



**Wellfleet Board of Selectmen  
Minutes of the Meeting of January 11, 2011  
Wellfleet Library, 7:00 p.m.**

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

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

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

Selectman Chair Beebe noted that the discussion with the Planning Board Chair has been postponed until the next meeting. The organizers of the Martin Luther King Walk will be holding a blanket and clothes collection at the Wellfleet Library from 10am-12pm. Sieloff stated that there is an old leftover specialty chair previously used by retired Police Chief Rosenthal. Rosenthal has offered to pay the town \$50 and Sieloff agreed to the transaction. It was also asked if the Selectman and the Finance Committee will have further meetings about the Capital Plan. Sieloff announced that the Finance Committee had a public hearing December 29<sup>th</sup> and there will be a vote at the Finance Committee two weeks from tonight on their version of the budget and the Capital Plan. Beebe asked Sieloff to get Hugh Guilderson a copy for the Capital Plan. There will be a meeting of the Finance Committee tomorrow evening at 7pm. The Cultural Committee requested to be placed on the agenda regarding the budget for next meeting.

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

- A. Licenses
- B. Appointments

Application received January 6, 2011 from Marcus Springer to become a member of the Energy Committee. Springer spoke to the Board about his background and relevance to the Energy Committee. Bruinooge was concerned about his ability to really be involved as he lives full time in Boston. Wood asked if Springer was an advocate for any particular type of energy. Springer stated he is an advocate for Cape Wind and solar thermal among several others and that Geothermal is his favorite.

**MOTION 11-0001:** Donovan moved to approve Springer to become a member of the Energy Committee. Wood Seconded. Motion passed 5-0.

- C. Reappointments
- D. Use of Town Property

Application received January 7, 2010 from Harriett Jerusha Korim Arnoldi to use the Town Hall parking lot and Main Street areas for the annual Martin Luther King Day Walk, on January 17, 2011.

**MOTION 11-0002:** Donovan moved to approve Harriett Jerusha Korim Arnoldi to use the Town Hall parking lot and Main Street areas for the annual Martin Luther King Day Walk, on January 17, 2011. Houk Seconded. Motion passed 5-0.

**New Business**

- C. Cape Light Compact Presentation [Amy Voll]

The Cape Light Compact offers energy efficiency programs regardless of choice of power supply. Cape Light Compact signed a three year contract for Municipal customers beginning with the new rates for July 2011. There are programs available for local contractors as well as job opportunities for citizens interested in the energy efficiency business.

- D. Brief presentation on "Harborfest" proposal [Paul Pilcher, Martha Wilson]

A sub-committee of the Citizens Economic Development Committee created Harborfest, a one day community celebration to be held on June 11<sup>th</sup>, 2011. The Committee felt this was an

opportunity to promote local businesses as well as to celebrate the local harbor. The Recreation Department agreed to co-sponsor the event. Wilson will take the lead in organizing a nautical flea market. There will be a limited number of food vendors. The sub-committee would like approval for use of the far end of the pier and to be covered under the town insurance policy. Wood asked Paul to follow up on the insurance question.

**MOTION 11-0003:** Wood moved to express support for the preliminary plan brought to the Board by the sub-committee of the Citizens Economic Development Committee. Donovan seconded. Motion passed 5-0.

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

#### Closing of PB Boulangerie Bistro

Request received January 3, 2011 from Ben Zehnder to close PB Boulangerie Bistro through February 9, 2011.

**MOTION 11-0004:** Wood moved to approve the closing of PB Boulangerie Bistro through February 9, 2011, Bruinooge seconded. Donovan recused himself. Motion passed 4-0.

### **Old Business**

#### A. Discussion on adopting Marina Rules and Regulations

##### Marina Rules and Regulations

A public hearing ensued to discuss amending the Wellfleet Marina Rules and Regulations, in particular, Section four - Commercial Vessels. The Shellfish Advisory Board Chair Barbara Austin stated her concerns about commercial fishing vessels under 35 feet being able to stay in the Marina. She would like there to be room for an appeal if commercial vessels under 35 feet were not transferred to family members. The rules were created so that all transfers go before the Board of Selectmen. When the committee developed the rules it was considered how the regulations can be written that would allow the transfer of slips, moorings and berths and be fair to everyone. Donovan stated that by allowing transfers it is ensuring that the commercial fleet continues to prosper. Beebe commented that the regulations can be approved and amended if necessary in the future. All decisions about transferring and leasing are left up to the Board. Bruinooge commented that we are discussing boats and not where money is being earned. There is language in the document that states there is a special entitlement given to larger boats but not smaller boats. Beebe stated that it's not about a person or a license but about the use of the boat. Bruinooge does not see a problem with leaving the wording as is. Donovan states there is contradictory language in the proposed rules and regulations.

