

**Wellfleet Selectboard
Virtual Meeting ~ Zoom
Tuesday October 12, 2021; 7pm
Meeting Minutes**

Members Present: Ryan Curley, Chair; Michael DeVasto, Vice Chair; Janet Reinhart, Helen Miranda Wilson, John Wolf

Others Present: Charlie Sumner, Town Administrator; Police Chief, Michael Hurley; Hillary Greenberg-Lemos, Health Agent; Mary McIsaac, Interim Town Accountant; Becca Taylor, Chair of the Shellfish Advisory Board; Tom Siggia, Member of the Shellfish Advisory Board; Joe Aberdale, Member of the Marina Advisory Committee; Evan Brunage, shellfishermen; Richard Blakely, Shellfisherman's Association; Nancy Civetta, Shellfish Constable; Will Sullivan, Harbormaster; Harry Terkanian, Affordable Housing Authority Chair; Curt Felix, Clean Water Advisory Committee Chair; Jill McLaughlin, Stantec; Curt Felix, Chair of the Clean Water Advisory Committee; Chief Rich Pauley, Fire Chief

Chair Curley called the meeting to order at 7:01pm

I. Announcements, Open Session and Public Comments

Note: Public comments must be brief. The Board will not deliberate or vote on any matter raised solely during Announcements & Public Comments.

- Chief Hurley stated to the board that Sergeant LaPense has put in her retirement papers after 18 years on the Wellfleet Police Department. He wished her a happy retirement.
- Chair Curley announced that it was approved for innovative septic systems and he wanted to let the public know they are available now and if anyone is interested to contact the Health Agent.
- Wolf spoke to the board stating that there has been no activity with regard to the dredging. Reinhart stated that there was dredging this past weekend.
- Wilson spoke to the board stating that for 3 Saturdays in November the Harbor Conference will be taking place. She also gave an update on the Herring River Restoration Process, giving dates of an upcoming meeting that will take place.
- Reinhart asked about Halloween, would anything be taking place.

II. Consent Agenda Approval without objection is required for the following items.

- No Items for consent Agenda

III. COVID-19 Updates and Recommendations

- Lemos stated she has not put her attention to Halloween regarding Reinhart's question. She stated the case count in Wellfleet is high, 31 active cases. She gave some demographics to go with the case counts. She stated the transmission is due to gatherings of large groups. She explained these are both vaccinated and unvaccinated individuals. She explained there is a free pop-up testing clinic at the Wellfleet Elementary School the following day. (10/13/21). Chair Curley stated he felt the model the town used the

*****A full recording of this meeting can be found on the town's website*****

previous year for Halloween was safe and thought it was important to allow the children to be children.

- Wilson questions the type of testing that would take place at the free clinic and Lemos stated it was a PCR test which takes 2-3 days to come back.

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IV. Financial Management Workplan

- Sumner gave a brief update that he and the two accountants have been working hard on finding their way through many financial issues. He continued giving a summary of the plan that the board has in front of them and ended his part of the update stating he is planning to meet with the finance committee regarding the Capital Improvement Plan for the departments. McIsaac continued the update to the Board stating she is currently working on the tax rates and the free cash dating back to 2019. She stated the finance team meets every other Tuesday morning to work through the issues they have concerning the finances. She continued further with her update and what they have finished and what they will continue to work on. She stated the cash reconciliation was the major issue and will be the teams major focus moving forward. She finished by stating once the cash reconciliation is finished the accounting will be balanced and able to move forward.
- There were questions questioning the tax rate and how it gets set. McIsaac explained that the Department of Revenue approves it.
- Chair Curley discussed the Vadar issues and going back further concerning the finances.

