

***Wellfleet Selectboard
Hybrid Meeting
715 Old Kings Highway/Zoom
Tuesday November 21, 2023; 6pm
Meeting Minutes***

Members Present: Barbara Carboni, Chair; John Wolf, Vice Chair; Michael DeVasto (virtually), Timothy Sayre, Ryan Curley

Others Present: Rich Waldo, Town Administrator; Rebekah Eldridge, Executive Assistant; Will Sullivan, Harbormaster; Joe Aberdale, Dredging Task Force; Dan Robbins, GEI; Marissa Jackson, Eversource; Brad Morse, Deb Maddingly, Diane Brunt, Beth Andreoli, Block and Tackle; Alyssa Richards, GEI; John Tansey, Jude Ahern, Kathleen Bacon

Chair Called the meeting to order; 6:02pm

I. *Announcements, and Public Comments*

Note: Public comments are limited to no more than three minutes per speaker.

The Board will not deliberate or vote on any matter raised solely during Announcements & Public Comments.

Chair Carboni asked for public comments or announcements.

Wolf announced vacancies on the town's boards/committees. There are 3 vacancies on the Dredging Task Force and there is now a vacancy on the Shellfish Advisory Board.

Morse spoke to the board, stating he disagreed and had problems with the meeting minutes of November 7, 2023. He stated he felt it was totally false.

Maddingly spoke to the board about the Personnel board not being published on the town's website, she stated that the members on the board's term was up over 2 years ago. She would like that updated on the website.

Brunt spoke to the board asking when the minutes are approved, Chair Carboni responded that the minutes are usually at the end of the agenda.

She asked about the police hiring agenda item she wanted to know what this agenda item stated. She suggested that they change their procedures. She would like the agenda to be made understandable for the public to read. She read a letter about stopping all hiring in the town.

II. *Consent Agenda*

A. Approve the application for the 22nd Annual MLK Walk ~ January 15, 2024; 12:45pm – 2pm ~ Sara Blanford; Art Peacemakers

Board Member Curley Moved; Board Member Wolf Seconded; and it was voted to adopt and approve the consent agenda as drafted.

Roll Call Vote: 5-0

III. *Public Hearings ~ Chair Carboni recused herself from this portion of the meeting. Vice Chair Wolf took over as chair.*

- A.** Approve the petition for the installation of 765 feet of +/- 2–4-inch conduit for the purpose of this construction is to provide new underground service for the Chequessett Neck Road Bridge ~ Marissa Jackson, Eversource
Jackson spoke to the board about what Eversource is looking to do. Offering to answer any questions. Sayre asked about 3 phase power down to the herring river. She answered that yes it will accommodate the 3-phase power. There were no other questions from the board. Chair Wolf asked questions from the public. There were none.

Board Member Sayre Moved, Board Member Curley Seconded; and it was voted to approve the petition for the installation of 765 of +/-2-4-inch conduit for the purpose of this construction is to provide new underground service for the Chequessett Neck Road Bridge.

Roll Call Vote: 4-0-1

IV. *Use of Town Property*

- A.** Use of town hall driveway between town hall and Abiyoyo ~ Rebekah Eldridge ~ December 9, 2023, 3:30-5:30pm ~ to pass out hot chocolate and candy canes for the annual tree lighting.

Eldridge explained to the board her intention to help with the tree lighting.

Board Member Wolf Moved; Board Member DeVasto Seconded, and it was voted to approve the use of the town hall driveway between Town Hall and Abiyoyo to Rebekah Eldridge on December 9, 2023, from 3:30pm - 5:30pm to hand out free hot chocolate and candy canes to families attending the Chamber of Commerce's Annual Tree Lighting.

The hot chocolate and candy canes will be donated by all town staff.

Roll Call Vote: 5-0

V. *Business*

- A.** Request for closure ~ Block & Tackle ~ January 1, 2024, - February 7, 2024.
Andreoli explained they will be removing the rug in the bar area while they are closed.

Board Member Curley Moved; Board Member Wolf Seconded; and it was voted to approve the closure of Block & Tackle from January 1, 2024, to February 7, 2024.

