

**Wellfleet Board of Selectmen
Minutes of the Meeting of March 13, 2012
Wellfleet Public Library, 7:00 p.m.**

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

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

Announcements, Open Session and Public Comment: Houk requested more timely correspondence from Town Counsel Kopelman & Paige on relevant issues involving the Board of Selectmen.

Fire Chief Dan Silverman announced a food drive at the Wellfleet Fire Station in March, April and May 2012 to benefit the Lower Cape Outreach (LCO). LCO will donate \$1 for every pound of donated food. Silverman also announced that after completing a recent survey for the ISO Public Protection Classification Program residential, business and municipal structures within a 1,000 foot radius of municipal fire hydrants¹ should get additional savings on insurance rates.

Richard Elkin from the Energy Committee announced that the Wellfleet Community Forum will hold a discussion on the Green Communities Act and several related Articles for Annual Town Meeting at 7:00 p.m. on March 14, 2012 at the Wellfleet Public Library.

BUSINESS

Annual Town Meeting Warrant Articles: With the pending retirement of Clerk/Treasurer Dawn Rickman, the Finance Committee voted unanimously (9-0) to recommend adding an Article to the Annual Town Meeting Warrant requesting a revision to the Charter that changes the Town Clerk/Treasurer position from an elected official to an appointed employee. Both FinCom Chair Dennis Murphy and Steve Oliver spoke to the merits of vetting a properly qualified candidate to be appointed as Town Clerk and Town Treasurer rather than risk electing an unqualified candidate to handle the intricate job of Town financing and public records retention.

Clerk/Treasurer Dawn Rickman next spoke about her job history and how she became qualified through years of certified training, adding that whether the positions were elected or appointed, it will be a learning experience for whoever takes over the job. Rickman said she would support the Article if the appointments were a result of an amendment to the Town Charter and not an act of the legislature.

Both Houk and Bruinooge agreed that they would like an independent elected official in the Clerk/Treasurer positions but if an Article is added, it should be a Charter change and not an act of the legislature. Pilcher said that since the Clerk/Treasurer positions do not make policy decisions, it does not have to be an elected position. Wood is in favor of making the positions appointed but wants to weigh all of the issues and said that he would put the issue back into meeting order to complete the discussion.

PUBLIC HEARING: Wood opened the public hearings at 7:15 p.m.

LICENCES

MOTION 12-0100: Borrelli moved to renew the business licenses for Blackfish Variety, Blue Willow Fine Foods, Cumberland Farms, Express Mart, Marconi Beach Restaurant and Wellfleet Harbor Actor's Theater. Bruinooge seconded the motion and it passed 5-0.

MOTION 12-0101: Wood moved to renew the Annual Liquor Licenses (unless otherwise noted, license renewal category All Alcohol) of Beachside Management, LLC; Barry & Winslow, LLC; Sweet Seasons, Inc.; IT IL DO BBQ; Rookie's Inc.; V.R.'s Inc.; Maurice's Campground, Inc. (Wine and Malt Regular); Wellfleet Marketplace, Inc.; Chequessett Yacht & Country Club, Inc.; Wellfleet Wine & Spirits, Inc.; Fobro, Inc.; Spring Brook Center, Inc.; (All Alcohol and Wine and Malt Regular); C.M. Williams, Corp.; Catch of the Day, LLC (Wine and Malt Regular); Slackman, Inc.; Wellfleet Motel & Lodge, Inc. Borrelli seconded the motion and it passed 5-0.

MOTION 12-0102: Bruinooge moved to renew the All Alcohol Annual Liquor License for Mac's Shack, Inc. Wood recused himself from the vote. Borelli seconded the motion and it passed 4-0-1.

APPOINTMENTS

MOTION 12-0103: Houk moved to approve the appointments of David Pike, Erica Valli and Cherie Young as new call members to the Wellfleet Fire Department. Bruinooge seconded the motion and it passed 5-0.

MOTION 12-0104: Houk moved to approve the appointment of Dr. Kevin Toomey to the Bike and Walkways Committee with a term ending June 30, 2013. Bruinooge seconded the motion and it passed 5-0.

MOTION 12-0105: Houk moved to approve the reappointment of Roger Putnam as the Wellfleet representative to the Cape Cod Commission with a term ending April 24, 2015. Borrelli seconded the motion and it passed 5-0.

BUSINESS

Cape Light Compact Update: Kathryn Hubby, Wellfleet representative to the Cape Light Compact Governing Board along with Kevin Galligan, Cape Light Compact Energy Efficiency Program Manager and Joseph Soares, Cape Light Compact Senior Power Supply Planner, reviewed Wellfleet's participant numbers to date (60 low income, 860 resident and 45 Commercial & Industrial customers) with a total of and 956,328 kWh savings for Wellfleet. Future projects include a LED streetlight retrofit. Residents and businesses can call 800-797-6699 for an energy efficiency audit and 800-381-9192 for power supply questions. Cape Light Compact will give away free energy efficient light bulbs at this year's Town Meeting on April 23, 2012.

