



**Wellfleet Board of Selectmen
Minutes of the Meeting of June 14, 2011
Wellfleet Senior Center, 7:00 p.m.**

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

Board of Selectmen Chair Wood called the meeting to order at 7:00 p.m.

Announcements, Open Session and Public Comment

Paul Pilcher thanked the Harborfest committee, volunteers, and sponsors. The event took place on June 11, 2011 and was a success. Harborfest is intended to become an annual celebration. The Harborfest committee Chair Martha Wilson said that all profits will go to Wellfleet.

The Town Administrator Paul Sieloff said that the Police Chief's contract is ready to be signed and it is in the Board of Selectmen's office.

Assistant Town Administrator Rex Peterson announced that the new Assessor's Map was received from the printer. The cost for the public is \$30 and the map is available in the Assessor's Office.

Police Chief Ronald Fisette introduced the new summer police officers and welcomed them. He also said that 22 officers from Wellfleet participated in the Torch Run on June 7, 2011 and raised \$10,000 for the Special Olympics.

Chair Wood said that the public hearing was scheduled for 7:15pm and moved to New Business/Old Business items in particular the Change order request for \$100,000 from the Board of Water Commissioners for water service on Cross Street and Chequesett Neck Road. Paul Millett from Environmental Partners Group gave an update on the Wellfleet Water Project¹ and answered Board of Selectmen questions about Cross Street. Millett said it made engineering sense in terms of available funds. Tom Reinhart from the public wanted to know how long it will take for the piping process to be completed. Millett answered that it should not take longer than two weeks if approved and it will take a day of impact on Commercial Street and another day on Holbrook Avenue. Houk wanted to know if the project would be completed before July 4, 2011. Millett said that it would be possible, but this could be stipulated in the approval. Jerry Parent from the public said that he is concerned and prefers it done after Labor Day.

MOTION 11-00152: Bruinooge moved to approve the Change Order Request for \$100,000 for water service on Cross Street and Holbrook Avenue. Houk seconded. The motion passed 5-0.

Public Hearing Pilcher recused himself from the public hearing and left. Wood explained the process of how the public hearing would be conducted: The Board of Selectmen would discuss it, then it would be open for public comments and then it would go back to the Board for a vote. Wood began the public hearing with some background information about the Board of Selectmen meetings on April 19 and April 28, 2011. Bruinooge entered the discussion and said that she voted "Yeas" on the April 28 meeting and also said that by doing this Wellfleet would not be re-inventing the wheel and several other Cape towns are doing it. According to her the \$70 rental licensing fee would not hurt anyone but would bring potential revenue of \$35,000-\$70,000 to the Town's budget. She said that she got many emails of residents complaining about the fee, but her research showed that Wellfleet has the 17th lowest tax rate in Massachusetts.

Houk he said that he will speak after the public hearing. Borrelli mentioned that his opinion is very close to Bruinooge's, and according to him it is a fairness issue – since Bed and Breakfasts and hotels pay, rentals should also pay a fee.

During the public hearing about 15 residents voiced their opinion. Among them were Gail Ferguson, Ed Monroe and Hugh Guilderson who opposed the decision and asked that it was supposed be voided, based on the grounds that it was enacted improperly. Dale Donovan and Tom Reinhart were in favor of the decision, because it would bring revenue to the Town and it is something already done by surrounding towns. Bruce Rickman had a question to the Board and wanted to know what modifications would be involved if the rental license would be required and if the raised money would be restricted. Bruinooge explained that it would involve water testing every three years and the money raised would go to the General Fund and would not be restricted. Amy Paine from the public said that the home is a private property and not a business. According to her, a decision of this scope should go to a Town Meeting. Jerry Parent also believed that it requires a Town Meeting. Jon Porteus also said that this decision belonged to Town Meeting and wanted to know why it was done this way. Borrelli explained that according to the Town's By-laws and Charter the decision was a Board of Selectmen right and there was no requirement for a Town Meeting for the vote. Jean Schaefer said that a business was a profit-oriented, and if you were renting, you are presumed to be making a profit. But that was not the case in Wellfleet. Eileen Goldman, Richard Currier, Susan Quickly, John Dwaine and Cathy McCormick also expressed their opinions against the business rental licensing. After the public had voiced their opinion the discussion went back to the Board of Selectmen. Bruinooge said that she hoped that the \$70 fee will not cause an ill-will, but the money raised will be a big benefit for the Town. Houk listed four categories: 1) People who do not need to rent, but do so anyway(a very small category); 2) Nonresidents who rent out and hope to retire one day; 3) Year-round residents who rent out and crowd with relatives during the summer; 4) Senior citizens who cannot afford not to rent. Houk said that he would say "No" and urged the Board to do the same. Wood said that he voted against it and he would oppose it again, but agreed that the Town needs revenue. It would be prudent to have the entire process laid out in details before setting the fee and suggested that the discussion continue after all details are clarified.

