

*Approved August 11, 2020 – A full audio recording of this virtual meeting can be found on the Town's website under Wellfleet Town Media.*

**Wellfleet Selectboard Meeting  
Tuesday, July 28, 2020 at 7pm  
Zoom Virtual Meeting**

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

**Also Present:** Town Administrator Dan Hoort; Executive Assistant Courtney Butler; Police Chief Michael Hurley; Fire Chief Rich Pauley; Moderator Dan Silverman; Town Accountant Gene Ferrari; Health Agent Hillary Greenberg Lemos; Shellfish Constable Nancy Civetta; Community Services Director Suzanne Thomas; DPW Director Mark Vincent; Elementary School Principal Mary Beth Rodman

Chair DeVasto called the meeting to order at 7:00 p.m. This meeting was held via Zoom and the recording is available on the Town website.

**ANNOUNCEMENTS, OPEN SESSION AND PUBLIC COMMENT**

- Curley announced that the website is not being indexed correctly via Google, so to please use the Town website directly to find information.
- Wilson said the last day to register to vote is on August 21<sup>st</sup> and to please see the Town Clerk for more information.
- Audience member Jim Hood spoke to Article 10 in the Annual Town Meeting Warrant, which is with regard to the Water System Upgrade.
- DeVasto announced that the Board of Health will be hosting a pop-up testing site for food service workers. The clinic will be held in Harwich and those interested are asked to please contact the Health Agent to schedule a time for testing – it is by appointment only.
- Carlson thanked Fire, Rescue, Police, Health, and Beach departments for their efforts in getting us all through the summer season. She also thanked businesses for their cooperation in these efforts.

**PUBLIC HEARINGS**

***Transfer of Shellfish Grant #s 95-17 and 95-18 from Jon Nordahl and Michael Seiser to Jon Nordahl, Michael Seiser and William Barrio***

DeVasto recused himself. There was no discussion.

- Wilson moved to transfer shellfish grant #s 95-17 and 95-18 from Jon Nordahl and Michael Seiser to Jon Nordahl, Michael Seiser, and William Barrio, as recommended by the Shellfish Constable.
- Curley seconded, and the motion carried 4-0, with DeVasto recused.

***Overwintering regulation changes sections 7.19.5. Overwintering of Equipment on Grants and 7.19.6. Fines for Gear Violations***

DeVasto recused himself. Wilson said the Shellfish Advisory Board worked closely with the Shellfish Constable on this and the end result took time, but was worth the time. Carlson thanked Civetta for her thoroughness and cooperation with the Shellfish Advisory Board.

*Approved August 11, 2020 – A full audio recording of this virtual meeting can be found on the Town's website under Wellfleet Town Media.*

- Wilson moved to approve the changes to section 7.19.5, Overwintering of Equipment on Grants, Section 7.19.6, Fines for Gear Violations, and Appendix D, of the Wellfleet Shellfish Regulations as recommended by the Shellfish Constable.
- Carlson seconded, and the motion carried 4-0, with DeVasto recused.

### ***Town Meeting Quorum Reduction***

Wilson said she spoke with the Town Clerk and Moderator and clarified that voters have up until 20 days prior to Town Meeting to register, so the motion as worded with “currently registered voters” should be amended to strike currently. DeVasto noted that this does not limit the amount of people who can be at Town Meeting but reduces the number needed to hold the meeting.

- In accordance with Massachusetts Bill S.2680, An Act relative to municipal governance during the COVID-19 Emergency, **Wilson moved** to reduce the quorum for the 2020 Annual Town Meeting from six percent (6%) of registered voters of the Town to one hundred (100) registered voters of the Town as of 20 days before the Annual Town Meeting.
- Reinhart seconded, and the motion carried 5-0.

### **COVID-19 UPDATES AND RECOMMENDATIONS**

#### ***Approval of 1/12<sup>th</sup> budget for August***

- DeVasto moved that the Selectboard approve the Town Administrator's FY21 1/12<sup>th</sup> Budget Plan for the month of August in the amount of \$2,645,687 to be submitted to the Department of Revenue per Section 5 of An Act to Address Challenges Faced by Municipalities and State Authorities Resulting from COVID19, Chapter 53 of the Acts of 2020.
- Carlson seconded, and the motion carried 5-0.
- DeVasto moved that the Selectboard approve the Town Manager's FY21 1/12<sup>th</sup> Enterprise Fund Budget Plans for the month of August in the amount of \$61,500 for the Marina Enterprise Fund and \$28,600 for the Water Enterprise Fund to be submitted to the Department of Revenue per Section 5 of An Act to Address Challenges Faced by Municipalities and State Authorities Resulting from COVID19, Chapter 53 of the Acts of 2020.
- Reinhart seconded, and the motion carried 5-0.

