

Approved October 13, 2020 – A full audio recording of this virtual meeting can be found on the Town's website under Wellfleet Town Media.

**Wellfleet Selectboard Meeting
Wednesday, September 30, 2020 at 1pm
Zoom Virtual Meeting**

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

Also Present: Town Administrator Maria Broadbent; Assistant Town Administrator Mike Trovato; Executive Assistant Courtney Butler; Police Chief Michael Hurley; Fire Chief Rich Pauley; Moderator Dan Silverman; Community Services Director Suzanne Thomas; Shellfish Constable Nancy Civetta; Town Treasurer Miriam Spencer; Health Agent Hillary Greenberg-Lemos

Chair DeVasto called the meeting to order at 1:00 p.m. This meeting was held via Zoom and the recording is available on the Town website.

ANNOUNCEMENTS, OPEN SESSION AND PUBLIC COMMENT

- Audience member Lilli Green: Barnstable County Human Services website has a lot of helpful information
- Broadbent: discussed the recent Boil Water Order
 - Rebekah Eldridge and Jim Hood from the Board of Water Commissioners, and Eric Smith from WhiteWater, were present to discuss this matter.
 - Smith said that on Thursday, September 24 he was notified of an E-Coli hit at the Coles Neck Well, from samples collected on the 23rd. He then reached out to MA DEP, following standard procedures. Smith said the Coles Neck station has not been used for some time as a source for drinking water, and there were additional samples taken on the 24th. On the 25th, a confirmation was received of a detect in the distribution system, off Coles Neck Road. This led to additional sampling and the Boil Water Order, from DEP. Smith said that flushing began on the 27th throughout the entire system as well as disinfection of the system and chlorination of the supporting water tank. On the 28th, additional sampling was completed and on the 29th with clean results. Between the 29th and 30th, more samples have come back clean. Smith said if another round of samples comes back clean, the Boil Water Order will be lifted, at the discretion of the DEP. There was further discussion.
- Greenberg-Lemos: private well owners can request test tubes from the Health Department that can be used to test their water for them at no cost.
- Butler: The CPC is accepting applications for community preservation projects that foster community housing, historical preservation, open space, and non-commercial recreation. Application will be accepted until 4 PM on Thursday, October 15. Please contact Mary Rogers at mary.rogers@wellfleet-ma.gov for more information.
- Wilson: Thanked John Morrissey for his years of service to the Library Board of Trustees

TOWN FINANCES

Projected Cash Shortfall

Broadbent and Spencer discussed the projected cash shortfall. Broadbent thanked Spencer for her due diligence in lettering her know about this shortfall. She also noted that she has asked staff to watch spending. Spencer provided the Board with a memo depicting the balances of accounts. Spencer noted that the Eastham Assistant Town Administrator/Finance Director, Rich Bienvenue, will be assisting her in setting the tax rate and getting through this time when we are without an

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accountant. DeVasto asked if internal borrowing was an option; Spencer said yes. Spencer said another option was the Revenue Anticipatory Note (RAN), which is a form of short-term borrowing. Spencer described the cost of short-term borrowing and how the process would work.

DeVasto asked Spencer if she could determine how much of this matter was a budget shortfall and how much was a cashflow problem that might work itself out. Spencer said it is short-term and can be taken care of, saying it was more of a cashflow problem. Her concern was that the tax rate was not set yet.

Curley asked when the Town could expect to see the revenue from short-term rentals; Spencer said shortly as we had already received the rooms & meals tax. Curley asked how much the Town would be receiving from previously outstanding taxes; Spencer said the uncollected property taxes is \$220,000 and there is \$37,000 uncollected in motor vehicle excise tax. Spencer said this amount is about 1% of uncollected taxes, which is a fantastic collection rate. There was further discussion.

Short-term borrowing will be on the next meeting agenda.

Approval of Disclosure of Financial Conflict of Interest for Miriam Spencer – Cape Cod Municipal Health Group

Spencer said this is an annual disclosure.

- Wilson moved that the Board has determined that the financial interest is not so substantial as to be deemed likely to affect the integrity of the services which the town may expect from Miriam Spencer, Town Treasurer. The disclosure is dated September 18, 2020.
- Curley seconded, and the motion carried 5-0.

2020 POST TOWN MEETING COMMENTS

Moderator Silverman presented his comments. Silverman thanked members of the Town Meeting Planning Task Force. Silverman noted the positive aspects of the meeting, including the compilation of the Warrant, use of consent agendas, having a motions booklet, and meeting practicalities. He discussed the process for setting up the Town Meeting, outside, this year and the costs associated. There was further discussion about this year's meeting and possible improvements for next year.