MOTION 11-00153: Houk moved to nullify the vote from April 28, 2011 for the business licensing of rentals. Wood seconded. The motion passed 4-0.

After the public hearing and the vote took place, Pilcher returned to the meeting.

Appointments/Reappointments

Police Chief Ronald Fisette introduced the new special summer police officers and recommended that the Board of Selectmen consider them for appointments and reappointments.

MOTION 11-00154: Bruinooge moved to approve the appointments of special summer police officers: Robert Grant, Christopher Anderson, Eric Trudeau, Timothy Morrison, Craig Thatcher, W. Russell Hughes, Garrett Moynihan, Walter J. Kolodzinski III, Michael Minnerath, Christopher Hartsgrove, Sean Kelly, Christopher I. Williams and the reappointments of George Spirito, Mark Sklut, Jared Meegan, Edward Mitchell, Matthew Caola, Steven Raneo for the period from July 1, 2011 through June 30, 2012. Borrelli seconded. The motion passed 5-0.

Police Chief Fisette recommended the reappointment of special police officers – Department Chaplains Judith Gould and Paul Cullity for the period from July 1, 2011 through June 30, 2011.

MOTION 11-00155: Bruinooge moved to reappoint special police officers – Department Chaplains Judith Gould and Paul Cullity for the period from July 1, 2011 through June 30, 2012. Borrelli seconded. The motion passed 5-0.

Police Chief Fisette proposed Michel Hurley to be promoted to the position of Lieutenant and presented his memo² on the conducted interviews.

MOTION 11-00156: Houk moved to promote Michael Hurley to the position of Lieutenant, subject to contract negotiations. Bruinooge seconded. The motion passed 5-0.

The appointments of Robert DuBeau and Eric Larsen to be appointed to the Planning Board were postponed until the June 28, 2011 meeting, because the Board requested their presence for an interview before making a decision. Pilcher said that he would like to see the applicants for reappointments and appointments for an interview before the Board. Houk said that previously the reappointments required recommendation from the Committee/Board chair. Sieloff explained the format of the reappointment memo and asked for guidance. The Board decided to reappoint the Boards and Committees with non-competing seats and hold for the ones that have new applicants seeking appointments, so an equal opportunity is given to all.

MOTION 11-00156: Bruinooge moved to appoint Chief Fisette to become the new Wellfleet Emergency Management Director. Pilcher seconded. The motion passed 5-0.

MOTION 11-00157: Pilcher moved to reappoint Thomas Cole, Barbara Gray, Betsy Williams and Richard Guernsey to the Cable Advisory Board (terms to expire 6/30/2012.) Houk seconded. The motion passed 5-0.

MOTION 11-00158: Pilcher moved to reappoint Alexander Hay, David Rheault, Alexandra Grabbe and Martha Wilson to the Citizens Economic Development Committee (terms to expire 6/30/2012). Borrelli seconded. The motion passed 5-0.

MOTION 11-00159: Bruinooge moved to reappoint Martha Carroll to the Cultural Council (term to expire 6/30/2014). Pilcher seconded. The motion passed 5-0.

MOTION 11-00160: Bruinooge moved to reappoint Steven Durkee to the Historical Commission (term to expire 6/30/2014). Pilcher seconded. The motion passed 5-0.

MOTION 11-00161: Bruinooge moved to reappoint Manuel Smith, Barbara Gray and Dale Donovan to the Local Comprehensive Planning Implementation Committee (terms to expire 6/30/2014.) Pilcher seconded. The motion passed 5-0.

MOTION 11-00162: Pilcher moved to reappoint Steven Durkee, Mary Fontanarosa, Gary Sorkin, Kathleen Nagle, Paul Cullity and Barbara Knapp to the Local Housing Partnership (terms to expire 6/30/2012). Houk seconded. The motion passed 5-0.

MOTION 11-00163: Pilcher moved to reappoint John Riehl to the NRAB(term to expire 6/30/2014). Borrelli seconded. The motion passed 5-0.

MOTION 11-00164: Pilcher moved to reappoint Virginia Parker, Cynthia Hope, Robert Jackson, and Lynn Southey to the Open Space Committee (terms to expire 6/30/2012.) Borrelli seconded. The motion passed 5-0.