V. Public Hearings

Chair Curley opened the hearing at 7:27pm

- Discuss grant boundary issues and disputes under Wellfleet's Shellfish Policy and Regulations, Sections 7.5, 7.19.1 & 7.23
Board Member DeVasto recused himself as a member of the board but stated he would like to reserve the right to participate in the conversation as a resident shellfisherman. Wilson stated that this is an issue that has come up many times at the Shellfish Advisory Board Meetings. She gave details of options that were discussed, stating she would like to hear more about these options. Civetta stated she felt that a board member should speak to this.
Taylor spoke to the Board stating that they have been discussing boundary disputes. She asked Siggia to speak to these concerns as well. Siggia spoke to the Board stating he feels this is a very important issue and they are looking at how to address the issue of boundary disputes. He went into detail about the grants and how they are town property.
Chair Curley called on Aberdale to weigh in from the Marina Advisory Committee's standpoint. He stated there is boat safety and navigation issues regarding the town's liability. He continued discussing what the Marina Advisory Committee has been working on and gave details about what the committee thinks and gave some suggestions. It was brought up that this may not be in the charge of the Marina Advisory Committee, which was argued by Aberdale.

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The Board discussed at great length the options and protocols the Board has when addressing conflict. It was stated many times that there needs to be a method and protocol so when there is a different shellfish constable those set protocols can be followed. Chair Curley asked to hear from the shellfish community. Brunage spoke to the Board stating that they wrote a letter stating there are issues, stating some grants are being surveyed by GPS. They stated it is creating animosity between shellfisherman.

Blakely spoke to the Board, stating his many concerns. They continued to discuss issues and the way the board goes about approving grants and locations. Wilson stated more concerns she has with these issues.

Civetta gave some facts about grants and how they are issued and who issues them.

Chair Curley Moved; Board Member Wilson Seconded; and it was voted to refer the issue of licensed area boundaries issues to the Shellfish Advisory Board for their recommendations and two or three options and potential costs to be returned to the Selectboard by January 15, 2022. Chair Curley Amended the Motion to be February 1, 2022.

Roll Call Vote: 5-0

- **Town Meeting Quorum**

Town Moderator Silverman spoke to the Board stating that Eldridge has secured the Nauset Regional High School Cafeteria for the special town meeting on December 4, 2021. He stated that there is sufficient space for residents to attend and be socially distanced. Rain Dates were discussed, and the Board will follow up with administration.

Chair Curley Moved; Board Member Wilson seconded; and it was voted to set the 2021 Special Town Meeting quorum at 100 residents as allowed under Chapter 92 of the Acts of 2020 section 7 as amended under section 8 chapter 20 of the acts of 2021.

Roll Call Vote: 5-0

VI. Licenses

- There were no licenses at the meeting

VII. Use of Town Property

- There was no use of town property

VIII. Board/Committee Appointments and Updates

- **Marina Advisory Committee - Joe Aberdale**

Chair Curley spoke to the Board and asked Aberdale about the Marina Advisory Members being available for this meeting. Aberdale spoke about a motion that he read previously. He would like the committee to be involved and able to participate in conversations regarding shellfish grants and licensed areas. Chair Curley stated these are public hearings and he feels that there is plenty of opportunity to weigh in when it comes to those.

Reinhart stated that this is a topic that comes up frequently in their meetings. She stated she does feel there needs to be consistency and a plan with the town committees.

This was discussed in detail with the decision that horizontal communication between boards is very important. The roles of boards were discussed

- **Wellfleet Town Cable Advisory Committee – Steven Kopits**

Kopits was not in the meeting. The board discussed appointing him without having him on the meeting. They stated there were questions for Kopits and they were not appointing him until they were able to speak with him directly.

Board Member Reinhart Moved; Chair Curley Seconded; it was voted to postpone this application.

Roll Call Vote: 5-0

IX. Business

- Marina Comprehensive Plan – Vice-Chair DeVasto

DeVasto spoke to the Board stating he had heard from numerous people. Aberdale spoke to the issues and stated the Marina committee feels the important matter is the finances of the Marina. He continued stating he would like to sit with the town accountant when a permanent one is hired. He also asked that the Harbormaster be a working partner with the committee. Sumner was asked about the enterprise funds and if they had been reconciled, Sumner stated that they had. Chair Curley also asked Sullivan if there were any concerns, Sullivan stated there were no concerns and stated that there is a great need for a comprehensive plan. They continued to discuss the logistics of the plan and the time it would take.

