

**Wellfleet Selectboard Meeting  
Monday, October 7, 2019 at 7pm  
Wellfleet Senior Center**

**Selectboard Members Present:** Chair Janet Reinhart; Kathleen Bacon; Helen Miranda Wilson; Justina Carlson; Michael DeVasto

**Also Present:** Town Administrator Dan Hoort; Executive Assistant Courtney Butler; Police Chief Ronald Fisette; Police Lieutenant Michael Hurley; Town Accountant Gene Ferrari

Chair Reinhart called the meeting to order at 7:00 p.m.

**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.

- Butler shared that the Department of Public Works will be overseeing pavement overlays on the following roads starting the week of October 15<sup>th</sup>: Sections of Gull Pond Road (from Rt 6 to Chris Drive), Schoolhouse Hill Road, sections of Long Pond Road (Main street to Buttry Way), Coles Neck Road, and Browns Neck/Swan way. Please expect minor delays and potential detours. We will update this notification as we receive more information from the contractor performing the work. Any questions please contact the DPW at 508-349-0315.
- Chief Fisette said the Emergency Alert System will be tested on Thursday, October 10 at 10AM. Information can be found on the website and Department Facebook page.

**APPOINTMENT**

***Lt. Michael P. Hurley to Acting Police Chief***

Reinhart congratulated Chief Fisette on his upcoming retirement on October 31. She said that Lt. Hurley will be his replacement. Wilson thanked them both for their service.

- Bacon moved to appoint Lt. Michael P. Hurley as the Acting Police Chief from 11/01/2019 to 2/20/2020 and as the permanent Police Chief effective 2/21/2020.
- Wilson seconded, and the motion carried 5-0.

Hurley thanked Fisette and Hoort for their confidence in moving him into this position. He thanked the Board as well for their support and the transition plan. Hurley thanked his wife and three children, who were present. Reinhart thanked Hurley and Fisette for making it a smooth transition. The Board collectively thanked Hurley for his service.

***Approval of Contract for Police Chief Michael Hurley***

Hoort said the contract was not back from the attorneys yet. No action was taken.

***Police Chief Michael Hurley as Emergency Management Director***

- Wilson moved to appoint Acting Chief Michael P. Hurley as the Emergency Management Director effective October 9, 2019.
- Bacon seconded, and the motion carried 5-0.

## **TOWN ACCOUNTANT CONTRACT**

Gene Ferrari introduced himself to the Board and audience. Bacon welcomed Ferrari and asked where he was commuting from. Ferrari said he is currently commuting from Brewster, although he is originally from Athol, MA.

- Wilson moved to approve the contract for Town Accountant Gene Ferrari and authorize the Town Administrator to sign the contract.
- Bacon seconded, and the motion carried 5-0.

## **BOARD/COMMITTEE APPOINTMENTS AND UPDATES**

***Local Comprehensive Planning Committee – Elaine McIlroy, Housing Authority representative***  
McIlroy said she was happy to do this and was glad that Housing was included in the Local Comprehensive Plan. Bacon asked Butler how many members would be now be appointed; Butler said McIlroy's representation is included in the representatives appointed at a previous meeting. McIlroy noted that an alternative representative from the Wellfleet Housing Authority (WHA) may need to take her place while she is away in the winter months. Butler said that another WHA member could come and participate, but not vote; Wilson agreed and mentioned the process for committee members who will not attend 4 meetings in a row getting a waiver, as outlined in a Selectboard policy. There was discussion on the appropriate process for this.

- Bacon moved to appoint Elaine McIlroy as the Housing Authority Representative to the Local Comprehensive Planning Committee for a two-year term.
- DeVasto seconded, and the motion carried 5-0.