USE OF TOWN PROPERTY

MOTION 12-0106: Pilcher moved to approve the application received from Jennifer Flanagan from the Wellfleet Elementary School PTA to use Baker's Field, parking area, tennis courts and snow fence on Saturday, May 26, 2012 from 9:30 a.m. to 3:00 p.m. (rain date on Sunday, May 27, 2012 from 9:30 a.m. to 3:00 p.m.) for a festival. Houk seconded the motion and it passed 5-0.

Bruinooge asked that all other pending applications be revisited at the March 27, 2012 Selectmen meeting pending a discussion on charging fees for the Use of Town Property.

BUSINESS

AmeriCorps Cape Cod presentation: Ben Fairbank and Eric Grazia from AmeriCorps Cape Cod gave an overview of their volunteer service to Wellfleet², including the recycling of five tons of oyster shells at Oysterfest, helping the Town achieve a 78% oyster shell recycling rate, and helping with the recent Dolphin strandings. Fairbanks and Grazia also work on group projects with the Conservation Commission, Conservation Trust, Open Space and Recycling Committees on increasing composting and recycling awareness, and on the Herring River Restoration Project.

Organic Land Management Policy: Sue Phelan from GreenCAPE asked the Selectmen to adopt the proposed Organic Land Management Policy for the Town of Wellfleet for their municipal properties. Merits of the policy, as exemplified by a similar policy adopted in Marblehead, MA 10 years ago, should include improved water quality, reduced nitrogen levels, and potential savings for the Town on land management. Training will be available from GreenCAPE to members of the DPW on transitioning to organic land management practices. Houk suggested sending the policy to the Board of Health for adoption once the Selectmen make a recommendation to accept the policy.

MOTION 12-0107: Houk moved to accept the Organic Land Management Policy for Wellfleet. Bruinooge seconded the motion and it passed 5-0

MOTION 12-0108: Houk moved to send the accepted Organic Land Management Policy for Wellfleet to the Board of Health (BOH) with a request that the BOH adopt it as an official policy. Bruinooge seconded the motion and it passed 5-0.

Council On Aging Committee

MOTION 12-0109: Borrelli moved to approve the charge for the formation of a Council On Aging Committee. Bruinooge seconded the motion and it passed 5-0.

Recess: 8:30 p.m. to 8:35 p.m. Call to Order: 8:35 p.m.

Acceptance of Land Auction Bids

MOTION 12-0110: Bruinooge moved to accept the following Wellfleet Town property bids: \$10,500 from Allyn Miner for Map 19 Lot 154, 15 Summit Avenue; \$2,000 from Thomas Janssen for Map 36 Lot 285, Old Wharf Road; \$1,000 from Warren Ruppap for Map 36 Lot 164, Old Wharf Road. Borrelli seconded the motion and it passed 5-0.

Acceptance of 65 Designer's Way Land Purchase Proposal

MOTION 12-0111: Houk moved to accept the \$30,000 bid from George Chevalier for Map 23 Lot 67, 65 Designers Way. Bruinooge seconded the motion and it passed 5-0.

FY 2013 Capital Budget

MOTION 12-0112: Bruinooge moved to approve FY 2013 Capital Budget³ as presented at the March 13, 2012 Selectmen meeting. Pilcher commented that Wellfleet needs to find additional sources of revenue if the Selectmen are to continue approving budgets of this size in the future. Borrelli seconded the motion and it passed 5-0.

Public Employee Committee Health Insurance Reform Mitigation Agreement

MOTION 12-0113: Assistant Town Administrator Tim King presented a signed agreement⁴ on the Public Employee Committee Health Insurance Reform Mitigation, with a modification of an October health insurance pay holiday rather than the originally proposed month of July, with all remaining proceeds divided evenly among members in June 2013. Pilcher moved to ratify the agreement. Borrelli seconded the motion and it passed 5-0.

Annual Town Meeting Warrant Articles: Sieloff presented a list and brief description of the proposed Articles⁵ for the Annual Town Meeting to be held at 7:00 p.m. on April 23, 2012 at the Wellfleet Elementary School and asked that the Selectmen move to place and recommend Articles to the Warrant with a vote.

Question 1: Proposed Question to exempt the Town of Wellfleet from Proposition 2 ½ to pay for funding new curbing, sidewalks and paving of Bank and Commercial Streets.

MOTION 12-0114: Pilcher moved to place Question 1. Bruinooge seconded the motion and it passed 5-0.

Question 2: Proposed Question to exempt the Town of Wellfleet from Proposition 2 ½ to pay for funding the construction of public restrooms at Mayo Beach and Baker's Field.

MOTION 12-0115: Pilcher moved to place Question 2. Bruinooge seconded the motion and it passed 5-0.

