

***Wellfleet Selectboard
Tuesday March 7, 2023; 7pm
Hybrid Meeting ~ ZOOM/ 715 Old King's Highway
Meeting Minutes***

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

Others Present: Richard Waldo, Town Administrator (Virtual); Rebekah Eldridge, Executive Assistant; Brittany Sullivan, Wellfleet Chamber of Commerce; Wayne Clough, Carole Ridley, Herring River Restoration project; Michael Hurley, Police Chief; Rich Pauley, Fire Chief; Nancy Civetta, Shellfish Constable; Hillary Greenberg-Lemos; Health & Conservation Agent; Walter Baron, Ted Wilson; Kevin LaRocca, Police Lieutenant; Joe Capello, Deputy Fire Chief; Stephen Pickard, Ken Kozak, Wicked Oyster; Billy Hamlin, Seamen's Bank; James Badera, Building Commissioner; Tim Sayer

Chair Curley Called the meeting to order at 7:00pm

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.

Chair Curley announced that the town administrator would be joining remotely.

Pickard spoke about his conflict of interest not being heard by the board. Chair curley informed Pickard that he was on the agenda tonight, but he had submitted the incorrect form.

***** Disclosure of Conflict of Interest **** *BOARD MEMBER DEVASTO
RECUSED HIMSELF***

- ***Ethan Estey***
- ***Karen Johnson***
- ***Stephen Pickard ~ Appearance of Conflict***

The board discussed these three conflicts of interests.

Chair Curley Moved; Board Member Bacon Seconded; and it was voted that as an appointing official, as required by G.L. c. 268A, §19, I have reviewed the particular matter and the financial interest identified above by a municipal employee. We have determined that the financial interest is not so substantial as to be deemed likely to affect the integrity of the services which the municipality may expect from the special employee with regard to Ethan Estey.

Roll Call Vote: 4-0-1

Chair Curley Moved; Board Member Bacon Seconded and it was voted that as an appointing official, as required by G.L. c. 268A, §19, I have reviewed the

particular matter and the financial interest identified above by a municipal employee. We have determined that the financial interest is not so substantial as to be deemed likely to affect the integrity of the services, which the municipality may expect from the special employee with regard to Karen Johnson.

Roll Call Vote: 4-0-1

Pickard spoke to the board about his newly filled out disclosure of conflict. He explained his role on Egg Island with his grant.

Board Member Carboni Moved; Seconded and it was voted that as an appointing official, as required by G.L. c. 268A, §19, we have reviewed the particular matter and the financial interest identified above by a municipal employee. We have determined that the financial interest is not so substantial as to be deemed likely to affect the integrity of the services which the municipality may expect from the special employee with regard to Stephen Pickard.

Roll Call Vote: 4-0-1

II. *Consent Agenda*

- A.** Use of Town Property, Mayo Beach Boat Ramp, Walter Baron; Wellfleet Rowing Rendezvous #10 ~ Use of Marina Boat Ramp
- B.** Appointment of Janet Lesniak to the Wellfleet Cultural Council
- C.** Execution of the Nauset Regional School District Fire Suppression System Contract ~ Town Administration
- D.** Execution of the lower cape TV contract ~ Executive Assistant
- E.** Approval of the 4th of July Parade, July 4, 2023; 8:00am–11am ~ Chamber of Commerce

Chair Curley Moved; Board Member DeVasto Seconded; and it was voted to approve the Consent Agenda as written.

Roll Call Vote: 5-0

III. *Employee Matters*

- A.** Letter of Recognition police dispatchers and officers assisting in search and successful location of a missing person ~ Lt. Kevin LaRocco
Lt. LaRocco read his letter of appreciation to the police dispatchers and police officers who assisted with the search and successful location of the missing person.
- B.** Letter of Recognition for responding officers to a critical incident in Provincetown ~ Provincetown Police Chief
Chief Hurley read a letter from the Provincetown Police Chief in recognition of the Wellfleet police officers with their help regarding a critical incident.

IV. *Public Hearings*

- A.** The Wicked Oyster ~ To extend their ABCC license for alcohol seating area.
The board asked where the outdoor seating area would be. Kozak explained that the seating would be the same.

Chair Curley Moved; Board Member Bacon Seconded; and it was voted to approve the application received by the Wicked Oyster To approve the

alteration of their ABCC license at permanently extend the allowable alcohol service area to include the outside seating sections in the back of the building.

Roll Call Vote: 5-0

- B. The Wellfleet Motel & Lodge ~ To extend their license for alcohol seating area. Wilson spoke to the board regarding the extension of his outdoor seating area to be able to serve alcohol.

Chair Curley Moved; Board Member Wolf Seconded; and it was voted to approve the application received by the Wellfleet Motel & Lodge To approve the alteration of their ABCC license at permanently extend the allowable alcohol service area to include the outside seating sections in the front of the building.

Roll Call Vote: 5-0

- C. Seaman's Bank ~ Rosa Buttrick ~ One Day Alcohol special event license
The board had no comments for this applicant.

Chair Curley Moved; Board Member Wolf Seconded; and it was voted to approve the application received by Seaman's Bank in Wellfleet, to allow a one-day special event license for their afterhours event.

