

**Wellfleet Selectboard Meeting
Friday, February 28, 2020 at 1pm
Wellfleet Senior Center**

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

Also Present: Town Administrator Dan Hoort; Executive Assistant Courtney Butler; Police Chief Michael Hurley; Assistant Town Administrator Mike Trovato; Community Services Director Suzanne Grout Thomas; Harbormaster Mike Flanagan

Chair Reinhart called the meeting to order at 1:00 p.m.

ANNOUNCEMENTS, OPEN SESSION AND PUBLIC COMMENTS

- Bacon shared the news of the passing of Helen Purcell, a longtime resident and active community member.
- Audience member Denny O'Connell, from the Wellfleet Conservation Trust, announced that the Trust will be holding a concert on April 22 at 530 at Preservation Hall to celebrate the 50th anniversary of Earth Day. The event is free.
- Audience member David Agger asked the Board to reconsider offering health insurance benefits for Selectboard members.
- Chief Hurley reminded the audience about the new Hands-Free law that is in effect.
- Chief Hurley announced that the department will be participating in a Polar Plunge on March 14 at Red River Beach in Harwich and more information can be found on the Department Facebook page.
- Wilson announced that early voting is available at the Town Clerk's office until 4PM today.

PUBLIC HEARINGS

Two-day beer and wine license for Wellfleet SPAT on October 17 & 18, 2020

SPAT members Michele Insley, Gisele Gauthier, Nancy O'Connell, and Lisa Brown were present. Carlson asked if SPAT was working closely with the Police and Fire Departments, as they stated they would be at a previous meeting. Chief Hurley said that SPAT public safety team has been doing great work to improve upon last year's Fest. Bacon asked who the new security firm is; Chief Hurley said it is Green Mountain Concert Services, who he has vetted them through other Chiefs. Bacon asked how many personnel they could provide; Chief Hurley said 20-25.

DeVasto asked if there was going to be an additional beer tent, beside the one in the Town Hall parking lot. Insley said yes, they are proposing to rearrange the Fest and have a second beer tent across from Preservation Hall. DeVasto said he would be in favor of this, having been in the crowded beer area in previous years. Chief Hurley said this second area would provide a less chaotic space, compared to the larger event area behind Town Hall.

Complete plans are available in the packet for this meeting on the Town website as part of the application.

- Wilson moved to approve a two-day beer and wine license for Wellfleet SPAT in a secure and contained area located in the Town Hall parking lot on October 17 & 18, 2020 from 10

am to 5 pm each day, with a condition that alcohol will not be served after 4:30pm and alcohol will not be drunk after 5pm.

- Carlson seconded, and the motion carried 5-0.
- Wilson moved to approve a two-day beer and wine license for Wellfleet SPAT in a secure and contained area located in the parking lot, owned by the Town, across street from Preservation Hall on October 17 & 18, 2020 from 10 am to 5 pm each day, with a condition that alcohol will not be served after 4:30pm and alcohol will not be drunk after 5pm.
- Bacon seconded, and the motion carried 5-0.

Use of Town Owned Property – Town-wide, October 17 & 18, 2020 – SPAT

- Bacon moved to approve the use of Town-owned property for Wellfleet OysterFest on October 17th and 18th, 2020 subject to the conditions, if any, as listed on the application form for a fee of \$3,000.
- Wilson seconded, and the motion carried 5-0.
- Bacon moved to approve the use of Town-owned property for Wellfleet OysterFest on October 13^h through 19th, 2020 subject to the conditions, if any, as listed on the application form for a fee of \$3,000.
- Wilson seconded, and the motion carried 5-0.

DISCUSSION OF SEARCH FIRM FOR TOWN ADMINISTRATOR

Tom Groux and Rick White, of Groux-White Consulting presented first. White said that he and Groux both have extensive experience in municipal government, working as Town Administrators of Dennis and Chatham respectively. Reinhart noted that the Board had a chance to read their proposal.

