

***Wellfleet Selectboard
Virtual Meeting ~ Zoom
Tuesday May 10, 2022, 7PM
Meeting Minutes***

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

Others Present: Charlie Sumner, Town Administrator; Rebekah Eldridge, Executive Assistant; Michael Hurley, Police Chief; Rich Pauley, Fire Chief; Rev. Frank Alexander, Grace Chapel; Neal Nichols Jr., Artist for use of town property; Lara Henry, Chamber of Commerce; Rebecca Arnoldi, Be Body & Earth; Hillary Lemos, Health and Conservation Agent; Nancy Civetta, Shellfish Constable; Daniel Silverman, Town Moderator; Jim Hood, Chair Board of Water Commissioners; Curt Felix, Board of Water Commissioners; Judith Ahern, Resident; Kathleen Bacon, Resident

Chair Curley Called the meeting to order at 7:02pm

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 announced to the board and public that the Wellfleet Police Department along with the Eastham Police Department May 15th they will be sponsoring “Touch A Truck” at the Wellfleet Drive-In admission is free.

He also announced that the draft version of the Hazard Mitigation plan is rounding to the finish line. He is hoping to have it finished by the end of the week. He then stated that public comments will be accepted for a certain amount of time.

II. *Annual Board Re-Organization*

Board Member Wolf Moved; Board Member Wilson Seconded, and it was voted to postpone the board reorganization until after the June 11, 2022 town meeting.

Roll Call Vote: 5-0

A. Welcome of new Board Member/s

Chair Curley welcomed Carboni to the board and she thanked both the board and the public for electing her to this position.

B. Police Officers

• FULL TIME POLICE OFFICERS REAPPOINTMENT

Sarah Chase

Christopher Greene

Nicholas Daley

Edward Garneau
Jerimiah Valli
Eric Daley
Michael Allen
Matthew McGue

Chair Curley Moved; Board Member Wilson Seconded, and it was voted to reappoint the full-time officers listed below from 7/1/2022 to 6/30/2023

Roll Call Vote: 5-0

- **SPECIAL POLICE OFFICERS REAPPOINTMENT**

Marc Spigel
Ronald L. Fissette
Desmond Keogh

Chair Curley Moved; Board Member Seconded; and it was voted to reappoint the above listed special police officers from 7/1/2022 to 6/30/2023.

Roll Call Vote: 5-0

C. Goal Setting for Incoming Town Administrator Rich Waldo

Chair Curley stated he wanted the board members to think about goals for the incoming Town Administrator and that he would like to present those goals to Mr. Waldo at the first meeting in June. He continued stating that he would like to have check-ins with Waldo at 3 months, 6 months, 12 months and so on.

Wilson stated she would like the new Town Administrator to know the new Bylaws and Charter so that he is able to understand and transition more easily.

III. *Consent Agenda*

A. Grace Chapel Assembly of God ~ Rev. Frank Alexander ~ Stage at the Pier ~ Sunday June 10, 2022; 4:40pm – 6:30pm.

B. Neal Nichols Jr. ~ Artist/Illustrator ~ Baker's Field Pavilion or shaded areas around the area to accommodate tables and chairs ~ Various dates and times throughout the summer. (Please see application/packet)

Chair Curley Moved, Board Member Wilson Seconded; and it was voted to approve the consent agenda as presented to the board.

Roll Call Vote: 5-0

IV. *Use of Town Property*

A. Wellfleet Chamber of Commerce ~ Lara Henry ~ Wellfleet 4h of July Parade ~ Monday July 4, 2022, ~ 8am – 11am.

The board spoke with Henry regarding the parade. Henry stated the chamber would like to host the parade this year after a break from Covid. The board stated unanimously how happy they were to see this parade coming back.

Board Member Wilson Moved, Board Member DeVasto Seconded, and it was voted to approve the fourth of July parade to be held along town ways in Wellfleet, using the usual route on July 4, 2022, from 8am to 11am to be returned to pre-parade conditions to the satisfaction of the DPW director and to follow all the recommendations of the department heads.