## ***Energy and Climate Action Committee – discuss details on intent to seek grant money to hire an engineering consultant to assess climate related vulnerabilities***

Suzanne Ryan and Carol Magenau, from the Energy and Climate Action Committee, presented their request. Ryan stated that the Town participated in the State's Municipal Vulnerability Preparedness Program, which developed a Municipal Vulnerability Plan (MVP) last year and that this is the time to act on those findings. She said they would like to hire a civil engineer to assess vulnerable areas and offer solutions to them. Ryan said the Committee would be applying for grants on their own but will seek assistance from staff for help with the particulars of their proposals, which included addressing the impact on low-lying roads.

Reinhart asked if the Committee has spoken with the Town and Assistant Town Administrator, the Health Agent, and the Cape Cod Commission. Ryan said they have spoken with Hoort and Health Agent Hilary Greenberg-Lemos, but not the Commission. Reinhart informed the audience that the MVP is the State climate mitigation program. Ryan said they will be building on that plan and having the engineer take a closer look at what needs to be done and providing solutions for dealing with that.

Bacon commended the Committee for applying for grants. She said Magenau spoke to her prior to the meeting to see if the Town could match the funding from the grant proposal. Magenau said that the grant requires 25% to be matched by the Town and that includes in-kind such as Town staffing. She said the application is due in November, noting that waiting to get funding appropriated by

Town Meeting in April is not an option. Magenau said that they could still seek approval for funds at Town Meeting, if necessary.

Carlson asked if they had any one particular grant in mind. Ryan said they were pursuing several grants, but this was the only one that requires the Town-funding match. Magenau said that Greenberg-Lemos submitted a Barnstable County License Plate Grant application for \$75,000, which requires a 50% match. Carlson suggested attending a Commission meeting to see what other towns have done in this situation.

There was further discussion.

Wilson mentioned that the committee might not have to reinvent the wheel, noting the work done by the Herring River Restoration Committee which has some overlap with mitigating effects from higher water levels on low-lying roads. She thanked the Committee for presenting their plan.

## **BUSINESS**

### ***Renewal of license agreement with Thomas J. Siggia and Cathy G. Siggia***

Thomas Siggia said this is a renewal of an existing contract for the landing they own on Paine Hollow Road.

Wilson thanked the Siggia's for keeping the landing open for public access. She noted that in Section 1 of the Agreement, after the words "the harvesting of shellfish", that "from the wild" should be removed because access for aquaculture was also meant to be allowed.

Bacon asked Hoort if there was anyway this could be a 5-year contract. Hoort said he recalled that the Siggia's wanted it to be a rolling, 2-year contract. The Siggia's said they were okay with it being a 5-year contract.

- Bacon moved to approve the license agreement with Thomas and Cathy Siggia, owners of the property located at 325 Paine Hollow Road, for a 5-year period ending September 30, 2024 with amendments.
- DeVasto seconded, and the motion carried 5-0.

### ***Bicycling in Wellfleet***

The Selectboard packet included a proposed DRAFT letter from the Board to the Governor, and a cover letter from the Concerned Citizens for a Sensible Wellfleet Bikeway, a non-municipal organization, also addressed to the Governor. Reinhart said this was discussed in June and was waylaid because a Selectperson wanted to amend the draft letter. No vote has been taken yet. Reinhart noted that the Town Meeting vote is nonbinding. The Board can listen to suggestions from the public but does not have to act on them. Reinhart also noted that the Board has not avoided the public in acting on this issue. She said the Board is working with the DCR who will be coming to Town in November. She read from the Concerned Citizens' letter aloud which asks to:

1. *Halt efforts by the MA Department of Conservation and Recreation (DCR) to develop a parking lot and bikeway terminus at US Route 6 in Wellfleet;*

2. *Halt MA Department of Transportation (DOT) efforts to develop a bikeway alongside US Route 6 in Wellfleet; and*
3. *Direct those departments to collaborate with the Town of Wellfleet on bikeway projects the state proposes in Wellfleet.*

Audience member Rebecca Brodwick-Noble said this was a completely different conversation.

Wilson noted that the letter Reinhart was referring to goes with the petition written and sent to the Governor by the Concerned Citizens.