Roll Call Vote: 5-0

V. ***Board/Committee Appointments and Updates***

- A. Alternate Member for the Cape Cod National Seashore Advisory Commission ~ Wayne Clough

Chair Curley Moved; Board Member Bacon Seconded; and it was voted to nominate Wayne Clough as an alternate member to the Cape Cod National Seashore Advisory Commission.

Roll Call Vote: 5-0

VI. ***Licenses***

- A. Moby Dick's Restaurant ~ Weekday Entertainment

Chair Curley Moved; Board Member Bacon Seconded; and it was voted to approve the application for Moby Dick's Weekday entertainment license.

Roll Call Vote: 5-0

VII. ***Business***

Board Member Carboni Recused herself from all items with regard to the Herring River Restoration Project.

- A. Intermunicipal Agreement ~ Herring River Restoration Project ~

Wellfleet/Truro ~ Carole Ridley ~ Ridley spoke to the board, explaining the easement with the Town of Truro and how the agreement would work.

Chair Curley Move; Board Member DeVasto Seconded, and it was voted to approve the intermunicipal agreement between the Towns of Wellfleet and Truro for the Herring River Restoration Project for the elevation and reconstruction of the low lying road, Old County Road.

Roll Call Vote: 4-0-1

- B. Wellfleet Conservation Trust Easement ~ Carole Ridley

Chair Curley Moved; Board Member Bacon Seconded and it was voted to approve an article of differed inclusion in the annual town meeting warrant to require an easement off Old Chequessett Neck Road with the Wellfleet

Conservation Trust related to Mill Creek for the 2023 Annual Town Meeting.

Roll Call Vote: 4-0-1

C. Department Budgets

- **Human Services Budget** ~ Thomas gave her presentation to the board and they confirmed the budget was correct.
Chair Curley moved; Board Member DeVasto Seconded; and it was voted to approve the Human Services Budget as presented.
Roll Call Vote: 5-0
- **Police**
Chief Hurley, and Lt LaRocco came to the table to present the police budgets for FY 2024. The Chief spoke to the support of the town administration and the residents of Wellfleet at the town meeting. He stated he felt the police budget is in a good place for the 2023 summer season. He explained his budget changes and increases for FY 2024.
Chair Curley Moved; Board Member DeVasto Seconded; and it was voted to support the police chief's Deputy Police Chief position.
Roll Call Vote: 5-0
Chair Curley Moved; Board Member Wolf Seconded; and it was voted to approve the FY 2024 Police operating budget.
Roll Call Voted: 5-0
Chair Curley moved on to the communications budget. He spoke very highly of the communications department discussing how hard they work and especially during the COVID-19 pandemic. He explained there were no major changes in this budget.
Chair Curley Moved; Board Member DeVasto Seconded; and it was voted to approve the FY 2024 Dispatch and Communications budget as presented.
Roll Call Vote: 5-0
Chair Curley Moved; Board Member DeVasto Seconded; and it was voted to approve the FY 2024 Emergency Management Budget as presented.
- **Fire**
Chief Pauley and Deputy Chief Capello came to the table to present the fire department budgets. Pauley explained his budget to the board discussing the increases. The board had some questions regarding his budget and need for two new fire positions at the next Town Meeting.
Chair Curley Moved; Board Member Carboni Seconded; and it was voted to approve the FY 2024 Fire Department Operating Budget.
- **Building**
Badera presented his budget to the board. He explained the changes in his budget to the board.
Chair Curley Moved; Board Member Bacon Seconded; and it was voted to approve the FY 2024 Building Operating Budget.

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

- **Health and Conservation**

Lemos began with conservation budget she explained why there was an increase in her budget.

Chair Curley Moved; Board Member DeVasto Seconded; and it was voted to approve the FY 2024 Conservation Budget.

Roll Call Vote: 5-0

Lemos spoke to her Board of Health budget explaining a recording secretary to be moved into a full-time position, and that person would be reporting to Lemos as their supervisor. The other added item was the gasoline which was previously paid out of the DPW budget. Sayer questioned the gas budget. Norton spoke to that budget.

Board Member Bacon Moved; Board Member Carboni Seconded; and it was voted to approve the FY 2024 Board of Health Operating Budget.

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

- **Shellfish ~ Board Member DeVasto Recused himself.**

Civetta spoke to her budget and explained her increases as well. Sayer spoke to the board regarding this budget.

Chair Curley Moved, Board Member Carboni Seconded; and it was voted to approve the FY 2024 Shellfish Department Operating Budget as presented.

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

Civetta continued on to her propagation budget. She explained the budget and how it worked.

Chair Curley Moved; Board Member Bacon Seconded; and it was voted to approve the FY 2024 Shellfish Propagation Budget as presented.

Roll Call Vote: 4-0-1

Chair Curley Moved, Board Member Wolf Seconded; and it was voted to approve the FY2024 Shellfish Advisory Board FY 2024 Operating Budget as presented.

Roll Call Vote: 4-0-1

- **Town Administration Budgets (Town Hall)**

Waldo spoke to the General Administration budget which covered the town hall departments. He began with the moderator budget.