Wilson, noted that she worked with Groux during a previous Town Administrator search. She asked how many times he has served with Wellfleet in this capacity; he said he has worked with the Town 4 times previously. Groux provided the Board with a study the Town asked him to conduct in 2004 that focused on administrative services. Reinhart thanked both gentlemen for coming. Bacon noted the use of the word “rolodex” in their proposal and commented on the term being antiquated. Carlson asked Groux and White to summarize their proposal, what they see as the top 3 challenges for Wellfleet, and what it would take for the Town to recruit and retain a Town Administrator who will stay for a long time. White said the Cape communities have a unique character that requires something from a Town Administrator that a lot of people don’t have including affability, relatability, and being able to produce a product. He noted this was a difficult mix and noted the demands of the 2 seasons – summer and winter – and that an Administrator needs to be inventive and adaptable to survive on the Cape for a long time. White said he and Groux would do a “deep dive” into the Town to determine the characteristics of the Town and the demands of the Town. White also said they meet with staff, the community, and the Selectboard to gather information on how to recruit and who they recruit. White said they also provide a guarantee of 18 months, saying that if the selected candidate does not work out, the next search is free. White discussed how his and Groux’s previous managerial roles helps them in their search and they keep candidate names held closely, without releasing names to the press until appropriate.

Wilson asked the cost; White noted the proposal price is in the proposal and it is \$8,920.

Bernard Lynch and Sharon Flaherty, from Community Paradigm, presented second. Lynch handed out two documents to the Board – a timeline and a page reflecting what sets Community Paradigm apart. Lynch described his background, noting that he has been a Town and City Manager in Massachusetts previously, and that Flaherty has a background in journalism.

Lynch listed the other Cape towns with which he has worked, including Provincetown, Bourne, Brewster and currently Truro. He also noted that they will prepare a detailed position statement, conduct stakeholder engagement, and advise beyond recruitment. Lynch discussed the current market challenges in hiring Town Administrators across the State, and on the Cape, that his firm has the ability to work with and will work to sell the community to the candidates.

Bacon asked where their office was; Lynch said Plymouth. Bacon asked Lynch if they were currently under contract with Truro; Lynch said yes and that he thought this could benefit Wellfleet; Bacon disagreed. Bacon said she wanted a candidate who would be here for at least a dozen years, and asked Lynch his thoughts on the market in regard to that. Lynch said most candidates most candidates indicate they hope to stay in the position for 5-10 years, and that most Town Administrators last for 5-7 years. In regard to Truro, Lynch said that the Wellfleet is behind Truro in regard to timing, but that candidates who applied for Provincetown and will apply for Truro, they will talk to those candidates as well for Wellfleet. Bacon asked that Lynch and his team talk with the current Town Administrator during their work; Lynch said that would be an absolute.

Carlson asked how many people are in the firm; Lynch said there are 9, but Wellfleet will work with 3-4 people from Community Paradigm. Carlson asked who the Town would get attention from; Lynch said himself and Flaherty for sure. Wilson asked if 1 person from the firm would be showing up for each pre-screening committee meeting, and if it would be the same person; Lynch said both he and Flaherty would show up at every meeting, but it could possibly only be one of them, but one of them will always be there for each meeting. Wilson asked the price; Lynch said the proposal is \$9,500 plus advertising which is generally done through Mass Municipal Association and the International City Managers Association as well as free resources, which would cost about \$700. Wilson asked Lynch if his team would interview the Selectboard; Lynch said yes, as well as Department Heads. DeVasto noted that he felt good with both proposals and that he called for references and does not have any questions at this time.

Lynch addressed the Town's desire to use a screening committee, noting that he watched the last meeting where that was discussed, and said 5-7 members was a good number.

- DeVasto moved to hire Community Paradigm Associates, LLC as the recruitment agency.
- Bacon seconded, and the motion carried 5-0.

BOARD/COMMITTEE AND OTHER APPOINTMENTS

Approval of employment contract for Police Lieutenant

Chief Hurley presented Sergeant LaRocco as his nomination for Lieutenant. He noted that LaRocco has served in Wellfleet for 12 years. Chief Hurley noted there were two other Sergeants in the interview process for Lieutenant and read a letter from one of those two who thanked the Department for their consideration and conducting of the process.

Wilson thanked LaRocco for staying with the Town. DeVasto asked LaRocco why he changed his career, from Dispatch, to Police Officer. LaRocco noted he did not have children and a family at that time.