DeVasto said he wanted to clarify the location of where the request to suspend the bike trail is. He provided the Board with a map. He said everyone is in favor of getting the bike trail as far as Old King's Highway, which location does not abut Route 6. He said the problem is a public safety issue when the DCR bike trail meets the DOT-planned bikes lanes along Route 6. DeVasto said this would cause an increase in bicycle activity on the highway; as of now, the bike trail can be used by 1,000 cyclists a day. He noted that the Selectboard's draft letter is asking to suspend the planning and construction at Old King's Highway, not to halt the entire project. DeVasto noted that at the June 22 meeting, the DCR said they would find other alternatives and they have not done that but have gone forward with purchasing the land.

Reinhart said the item on the agenda tonight was to vote whether or not to send the Selectboard's letter to the Governor, and she would not take public comments.

Bacon thanked DeVasto for the materials he brought, but there was no new information that he provided. She asked where the bikes stopping at the Senior Center would then go. Bacon said the State already owns the land in the current DCR plan, which is the last 3 miles of State-owned railroad bed and asked how the Town could work with them to finish the trail. She noted the DOT's plan to place a crosswalk with a flashing light at the terminus for people to cross Route 6 and noted that Miles Tibbetts would not have died if he had a safe place to cross. A few audience members applauded in agreement with this statement.

DeVasto said the issue is not the DOT project. There was further discussion.

DeVasto said the letter requests that the "DCR suspend any further construction and planning of the Bike Trail extension beyond Old King's Highway (also referred to as Old County Road at that site) due to public safety concerns". He said this is not about the DOT project, it is about the DCR project and that DCR has not been responsive. Reinhart said the DCR is coming back in October to discuss this.

Carlson said it was common sense to see what they come back with in October. She noted an organized and passionate group of people voicing their concerns. Carlson said she spoke with Representative Peake who said this money may not come again. Carlson suggested hearing what the DCR has to say in October.

Wilson asked if the DCR and the DOT are coming back in October, noting they are both required to have a formal public hearing. Hoort said he spoke with the DOT and Reinhart has spoken with the DCR. Wilson suggested sending the letter not to the Governor, but to the DOT and the DCR. She

Approved October 22, 2019

said the Board should make some effort to contact these agencies and the State to state formally where we are with this.

Reinhart said the DCR and DOT are coming back, and she does not see the need to send this letter.

DeVasto said the letter asks that the Town have an effective role in planning this project. He said he spoke with Senator Cyr who agreed that the DCR has not been giving Wellfleet the same attention as other Towns.

The audience stated in unison that the DCR and the DOT are not coming back together.

Wilson said the DOT would be having have a meeting with abutters the next day, on October 8. She said she was concerned that not all abutters were notified. Hoort said the DOT asked to meet only with businesses that abut the planned work on Route 6.

Bacon read the proposed DRAFT letter aloud: "*Dear Governor Baker,*

*As members of the Selectboard in Wellfleet, we strive to represent the people we serve. We are writing to bring to your attention an ongoing, serious, public safety concern related to where the Department of Conservation and Recreation (DCR) has planned to create a new terminus in Wellfleet for a section of the proposed Cape Cod Rail Trail Bike Path.*

*Our town is very supportive of having the Bike Path eventually extend all the way to Provincetown and appreciates all the hard work and planning that has gone into the project. However, we do not support the current DCR plan to have the Bike Path terminate on Route 6 near one of the busiest and most congested intersections on that part of the highway. Residents and the many other people who pass along this stretch of Rte. 6 have repeatedly voiced their safety concerns at public meetings hosted by the DCR, and in smaller gatherings with DCR and DOT staff, but they feel that their reasonable considerations have been ignored. That is why we are reaching out to you.*

*On April 23, 2019 at our Annual Town Meeting, the citizens of Wellfleet voted almost unanimously in favor of Article 44, which requested **"that the Board of Selectmen, the Conservation Commission and the Planning Board consider alternate routes for the Bike Trail Extension and to ask the appropriate agencies to halt any planning or construction of the bike trail extension beyond Old County Road until those deliberations have occurred."***