### ***Beach Parking***

Curley asked Thomas what the parking capacity has looked like since the end of June; Thomas said the 25% reduction in parking at Newcomb and LeCount Hollow are working well except on fair-weather, mid-tide days. She said this became a safety issue and so she declared that there would be no waiting at all at McGuire Landing, and she thanked the DPW for their assistance in making a sign.

Curley said that it would not be appropriate to increase capacity at these lots, and instead suggested extending the sticker season to later in September, as well as requiring masks in the parking lot. Lemos said that masks are required, if you cannot maintain the 6 feet of social distance, it is not optional. Curley said that people were not abiding by this rule. Carlson said these were thoughtful inputs from Curley, and very useful. She said extending the sticker season seemed right.

Wilson said the goal was to reduce the amount of people on the beach, hence the reduced parking, and another way to enforce is shuttle busses. She was concerned that the busses were not transporting people at 50% capacity, as stated in the Governor's guidelines. She noted that the busses are licensed by the State, not the Town, and suggested contacting the companies

*Approved August 11, 2020 – A full audio recording of this virtual meeting can be found on the Town's website under Wellfleet Town Media.*

immediately asking them to comply or noting that the Town would contact the State. There was further discussion about beach parking and visitation.

Lemos advised everyone to wear a mask, even around friends and family, to prevent the spread of the disease. Lemos also said that the Town's COVID-19 "Enforcer" from Barnstable County is working around Town and has not received any complaints, nor has she seen a large amount of non-compliance. She clarified that vehicles for hire, such as motor coaches and Ubers, does not apply to the busses that are dropping people off, however she has spoken with the companies and they are riding at 50% capacity.

Carlson, with regard to busses dropping people off at the beaches, said that a friendly letter from the Town reminding them how to operate would not be a bad thing to do. Curley asked Thomas if extending the sticker season through September 27, when she would want that action approved; Thomas said it would need to be approved at their next meeting so that she can coordinate staffing.

## **USE OF TOWN PROPERTY**

### ***Maguire Landing Parking Lot on various dates – Heather Doyle***

Doyle, of Cape Cod Ocean Community, explained her request for Use of Town Property. Curley asked Thomas about her comment on the application, which was that the group not raise funds on Town Property. Thomas noted that the group could fundraise if they paid a higher fee. Doyle said that this is just informational, and they do not need to do any fundraising. DeVasto said he would be willing to waive the fee and have it just be informational.

Wilson thanked Doyle for properly applying for use of town property and recommended sticking to the fee schedule. There was further discussion about location and safety. Reinhart was concerned about having an informational booth at the beaches during the busiest part of the season and during the pandemic. DeVasto noted that all the necessary department heads approved the application. Thomas recommended the site at Maguire Landing.

- Reinhart moved to approve the use of Maguire Landing Parking Lot by Heather Doyle on August 8, August 29, and September 5, 2020, pending discussion with the Beach Administrator, 3 hours each day, subject to the conditions, if any, as listed on the application form for a fee of \$110.
- Wilson seconded, and the motion carried 4-1, with Carlson opposed.

### ***Lt. Island Bay Beach on August 6, 2020 from 430-5PM – Jennie Chavis and Rich Mullin***

The applicants were not on the call; DeVasto said that the Department Heads approved it and he is OK with approving the request as well. Wilson asked that the group be informed they need to be split up into smaller groups to allow social distancing. There was further discussion.

- DeVasto moved to approve the use of Lt. Island Bay Beach by Jennie Chavis and Rich Mullin on August 6, 2020 from 430-5PM, so long as it is on Town property, subject to the conditions, if any, as listed on the application form for a fee of \$110.
- Carlson seconded, and the motion failed 1-3-1, with Carlson, Reinhart, and Wilson opposed, and Curley abstained.

## **BUSINESS**

### ***Finalize and Close the 2020 Annual Town Meeting Warrant***

The Board discussed how to simplify the Warrant, examining the many articles under Capital Improvement Plans. Moderator Silverman recommended keeping the Warrant as simple as possible, but noted that the 2021 Annual Town Meeting Warrant will be larger if articles are not placed on the 2020 Warrant.

- ***Article 2I – Build Equipment Storage Shed at Transfer Station***

Vincent explained that his request, for the Department of Public Works, can wait to be approved until next year, if the Board wished.