Question 3: Proposed Question to exempt the Town of Wellfleet from Proposition 2 ½ to pay for funding the renovation or construction of a new building at the site of the former Council On Aging structure or the former South Wellfleet Fire Station.

MOTION 12-0116: Pilcher moved to place Question 3. Bruinooge seconded the motion and it passed 5-0.

Article A: Proposed Article to fund the FY 2013 Operating Budget.

MOTION 12-0117: Borrelli moved to place Article A. Pilcher seconded the motion and it passed 5-0.

MOTION 12-0118: Borrelli moved to recommend Article A. Bruinooge seconded the motion and it passed 5-0.

Article B: Proposed Article to fund the FY 2013 Budget Transfers.

MOTION 12-0119: Pilcher moved to place Article B. Borrelli seconded the motion and it passed 5-0.

MOTION 12-0120: Bruinooge moved to recommend Article B. Borrelli seconded the motion and it passed 5-0.

Article C: Proposed Article to fund the FY 2013 Capital Budget.

MOTION 12-0121: Borrelli moved to place and recommend Article C. Pilcher seconded the motion and it passed 5-0.

Article G: Proposed Article to fund the first year of a collective bargaining agreement with the Teamsters Local No. 59.

MOTION 12-0122: Bruinooge moved to place Article G. Borrelli seconded the motion and it passed 5-0.

Article J: Proposed Article to pay the Town's contribution to the Other Post Employment Benefits Liability Trust Fund.

MOTION 12-0123: Pilcher moved to place and recommend Article J. Bruinooge seconded the motion and it passed 5-0.

Article S: Proposed Article to fund new curbing, sidewalks and paving of Bank and Commercial Streets.

MOTION 12-0124: Borrelli moved to place and recommend Article S. Houk seconded the motion and it passed 5-0.

Article Tb: Proposed Article to fund the renovation or construction of a new building at the site of the former Council On Aging structure or the former South Wellfleet Fire Station.

MOTION 12-0125: Bruinooge moved to place and recommend Article Tb. Pilcher seconded the motion and it passed 5-0.

Article DD: Proposed Article authorizing the Town to impose a room occupancy tax on vacation rentals.

MOTION 12-0126: Pilcher moved to place Article DD. Bruinooge seconded the motion and it passed 5-0.

MOTION 12-0127: Pilcher moved to recommend Article DD. Bruinooge seconded the motion and it passed 4-1 (Houk).

Article X: Proposed Article to help Wellfleet meet one of the criteria to become a Green Community by allowing the installation of solar arrays in at least one zoning district by right.

MOTION 12-0128: Pilcher moved to place the redrafted version of Article X. Borrelli seconded the motion and it passed 5-0. The Board of Selectmen will recommend Article X on night of Town Meeting.

Article Z: Proposed Article to accept the altered layout of a small of Holbrook Avenue parcel.

MOTION 12-0129: Bruinooge moved to place and recommend Article Z. Pilcher seconded the motion and it passed 4-01 with Wood recusing himself from the vote.

Article CC: Proposed Article to delete the Council On Aging Bylaw.

MOTION 12-0130: Pilcher moved to place and recommend Article CC. Bruinooge seconded the motion and it passed 5-0.

Article CcA: Proposed Article to amend the Town Charter and make the Town Clerk and Town Treasurer positions separately appointed by the Board of Selectmen.

MOTION 12-0131: Pilcher moved to place and recommend Article CCa. Borrelli seconded the motion and it passed 3-2 (Bruinooge/Houk).

Town Administrator's Report: Sieloff announced that Brooke Nash from Mass DEP praised Wellfleet's recycling website which was created by AmeriCorps members and Town staff.

Future Concerns: The Selectmen asked to review the Town Owned Property list at the March 27, 2012 Board of Selectmen meeting.

Correspondence and Vacancy Report: Pilcher reviewed the Correspondence Report and stated that all issues mentioned in the letters have been covered during the Board of Selectmen meeting.

MINUTES

MOTION 12-0132: Borrelli moved to approve the meeting Minutes from February 14, 2012 and February 28, 2012. Pilcher requested a correction to the February 28, 2012 Minutes, stating there were 12 galleries participating in Wellfleet Blossoms. Pilcher seconded the motion and it passed with the correction 5-0.

MOTION 12-0133: Bruinooge moved to approve the meeting Minutes from February 3, 2012. Pilcher seconded the motion and it passed 4-0-1 (Houk).

ADJOURNMENT

MOTION 12-0134: Pilcher moved to adjourn the meeting. Houk seconded the motion and it passed 5-0. The meeting was adjourned at 9:30 p.m.

¹ Fire Protection map of Wellfleet by Environmental Partners Group

² AmeriCorps Cape Cod report to the community 2010-2011

³ FY 2013 Capital Budget

⁴ Public Employee Committee Health Insurance Reform Mitigation Agreement

⁵ Proposed Articles for the Annual Town Meeting on 04/23/12