



**Wellfleet Board of Selectmen  
Minutes of the Meeting of October 25, 2011  
Wellfleet Public Library, 7:00 p.m.**

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

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

**Announcements, Open Session and Public Comment**

Paul Pilcher commended Chief Ron Fisette and the Police Department for their expert traffic detail during Town Meeting.

Fire Chief Silverman announced Wellfleet's participation in the Third Annual U.S. Drug Enforcement Administration Drug Take-Back Initiative. Residents can safely dispose of expired, unused and unwanted prescription drugs at the Police Station on October 29, 2011 from 10:00 a.m. to 2:00 p.m.

Suzanne Grout Thomas announced a workshop at the Council On Aging to review all bike and pathway extensions on October 29, 2011 from 9:00 a.m. to 12:30 p.m. All residents are invited to attend.

**Appointments**

**Bike and Walkways Committee:** The Selectmen interviewed Francis Corbin to fill the first seat on the new Bike and Walkways Committee. Corbin is an avid biker and in the past has worked with Truro's Bike and Walkways Committee as a landscape advisor.

**MOTION 11-00312:** Moved: Bruinooge. Second: Houk. Motion passed: 5-0.

**Council On Aging:** Bruinooge vouched for the appointment of Frederic Nass to the Council On Aging. Nass could not be present due to illness.

**MOTION 11-00313:** Moved: Pilcher. Second: Bruinooge. Motion passed: 5-0.

**Local Housing Partnership:** The Selectmen interviewed Priscilla McChesney about her interest in joining the Local Housing Partnership. McChesney feels strongly about providing affordable housing for a diverse population and that many people in Wellfleet are in need of help.

**MOTION 11-00314:** Moved: Houk. Second: Pilcher. Motion passed: 5-0.

**250<sup>th</sup> Anniversary Committee:** The Selectmen interviewed Carol Larsen about joining the 250<sup>th</sup> Anniversary Committee. Larsen said she was a business owner and enthusiastic about Wellfleet.

**MOTION 11-00315:** Moved: Houk. Second: Bruinooge. Motion passed: 5-0.

**Use of Town Property**

**Free Paper Shredding Event:** Sieloff requested, on behalf of Lydia Vivante of the Recycling Committee, the use of the Town Hall parking lot on Saturday, November 12, 2011 for a regional paper shredding and recycling event. Doc Shredding Corporation will shred the public's paper in its on-site truck at no cost. Hard-drive destruction will also be available at \$7.50 per piece.

**MOTION 11-00316:** Moved: Borrelli. Second: Houk. Motion passed: 5-0.

**Public Hearing: 7:15 pm**

**Shellfish Grant Appeal, Renewal and Transfer:** The first item on the agenda was from Matthew Parent to appeal the Selectmen's decision to revoke shellfish grant license #01-03. Wood stated that he had been made aware that Matthew Parent could not attend tonight's meeting and moved on to the next shellfish grant license request.

Shellfish Constable Andy Koch recommended<sup>1</sup> the transfer of shellfish grant license #754 from Joel and Anne Fox to Joel Fox, Anne Fox and R. Andrew Cummings.

**MOTION 11-00317:** Moved: Pilcher. Second: Bruinooge. Motion passed: 5-0.

Koch recommended the transfer of shellfish grant license #855 and #855B from Michael Ramsdell to Michael Ramsdell and Michael DeVasto.

**MOTION 11-00318:** Moved: Borrelli. Second: Pilcher. Motion passed: 5-0.

Koch recommended the renewal of Ethan Estey's shellfish grant license #09-02 for a five year period.

**MOTION 11-00319:** Moved: Bruinooge. Second: Borrelli. Motion passed: 5-0.

Koch recommended the transfer of shellfish grant license #783 and #783A from Glenn and Margaret Shields, Evan Bruinooge and Ian Holmes to Evan Bruinooge and Ian Holmes. Berta Bruinooge recused herself from voting on the motion because the shellfish grant license transfer involved her family member.

**MOTION 11-00320:** Moved: Borrelli. Second: Pilcher. Motion passed: 4-0-1.

Koch recommended the transfer of shellfish grant license #01-02 from Robert LaPointe to Shea Murphy and also recommended a .90 extension to shellfish grant license #2006-01.