- B.** Rebecca Arnoldi ~ Be Body & Earth ~ Various programs (consisting of hikes and yoga classes) ~ Newcomb Hollow Beach, Mayo Beach, Uncle Tim's, Cannon Hill Area, Blackfish Creek Area, and the Gut ~ Various dates and times throughout the summer months and into early fall.
- Arnoldi spoke to the board about her application. Chair Curley stated it wasn't very clear on the application as to what she would like to do. Chair Curley stated right now he would like to defer her application to the department heads that have some issues.
- Chair Curley Moved; Board Member DeVasto Seconded, and it was voted to refer the use of town property application filed by Rebecca Arnoldi to the director of community services, the recreation director and the health and conservation agent to define the scope of the request in reasonable terms and conditions that may be requested by them. Also requesting that two separate applications be filed for both uses as they are different.**
- Roll Call Vote: 5-0**

V. *Public Hearings*

- A.** Amendment of Food Truck Regulations ~
- Chair Curley opened the public hearing to amend Wellfleet's Food Truck Regulations.**
- Chair Curley began stating there is an issue with the current regulations not being in line with the Zoning Regulations. Lemos spoke to the regulations and stated that each application for food trucks is reviewed on a case-by-case basis. The discussed the issues brought up with these regulations. The board discussed amendments that were being recommended. Chair Curley gave the public body a chance to speak to the regulations. There were no comments from the public.
- Chair Curley Moved; Board Member Wilson Seconded, and it was voted to approve the Wellfleet Food Truck Regulations as drafted.**
- Roll Call Vote: 5-0**

VI. *Business*

- A.** Request to increase spending authorization for Shellfish Revolving Fund Propagation per MGL Ch. 44 sec. 53E 1_2. **Board Member DeVasto Recused himself from this discussion.**
- Chair Curley asked for Civetta to speak to this agenda item. Civetta explained that at the Annual Town Meeting it was authorized for the shellfish department to spend up to \$50,000 and stated they have income that exceeds that amount. She continued stating that they have an opportunity has come up for the shellfish department the town will not buy hatchery seed but will participate in the shellfish relay which is where there are shellfish that have been slightly contaminated and put them into the harbor and close the area for 3 months which will allow the shellfish to respawn and become clean. She stated they have previously bought 500 bushels and would like to purchase 1000. She stated this budget is for all propagation which is an appropriate expenditure to pay the

bills out of this fund. Wolf asked what type of contamination? Civetta stated that it was fecal coliform, she explained the contamination levels and the ones that they are purchasing isn't at a level that is so high that it can't be corrected.

Chair Curley Moved; Board Member Wilson Seconded; and it was voted to approve and increase not to exceed \$15,000 from the Shellfish Revolving fund Propagation per MGL ch 44. Sec 53E 1-2.

Roll call Vote: 4-0-1 (DeVasto recused)

B. Hardship Exemption Commercial Shellfish Permit ~ Robert Wallace

Civetta spoke on behalf of Wallace, she gave the guidelines of exemption and explained that Wallace didn't purchase his permit within the time frame to get the commercial license. She explained that documents were submitted in the packet for the Selectboard. She stated she believes he meets the exemption criteria. Wilson commented on the fact that Wallace has never missed a commercial license purchase and stated that this is unusual for him.

Chair Curley Moved; Board Member Wilson Seconded; and it was voted to approve the hardship exemption for the commercial shellfish permit to Robert Wallace.

Roll Call Vote 4-0-1 (DeVasto Recused)

C. Water Enterprise Budget

Hood spoke to the board to discuss the operating budget for 2022 and 2023 for the Water Enterprise Fund. He stated it was basically the same as it has been in previous years. He explained a few differences and discussed each line item with the board. Hood continued explaining the loans that the water department has and what they are each for. He explained that as part of working with the consultant to adjust and relook at the water enterprise fund he found that certain funds are supposed to be put directly towards the enterprise fund. Felix stated that the commissioners are working on changing the rates for the water department. The rate structure is set to be changed with a public hearing and have that new rate go into effect on January 1, 2022.