Roll Call Vote: 5-0

- B.** Dredging Update ~ Dredging Task force

Aberdale came to the table to give an update on the dredging as to where it stands now. He discussed the role of the selectboard with the dredging task force. He discussed bringing new plans before the town administrator and the selectboard. He stated there is a need to reestablish the charge of the task force. He stated the town has received the most information from the army corps. That they can, he stated the Army Corp will wait for direction from the selectboard. He recommended that the board vote tonight to make a payment for this project. Waldo asked Robbins to speak about the options for the town to be able to proceed with dredging. He spoke about “in lieu payments” discussing what they

are and how they are established. He stated the last time the funds were established was in 2016.

He stated there are three options for the town to move forward. He listed the options for dredging. Waldo spoke to the board stating that they were being issued a ten-year permit, but they also informed the town that there is a 30% increase in the Mass ILF.

He continued explaining that this is in front of the board to prepare for the annual town meeting and a potential vote.

Wolf questioned for clarification on the ten-year permit. Richards spoke to the board as Robbins' connection was being interrupted. She stated that the town shouldn't have to revisit this after ten years. Sayre questioned if the town paid for the dredging outright, would they be able to begin dredging at any time.

Wolf discussed the maintenance dredging. DeVasto had some questions about dredging and finfish habitat restoration. The board discussed the dredging at great length. Discussing issues, and options as far as payment and timing.

Conservation was also questioned using upland or all tidal zones. Brunt came to the microphone asking questions about doing the 2 cycles of dredging. She asked about the 30% increase. Brunt had a few more questions for both Richards and Robbins' to better explain the fees and how they are used and delegated.

Yeston questioned why the Herring River was abandoned for dredging, Wolf explained that there were many concerns from the shellfish community. Tansey spoke to the board stating some of his concerns. Discussing dredging, and how the town can do it. Aberdale answered Tansey's questions. Discussion continued dredging and the amount of money that would be needed to fund the entire project. Merl spoke to the board about the 4.5 million dollars and had questions regarding the dredging. He stated that the project will get bigger and more expensive and wanted to make that clear to everyone on and at the meeting.

Aberdale spoke about the restrictions on dredging due to the Right Whale migration. Waldo went into more detail about the options for dredging. Ahern spoke about dredging and the reporting and required culching permits. Tansey came back to the microphone questioning if permission was granted concerning private landowners. Aberdale addressed the Audubon discussions about dredging and their property. Aberdale stated that they have been operating on the fact that the third option is null and void due to the selectboard's vote on August 22nd.

Waldo spoke more on option three.

Morse spoke to the board making a comment about the town meeting vote to approve dredging not a mitigation plan. He stated they were meshing fishing management with dredging.

Brunt came to the microphone again asking Richards more questions which Richards answered to the best of her ability. Brunt continued asking questions regarding the reduction of credits and the result of those reductions. Wolf spoke to the public giving a statement. Curley spoke explaining the whole process of dredging. He gave a full rundown of how this process works and not being able to negotiate. Brunt explained her question was different. She asked why the fee

went to 14 million to 48 million in April. Richards tried to explain the process and Aberdale gave his understanding as well.

Chair Carboni questioned Aberdale on what he would like the board to do moving forward. He asked them to reconsider their vote on Blackfish Creek. The Chair stated they were asked to discuss the three options that were before them now. Wolf spoke of the options and his thoughts on the dredging moving forward, he stated he would like the board to vote for option 1 allowing this to go to town meeting and having the town decide if they are willing to spend the money. DeVasto gave his thoughts and opinions on the dredging. Curley spoke about his thoughts and recommendations. He stated his concerns about the mitigation plan that was drafted.

Bacon Spoke to the board; stating she was a part of the August vote; she gave her explanation of why she abstained at that meeting, and she stated that she wanted to see third party monitoring. She explained if the town had third-party monitoring, she would have voted for it. She asked the board to consider a 4.5-million-dollar tax increase is a large burden on the taxpayers. She stated the board is stacking the tax bill and considering what needs to be figured out, **Board Member Wolf moved, Board Member Sayre Seconded; that the selectboard adopt scenario number 1 for the dredging as the position of the selectboard.**

There was more discussion on dredging and the vote that was just made.

Roll Call Vote: 3-2 (DeVasto, Chair Carboni voted No).

The Dredging Task Force Charge will be added to the next agenda.

The board took a five-minute recess.