- DeVasto moved to **not insert Article 2I**, Build Equipment Storage Shed at Transfer Station, in the Warrant.
  - Wilson seconded, and the motion carried 4-1, with Reinhart opposed.
- ***Article 2J - Public Works – Replace Guard Shack and Build Canopy Extension at Transfer Station***
  - Reinhart moved to **recommend Article 2J**, Public Works – Replace Guard Shack and Build Canopy Extension at Transfer Station, and **insert** it into the Warrant.
  - Wilson seconded, and the motion carried 5-0.
- ***Article 2K – Replace Baker Field Recreation Area Backstops***
  - Curley moved **not to insert Article 2K**, Replace Baker Field Recreation Area Backstops, in the Warrant.
  - Wilson seconded, and the motion carried 5-0.
- ***Article 2L – Repair and Improve the Beach Bathrooms***

DeVasto asked if these repairs could be made prior to the 2021 season if approved in Spring 2021; Vincent said that would be hard and that if approved in 2020, the goal is to have them repaired for 2021.

  - DeVasto moved to **recommend Article 2L**, Repair and Improve the Beach Bathrooms, and **insert** it into the Warrant.
  - Reinhart seconded, and the motion carried 4-1, with Wilson opposed.
- ***Article 2S – Public Works – Substation Roof Replacement***
  - DeVasto moved **not to place Article 2S**, Public Works – Substation Roof Replacement, in the Warrant.
  - Wilson seconded, and the motion carried 5-0
- ***Article 2T – Public Works – Lt. Island Road Improvements***
  - DeVasto moved to **recommend Article 2T**, Public Works – Lt. Island Road Improvements, and **insert** it into the Warrant.
  - Wilson seconded, and the motion carried 5-0
- ***Article 2U – Public Works – Duck Creek Revetment***

*Approved August 11, 2020 – A full audio recording of this virtual meeting can be found on the Town’s website under Wellfleet Town Media.*

- Curley moved to **not to insert Article 2U**, Public Works – Duck Creek Revetment Engineering, in the Warrant.
- Wilson seconded, and the motion carried 5-0.
- ***Article 2P – Wellfleet Elementary School Playground Replacement***
- ***Article 2R – Wellfleet Elementary School Computer Replacements***  
Rodman asked to withdraw Articles 2P and 2R from the Warrant.
  - DeVasto moved to **not insert Articles 2P and 2R** in the Warrant.
  - Reinhart seconded, and the motion carried 5-0.
- ***Article 2Q – Wellfleet Elementary School Fire Suppression Study***  
Wilson was concerned with the word “study”, saying that the Town already knows that the system needs to be updated so money should just be spent on engineering instead. Fred Magee, Finance Committee Chair, noted that the FinCom also withheld their recommendations because of the word “study”. Jim Nowack, of Nauset Public Schools, said that the \$110,000 is for the engineering, not the study for the suppression system. DeVasto said that this needs to be amended then to say “engineering”; Hoort said he would modify the Warrant to read as such.
  - DeVasto moved to **recommend Article 2Q**, Wellfleet Elementary School Fire Suppression Engineering, and **insert** it into the Warrant.
  - Wilson seconded, and the motion carried 5-0.
- ***Article 12 – Community Preservation Committee Rental Assistance Grant***  
Hoort said that the Housing Authority has requested that the Community Preservation Committee (CPC) approve an additional sum due to Covid19 related housing crisis. The CPC is now recommending the sum of \$370,000 instead of the previously recommended \$165,000.
  - Reinhart moved to **recommend Article 12**, CPC Rental Assistance Grant, in the amount of \$370,000, and **insert** it into the Warrant.
  - Wilson seconded, and the motion carried 5-0.

The Board discussed the memo from Chief Hurley regarding police body cameras, which stated that they do not need to be purchased until FY22.

Curley asked to reconsider Article 16, Community Preservation – Cemetery Restoration Phase 3, and presented his findings for a better method for restoration. Wilson did not want to vote to fund this unless the Cemetery Commissioners repaired the headstones really well.

- DeVasto moved to **reconsider Article 16**, Community Preservation – Cemetery Restoration Phase 3.

*Approved August 11, 2020 – A full audio recording of this virtual meeting can be found on the Town's website under Wellfleet Town Media.*

- Wilson seconded, and the motion carried 5-0.
  - Article reconsidered.
- DeVasto moved to **insert Article 16**, Community Preservation – Cemetery Restoration Phase 3, in the Warrant.
- Wilson seconded, and the motion carried 3-2, with Carlson and Curley opposed.
- DeVasto moved to recommend **Article 16**, Community Preservation – Cemetery Restoration Phase 3, in the Warrant.
- Wilson seconded, and the motion failed 0-5.
  - **No recommendation.**

Curley asked to reconsider Article 26, Disposition of Town Land – Map 30, Parcel 14. Denny O'Connell said this was pre-mature and that the Town should get a purchase and sale agreement first. Hoort said that the Town cannot execute a purchase and sale agreement without Town Meeting approval, and it should be decided by Town Meeting Voters whether to let the Board to decide to sell it or not. There was further discussion.