- Bacon moved to approve the promotion of Sergeant Kevin LaRocco to Lieutenant and authorize the Town Administrator to sign the employment contract.
- Wilson seconded, and the motion carried 5-0.

Appointment of Special Police Officer – Alex Flaxman

Chief Hurley noted that Flaxman was not present as he was attending the Academy.

Carlson said she thought Flaxman would be a great addition after reading his resume.

- Wilson moved to appoint Alex Flaxman as a Special Police Officer for the term beginning May 11, 2020 and ending June 30, 2021.
- Bacon seconded, and the motion carried 5-0.

Planning Board (alternate) – Olga Kahn

Reinhart asked Kahn if she was applying as an alternate or a regular member, noting that member Beth Singer did not intend to vacate her position but did miss 4 consecutive meetings. Kahn said she has been on the Planning Board previously and has also served on the

Gerry Parent, Chair of the Planning Board, noted that the Planning Board will be back to a full board, with 7 members upon the return of Singer. He noted the addition of 2 alternates during the 2018 Charter change at the Annual Town Meeting that year. Parent said that he and the Planning Board does not need an alternate member, or two for that matter. Parent also questioned the role of an alternate on a committee.

Wilson noted that alternates have the same set of requirements as regular members: they must attend meetings and can only be used under certain circumstances. She noted the concern and reason for updating the Charter was because the Planning Board did not always have quorum. Wilson said the Board is obligated to provide alternates if someone offers. Wilson noted that Singer vacated her position by missing 4 meetings over a period of more than 30 days; she said this was not the same thing as David Mead-Fox. Both Singer and Mead-Fox missed 4 meetings, and the Planning Board sent the Selectboard a letter after Mead-Fox missed his 4th meeting and was then reappointed to his position. There was further discussion of the matter.

Bacon asked Parent how many meetings they had to cancel due to lack of quorum over the winter months; Parent said he did not believe any but was not sure and would have to ask the Secretary. Bacon said she was in favor of Kahn and appreciated her stepping forward.

Carlson noted that when she served as Chair of the Water Commissioners, they decided having alternates would be advantageous. There was further discussion.

- Bacon moved to appoint Olga B. Kahn as an alternate member to the Planning Board for a term ending June 30, 2023.
- DeVasto seconded, and the motion carried 4-1, with Carlson opposed.

Appointment of Jennifer Congel as Town Clerk and approval of contract

Hoort noted that he is the appointing authority, not the Board, and so he is only requesting that the

Board approves Congel's employment contract. Carlson asked if Congel would still be able to attend the trainings she has been attending.

DeVasto asked if the position was open to all applicants or if the position was promoted from within; Hoort said Congel was promoted from within because she was serving as the interim after Joe Powers left. DeVasto said he felt that this position, and all others, should be open to the public. Bacon asked if there was an Assistant Town Clerk; Hoort noted that Rebekah Eldridge was serving as part-time Assistant Town Clerk. There was further discussion.

- Bacon moved to appoint Jennifer Congel as the Town Clerk, to approve the employment contract, and authorize the Town Administrator to sign the contract.
- Wilson seconded, and the motion carried 5-0.

USE OF TOWN PROPERTY

Mayo Beach, May-October 2020 – John Kondratowicz

Kondratowicz asked for the use of town property for a kayak rack, similar to the current rack, at Mayo Beach, but placed further down Kendrick Avenue. There was discussion of the location of the potential rack. Community Services Director Thomas said she was aware of this request

Bacon asked to clarify that this would privatize the use of the rack; Kondratowicz said yes. DeVasto said he does not have a problem with the rack but does have an issue with them not being managed by the Town or opened to the public. Wilson opposed the proposal, noting that the resource should be protected.

Carlson asked Thomas if she supported the rack in this location and the proposal; Thomas said yes and she met with Kondratowicz and the Health and Conservation Agent who said there would need to be environmental approval if this was approved, as with all the other racks. Harbormaster Flanagan supported the proposal, saying it would enhance the public access to the waterways. There was further discussion of the proposed use, location, and openness of the rack to the public.

- Bacon moved to approve the use of Mayo Beach by John Kondratowicz from May through October 2020 subject to the conditions, if any, as listed on the application form for a fee of \$110.
- Carlson seconded, and the motion failed 5-0.