MOTION 11-00165: Houk moved to reappoint Alfred Pickard, Jr. to the Planning Board (term to expire 6/30/2016.) Borrelli seconded. The motion passed 5-0.

MOTION 11-00166: Bruinooge moved to reappoint Barbara Austin, Barbara Brennessel, Helen Miranda Wilson, Rebecca Taylor, John Duane, Joel Fox, James O'Connell to the Shellfish Advisory Board (term to expire 6/30/2012.) Houk seconded. The motion passed 5-0.

MOTION 11-00167: Houk moved to reappoint William Nicholson, Vernon Jacob and Thomas Reinhart (Associate) to the Zoning Board of Appeals (terms to expire 6/30/2014.) Pilcher seconded. The motion passed 5-0.

Old Business and New Business

Discussion on Land Disposition: Bob Hubby and Danny O'Connell gave a presentation on the Open Space Committee's request for the Board of Selectmen to consider the disposition of Map 30, Lot 68³ and said that there is a State grant available and if approved will pay half of the price for the land to be designated as conservation land under the protection of the Wellfleet Conservation Commission. He requested that the Board would make a motion to commence the disposition process to be ready for Town Meeting.

MOTION 11-00168: Bruinooge moved to start the process of Map 30, Lot 68 disposition process. Borrelli seconded. The motion passed 5-0.

John Riehl, Chair of the Natural Resource Advisory Board said that the NRAB is willing to take over the charge of the Coastal and Pond Access Committee.

MOTION 11-00169: Pilcher moved to modify the charge for the NRAB⁴ to include the charge of the Coastal and Pond Access Committee. Wood seconded. The motion passed 5-0.

Police Chief Fisetta explained that in July 2012 there will be a requirement to change Emergency Medical Dispatch. He also said that Fire Chief Dan Silverman has a summary of the proposed EMD regulations⁵ and handed them to the Board. Wood asked the Board about the Wellfleet/Harwich Dispatch Report and suggested maybe the report could be reviewed in pieces? Bruinooge said that this requires a separate discussion during a future meeting before it goes to a Public Hearing and proposed that a decision on this to be taken on June 28.

Use of Town Property

MOTION 11-00170: Borrelli moved to approve the request from Lydia Vivante to use Town Hall parking lot on July 30, for the 3rd Annual Art sale to benefit Health Organizations on the Outer Cape. Pilcher seconded. The motion passed 5-0.

MOTION 11-00171: Bruinooge moved to approve the request from Dianne Peer to use Duck Harbor Beach for up to one hour on July 17, 2011 at 7:30 pm for sunset wedding ceremony. Borelli seconded. The motion passed 5-0.

MOTION 11-00172: Bruinooge moved to approve the request from Sharolta Sandoval to use Newcomb Hollow Beach area on August 27, 2011 from 4:30 pm to 6:30 pm for renewal of wedding vows. Borelli seconded. The motion passed 5-0.

The requests from Eric Gustafson to use White Crest and Long Pond Beaches and from Sharon Lindsay for a Farmer's Market were postponed until the June 28, 2011 meeting.

There was a discussion on setting fees for use of town property.

MOTION 11-00173: Wood made a motion to look into more streamline process for Use of Town Property. Pilcher seconded. The motion passed 5-0.

Pilcher said that he would like to initiate a discussion on Board of Selectmen Goals and asked everyone to bring a list for the next meeting.

Future Concerns:

Houk said that he received a letter from Joyce Harding concerned with parking lot issues and insurance liability during Oyster Fest. He suggested that something needs to be done. Bruinooge explained that she had a meeting with Police and Fire Chiefs and DPW Director and there was an agreement how this will be handled on the insurance issue.

Chief Fisette had a question about the Fourth of July parade and wanted to know if the Board of Selectmen will be walking. Bruinooge said that this was a great idea and it was important that the Board participates in the parade.

Correspondence & Minutes

Correspondence, Minutes [April 19, 2011]

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

MOTION 11-00174: Wood moved to approve the Minutes for April 19, 2011. Houk seconded, Bruinooge abstained. Borrelli and Pilcher did not vote, because they were not part of the Board of Selectmen at this time. The motion passed 2-0-1.

Adjournment

MOTION 11-0175: Borrelli moved to adjourn the meeting . Houk seconded. The motion passed 5-0.

The public meeting was adjourned at 10:15 pm.

Respectfully submitted,
Michaela Miteva, Executive Assistant

Public Records:

1. Water System Expansion Report
2. Memo to promote Sgt. Michael Hurley to Lieutenant
3. Map 30, Lot 68 Land Disposition
4. Change of NRAB Charge
5. EMD Regulations