



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

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

Not Present: Chair Jacqui Beebe

Vice Chair Ira Wood acting as Chair called the meeting to order at 7p.m.

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

Hugh Guilderson previously requested a copy of the Capital Improvement Plan for the Building Needs Committee which he received last night and thanked the Board. Fire Chief Silverman stated that the Fire Department did an ice rescue drill on Long Pond. He stated that the Fire Department will not give an opinion regarding the safety of the ice. He asked that individuals use their own judgment and common sense. Beth Brehmer would like to propose a By-law change for a plastic bag ban, tax, or surcharge for the Town of Wellfleet. She presented handouts, stated she would like to see our dependence on foreign oil reduced and that plastic bags end up in the sea killing thousands of animals each year. Wood stated it would be a long process that would require a public hearing and suggested that she initially meet with the Recycling Committee.

New Business

Presentation by John Giorgio, Esq. and Patty Daley of the Cape Cod Commission on the SEMASS Contract.

Patty Daley of the Cape Cod Commission began the discussion on the solid waste contracts that will be expiring in 2015. The Commission was tasked with looking at options beyond 2015 and sought legal counsel from Kopelman and Paige. Giorgio has previously negotiated long term solid waste disposal contracts and is very familiar with the types of issues involved. Transportation is a significant part of the disposal of solid waste and the review will be looking at a rail option out of state. Environmental concerns and coordinated regional efforts are underway. The Commission will be back in touch with the Board once all options are explored.

Old Business

Discussion on Zoning By-laws change for Green Communities designation [Rex Peterson, Seth Pickering]

Peterson stated that the discussion regarding the Green Communities Act has two parts. Peterson stated the Town may want to designate a Commercial 2 zone for a possible solar project so the Town can meet the criteria for Green Communities. Pickering discussed the Stretch Code. There are 5 criteria the Town must meet to be designated as a Green Community. It would apply to residential and commercial construction in Wellfleet. Wood asked if the Stretch Code is optional. Pickering stated that it is a requirement in order to become a Green Community but the choice to apply for Green Community status is strictly optional. Wood suggested that Gooz Draz, Chairman of the Planning Board consult with Pickering. Peterson stated that adoption of the Stretch Code would be a general By-law change and 64 out of 351 communities in Massachusetts have adopted it. Sieloff stated that adopting the Stretch Code would put the Town at an advantage in terms of grant funding and other opportunities. Wood suggested that Pickering make a more formal presentation to the Board.

Public Hearing(s) [7:30]

Addition to Shellfish Grant

A public hearing to discuss a request from Nancy Kunik to add Gary Burgess to Shellfish Grant License #01-03, located at Indian Neck.

Andy Koch, Shellfish Constable stated that Burgess meets all the requirements and recommends that he be added to the grant.

MOTION 11-0008: Donovan moved to add Gary Burgess to Shellfish Grant License #01-03, located at Indian Neck. Houk seconded. Motion passed 4-0.

Licenses/Appointments/Reappointments/Use of Town Property

Licenses

a) Wellfleet Mobil Station – Transfer of license to new ownership, Global Companies, LLC, for the use of land for storage of flammable material.

b) Business license renewals for; Boathouse Fish Market, Bob's Sub & Cones, Box Lunch Inc., Cumberland Farms Inc., Hatch's Fish Market, The Juice Restaurant, Udderly Fantastic Inc., PB Boulangerie Bistro, Pearl Restaurant, Sol, Southfleet Motor Inn, Wellfleet Donuts LLC., Wellfleet Harbor Actor's Theater Kendrick Ave, and Wellfleet Harbor Actor's Theater Route 6.

MOTION 11-0009:

Donovan moved to approve the Wellfleet Mobil Station transfer of license to new ownership, Global Companies, LLC for the use of land for storage of flammable material and business license renewals for: Boathouse Fish Market, Bob's Sub & Cones, Box Lunch Inc., Cumberland Farms Inc., Hatch's Fish Market, The Juice Restaurant, Udderly Fantastic Inc., PB Boulangerie Bistro, Pearl Restaurant, Sol, Southfleet Motor Inn, Wellfleet Donuts LLC., Wellfleet Harbor Actor's Theater Kendrick Ave, and Wellfleet Harbor Actor's Theater Route 6. Houk seconded. Motion passed 4-0.

Appointments

Reappointments

Use of Town Property

New Business

Presentation by Wellfleet Elementary School Committee on Proposal for FY 2012 Budget

Richard Hoffman, Superintendent of Schools stated that the Regional School Committee is in the midst of budget deliberations and will be finished by February 3rd. Mary Beth Rodman commented that Wellfleet has one of the best elementary schools in the state. Grade 4 ranked 2nd in the State and 1st in the Cape and Islands while grade 3 ranked 3rd in the State and 1st in the Cape and Islands for MCAS, ELA and Math scores. Elizabeth Sorrell of the Finance Committee stated that all testing for MCAS will go online in 2012 and 2013. This cannot be done with a part-time IT teacher. Hoffman went through the detail of the proposed budget. Subsequent to negotiations they would like to meet with the Finance Committee and Selectman to propose the idea of sustainability. There was a transportation study done and as a result, in the next month there will be public hearings with the four lower Cape towns to propose a two tier system rather than the current three tier system which can decrease the amount requested in the budget for transportation. Houk stated that he appreciates the fact that the elementary school has not come to the BOS for an override and would support one if necessary.