*Therefore, we formally request that at this time the DCR suspend any further construction and planning of the Bike Trail extension beyond Old King's Highway (also referred to as Old County Road at that site) due to public safety concerns, before any more taxpayer money is spent on this and that the DCR works with the Town to pursue alternative routes for the Path and sites for a Bike Path terminus in Wellfleet.*

*We hope that you can help give the Town an effective role in planning this project so we can protect the safety and convenience of our citizens, our visitors and the Outer Cape residents who use this section of Rte.6 on a frequent basis. Thank you for your consideration*

*Approved October 22, 2019*

*Sincerely,  
The Wellfleet Selectboard*

Bacon noted that Article 44 was a petitioned article that is nonbinding.

- Bacon moved to send the letter to Governor Baker.
- DeVasto seconded, and the motion failed 3-2 with Reinhart, Bacon, and Carlson opposed.
- Wilson moved to send the letter to the two agencies involved, the DOT and the DCR.
- DeVasto seconded, and the motion failed 3-2 with Reinhart, Bacon, and Carlson opposed.

Carlson said she would support sending a letter that she is happy to draft, which articulates the concerns of the residents and the petition. She said there are ways that this needs to be stated that this supports a positive process. She said this comes across as cutting off a solution.

An audience member said the Town could not control the shark problem but could control the bike problem.

An audience member said to look at the current plan and look at the statistics.

***Discuss and possibly decide fate of old Shellfish Shack***

Wilson said the Historical Commission sent a letter asking to save the Shack. She noted that area would be under water pretty soon. Reinhart said “pretty soon” is 20 plus years. Wilson said the Town should not put one more penny into anything that is that close to sea level. She said that if the Commission wants to fund-raise and think of something useful to do with it, then she would support that.

DeVasto said that to do nothing will cost money too, because it will have to be torn down. He said he would like to find out what it would cost to gut the building and convert it into a changing facility for people who use Mayo Beach.

Reinhart said this gets discussed and voted on every year, noting the back-and-forth votes to keep it and tear it down. She noted that once it is gone nothing can be built in the floodplain. She suggested using it as a shade structure.

Bacon said this had been coming before her since she was elected three years ago and agreed that it has been voted on several times. She noted what Harry Terkanian stated at Town Meeting, that “it is in really bad shape, barely pinned to the foundation it is on, and is in the floodplain.” She said she is concerned with the comments on Facebook suggesting that it be turned into an artsy café, which is impossible because there is no electricity or running water there. Bacon noted that the Town would be liable if something wrong happens at the Shack. She noted two splash-overs in recent years and the amount of black mold inside the Shack. Bacon said an estimate to remove the mold and repair the structure came in at \$40,000. Bacon noted Wilson’s comments that it should be open space and agreed that nature will take its course.

Carlson said it could be practical to do a low-cost rehab so the Shellfish Department can use it. She said \$40,000 is a lowball number to get a useable structure. Carlson noted making valuable use of

the footprint and that if it is not rehabbed then it does not need to be brought up to code, which makes things easier.

Reinhart suggested forming a committee to handle the matter. Wilson said the Building Needs and Assessment Committee already provided a lot of information about the Shack. And that the Selectboard was the committee! She noted the way black mold is treated is very toxic. Wilson said that when the Shellfish Department staff was housed there, the mold issue came up, and she does not think that any employees should be using in the building. She asked that all Board members be given all information available again,

Lydia Vivante, from the Historical Commission, said she liked DeVasto's idea of making practical use of the space. She said her concern was that if it was demolished, the space would turn into more parking. Reinhart said the Town could always use more parking.

Bacon asked audience member Trudy Vermehren if she would buy a building that flooded twice, as she had been in a building that did so. Vermehren said never.