Town Hall, May 25, 2020 – Lewis Anujar/American Legion

Lewis Anujar and Steven Puffer, from the American Legion, were present. This is an annual event.

- Wilson moved to approve the use of Town Hall Lawn by Lewis Anujar, of the American Legion, on May 25th, 2020 subject to the conditions, if any, as listed on the application form.
- Carlson seconded, and the motion carried 5-0.

Town Hall Driveway, May 23, 2020 – Karen Kaminski/Wellfleet Gardeners

Karen Kaminski, of the Wellfleet Gardeners, presented the request. The Plant Sale is an annual event.

- Bacon moved to approve the use of Town Hall Driveway by Karen Kaminski/Wellfleet Gardeners on May 23, 2020 subject to the conditions, if any, as listed on the application form.

Approved March 24, 2020 - A full recording of this video is available through the Town's video archive.

- DeVasto seconded, and the motion carried 5-0.

Baker Field, August 17-21, 2020 – Mo Abarak/Challenger Sports

Mo Abarak, from Challenger Sports was present. He has held his summer camp at Baker Field for many years.

- Bacon moved to approve the use of Baker Field by Mo Abarak/Challenger Sports during the period of August 17-21, 2020 subject to the conditions, if any, as listed on the application form for a fee of \$525.
- Carlson seconded, and the motion carried 5-0.

Grass Strip at Mayo Beach, Thursdays, July & August – Deirdre Oringer/Wellfleet Artist Market

Deirdre Oringer and Lisa Brown, of the Wellfleet Artist Market, presented their request. In the past, this event was held at the Congregational Church, but that location is no longer ideal. The Board was in favor of the Artist Market itself, but not in favor of the location. The application was withdrawn, no action taken.

LICENSES

Common Victualler: Bookstore & Restaurant, Bob's Sub & Cone, JB's Pizza Bar & Grill

- Bacon moved to renew the Common Victualler Licenses for the Bookstore & Restaurant, Bob's Sub & Cone, and JB's Pizza Bar & Grill.
- Carlson seconded, and the motion carried 5-0.

Weekly Entertainment: Bookstore & Restaurant, The Wicked Oyster

- Bacon moved to renew the Weekly Entertainment Licenses for the Bookstore & Restaurant and the Wicked Oyster.
- DeVasto seconded, and the motion carried 5-0.

Automatic Amusement: Bob's Sub & Cone

- Bacon moved to renew the Automatic Amusement License for Bob's Sub & Cone.
- Wilson seconded, and the motion carried 5-0.

BUSINESS

Presentation by Parking Task Force

Denny O'Connell and Joe Aberdale, of the Task Force, made the presentation. Their presentation materials can be accessed online in the meeting packet on the Selectboard page. In summary, they went over the results from their survey conducted this past fall. O'Connell also discussed goals, which can also be found in the packet online.

Spring Tax Bill Insert – Department of Public Works

Bacon explained the insert, which is for the Notice of Re-inspection of Private Paved Roads for Winter of 2020-2021 by the Department of Public Works. Re-inspection will begin in April 2020. Deficiencies, if any, will be posted on the Town website by June 5, 2020 and residents will have until October 2, 2020 to address and correct the issues. This insert will be in the 2020 Spring Tax Bill, which will be issued April 1st.

- Bacon moved to approve the spring tax bill insert for the Department of Public Works.
- Carlson seconded, and the motion carried 5-0.

New Selectboard Policy – Local Access Television

Deborah Magee, member of the Cable Advisory Committee, cited the work of the group and asked for a vote from the Board today. Wilson said she loved it and suggested the Board vote; she asked for a change, under II: Content, A. to remove “current” and change “is as follows” to “includes”. Reinhart asked to add “political” to be added to the list of prohibited advertisements. Reinhart said she still disagrees to enforce all committees and boards to be videotaped. Magee said Executive Session would not be taped, but that if not in Executive Session it is an open meeting, and anyone can show up to them. Carlson said that a lot is asked of volunteers already and that it is reasonable to ask for a grace period of 3 to 5 years for a transition into taping meetings. Carlson said she would like to see Town program include things beyond board and committee meetings.