Board Member DeVasto Moved; Chair Curley Seconded; and it was voted to direct the Marina Advisory Committee to work with Harbormaster to develop a comprehensive Marina Plan to be submitted to the Selectboard by October 1, 2022, said plan shall include a brief history of the marina and its historic and current uses an assessment of the current conditions of the marina and its infrastructure as well as a scoping and a strategic plan with recommendations and potential action items.

Roll Call Vote: 5-0

- Proposed Policy on Designating a Certain Percentage of Room Occupancy Tax to the Wellfleet Affordable Housing Trust – Wellfleet Affordable Housing Trust & Harry Terkanian

Terkanian spoke to the board and stated he had a request from the trustees of the Affordable Housing Trust requesting the selectboard consider the adoption of a Selectboard policy designating 80% of the Town of Wellfleet receipts from the tax on short term rentals to the Affordable Housing Trust for the creation, preservation for the support of housing. Terkanian gave some details and reasons why this is being asked and is important to Wellfleet. He continued to give the board statistics about renting homes in Wellfleet and buying homes in Wellfleet. He stated the rental tax is directly tied to a factor, which he stated is housing. There were questions about revenue from these rental taxes and when they go into effect. The board discussed the money and issues when receiving this money. Each member of the board gave their feedback to Terkanian and discussed it amongst each other. Felix spoke to the board expressing concern that some of the money was meant to go towards water and wastewater.

Chair Curley Moved; Board Member Reinhart Seconded; and it was voted to refer the policy designating receipts from the short-term rental tax for housing for comment from administration, department heads, and town committees and review

as stipulate in the policy on policies to be returned to the Selectboard by November 30, 2021.

Roll Call Vote: 4-0-1 (Wilson abstained)

- Private Property Impacts along Main St as part of the Main St & Rt 6 Project -Chair Curley/ Jill McLaughlin Stantec
McLaughlin spoke to the board, sharing her screen giving the board design alternatives for this project and what Stantec has worked on with the board and Mass DOT. She showed pictures of accommodations that will be provided for pedestrians, she explained that these designs were being used given the input that they received at the design hearing they recently held. She continued her presentation and had some questions from board members and answered them accordingly. There was much discussion about this project with some issues raised and facts given by McLaughlin from Stantec and the state. Chapter 90 funds were discussed and the ability to utilize them with this project.
Chair Curley Moved; Board Member Reinhart Seconded; and it was voted the Wellfleet Selectboard support the alternative presented by Stantec that includes a two-foot shoulder for the entirety of the natural scope of work on Main Street.
Roll Call Vote: 3-2 (Wilson and Wolf voted no)

- Wastewater Communications – Member Wilson
Wilson spoke to the motion that Chair Curley wrote. She gave an update on the 208-plan stating that there needs to be action taken sooner rather than later. She explained that she feels the Selectboard needs to be in constant communication with the Clean Water Committee not just be cc'd on an email. Felix spoke to the board about the awkwardness there may be for the consultant Scott Horsley to copy the selectboard on all the emails but stated he would comply. Felix stated he felt this was unprecedented for the Selectboard to be copied on all emails and communications with the consultant and other entities involved with wastewater. Wilson stated this isn't about micromanaging it's to keep the board informed. They discussed this further.
Board Member Wilson Moved; Board Member Wolf Seconded; and it was voted to direct that the Selectboard be copied on any communications regarding wastewater planning within the Town of Wellfleet to the EPA, the Mass DEP, the Cape Cod Commission, or other outside agencies by all those employed by the Town of Wellfleet directly or as consultants or who serve on the Clean Water Advisory Committee.
Roll Call Vote: 3-2 (Reinhart and DeVasto voted no)

- Matching Funds for Covid Relief Grant – Nancy Civetta
DeVasto recused himself from this part of the meeting.
Civetta spoke to the board explaining the coastal municipalities community has the opportunity to receive a grant for Covid recovery. She gave details on the monies that can be received. She stated the application is stronger if the grant is matched up to \$10,000. She stated the previous year this was very successful and this year they have 22 shellfishermen signed up for this.
Chair Curley Moved; Board Member Wilson Seconded; it was voted to approve the use of up to \$10,000 of the shellfish revolving fund.
Roll Call Vote: 5-0