**MOTION 11-0005:** Donovan moved to delete the wording "35 feet or longer". Beebe seconded. Motion did not pass by a vote of 2-3 with Wood, Bruinooge and Houk dissenting.

**MOTION 11-0006:** Wood moved to adopt the Town of Wellfleet Harbor Marina Rules and Regulations as revised December 16, 2010. Houk seconded. Motion passed 5-0.

### **New Business**

#### A. Town Assessor to explain formula used to assess properties [Nancy Vail] –

Vail stated that the starting point for valuations is set because the DOR states that we should be 100% at full and fair market value or within 90-110%. The best evidence of fair market value is to look at like properties that have been recently sold, extract from the sale price what is attributable to the building and what is attributable to the land. The land and building statistics are decided separately. When looking at building values, statistics are run by size of the house, style, age, quality of construction, etc. The abatement process is based on the outliers of the statistical information. Information is on the Town website, not under the Assessors Database but under Town Government, then Property Assessments. The DOR website also has a link called Division of Local Services where there is a document that contains the guidelines for the development of minimum assessments as well as a field review manual which shows all the statistics necessary

for assessments. Vail stated that the abatement process allows for an individual to come in within 30 days of their tax bill to fill out an application and the Board of Assessors reviews it.

**B. Discussion on "Open Space" criteria used for land parcels [Nancy Vail, Paul Sieloff]**

The town has one lot on Ocean View Drive that was auctioned off that still has a hold on it due to questions related to the property being a scenic overlook. There is nothing that specifically limits it to open space. The lot's designation as a scenic overlook was never officially voted on. The second part of the discussion was in relation to criteria used to restrict open space. Vail spoke with Mark Robinson, head of the Cape Cod Conservation Trust who sent information regarding language used. The Board decided that the lot on Pleasant Point would be offered only as open space. Sieloff confirmed with the Board that it is okay to complete the sale on the lot on Ocean View Drive.

**Old Business**

**B. Discussion with Planning Board Chair on proposed ATM planning articles [Gooz Draz]**  
Moved to next meeting – January 25, 2011

**C. Discussion on Town Administrator's Report**

Wood stated that Sieloff's work on the budget issues is exemplary. Sieloff focused on important issues such as financial, energy, regionalization, environmental, economic development, and grants. Wood stated that when he is stopped in Town nine out of ten citizens ask him to please control the budget and felt that he honestly can say we have a Town Administrator that is dedicated to doing just that. There will be more detail covered in the State of the Town meeting including the main issues dealt with in the last year.

**Minutes**

The Minutes of the December 28, 2010 will be voted upon at the next Board of Selectmen meeting.

**Future Concerns**

Sieloff stated that the interim Building Inspector, Elbert Ulshoeffter will be filling the gap for approximately three months. Sieloff is working very closely with Hillary Greenberg in the Health Department to fill the position. He envisions Greenberg to have more of a supervisory position in the future. Sieloff is looking at options and will be meeting with Eastham to make an offer to possibly regionalize and share building inspectors.

**Correspondence**

The correspondence report is available in the Selectman's office.

**Adjournment**

**MOTION 11-0007:** Donovan moved to adjourn the open session and go into closed Executive session for the purposes of Collective Bargaining. Wood Seconded. Motion passed 5-0.

The meeting adjourned at 9:07pm and went into Executive Session.

Respectfully submitted,  
Nefrediezha Barbel, Executive Assistant

**Public Records Materials from the meeting of 1/11/11**

1. Wellfleet Harborfest
2. Town Administrator Report
3. Proposed Marina Rules and Regulations
4. Annual MLK Day Walk - Flyer