Discussion on limiting Main Street parking between Bank Street and Holbrook Avenue, during the morning hours of 2-5am and during the day for no more than 4 hours

Chief Fisetete stated that people are using Main Street as a private parking lot and would like to place on the agenda to have a hearing to enact a law to get the public to do the right thing. Donovan commented that we should look at a broader issue of parking throughout the town. Currently overnight parking is not an issue. A citizen stated that there are 3 or 4 vehicles parked in front of the Wellfleet market place for days on end. There are currently no ordinances to make them move the car. Sieloff stated that the reason that there are limits from 2-5am is so that they cannot park overnight. Allowing parking all day with a four hour limitation and not allowing parking all night, bans vehicles from leaving them there for days on end. Tracey Hunt from Winslow's Tavern would like the Board to please consider within the 2-5am restriction that we add a public safety clause.

MOTION 11-00010: Donovan moved to place on the agenda to have a hearing to amend the Town's traffic and parking rules and orders. Bruinooge seconded. Motion passed 4-0.

New Business

Discussion on proposal for Police Department identification cards [Ron Fisetete]

Chief Fisetete discussed having a universal ID card for law enforcement officers.

Brief presentation on the Green Working Group's proposal [Sarah James, Lydia Vivante]

The Green Working Group was formed by the Economic Development Committee. Vivante passed out a 5 point proposal: Hold Green workshops, Make the ECO-Expo a Town-wide event, Create micro-loans, Reduce solid waste, Host a green conference.

Presentation by Cultural Council on proposed budget request

Kim Shkapich, Chair of Wellfleet Cultural Council, requested for consideration an allocation for \$2000 to support community based arts. Operating since 1980, their emphasis is on off season activities that are free or available for minimal costs. The Town of Wellfleet is being recognized by a special award going to Susan Weegar. The Cultural Council fits in with what the town is trying to do with economic development. People come to Wellfleet because of its cultural offerings. Bruinooge suggested rather than putting it in the budget to consider putting it in an article in the Town Meeting warrant.

MOTION 11-0011: Donovan moved that an article request for \$2000 be placed on the Town Warrant. Bruinooge seconded. Motion passed 4-0.

Discussion with Planning Board Chair on proposed ATM planning articles [Gooz Draz]

Draz went through the planning articles individually. The first Article revises zoning in the non-seashore districts relating to lot coverage.

MOTION 11-0012: Donovan moved that the proposal be referred to the Planning Board. Bruinooge seconded. Motion passed 4-0.

Articles 2 and 3 attempt to amend the National Seashore Park district zoning By-laws to make them harmonious with the residential districts.

MOTION 11-0013: Donovan moved that the proposal be referred to the Planning Board. Bruinooge seconded. Motion passed 4-0.

Article 4 is related to the interest of the Wellfleet Housing Authority to try and bring before the Town a zoning By-law revision to help encourage affordable dwellings in Wellfleet that would be ownership oriented.

MOTION 11-0014: Houk moved to refer to the Planning Board. Bruinooge seconded. Donovan dissented. Motion passed 3-1.

Article 5 and 6 are proposed amendments to the Town zoning By-laws that define fast food franchises and formula businesses and controls the ability of such restaurants to open in Town.

MOTION 11-0015: Houk moved to refer to the Planning Board. Bruinooge seconded. Motion passed 4-0.

Discussion on proposed Fiber Optic Network Article for Annual Town Meeting

The Information Technology Department is asking for support to allow the Town to build a municipal fiber optic network. Sieloff stated the Open Cape project will install fiber optic along Route 6. The Town would need to borrow \$121,000.

MOTION 11-0016: Bruinooge moved that we put an Article in the Town Meeting Warrant for this purpose. Donovan seconded. Motion passed 4-0.

Peterson proposed a By-law amendment for urgent care signs and the adoption of the state Stretch Code.

MOTION 11-0017: Donovan moved to refer to the Planning Board. Houk seconded. Motion passed 4-0.

Discussion on second version of proposed Warrant for Annual Town Meeting [Rex Peterson]

Peterson gave a brief overview of what will be going into the proposed Warrant that will be voted on at a March Selectmen's meeting.

Discussion on proposed land parcels to be offered at land auction

Sieloff offered the list of parcels to be discussed.

MOTION 11-0018: Donovan moved that the proposal be referred to the Open Space Committee. Bruinooge seconded. Motion passed 4-0.

Future Concerns

Fire Chief Silverman requested an opportunity for a staffing proposal to be placed on the agenda to bring before a public forum.

MOTION 11-0019: Wood moved to place on the next meeting's agenda the Chief's request. Houk seconded for discussion. Bruinooge, Donovan and Houk dissented. Motion did not pass 1-4.

Correspondence & Minutes

The correspondence report is available in the Selectman's office. The Minutes of the January 11, 2011 meeting will be voted upon at the next Board of Selectmen meeting.

Adjournment

MOTION 11-0020: Wood moved to adjourn the meeting. Bruinooge seconded. Motion passed 4-0.

The meeting adjourned at 9:53pm.

Respectfully submitted,
Nefrediezha Barbel, Executive Assistant

Public Records Materials from the meeting of 1/25/11

1. Proposal to "Green" Wellfleet, on behalf of the Economic Development Committee's Green Working Group
2. Zoning By-law change for Green Communities designation
3. Wellfleet Elementary School "Investing in our Future" PowerPoint handout
4. Wellfleet Elementary School Reductions in Services & Supplies to Balance the Budgets
5. Wellfleet Cultural Council Activity 1998-2011
6. Second Version of Proposed Warrant for Annual Town Meeting