

***Wellfleet Selectboard
Tuesday October 18, 2022; 7pm
Hybrid Meeting
Zoom/715 Old King's Highway
Meeting Minutes***

Members Present: Ryan Curley, Chair; Michael DeVasto, Vice Chair; Barbara Carboni, John Wolf, Kathleen Bacon

Others Present: Richard Waldo, Town Administrator; Rebekah Eldridge, Executive Assistant; Suzanne Grout Thomas, Community Service Director; Jay Norton, DPW Director; Jill McLaughlin, Stantec representative; Greg Mischel, Mass DOT; Steve Wilkinson from Wilkinson Ecological Design, Inc.; Nicole Costanzo, Esq. KP Law representative; Carole Ridley, Herring River Restoration project; Nils Wiberg, engineer from Fuss and O'Neill; Tim Sayre, Town Resident; Joe Mailawco, Mass DOT; Arthur Autorino, Member of Eastham Selectboard

Chair Curley Called the meeting to order at 7:04pm

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.

Bacon spoke to a letter of correspondence from the public meeting regarding the Fox & Crow Entertainment license. She spoke to the manner of how the meeting was held and allowing the back and forth she felt was rude and unprofessional. She spoke to the applause that she felt shouldn't have ever been allowed. She continued speaking to the obligation as elected officials. Chair Curley spoke to the limited scope of the licenses and didn't want to address the other issues.

Wolf spoke to a long-time musician that passed away very suddenly this past week. The board sent out their condolences to the family and friends.

II. *Consent Agenda*

A. Board to sign 2022 Warrant for 2022 State Election

Chair Curley Moved, Board Member DeVasto seconded; and it was voted to approve the consent agenda as printed.

Roll Call Vote: 5-0

III. *Use of Town Property*

A. Omaha Landing for coastal bank stabilization and restoration ~ Weekdays from November 1, 2022; - December 30, 2022. ~ Wilkinson Ecological Design, Inc. Chair Curley spoke to the board and stated he would like to refer this back to the to the Conservation Agent. Wilkinson spoke to the board and stated he believed he was allowed to do this after speaking with Conservation Commission. Chair

Curley explained why this project was an issue and felt that because there were so many concerns with department heads it needed to be continued. Chair Curley stated that not only do they need a bond, but they need to let all the abutters know that this is taking place on and around their property.

Board Member Carboni moved, Board member Wolf seconded, and it was voted to advise the applicant to seek further approval of the conservation agent to conduct the work proposed and to seek the approval of all department heads to perform the work and to obtain approval of all the abutters to do the work.

Roll Call Vote: 4-0-1 (DeVasto Abstained)

IV. *Business*

A. Cannabis Community Host Agreements ~ Chair Curley

Chair Curley informed the board and public that there will be no public comment with on this agenda item.

Costanzo shared a slide show presentation informing the board and public on the new laws set by the Massachusetts Cannabis Control Commission which better explained the community host agreements. She spoke about the impact fees for the community and stated that there are new and different requirements on host communities.

Chair Curley asked the board members to try to avoid any specific host agreements. The board discussed the presentation.

No action was Taken

B. Chequessett Neck Bridge Notice of Award/Contract ~ Town Administrator

Board Member Carboni recused herself from this agenda item. Ridley spoke to the board and gave information on this award and how it was decided. She spoke about the due diligence that was done on all the bids that came in for the project to make sure the needs were met of the bid package. She explained that the request for the board to approve the award notice and contract. Wiberg spoke to the board and explained the timeline of this project and answered any questions that the board had about the project and timeline. Waldo asked Wiberg to give a status of the OPM award. Wiberg stated that Ridley might be able to speak better to that award. Ridley explained the RFP process and the scopes of work for the project. Sayre spoke to the board and public asking about transitioning the gates to a single phase verses a three phase. Wiberg explained why the decision was made, stating it was the best and most cost-effective way to proceed.

Chair Curley Moved, Board Member Seconded, and it was voted to authorize the town administrator to issue a notice of award to MIG Corporation, One Acton Place, Suite 200, Acton MA, indicating that the town accepts MIG's bid submitted on September 22, 2022, to construct the Chequessett Neck Road Bridge and Water Access Facility for a contract price of \$29,835,430.00, following a duly advertised and administered public bidding process, and further to authorize the Town Administrator to finalize and execute a contract with MIG in accordance with the Notice of

Award and bid submittal, including MIG's provision of required insurance and bonding.

Roll Call Vote: 4-0-1 (Carboni recused)

- C. Mass DOT presentation on changes to Route 6/Main Street project – presentation on route 6 resurfacing

Mischel spoke to the board and presented a slide show on the route 6 pavement project. He explained that there are two projects that are happening simultaneously, the pavement preservation project and the route 6/main Street project. Autorino spoke to Mischel about the impacts it will have on the town of Eastham. He made mention that tDOT hadn't come before the Eastham selectboard and he would like to have that arranged so that the impacts to Eastham could be explained to them. He spoke about the back up issues with traffic in Eastham and questioned the analysis that DOT has done to see how much more this impact both towns.