ANIMAL CONTROL MEMORANDUM OF UNDERSTANDING

Chief Hurley described this MOU, which is for providing the services of Wellfleet's Animal Control Officer (ACO) to the Town of Eastham. Desmond Keough, the ACO for Wellfleet, will be providing his services to Eastham for \$30,000/year. Wilson asked if Keough was also a regular police officer; Chief Hurley said he is a reserve officer, not a full police officer, and that his primary role is ACO, but he is always available to help staff. Wilson asked how many calls Keough responded to last year; Chief Hurley said about 400 in Wellfleet and he was not sure how Eastham kept track of their calls. Chief Hurley reminded the Board that this sort of intermunicipal agreement was executed in the past, with Truro. There was further discussion of the ACO position and the agreement.

- Wilson moved to approve the Memorandum of Understanding between Wellfleet and Eastham for an Animal Control Officer and authorize the Town Administrator to sign it.
- Reinhart seconded, and the motion carried 5-0.

BOARD/COMMITTEE APPOINTMENTS AND UPDATES

Barnstable County Assembly of Delegates Update – Lilli Green

Green, the Wellfleet Delegate, presented her update which was about the IT Bond Bill, Proposed Resolution 20-05, to provide \$1.8 billion in capital funding for key investments in public safety, food security, and information technology. This Bill has already been approved and signed, but Green is requesting a letter for the Board in support of releasing the funds in a timely manner. Green described the Bill and its purpose in further detail. Of the \$1.8 billion, \$1.7 million is issued to OpenCape, specifically, for IT infrastructure. The Board described their thoughts about OpenCape and that they wished they did not need to specify them specifically; Green said unfortunately they Bill calls them out specifically.

Green provided further updates of the Barnstable County Assembly of Delegates.

- Carlson moved to approve the letter in support of IT Bond Bill, Proposed Resolution 20-05, as drafted by Lilli Green, and authorize the Board to sign it.
- Curley seconded, and the motion carried 5-0.

Approval of Request for Proposals for 95 Lawrence Road Housing Project

Trovato presented the request and Elaine McIlroy, of the 95 Lawrence Road Task Force, was present. McIlroy said the ideal time to send this out will be late February/early March. McIlroy said the big issue now is Wastewater systems for the site; the Task Force and the Wastewater Committee will be having a joint meeting to discuss this. Curley noted that the RFP did not include all the attachments and asked for those to be included. Trovato said that Attachment G, Draft Land Disposition Agreement & Draft Ground Lease, is being reviewed by Town Counsel.

There was further discussion of the RFP and process.

- Curley moved to approve the Request for Proposals for the 95 Lawrence Road Housing Project, as presented by the Task Force, Assistant Town Administrator, and reviewed by Town Counsel, and direct Town Staff to issue it following Massachusetts Procurement Laws, contingent upon Selectboard approval of attachments G, Draft Land Disposition Agreement & Draft Ground Lease, and I, Finalized Wastewater Plan.
- Reinhart seconded, and the motion carried 4-1, with Wilson opposed as she did not feel it was complete.

Selectboard member as a representative to the 95 Lawrence Road Task Force

There was discussion about a potential conflict of interest, by having a Selectboard member present on the Task Force that would be issuing the RFP and reviewing applicants, and subsequently hiring one.

- No action taken.

BUSINESS

FY 2021 Selectboard Goals – review FY 2020 and proposed FY2021 Goals

The Board asked Butler to compile their individual FY 2021 goals into one list, to present and discuss at their next meeting.

Thank you letter to those involved in Annual Town Meeting

Curley noted that he made spelling errors in people's names and said he would amend those.

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- Reinhart moved to send a thank you letter to those involved in the Annual Town Meeting as drafted by Ryan Curley and as amended at this meeting.
- Wilson seconded, and the motion carried 5-0.

Response to Seashore Superintendent Brian Carlstrom's letter dated August 28, 2020, re: Cape Cod Rail Trail & Route 6 Corridor Improvements Project Coordination

Carlson suggested changing the letter to be more of an invitation for the Superintendent to come and meet with the Board, informally. Carlson was concerned with inviting too many parties. Reinhart asked to meet only with Carlstrom as well, and to then have a follow up meeting with the Department of Transportation and Department of Conservation and Recreation. DeVasto said he would like a member of the Bike and Walkways Committee to attend the meeting with the Board and Carlstrom. There was further discussion about the language and context of the letter.

- Curley moved to approve the letter, as drafted by Helen Miranda Wilson and as amended at this meeting, in response to Seashore Superintendent Brian Carlstrom's letter, re: Cape Cod Rail Trail & Route 6 Corridor Improvements Project Coordination.
- DeVasto seconded, and the motion carried 3-1-1, with Reinhart opposed and Carlson abstained.
- Wilson moved to delegate the Chair to sign the letter on behalf of the Board.
- DeVasto seconded, and the motion carried 4-1, with Reinhart opposed.

Authorize the Town Administrator to sign the Green Communities Grant Contract

There was no discussion.

- DeVasto moved to authorize the Town Administrator to sign the Green Communities Grant Contract.
- Reinhart seconded, and the motion carried 5-0.

Curley requested that all 17 items of attachment B to the Board.