**MOTION 11-00321:** Moved: Bruinooge. Second: Houk. Motion passed: 5-0.

**License Cancellation:** Wood proposed a motion to cancel the Annual Wine and Malt Beverage Package Store License of Farrell's Market, 1600 Route 6, Wellfleet, MA 02667.

**MOTION 11-00322:** Moved: Borrelli. Second: Pilcher. Motion passed: 5-0.

Wood proposed a motion to cancel the Annual Alcoholic Beverage License of Falcone's Restaurant and Pizzeria, 955 Route 6, Wellfleet, MA 02667.

**MOTION 11-00323:** Moved: Bruinooge. Second: Borrelli. Motion passed: 5-0.

**Old Business and New Business**

**Jack's Boat Rentals:** Sieloff presented eight recommendations made by the group formed to deal with immediate Gull Pond issues<sup>2</sup>; including non-renewal of the boat concession contract after the 2013 season, issuing warnings and eventual contract cancellation if over 30 rented boats are continually found at Gull Pond in the morning, and specific remediation actions to halt and repair environmental degradation.

Pilcher commended the group for a job well done and done quickly but raised concern about the language, "Further, if any degradation to the resource is observed, a warning will be issued and a second violation will result in the cancellation of the contract." He wanted to know exactly who would make the observations, as he saw the phrase as an open book to close down the boat rental. Sieloff said that the observations would be done by the Conservation Commission. Borrelli, who was the Selectmen representative to the group, said there was a record of careless behavior and this clause was included as a preventative measure. The group acted in good faith to keep the vendor contract intact.

Robert Waldo, the lawyer representing the interests of Jack Ferreira, stated that neither he nor Jack had seen a copy of the memo. Ferreira was under the impression that he was supposed to be included in the group discussion on Gull Pond issues. Borrelli had no recollection of that requirement. Suzanne Grout Thomas interjected that there is nothing in the memo parameters outside of the current contract that would impact the boat rental business directly. Pilcher requested that a copy of the memo be given to Ferreira and Waldo to review and gave them a charge to respond at a future Selectmen meeting.

Wood summed up the discussion by saying that the intention of this memo was to begin the Gull Pond restoration process. The vendor should be aware that after 2013, the restoration plan will be implemented. The language in the recommendation memo to revoke Jack's Boat Rental's contract is already contained in the current contract. The entire Board agreed that Ferreira and Waldo should have time to make a formal response to the memo. Borrelli added that everyone on the recommendation panel was concerned with the vendor and it was within their rights to cancel the contract outright. The goal of the memo is to limit the amount of environmental damage at Gull Pond.

**Special Town Meeting Vote:** Town Clerk Dawn Rickman presented election voting results for Question 1 (exemption from prop. 2 ½ to pay Wellfleet's allocable share of the bond issued by the Nauset Regional School District for building repairs) on the Special Town Meeting Warrant. The vote passed 232-46 with 11% of registered voters casting a ballot.

**Report on Route 6 Traffic Issues:** Sieloff gave an overview of his meeting with MA State Representative Sarah Peale, the MA Department of Transportation (DOT), Police, Fire, Department of Public Works (DPW) and Cape Cod Commission (CCC) on Route 6 traffic issues. The DOT and CCC will conduct traffic surveys and examine any safety issues surrounding current stop lines, stop lights, deteriorating fog lines and other traffic flow issues. Fire Chief Dan Silverman identified current problem spots, including issues at Town traffic lights and areas where Route 6 narrows from two lanes to one. Resident Richard Fishman expressed concern about cyclist and pedestrian safety and did not think protective measures are being enforced. Wood suggested he attend the Bike and Walkways meeting on October 29, 2011 at the COA and said that the enforcement issue is one that can be taken up by the Selectmen in the future.

**Green Communities Act Overview:** Energy Committee Chair Marcus Springer gave a brief presentation on the Energy Committee's Frequently Asked Questions document<sup>3</sup> relating to the Stretch Code and Green Communities Act. Springer wants to give a series of presentations to the community to start an informal dialogue about the five criteria the Town must fulfill to become a Green Community, with special attention to a proposed solar overlay, prior to the vote to become a Green Community in Spring 2012. Wood suggested sitting down with key connectors in the community and having a discussion of the issues.