The board discussed the water structure and billing costs with Felix and Hood. Felix stated that they are planning to reduce the rates to hook onto the water system for \$750. Ahern asked how many gallons were used per household. Felix explained it is about 40,000 gallons a year. She questioned the connection fee. Felix explained that board has been discussing changing those rates for a few years and compared the cost to run a well versus connect to the water.

Chair Curley Moved; Board Member DeVasto Seconded; and it was voted to approve the FY 2023 Water Enterprise Fund as presented and to insert it into the 2022 Annual Town Meeting Warrant.

Roll Call Vote: 4-0-1 (Wilson Voted No)

Chair Curley Moved; Board member Wolf Seconded; and it was voted to recommend the FY2023 Water Enterprise budget.

Roll Call Vote: 4-0-1 (Wilson Voted No)

D. Budget and financial update

Sumner gave an update on the spreadsheets that were in the packet for this meeting. He stated this is draft number 7. He explained the changes he made and explained that this is the last draft that the board will see. He explained not

much has changed in the formatting, but the projected deficit has increased, and he explained why. He stated its split between the operating deficit and the capital projects.

He spoke to the financial forecast which was missing from the packet but stated it lists the impact on the tax rate. It can be picked up at the administration office if wanted.

Chair Curley explained that there are no funds for the capital budgets, and it has been this way for many years. Sumner continued explaining the financial plan. The override was discussed and DeVasto stated he doesn't remember the last time the town of Wellfleet had a 2 ½ percent override and hasn't gotten anyone that knows the answer. He continued explaining that this override is the beginning of restructuring the budget moving forward. He stated it is important for the board to have a dialect with the public. Ahern questioned the missing money, Sumner stated there was no missing money he explained that it was a book entering error. He stated they are behind due to circumstances that he has previously stated. He continued stating that they will have a report of all the findings and have a special meeting to report their findings. He gave some detail where the finance team is at and will hopefully close the books for 2020, 2021 very soon to submit to the DOR. He explained that he doesn't know the date that the DLS report will be issued.

E. Contingency Budget Warrant Article

Chair Curley asked Sumner to explain the and go through the contingency budget. Sumner began explaining the issue that they are dealing with, is if the Operating Budget does not pass at town meeting, then there are budgets that will need to be cut. He went through the budget cuts with each department totaling an amount over \$500,000.00. It was explained to the board and the public that this would be very tough for the community and will be impacting the services that the public are accustomed to.

Department heads spoke to their budgets that would be impacted the most.

Civetta spoke to the board and public about recreational shellfishing in Wellfleet and that the times would be cut down therefore recreational shellfishing would be cut down from one day to two days. Chief Hurley spoke to his budgets and explained that it was nearly impossible to cut special details, beaches, OysterFest, and other town events. He explained if the town wanted to cancel the events, then he would be able to cut staff, but he understood that isn't probable. He explained Amnesty Day for Wellfleet would be completely cut which would impact the community.

Chief Pauley spoke to the board regarding his budget, Norton spoke to his budget and explaining to the board what cuts to his department would be. Explaining the bathrooms at the beach wouldn't be monitored as much as they have been previously.

Thomas spoke to her budget cuts which would include lifeguards during the active shark season (August through November).

Sullivan spoke to his budget cuts stating that the marina wouldn't be staffed the extra hours that they are now because it isn't in the budget. He stated in the

event of an emergency the response time would be detrimental to the public because he wouldn't be at the marina to respond quickly.

The board continued to discuss this budget. Bacon spoke to the board and stated that maybe they should have a forum on the two budgets so that the residents know in advance of town meeting what the differences are between the two budgets.

F. Final Review and approval of the Annual Town Meeting Warrant

The board went over the articles that they haven't voted on and what articles needed to be recommended.