Audience member Pam Greene is in favor of saving the Shack and has prepared a proposal to use Community Preservation Funds to save it. She said she lives across the street and below the Shack and if the Shack floods, so does her home. Greene said she has formed a committee of citizens who want to save the Shack.

Wilson noted the amount of costs it takes to maintain and staff buildings. She said she does not want money spent for sentimental reasons, saying there is no real burning need to use it for. Wilson said she does not want the Town to have to pay to maintain it. She said she would like to see it as open space.

Bacon noted she does not want the liability for the Town.

Wilson asked to have full documentation from the Building Needs and Assessment Committee at the next discussion going all the way back to the first documents that came from the Committee.

Hoort said in an effort to save trees he did not include it in the packet.

Vermehren clarified her response to Bacon, saying she did not own that building. She said the Shellfish Shack was sold to the Town with the sole purpose that it remains a bathing facility, noting that this could be incorrect information from Facebook. She said when she was on the Conservation Commission, they voted not to tear it down for environmental reasons. Bacon said Justin Post, the Building Inspector, has been through the building and there are no hazardous materials. She noted that the Board has talked with Town Counsel and they said that the easements are no longer valid.

Wilson said the property, which included what is now the Old Shellfish Shack, was bought by the Town in 1931 for \$6,000 - \$1,000 was paid by the Town and \$5,000 was contributed by an anonymous donor. She noted that the deed restriction says that the whole property, which doesn't mention the shack specifically, has to be used only for recreational purposes. These purposes would include bathing.

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Audience member Sam Blakely, a shellfisherman whose grant is on Mayo Beach, said he was last in the Shack 5 years ago. He noted the frame is no good and that the foundation slab is crumbling apart. He said he would be in favor of opening up that space.

Reinhart asked the audience to send their recommendations to the Board or join Greene's committee.

DeVasto said there has been an estimate on renovating the building. He said he doubted that, if the estimate was done, that the frame was crumbling.

### ***Discuss the Blasch Superseding Order of Conditions***

Wilson said she had wanted to have an update from the Health and Conservation Agent so that the Board and the public can be aware of recent developments although the case is very much the Conservation Commission's business.

Hoort said there are two issues that the Conservation Commission made rulings on: the Wellfleet Government Protection Regulation and the Wellfleet Wetlands Protections Bylaw. The Bylaw is much more stringent than the regulation. He said the Town is hoping the Bylaw will be upheld by the courts and that is in process.

DeVasto noted a line in the Order of Conditions which states "This Superseding Order of Conditions does not relieve the applicant of the need to obtain approval of this project under and comply with the requirements of the Wellfleet Wetlands Protection Bylaw."

### ***New Selectboard Policy – Local Access Television***

Mia Baumgarten, Wellfleet Media Manager, presented the policy. Wilson asked if this was the first step in the policy process; Hoort said the Board has already completed the first step and the vote tonight was to decide if the Board wanted to adopt it. Baumgarten read a pre-written statement that said:

*"Thank you all for taking up this policy tonight. The intent of the policy is to mandate the recording of Wellfleet's regulatory boards, and I'd like to briefly outline the reasons why I believe this policy is necessary. Since I started working as Wellfleet's media operations manager last winter, I have gone to all boards and committees willing to meet with me and discussed the reasons for and process of recording. There are some who remain uncomfortable with the idea, and those who are opposed have presented three basic arguments.*

### ***The first is that no one cares enough to watch.***

*As you can see from the report I submitted, your own Board recordings average roughly two four hundred and fifty views. The two nights of Town Meeting last spring averaged over two thousand five hundred. The Community Forums average over one thousand. The Shellfish Advisory Board averages close to two thousand. We now record eleven distinct boards and committees, in addition to some other meetings of community importance, and since January first our total media views are at ninety-nine thousand, two hundred and ninety-eight.*

*These are the numbers for the town's Video on Demand streaming service. I do not have a way to collect data for Channel 18 broadcasts, but there certainly are additional viewers on traditional television.*