**Pay-As-You-Throw Committee Report:** Chair John Morrissey gave a report on the Pay-As-You-Throw Committee's financial research<sup>4</sup>. Currently 65% of the transfer station revenues are generated by sticker fees, while 35% of the budget is picked up by taxpayers. In order for the Pay-As-You-Throw Committee to set a price for the bags to be purchased by residents for the program, Morrissey requested that the Selectmen set a revenue percentage based on transfer station user cost vs. taxpayer cost. Wood put forth three suggestions for Selectmen action: 1.) Do nothing. 2.) Schedule a meeting with the Board of Health and Finance Committees to delve more deeply into the issue and produce recommendations and set a date in the near future for this meeting. 3.) Ask the Pay-As-You-Throw Committee to pick a revenue percentage based on a variety of rates. Pilcher suggested #2 and all Board members concurred. Borrelli and Pilcher agreed to act as Selectmen representatives and to meet with the Board of Health and Finance Committee.

**Update on Assistant Town Administrator Position:** Sieloff updated the Selectmen on the job search, stating that of the approximately 100 applicants that had applied for the position, the field has been tentatively narrowed to three strong candidates. Houk and Bruinooge requested to see information on the

final three candidates after Wood invited fellow Board members to make recommendations for a final selection. Borrelli said that the final decision should rest with the Town Administrator since he will be working directly with the Assistant Town Administrator. Houk said he was alright with just seeing information on the final three candidates. Sieloff said he would present information on the final three candidates to the Selectmen.

**Review of Board of Selectmen goals:** Paul Pilcher presented a memo<sup>5</sup> with a list of Board of Selectmen goals. Pilcher asked to be alerted to the date of the next inter-municipal regional committee meeting. Rental registration was suggested as a new source of Town revenue, with procedural language to be gleaned from Eastham and Provincetown proposals. Disposal of the landing strip property was discussed. Houk mentioned that there was discussion about using the landing strip as a water facility. Borrelli asked if Administration had an inventory of all Town buildings and requested that the list be presented at the next Selectmen meeting. Bruinooge suggested contacting the building next to Mac's Seafood as a possible new location for the Shellfish Department. Sieloff raised the idea of requesting funding for new Commercial Street curbing on the Annual Town Meeting in April. A suggestion was made to pick specific goal items for discussion on future Selectmen agendas.

### **Correspondence**

Pilcher gave a brief report of the correspondence file. Pilcher asked Sieloff to recommend how to sell available parcels (i.e. auction, etc.) and hand out a report at the next Selectmen meeting.

### **Vacancy Report**

Sieloff reported that the Administration Office is doing a good job of actively filling committee positions.

### **Future Concerns**

Bruinooge mentioned that at the Annual Town Meeting in April, 2010, \$10,000.00 was set aside for Amnesty Day at the Transfer Station. Houk mentioned complaints of heavy drinking at OysterFest. Wood suggested a re-evaluation of the event and suggested that Mac Hay and Chief Ron Fisette present an overview at the next Selectmen meeting. Pilcher suggested revisiting the group beach sticker discussion at a future Selectmen meeting.

### **Minutes for September 27, 2011**

**MOTION 11-00324:** Bruinooge moved to approve the Minutes for September 27, 2011. Borrelli: Second. Motion passed 5-0.

**Adjournment:** The Meeting adjourned at 9:10 p.m.

**MOTION 11-00325:** To adjourn. Moved: Pilcher. Second: Borrelli. Motion passed: 5-0.

Respectfully submitted,

Amy Voll, Executive Assistant

---

### **Public Records Documents:**

<sup>1</sup> Recommendations to BOS from Shellfish Constable Andy Koch regarding Shellfish Grant Licenses

<sup>2</sup> 10/19/11 memo from Paul Sieloff regarding Gull Pond Issues

<sup>3</sup> Wellfleet Energy Committee FAQs on the Stretch Code/Green Communities Act

<sup>4</sup> Wellfleet Pay-As-You-Throw Committee financial report

<sup>5</sup> Paul Pilcher memo on Board of Selectmen goals