Chair Carboni called the meeting back to order.

- C. Selectboard will Discuss amending our liquor licensing rules and regulations ~ Board Member Curley.

Curley gave his amendments; Sayre spoke to the amendments adding his comments and concerns. The board discussed the changes and amendments that they would like to see. They discussed the change of fees. Closing fees were discussed and supported. Each member gave their opinion on the changes and fees.

\$75 fee for Liquor Licensing Filing Fee

\$1250 for all alcohol restaurants

\$1500 to remain for all alcohol package stores.

\$1150 to be lowered for beer and wine restaurants.

\$ 1375 annual beer and wine package stores

Closure of establishment for more than 28 consecutive days be \$250 (with an asterisk subject to extenuating circumstances by the board.)

\$1850 to annual all alcohol license

\$1800 for annual inn holders

\$1800 for Seasonal All Alcohol Package Store

\$ 275 to extend the seasonal liquor license.

1 day beer and wine to stay \$125 per day.

Please see full document for full changes.

The board discussed minimum hours of operation for all alcohol license package stores. DeVasto and Curley believed the hours in the regulations should remain the same.

Sayre believed that the board shouldn't set the hours for the package stores. The hours will be placed as a proposed amendment by deleting the section about package good stores required hours.

There will be a hearing set to January 16, 2024.

D. Hiring Process – Police Department

Chair Carboni asked Waldo to speak about this item. Waldo began explaining that the current Chief of Police Michael Hurley has requested to retire. He spoke about the previous hiring internally. He stated that in the past the chief of police has always been internally promoted. He asked the board to reconsider their regulations that date back to the 1980's, he spoke highly of the internal candidate who has expressed interest in the position and asked guidance from the board about hiring internally.

DeVasto stated that if the internal candidate was Deputy Chief LaRocco he would fully support that promotion and would be in favor of the continuation of what the board has been doing in the past years. Sayre agreed and stated that there is a great candidate in the town, and he would like to go ahead with that. Curley stated that the policies just state the position should be advertised in a newspaper and went into details on this. He believes the position should be advertised but doesn't need to be extended for months. He stated this could all be done by the time chief Hurley's retirement takes effect. Waldo stated the town could do an advertisement but stated they should interview all applicants. He stated that this is the board's appointment and up to the board on how this process should take place. Chair Carboni gave her thoughts about advertising and stated that the town has waived these policies in the past she would be in favor of waiving the policy. Sayre agreed.

Board Member Sayre Moved; Board Member DeVasto Seconded; and it was voted to waive the selectboard policy on employment advertising and to waive the advertising and recruitment sections of the boards affirmative action policy, with respect to hiring the next Police Chief.

Roll Call Vote: 5-0

VI. *Selectboard Reports*

Curley stated there was a walk through for Maurice's Campground for developers. He reported that Waldo has appointed a stakeholders committee. Waldo stated he did appoint a committee of six people. He stated he is hoping to have a member of Eastham be a part of this committee to get their input. He spoke to the hopes and ambitions of the committee.

VII. *Topics for Future Discussion*

Sayre would like to make sure there is a discussion of opening and closing dates at the marina.

He also wants to discuss Marina fees.

Wolf added on to that, the Wellfleet Marina is listed as a harbor of refuge. He stated his understanding is that one of those aspects is supposed to be available year-round. He stated that he believes they are not working at the marina. The board

discussed how this discussion should take place and with whom. The conversation will start with the town administrator.

VIII. *Minutes*

A. November 07, 2023, ~ Voting on the minutes was reserved to the next meeting.

B. November 14, 2023, ~ Voting on the minutes was reserved to the next meeting.

IX. *Adjournment*

Board Member Curley Moved; Board Member DeVasto Seconded; and it was voted to adjourn.

Roll Call Vote: 5-0

Meeting adjourned at 10:15pm

**** *Public Documents* ****

Application for use of town property for the MLK walk ~ Sara Blanford

Public Hearing Documents from Eversource to install conduit.

Application for use of town property for the tree lighting to hand out hot chocolate ~ Rebekah Eldridge

Letter from Block and Tackle requesting closure.

Dredging update documents

Amended liquor license rules and regulations.

Hiring process documents, police department.

Meeting Minutes; November 7th & 14th, 2023.