DeVasto said he was all for transparency but that he airs on the side of caution with Carlson. He said he would not mind a policy that asks the committees to vote each year to decide if they would like to be taped or not. Audience member Fred Magee said that the Finance Committee had these same concerns and they turned out to not be an issue in the end, he said the recording of the meetings has not affected the Finance Committee adversely.

Bacon said she was in favor of this and that any regulatory board that is doing the Town's business should be taped. She said there are a fair number of residents who cannot get out and attend meetings. Wilson said that in her opinion, there has been a grace period. Carlson said if the technology leads to better meetings and outcomes then leave it up to the committees to decide.

- Bacon moved that the Board vote that the policy recommended by the Cable Advisory Committee, is worthy of formulation as a policy as presented and amended.
- Wilson seconded, and the motion failed 2-3, with Reinhart, Carlson, and DeVasto opposed.

Discussion of Meeting Start Time [Chair]

- Carlson moved to start the meetings at 6PM until May 1, 2020.
- DeVasto seconded, and the motion carried 5-0.

SELECTBOARD REPORTS

- Carlson: has enjoyed serving as the Board liaison to SPAT

TOWN ADMINISTRATOR'S REPORT

This report is for the period February 8, 2020 through February 21, 2020.

1. General
 - Primary focus is on completing the ATM warrant.
 - Working on daycare and hearing assisted devices for town meeting.
2. Fiscal Matters
 - Secondary focus is getting free cash certified by Dept. of Revenue.
3. Meetings
 - February 10 – Discussion about property ownership with resident
 - February 11 – Selectboard meeting
 - February 12 – Dredging Task Force meeting
 - February 13 – Comcast contract renewal meeting

- February 17 – Holiday
- February 19 – Department Head staff meeting
- 4. Complaints.
 - None, other than usual
- 5. Personnel Matters:
 - Received two proposals for Town Administrator consultant search.

TOPICS FOR FUTURE DISCUSSION

- Bacon: Town Administrator Search Committee – David Mead-Fox and David Agger
- Wilson: Appoint Town Administrator Search Committee
- Wilson: fuel tanks at the Marina
- Wilson: Marijuana policy
- DeVasto: derelict buildings in the commercial zone
- Reinhart: Chatham liquor license regulations
- Hoort: March 9, Cape Cod Commission Herring River hearing
- Hoort: March 10, DCR/DOT bike path
- Hoort: Executive Session from 2/25 rescheduled to 3/10

CORRESPONDENCE AND VACANCY REPORTS

- Wilson noted an email from Beth Singer that came into the Board on February 28 and said that she replied independently and included language from the Charter.

MINUTES

Wilson provided amendments to the minutes for the record.

- Bacon moved to approve the minutes of February 11, 2020 as amended.
- Wilson seconded, and the motion carried 5-0.

ADJOURNMENT

- Bacon moved to adjourn
- Wilson seconded, and the meeting adjourned at 5:15pm.

Respectfully submitted,

Courtney Butler
Secretary

Public Records Material as of 2/28/2020

1. 2004 Study prepared by Tom Groux for the Town of Wellfleet;
2. Community Paradigm presentation materials – updated proposal timeline and Community Paradigm Difference sheet;
3. Public Hearing Papers for Wellfleet SPAT;
4. Proposals from Groux-White and Community Paradigm for Town Administrator search;
5. Employment Contract for Lt. LaRocco;
6. Appointment Papers for Special Police Officer Alex Flaxman;
7. Appointment Papers for Olga Kahn;
8. Employment Contract for Jennifer Congel;

Approved March 24, 2020 - A full recording of this video is available through the Town's video archive.

9. Use of Town Property Applications from SPAT, John Kondratowicz, Mo Abarak, Karen Kaminski, Deirdre Oringer, and Lewis Anujar;
10. License renewal information from Principal Clerk;
11. Presentation materials from the Parking Task Force;
12. Spring Tax Bill insert from the Department of Public Works;
13. Draft Local Access Television Policy;
14. Email from Courtney Butler to Janet Reinhart, re: Meeting Start Time and 2020 meeting schedule;
15. Correspondence and Vacancy Reports;
16. Draft and amended minutes of February 11, 2020 meeting.