The board discussed this project with Mischel and Mailawco who continued to answer questions and some concerns with regard to bus stops. The board discussed this project at great length. The board members voiced their concerns with certain designs of the project.

No Action was taken

- D. Capital Planning Committee ~ Member Carboni

Carboni spoke to the board stating that this was one of her goals for 2023. She explained what a Capital planning committee consists of and how it would work for the town. She explained it is an advisory board not a regulatory board. She went over the documents she supplied to the board. Bacon spoke to the board stating she supports this idea. The board discussed the parameters of the committee and how they would proceed. Waldo stated he thinks this committee would be beneficial. Carboni will draft a bylaw to be discussed at a later date.

- E. Budget Message ~ Chair Curley/Selectboard

Chair Curley moved on to the budget message for the board and asked if there were any comments from the board.

Chair Curley Moved, Board Member Bacon Seconded, and it was voted to approve the budget message as amended to read "check recording"

Roll Call Vote: 5-0

- F. Budget Policy ~ Chair Curley/Selectboard

Chair Curley questioned the board if there were any comments or concerns on the budget policy.

Chair Curley Moved; Board Member Bacon Seconded; and it was voted to approve the budget policy as drafted.

Roll Call Vote: 5-0

- G. Memorial Plaques and other new memorial items on town property ~ Suzanne Grout Thomas

Thomas spoke to the board about memorial plaques and benches. She stated that there needs to be a plan set into place for the town before they purchase any sort of memorial.

Board Member DeVasto Moved; Board Member Bacon Seconded, and it was voted to place a moratorium of memorials and memorial benches until the town develops a plan by January 2024.

Roll Call Vote: 5-0

- H.** Zoning Bylaw Amendment, Cutting of Timber within the NSP ~ Chair Curley
The board discussed the changes made.

Chair Curley Moved; Board Member Bacon Seconded; and it was voted to refer the zoning bylaw amendment on cutting of timber within the national seashore park to town counsel for review and comment and to the Planning Board as a draft for comment.

Roll Call Vote: 5-0

- I.** Zoning Bylaw Amendment, Locally Notable Trees ~ Chair Curley
The board discussed this amendment and discussed a fee schedule and who was the authority to set the fees.

No Action was taken

- J.** Zoning Bylaw Amendment, Accessory Dwelling Units ~ Local Housing Partnership / Wellfleet Housing Authority

Chair Curley stated that these changes were made by the local housing authority and got to the board to late to be placed on the special town meeting warrant.

Board Member DeVasto recused himself from this item as he stated he may be working on this in the future.

Chair Curley Moved; Board Member Bacon Seconded; and it was voted to refer the zoning bylaw amendment on accessory dwelling units to town counsel for review and comment and to the Planning Board as a draft for comment.

Roll Call Vote: 4-0-1 (DeVasto Abstained)

- K.** Letter of Appreciation to John Riehl ~ John Duane ~ Chair Curley
The board thanked Duane for writing the letter on behalf of the NRAB and town.

Chair Curley Moved; Board Member Bacon Seconded; and it was voted to approve the letter of appreciation to John Riehl on behalf of the town of Wellfleet and the Natural Resource Advisory Board adding Natural

Resource Advisory Board

Roll Call Vote: 5-0

V. *New Business*

There was no new business

VI. *Selectboard Report*

There were no reports

VII. *Town Administrator's Report*

Waldo gave his update, giving specific thanks to the staff and SPAT for successful Oysterfest. He stated there are some applications in for the Principal Clerk Position

and will start interviews soon. Human Resource Director interviews will begin later in October. He gave an update on setting the tax rate.
He also stated that the Board of Health will hold a public hearing on November 9, 2022, and will be hybrid at the Adult Community Center.

VIII. *Topics for Future Discussion*

IX. *Vacancy Reports*

COMMISSION ON DISABILITIES NEEDS MEMBERS

X. *Minutes*

A. October 4, 2022

Chair Curley Moved; Board Member DeVasto Seconded, and it was voted to amend the minutes to read Bacon recused as an appearance of conflict of interest.

Roll Call Vote: 5-0

And it was voted to approve the meeting minutes of October 4, 2022 as amended.

Roll call vote: 5-0

XI. *Adjournment*

And it was voted to adjourn

Meeting adjourned 10:32pm

****Public Documents****

2022 State Election Warrant

Use of Town Property application for coastal refurbishment

KP Law documents for cannabis community host agreements

Letter and award for Chequessett Neck Road Bridge

MASS DOT documents and maps for pavement presentation

2022 and 2023 Budget Message from the Selectboard

2022 and 2023 Budget Policy from the Selectboard

Memorandum from Suzanne Thomas regarding Memorial Plaques

Zoning Bylaw Amendments

Cutting Timber within NSP

Locally Notable Trees

Accessory Dwelling Units

Letter of appreciation to John Riehl for his service to the Natural Resource Advisory Board

Town Administrators Report

Vacancy Report dated October 18, 2022

Meeting Minutes from October 4, 2022