Chair Curley Moved; Board Member Bacon Seconded; and it was voted to approve budgets 114 and 115 as printed.

Roll Call Vote: 5-0

Chair Curley spoke to the board and public about the Selectboard budget and how it needed to be organized. The board discussed this budget and **Board Member DeVasto Moved; Board Member Carboni Seconded, and it was voted to accept the FY 2024 selectboard budget and removing the rights of access committee and planning budgets and putting them in their own line items.**

Roll Call Vote: 5-0

Chair Curley Moved; Board Member DeVasto Seconded, and it was voted to approve the Rights of Public Access Budget and the Planning Budget for FY 2024

Roll Call Vote: 5-0

Chair Curley Moved; Board Member DeVasto Seconded; and it was voted to approve the FY 2024 Legal Budget as presented.

Roll Call Vote: 5-0

Waldo moved on to the IT department. He explained that IT is constantly evolving and explained that the thought was to take the budget from Barnstable County and use that money to have an in house IT person available Monday through Friday instead of three days a week which is what we have now.

Board Member Bacon Moved; Board Member DeVasto Seconded, and it was voted to remove the request for the Flora and Fauna study out of the budget and have it placed in the warrant as an article.

Roll Call Vote: 3-1-1

Waldo continued with the administration budgets.

Chair Curley Moved; Board Member Seconded; and it was voted to approve the General Government FY 2024 operating budget as amended.

Roll Call Vote: 5-0

Waldo then moved to the finance budgets. He spoke to the consultancy costs needed to be cut back and a finance director position needs to be funded. The board discussed this position. The board discussed a dual role and Chair Curley explained that the job is to big to allocate the two roles to one person. He couldn't stress enough how important this would be to separate the finance director and town accountant. He went into detail.

Board Member DeVasto Moved; Board Member Carboni Seconded; and it was voted to approve the FY 2024 Finance Budget.

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

Waldo continued with the administration budgets.

Chair Curley Moved; Board Member Bacon Seconded, and it was voted to approve the finance budgets numbers, 121-141-145 & 158 as presented.

Roll Call Vote: 5-0

Chair Curley Moved, Board Member Bacon Seconded; and it was voted to approve the budget numbers 172, 153 & 156 as presented.

Roll Call Vote: 5-0

Chair Curley Moved; Board Member Wolf Seconded; and it was voted to approve the unclassified budgets of FY 2024.

Roll Call Vote: 5-0

Waldo finished with the Water Enterprise budget.

Board Member Bacon Moved; Chair Curley Seconded; and it was voted to approve the FY 2024 Water Enterprise Budget as amended and presented.

Roll Call Vote: 5-0

D. Potential Special Fall Town Meeting ~ Chair Curley

Chair Curley spoke to the board regarding a fall town meeting. He stated that he spoke with the moderator who agrees with this decision as well. He went into detail on why he feels this is necessary. The board discussed this and what would be on the special town meeting warrant.

Board Member Carboni Moved; Chair Curley Seconded, and it was voted to approve the special town meeting at a date to be announced at a future selectboard meeting.

Roll Call Vote: 5-0

E. 2023 ATM Warrant

Chair Curley questioned the board about moving the warrant to Thursday or next week. The board agreed to wait for the warrant.

NO ACTION WAS TAKEN

VIII. *Selectboard Reports*

Chair Curley announced that Maurice's Campground is moving forward.

Commission on Disabilities will be meeting on the 9th of March.

Board Member Bacon stated she went to the NRAB meeting.

IX. *Town Administrator's Report*

Waldo spoke to the board giving a brief update on the department heads. He discussed the fuel tanks are being installed at the Marina.

X. *Topics for Future Discussion*

XI. *Vacancy Reports*

XII. *Minutes*

A. February 28, 2023

Board Member Bacon Moved; Chair Curley Seconded, and it was voted to approve the meeting minutes of February 28, 2023, as printed in draft.

Roll Call Vote: 5-0

XIII. *Adjournment*

Chair Curley Moved; Board Member Bacon Seconded; and it was voted to adjourn the meeting.

Meeting Adjourned 10:40pm

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

Use of Town Property Application ~ Wellfleet Rowing Rendezvous

Application from Janet Lesniak ~ Wellfleet Cultural Council

Lower Cape TV Contract

Wellfleet Elementary School Fire Suppression System contract

Use of Town Property Application ~ Wellfleet Chamber of Commerce; 4th of July Parade.

Letter of recognition from Lt. LaRocca

Letter of recognition from Police Chief in Provincetown MA

Application from The Wicked Oyster to alter their ABCC seating area.

Application from The Wellfleet Motel and Lodge to alter their ABCC seating area.

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

Application from Seaman's Bank for special one day alcohol license
Application from Wayne Clough to be nominated as an alternate member to the Cape Cod
Seashore Advisory Commission.
Intermunicipal Agreement with Truro
Conservation Trust Easement
Department FY 2024 Budgets
2023 ATM Warrant Version 4
Town Administrator's Report
Meeting Minutes February 28, 2023