- **Chair Curley Moved; Board Member Wilson Seconded; and it was voted to insert and recommend the FY2023 Operating Budget.
Roll Call Vote: 5-0**
- **Chair Curley Moved; Board Member Wilson Seconded; and it was voted to insert the FY2023 Contingency budget into the Annual Town Meeting Warrant.
Roll Call Vote: 5-0**
- **Chair Curley Moved; Board Member Wilson Seconded; and it was voted **NOT** to recommend the FY2023 Contingency budget.
Roll Call Vote: 5-0**
- **Chair Curley Moved; Board Member Wilson Seconded; and it was voted to amend FY2022 budgetary transfers as drafted.
Roll Call Vote: 5-0**
- **Chair Curley Moved; Board Member Wilson Seconded; and it was voted to insert and recommend the FY2023 Capital Budget.
Roll Call Vote: 5-0**
- **Board Member DeVasto Moved; Board Member Wilson Seconded; and it was voted to reconsider the recommendation for the Wellfleet Fauna and Flora Study Warrant Article on the Annual Town meeting warrant.
Roll Call Vote: 5-0**
- **Chair Curley Moved; Board Member Carboni Seconded; and it was voted to recommend Article 19 the Wellfleet Harbor Fauna and Flora study for the town meeting warrant.
Roll Call Vote: 5-0**
- **Chair Curley Moved; Board Member DeVasto Seconded, and it was voted to recommend The Community Preservation Warrant Articles into the Annual Town Meeting: Article's #27, 28, 29, 30,31, 32, 33, & 34.
Roll Call Vote: 5-0**

Chair Curley brought up the Animal Control Bylaw and he stated that he feels this should be moved to the Fall town meeting and continue to focus this town meeting on financial articles. Wilson disagreed and stated why. The board discussed this.

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

- **Board Member DeVasto Moved; Board Member Wolf Seconded; and it was voted to move the Animal Control Bylaw to the Fall Town Meeting.
Roll Call Vote: 4-1-0 (Wilson voted No)**
- **Board Member DeVasto Moved; Chair Curley Seconded; and it was voted to insert and recommend the Affordable Housing stabilization fund into the Annual Town Meeting Warrant as amended by town counsel.
Roll Call Voted: 5-0**
- **Board Member DeVasto Moved; Board Member Wilson Seconded; and it was voted to insert and recommend Article #47, Mixed Income Housing Stabilization Fund.
Roll Call Vote: 5-0**
- **Chair Curley Moved; Board Member Wilson Seconded; and it was voted to amend article #47 as drafted
Roll Call Vote: 5-0**
- **Chair Curley Moved; Board Member Wilson Seconded, and it was voted to amend article #48 as drafted.
Roll Call Vote: 5-0**

Eldridge Shared her screen to show the third page of the financial projection to explain the tax impacts to the town. They went down line by line to discuss the expenses.

G. 2022 Special Town Election Ballot questions

The Board discussed the questions.

- **Chair Curley Moved; Board Member Wilson Seconded, and it was voted to insert Question #1 into the June 21, 2022, special Election Ballot.
Roll Call Vote: 5-0**
- **Chair Curley Moved; Board Member Wilson Seconded, and it was voted to insert Question #2 for the purpose of funding equipment replacing repairs and other post-employment benefits for fiscal Year 2023 into the June 21, 2022, Special Election Ballot.
Roll Call Vote: 5-0**
- **Chair Curley Moved; Board Member Wilson Seconded, and it was voted to insert Question #3 into the June 21, 2022, special Election Ballot.
Roll Call Vote: 5-0**
- **Chair Curley Moved; Board Member Wilson Seconded, and it was voted to insert Question #4 into the June 21, 2022, special Election Ballot.
Roll Call Vote: 5-0**

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- **Chair Curley Moved; Board Member Wilson Seconded, and it was voted to insert Question #5 into the June 21, 2022, special Election Ballot.**

Roll Call Vote: 5-0

Chair Curley Moved; Board Wilson Member Seconded and it was voted to post and close the June 21, 2022, Special Election Ballot.