- DeVasto moved to **reconsider Article 26**, Disposition of Town Land – Map 30, Parcel 14.
- Wilson seconded, and the motion carried 5-0.
  - Article reconsidered.
- DeVasto moved to **not insert Article 26**, Disposition of Town Land – Map 30, Parcel 14, in the Warrant.
- Wilson seconded, and the motion carried 5-0.
- DeVasto moved to **close the 2020 Annual Town Meeting Warrant.**
- Wilson seconded, and the motion carried 5-0.

## **SELECTBOARD REPORTS**

- DeVasto: reminder to wear masks, practice social distancing, and to be cautious and to get tested if you believe you've come in contact with a COVID-19 positive person.
- Wilson: spoke with the UMASS Tick Testing program and discussed funding sources for this free program
- Curley: met with Herring River Restoration Project staff
- DeVasto: will be having an Emergency Management Team meeting on Tuesday, August 4 at 10AM

## **TOWN ADMINISTRATOR'S REPORT**

This report is for the period July 11, 2020 through July 24, 2020.

### **1. General**

- Town meeting warrant is finalized pending Selectboard's July 28<sup>th</sup> meeting.
- Town meeting motions have been sent to town counsel for review.
- Town buildings remain closed as precaution to the COVID-19 virus. Town staff is available by appointment.
- Following Governor Baker's directive staff has been directed to continue to work from home whenever possible.
- Staff members sharing an office alternate their time in the office

*Approved August 11, 2020 – A full audio recording of this virtual meeting can be found on the Town's website under Wellfleet Town Media.*

2. Fiscal Matters
  - Monitoring events as they relate to finances.
3. Meetings – All meetings are via conference call
  - July 14 – Selectboard meeting
  - July 16 - Herring River Executive Council
  - July 21 - Selectboard/Emergency Management Team (EMT)
  - July 21 – Comcast negotiation for contract renewal
4. Complaints.
  - None, other than usual
5. Personnel Matters:
  - None

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

- Wilson: Shark Conservancy Use of Town Property
- Curley: Extend beach sticker season through September 27
- Wilson: Herring River representation designations
- Reinhart: individual Selectmembers responding to letters sent to the entire Board
- Wilson: Selectboard members communicating on social media
- Curley: develop a standardized way of evaluating the Town Administrator's performance
- Reinhart: letter to the newspaper to address support for wearing of masks
- Wilson: mask mandate in certain parts of Town, per Counsel
- Curley: holding more COVID-19 meetings
- Carlson: restaurant compliance
- DeVasto: Outer Cape Health testing update

#### **CORRESPONDENCE REPORT**

There were no comments.

#### **MINUTES**

*July 14, 2020*

- Reinhart moved to approve the minutes of July 14, 2020 as printed.
- Wilson seconded, and the motion carried 4-0-1, with Wilson abstained.

#### **THANK YOU AND HAPPY RETIREMENT TO DAN HOORT**

- DeVasto moved to send Hoort into a happy retirement.
- Wilson seconded, and the motion carried 5-0.

#### **ADJOURNMENT**

- Wilson moved to adjourn.
- Carlson seconded, and the motion carried 5-0.

The meeting adjourned at 9:57pm.

Respectfully submitted,

Courtney Butler,

*Approved August 11, 2020 – A full audio recording of this virtual meeting can be found on the Town's website under Wellfleet Town Media.*

Secretary

Public Records Documents available as of 7/28/2020:

1. Public Hearing Papers for Shellfish Grants #95-17 and 95-18 Transfer; requests for transfer
2. Memo from Shellfish Constable Civetta, re: Changes to Overwintering Regulations and Agreement
3. 1/12<sup>th</sup> budget for August 2020
4. Presentation materials from MA Executive Office of Energy and Environmental Affairs (EOEEA) , re; Outdoor Recreation Reopening, Phase III, Step I
5. Memo from MA EOEEA, re: Safety Standards for Coastal and Inland Beaches – Phase II
6. Memo from MA EOEEA, re: Safety Standards for Coastal and Inland Beaches – Phase III, Step I
7. Use of Town Property requests from Heather Doyle; Jennie Chavis and Rich Mullen
8. Memo from Executive Assistant, re: Use of Town Property votes to date
9. Draft 2020 Annual Town Meeting Warrant, dated July 20, 2020
10. Presentation from Ryan Curley, re: Cemetery Restoration Issues
11. Memo from Police Chief Hurley, re: Body Cameras CIP FY22
12. Draft 2020 Special Town Election Warrant
13. Memo from Helen Miranda Wilson to the State re: Tick Testing Program
14. Town Administrator's Report
15. Correspondence Report
16. Draft minutes of the July 14, 2020 meeting