*For reference, Wellfleet's year-round population is about twenty-seven hundred people. So, let us assume that people are watching.*

***The second argument is that it will change the boards' process.***

*I also film meetings in Orleans. Between Wellfleet and Orleans, I have been regularly recording over 20 boards and committees for about three years, and in that time not once has anyone come up and said this is bad for our process. I'm happy to concede that it has some effect. People have said that it makes them more careful about what they say, more deliberate with their time, and more focused in what they are trying to achieve in meetings. Not once has anyone said that it was bad.*

*So, let us assume that if there is change, it's for the better.*

***The third argument is that it's unnecessary, because the meetings are already open to the public.***

*Though these meetings are open to the public, they all take place in the afternoon or evening, when the majority of Wellfleet's working residents cannot regularly attend. Wellfleet's major industries, marine commerce and tourism, are based on tidal schedules and evening shifts in food service and retail. Most service jobs are not fulltime and do not provide vacation hours. Even if a working person can afford to miss a shift—unlikely in a place where housing costs are astronomical—childcare is prohibitively expensive. Senior citizens may be more flexible in schedule but are often prevented from attending meetings in person by inability to walk or drive safely, especially in darkness or winter weather.*

*Meeting minutes record decisions and votes but cannot capture the nuances of a debate. In a recent survey of Wellfleet's full- and part-time residents regarding Comcast usage, responders were asked to rate the importance of the town's public access programming. 50% of those surveyed rated the town's public access programming as a "very important" service. 20% rated it "fairly important," 15% "slightly important," and 10% "not important."*

*All fifteen towns on the Cape have an active public access media program. The vast majority record and broadcast their regulatory boards. There are only three towns without posted policies or mandates addressing their public access television guidelines: Yarmouth, Mashpee, and Wellfleet. There are only four towns not to record their Conservation Commission: Yarmouth, Sandwich, Bourne, and Wellfleet. There are only two towns not to record their Board of Health: Sandwich and Wellfleet. There is only one town not to record its Planning Board: Wellfleet.*

*Regulatory boards by definition make decisions which affect Wellfleet's land use, taxpayer revenue, public bylaws, long-term plans, or some combination thereof. If a citizen is not able to attend in person, the only substitute is watching an unedited recording. And in 2019, given the constraints of schedules, geography, and socioeconomics, not allowing access to information via television or Internet is the prohibition of public access.*

*So, let's assume that making the information of these meetings freely and readily available is necessary. There is a lot of public interest in this issue, and if you choose not to approve it tonight, I expect it will probably return at our next Town Meeting as a citizen's petition, and we will have the debate again. Tonight, you have the opportunity to codify not only the recording of Wellfleet's regulatory boards, but the structure and use of Wellfleet's public access media for the future.*

*Thank you and please feel free to ask any questions.”*

Carlson thanked Baumgarten and said her passion comes through. She said she has heard from a number of committees who feel their concerns about how they run their boards are not being heard; some of them don't wish to be recorded by camera. Carlson said she was concerned that there was not feedback from the Committees in the proposal. She also addressed concerns about the number of hours being filmed and competitive programming, saying that when more programs are added ratings go down. Baumgarten said that she would not record non-regulatory meetings, if this policy passed, to make room for all regulatory boards. Carlson said she counted 30 hours of meetings being recorded. She suggested not making the policy mandatory.

Baumgarten noted that Boards and Committees were shown the policy, when it was first brought to the Board in June. She said the concern about competitive programming is not a big one, because most people are not watching the recordings in full, but rather watching for items they are interested in. Baumgarten noted she only has data for the online recordings, not the cable TV broadcasts.

Bacon thanked Baumgarten for all her efforts. She asked Baumgarten which regulatory boards are not being filmed; Baumgarten said the Board of Health, the Conservation Commission, the Planning Board and the Board of Water Commissioners – so 4. Bacon noted that she can't get to all the meetings in a week and if she can access a Conservation or Planning Board meeting online it is helpful. She said these are regulatory boards serving the Town and residents of Wellfleet and there needs to be transparency and public trust. Bacon said that by filming them the Town would be trying to deliver on that. She said she is for this policy.

