **Correspondence & Minutes**

Correspondence, Minutes [April 12, April 19, and April 28]

Bruinooge gave a brief report of the correspondence file. A copy of the report was available to the public.

**MOTION 11-00137:** Bruinooge moved to approve the Minutes for April 12. Borrelli seconded and the motion passed 3-0. Borrelli and Pilcher did not vote since they were not members of the Board of Selectmen at this time.

The approval of the April 19 minutes did not get voted, because only two members of the Board were present at this meeting. Wood said that the minutes do not need to be approved.

**MOTION 11-00138:** Bruinooge moved to approve the Minutes for April 28. Wood seconded. The motion passed 3-0. Borrelli and Pilcher did not vote since they were not members of the Board of Selectmen at this time.

### **Adjournment**

**MOTION 11-0139:** Bruinooge moved to adjourn the meeting and go into Executive Session. Borelli seconded. Motion passed 5-0.

The public meeting was adjourned at 8:45 pm.

Respectfully submitted,  
Michaela Miteva, Executive Assistant

### **Public Records Materials from the meeting of 4/12/11**

1. Bulkhead Easement to Stossel/Maguire