- Town Administrator Search Committee Internal Appointments if Any – Chair Curley
Chair Curley spoke to the board regarding the committee. He stated there are 5 members, but he would like two staff members. He asked both Chief Pauley and Sumner to speak to the board stating why they feel they would be beneficial to the committee. Chief Pauley spoke to the Board stating that he has worked for the community for over 8 years and have sat in the TA position for a short time, also managing one of the larger departments he feels he would be very helpful in this search. Sumner spoke to the board stating that he wants to see Wellfleet succeed and would like to volunteer his time in conducting this search, he explained he was able to help Provincetown find a good Town administrator and feels he can do the same for Wellfleet.

**Board Member Reinhart Moved; Board Member Wilson Seconded and it was voted to appoint Charlie Sumner to the Town Administrator Search Committee, and to appoint Fire Chief Rich Pauley to the Town Administrator Search Committee.
Roll Call Vote: 5-0**

- FY 2022 Selectboard Goals – Chair Curley
Chair Curley asked the board if they wanted to address these tonight. It was decided that yes, they needed to be addressed at this meeting. Chair Curley asked if there were any questions or concerns of these goals. Sumner stated he had no questions at this point with these goals. DeVasto stated expectations right now need to be realistic as the town is working on many important and pressing issues.

X. Selectboard Reports

- Chair Curley informed the board that he has been communicating with the Sea Run Brook Trout Coalition and they are looking to do some work at fresh brook and they had a kickoff meeting with the Seashore last week, He is working with Geoff Day to come and update the board on their work.

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XI. Town Administrator's and Assistant Town Administrator's Report

- Sumner gave an update on the water main and the water company that they have put out an invitation for bids. He stated he is working with the Water Commissioners and Karen Plantier to collect outstanding obligations. He stated he would like to try and develop a water rate structure plan; they will go out for quotes for vendors to help with that. He stated the Wellfleet Solar project is close to being completed. He continued with his full report. *Full report can be found in the Selectboard Packet* He finished his report to the Board with an update on the harbor dredging which has begun. He explained there were some conflicts, but he is continuing to work with them to resolve those issues. The Board discussed the dredging with Aberdale who gave some details on the project.
- Scheduling Chair Curley spoke to the Board stating that there needs to be another meeting with the Clean Water Advisory Committee. He also stated that the Board needs to have a joint meeting with the finance committee. He asked for the Board's availability for extra meetings and then to have a couple executive sessions.
Wilson spoke to the Board stating they will now be receiving a lot of information from the Clean Water Committee so the need for another meeting is necessary. She asked for a calendar stating the deadlines for budgets and timelines. Chair Curley asked for a 30–45-

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minute executive session for both chief's contracts. He stated the second executive session will be a longer meeting. The Board discussed the meetings and the times they were available.

- **Additional Wastewater Meetings**
The Board discussed available dates to meet with the committee. They came to the agreement that November 2, 2021.

XII. Topics for Future Discussion

- Chair Curley spoke to the board and explained that he had sent an email with topics that were listed. Wilson spoke about Omaha Road.
- DeVasto spoke to the board about a tree warden they stated that the DPW director is designated as the Tree Warden. DeVasto stated he would like to appoint someone to be the tree warden. He would like this to be discussed at a future meeting.

XIII. Correspondence and Vacancy Reports

- There were no reports at this meeting

XIV. Minutes

- August 27th, 2021
Chair Curley stated the minutes were amended and sent them to the board. Wilson stated she also had an amendment.
Board Member Wilson Moved; Chair Curley Seconded; and it was voted to approve the minutes as amended.
Roll Call Vote: 5-0

XV. Adjournment

Board Member Wilson Moved; Chair Curley Seconded; and it was voted to adjourn the meeting.
Roll Call Vote: 5-0
Meeting adjourned 10:45pm

*****Public Records****

Financial Management Workplan - McIsaac

Memo to the Board regarding the Rental taxes be used for housing in Wellfleet – Terkanian

Meeting Minutes August 27, 2021, amended meeting minutes August 27, 2021