Wilson said technically that everyone on regulatory boards and other committees' jobs are special municipal employees according to the State. She said the accountability of being filmed is important and is the best record of what a committee does. Wilson noted a change in the Charter that calls all Boards, Commissions, and Committees, simply “committees.”

DeVasto asked Baumgarten if this applied to meetings held in Executive Session. Baumgarten said it does not and she could include that language. There was discussion of which rules apply to Executive Session. Wilson suggested changing the word from “public” to “open” in the policy.

There was further discussion.

DeVasto said he was concerned that it was hard to get people to serve on these boards as it is. He said a primary reason he considered not running for Selectmen was because he would be recorded, but he has gotten used to it. DeVasto said he would hate to see someone who could add a lot of value to a committee not offer to serve because of this policy. He noted the potential for having fewer people attend meetings when they could watch them at home. Wilson noted that in 2003, when the then Board of Selectmen started having their meetings televised, that it didn't seem to make a difference. The audience remained about the same. She had been going to BOS meetings for about 4 years before that.

Audience member Tim Sayre asked about ADA compliance. Baumgarten said she does not have the funding to pay for closed captioning. Sayre cautioned the Board about potential lawsuits that could arise because of this and suggested the Board check on this issue prior to filming more meetings. Baumgarten said she has looked into this service and that it is in the \$10,000-\$50,000 range. She said she would contact other towns on Cape to see how they handle this. Sayre said he could get information from the town in Florida where he serves as an elected official.

Vermehren agreed with DeVasto's comments that recording the meetings does up the stakes a bit. She said she is in support of recording the regulatory boards.

Reinhart noted that Baumgarten, and the media department, is paid from the Comcast Receipts Fund. She asked Baumgarten if she was able to record everything, how much of the receipt funds would be used. Baumgarten said there is a reserve fund of about \$74,000 and there would be plenty of funds to pay herself and the other staff. She also noted that if she began recording all regulatory boards, she would probably stop filming other committees to accommodate staff time.

Reinhart asked if any committees had responded to the proposed Policy. Hoort said there were a few committees that responded, and he made a mistake by not including those comments in the packet. He also said the Board could postpone their vote until further information about closed captioning is provided.

Reinhart said she would like to see those comments from committees. She also noted sensitive personal matters can arise in these meetings, such as discussing homeowner properties.

Carlson said this would be a change and that it's good to roll change out slowly to let people become more comfortable. She suggested allowing committees the option to decide which meetings are recorded.

Baumgarten said she *has* been rolling this out. She said the Water Commissioners agreed to have only important meetings recorded but so far have not asked her to do so. Baumgarten noted that when she began 10 months ago only 3 committees were being covered and now 11 are. She said she takes the committees' concerns into consideration.

Bacon said she feels that, as regulatory boards doing business of the Town, they should be video-recorded. She said she is all for this policy. She said Baumgarten has been very mindful, compassionate, and gentle in the way she has gone about this.

There was further discussion.

The Board postponed a vote that the policy recommended by the Cable Advisory Committee is worthy of formulation as a policy until further information regarding closed captioning is provided.

***Request from Arbor Committee to plant trees at Memorial Park***

Tim Callis and Trudy Vermehren, from the Wellfleet Arbor Committee, presented the request to plant two trees along the sidewalk, parallel to the Memorial Park.

Reinhart said it is noticeably bare in that area and she is glad this request is coming forward, referring. Callis said the planting bed is about 5' wide (he'd measured it) and the root balls are approximately 20 inches across.

Bacon asked if this was the same tree whose placement in front of Town Hall was proposed at an earlier meeting. Vermehren said no. Bacon asked if the tree is likely to buckle the sidewalk as it matures. Vermehren said they are looking at trees that are least likely to do that (proper siting and planting helps with this) and that are disease and pest resistant. She said their committee has also reached out to the LeBart family, who is in charge of the Live for Lou Memorial Park, and they are in support of the planting. The WAC is asking the LeBarts if they would be willing to help pay for the irrigation of the trees.