Roll Call Vote: 5-0

Chair Curley Moved; Board Member Wilson Seconded; and it was voted to post and close the 2022 Annual Town Meeting Warrant.

Roll Call Vote: 5-0

- H. Extension of Interim Town Administrator Charlie Sumner's Contract**
Chair Curley explained that this would be the last item the board would cover tonight.

Chair Curley Moved; Board Member Wilson Seconded; and it was voted to approve the extension of Interim Town Administrator Charlie Sumner's contract to May 30, 2022.

Roll Call Vote: 5-0

Chair Curley Moved the next three agenda items to a later meeting.

- I. Newspapers Authorized to Publish Town of Wellfleet Legal Notices**
- J. Speaking on the behalf of the board ~ Wilson**
- K. Policy on Use of Public Buildings by a private individual or group ~ Board Member Wolf**

VII. *Selectboard Reports*

Wilson notified the board that the board received an email of a report regarding ARC and the Shellfish regulations and where regulations should be changed allowing a combination license. She summarized the letter to the board and the public, explaining that the DMF (Department of Marine Fisheries) had drafted this letter.

Chair Curley stated he attended a meeting with Chief Hurley, DPW staff and Suzanne Thomas and the new head ranger for the national seashore. The new Head ranger stated in that meeting that he would be willing to meet with the board and might be willing to enforce a no alcohol policy on that national seashore side of that beach.

VIII. *Town Administrator's Report*

Sumner stated that there was a notice from the Mass DOT and Wellfleet will be receiving money to help with the state roadways. He also wanted to inform the board and the public that they have received a grant for the Herring River Project and wanted to reiterate that he has received many emails from citizens questioning the funding. He stated there is a team working on just the funding and they are working on grants and other venues and there is nothing on the warrant.

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

He updated the board on the hybrid meeting situations. He reported that things should be up and running by the May 24th meeting. He also reported he is currently working on the collective bargaining agreements with the unions. Which should be ready by town meeting.

IX. *Topics for Future Discussion*

- A. List of current items outstanding, Chair Curley will send a list to the board so they can review items that they have brought up.
B. Chair Curley informed the board and public what will be on the May 24, 2022, in person meeting.

X. *New Business not reasonably anticipated by the Chair*

XI. *Correspondence and Vacancy Reports*

*** Please see the May 10th selectboard packet for all correspondence ***

Chair Curley stated to the board that the town received a grant for the water main projects. 2.5 million dollars. He gave details on the grant.

XII. *Minutes*

- A. April 12, 2022, ~ Chair Curley Moved; Board Member Wolf Seconded; and it was voted to approve the minutes as written in draft
Roll Call Vote: 3-0-2 (Carboni & Wilson abstained)

Carboni informed the board that she is often invited to the Truro Selectboard Meetings and asked if it was possible to stagger the Wellfleet Selectboard meetings to be on the opposite Tuesday's so that she is able to attend both meetings if possible. There were no issues from the board moving to the first and third Tuesday of each month. An alternate date was decided that Thursday's work well.

XIII. *Adjournment*

Chair Curley Moved; Board Member Wilson Seconded, and it was voted to adjourn.

Roll Call Vote: 5-0

Meeting Adjourned 10:46pm

Public Documents:

- *Notice of reappointed full time and special police officers' documents*
- *Use of town property application for Grace Chapel, Various beaches, and locations (consent agenda)*
- *Use of town property application (4th of July parade)*
- *Use of town property various locations (Rebecca Arnoldi)*
- *Food Truck Regulations with amendments*
- *Document requesting increase in spending authorization for shellfish revolving fund*
- *Hardship exemption paperwork, Robert Wallace*
- *Water Enterprise Budget*
- *Financial Documents for Annual Town Meeting Warrant*
- *Financial Forecast*
- *Contingency Budget for town meeting warrant*
- *2022 Annual Town Meeting Warrant as drafted*
- *Special Town Election Ballot Questions paperwork.*
- *Meeting Minutes April 12, 2022, printed in draft*

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