Bacon noted the amount of shade provided on Martha's Vineyard compared to Wellfleet was astounding. She noted the value having trees adds to a village center.

Callis said that the Latin name of this tree is *acer rubrum* also known as "swamp maple".

There was further discussion.

- Wilson moved to approve the request of the Wellfleet Arbor Committee to plant 2 *acer rubrum* Red Maple trees at the Memorial Park along Main Street, on the level of Main Street.
- Bacon seconded, and the motion carried 5-0.

## **SELECTBOARD REPORTS**

- Carlson said she attended the Cape Cod & Islands Water Protection Fund Board meeting and that there was a report on the receipts gathered from the tax. She said the amount for the first month recorded, July, was for \$2.9 million. She will bring further information to a future meeting.
- DeVasto said there is a meeting tomorrow, October 8<sup>th</sup>, at 8AM, hosted by the Shellfish and Harbormaster's Departments with Wellfleet shellfishing boat owners to discuss new FDA requirements concerning the harvesting of shellfish in marinas. Information is on the Town website.

## **TOWN ADMINISTRATOR'S REPORT**

This report is for the period September 21, 2019 through October 4, 2019.

1. General
  - Request for Bids for the pavilion at Baker Field, due October 16<sup>th</sup>
2. Fiscal Matters
  - FY 2021 Capital Improvement Plan delivered to BOS and FinCom
  - FY 2021 Budget in progress
  - Finalizing submission of FY 2020 tax rate materials
3. Meetings
  - September 24 – Board of Water Commissioners Chair
  - September 24 – Resident regarding COMCAST coverage
  - September 24 - Selectboard meeting

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- September 25 – FinCom meeting (cancelled for lack of quorum)
  - September 26 – Discussion of economic vitality efforts in Town
  - September 27 – Housing Roundtable discussion in Provincetown
  - September 27 – Dredging meeting with Secretary Kennealy
  - September 30 – Selectboard meeting
  - October 2 – Cable Advisory Board Chair
  - September 11 – Meeting on phone system update
  - September 16 – Staff planning meeting
  - September 17 – Site visit to inspect tennis courts
  - September 19 – WEA negotiations
4. Complaints.
- none
5. Personnel Matters:
- none

#### **TOPICS FOR FUTURE DISCUSSION**

- Wilson asked to have a process formalized for tracking incoming correspondence.
- Wilson asked to discuss digitizing archived materials going all the way back.
- Reinhart asked to discuss the Recycling Committee's request to discuss a ban on "Nips and Single Use Water Bottles".
- Reinhart asked to discuss a petition that is circulating in opposition to House Bill 746 "An Act Relative to Shellfish Aquaculture Licenses"
- Bacon asked to discuss the Shellfish Shack

#### **MINUTES**

***September 24, 2019***

Wilson provided amendments to Butler and the Board.

- Wilson moved to approve the minutes of the September 24, 2019 as amended.
- Bacon seconded, and the motion carried 5-0.

#### **ADJOURNMENT**

- Wilson moved to adjourn.
- Bacon seconded, and the meeting adjourned at 9:46 pm.

Respectfully submitted,

Courtney Butler,  
Secretary

#### **Public Records Material as of 10/03/19**

1. Appointment papers for Lt. Michel Hurley
2. Town Accountant Contract
3. Agenda placement request from the Energy and Climate Action Committee
4. License Agreement with Thomas J. Siggia and Cathy G. Siggia

*Approved October 22, 2019*

5. Draft letters to Governor Baker from the Selectboard and cover letter from the Wellfleet Concerned Citizens.
6. Local Access Television Draft Policy
7. Request from Arbor Committee
8. Town Administrator's Report
9. Draft minutes for September 24, 2019