COVID-19 UPDATES AND RECOMMENDATIONS

DeVasto asked Broadbent to discuss her plan for staffs' return-to-work. Broadbent said that she advised staff that those who were currently working from home must return to work in-person, full-time beginning October 5.

The Board expressed concerns with ventilation at Town Hall, complying with the Governor's orders for office buildings, and overall safety of staff. The Board asked Broadbent to work with the Health Agent to formulate a formal plan for staff return-to-work. Curley noted that it was mandatory by the State to have a formalized plan, to provide clarity for staff. Broadbent said staff would be accommodated if they had issues. DeVasto cited concern of losing an entire building of staff, who would have to quarantine, should a positive case occur.

Butler noted that the State is moving to Phase 3, Step 2, of the Governor's Reopening Plan on Monday, October 5. Wilson asked that staff be able to meet with Broadbent and provide input on how this will unfold. Wilson reminded everyone of the importance of wearing a mask. Curley said the number of cases is on the rise statewide, and that it was something to keep in mind.

Broadbent said that she would do what needed to be done.

SELECTBOARD REPORTS

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- Reinhart: Dredging contract needs to be signed, a meeting was scheduled for October 5 to do so
- Reinhart: Dredging begins on the federal channel tomorrow, October 1
- Wilson: Town Account was let go at end of probationary period
- Wilson: attended Cemetery Site Visit with Curley

TOWN ADMINISTRATOR'S REPORT

This report is for the period September 4, 2020 through September 17, 2020.

1. General

- 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 or take precautions as necessary.
- Town Administrator plans to work in person at least on Tuesday afternoons and on Wednesdays until mid-afternoon
- The administrative staff person responsible for issuing building permits will be working in-office full-time beginning on September 21 so that that office can devote the needed attention issuing permits on a timely basis.

2. Fiscal Matters

- Please see memo from the Town's Treasurer and Accountant regarding cashflow and budget concerns as a result of revenue shortfalls related to COVID-19. As a result, departments have been directed to curtail spending until enough revenue has been received to restore bank accounts to necessary levels.

3. Meetings – Most meetings are via conference call/Zoom

- September 4-KP Law, prep for Annual Town Meeting
- September 9-Comcast Cable Negotiations
- September 10-Cable Advisory Committee
- September 10-Cape Manager's Meeting
- September 11-Herring River Restoration project update

4. Complaints: none

5. Personnel Matters:

- Michael Flanagan will be retiring soon.
- Building inspector position has been posted and interest has been shown

TOPICS FOR FUTURE DISCUSSION

- Curley: woodland fire management plan
- Curley: meet with Wastewater Committee
- Curley: Cemetery Commission to appear at a future meeting
- Curley: Bike and Walkways Committee appearance
- Reinhart: meeting with Superintendent Carlstrom

CORRESPONDENCE AND VACANCY REPORTS

There was no discussion.

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MINUTES

September 8, 2020

- Reinhart moved to approve the minutes of September 8, 2020 as printed.
- Wilson seconded, and the motion carried 4-0-1, with Wilson abstained.

September 11, 2020

- Reinhart moved to approve the minutes of September 11, 2020 as printed.
- Wilson seconded, and the motion carried 4-0-1, with Wilson abstained.

ADJOURNMENT

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

The meeting adjourned at 4:45pm.

Respectfully submitted,

Courtney Butler,
Secretary

Public Records Documents available as of 9/30/2020:

1. Memo from the Town Accountant and Town Treasurer, dated September 17, 2020, re: Projected Cash Shortfall;
2. Memo from the Town Accountant and Town Treasurer, dated September 22, 2020, re: Projected Cash Shortfall;
3. Memo from the Town Treasurer, dated September 29, 2020, re: Projected Cash Shortfall;
4. Memo from the Moderator, dated September 18, 2020, re: Post-Town Meeting Comments;
5. Inter-municipal Agreement – Animal Control Officer;
6. Email from Lilli Green to Courtney Butler, dated September 18, 2020, re: Information for Selectboard meeting on Tuesday 9/22/2020;
7. Update from Barnstable County Assembly of Delegates – Wellfleet Representative;
8. Proposed Resolution 20-05 – IT Bond Bill;
9. Draft letter from the Selectboard to the Governor, re: Proposed Resolution 20-05 – IT Bond Bill;
10. Memo from Elaine McIlroy, dated September 17, 2020, re: 95 Lawrence Road Rental Housing Request for Proposal (RFP);
11. 2019 Maximum Allowable Rents for Affordable Housing Units;
12. 2019 Income Limits for Affordable Units;
13. Individual FY2021 goals from Selectboard members;
14. Draft thank you letter to those involved in the Annual Town Meeting;
15. FY2020 Selectboard Goals;
16. Draft letter to Superintendent Carlstrom, re: DCR/DOT Bike Projects;
17. Letters from Seashore Superintendent Carlstrom, re: Cape Cod Rail Trail & Route 6 Corridor Improvements Project Coordination, dated April 9, 2020 and August 28, 2020;
18. Email from Janet Reinhart to the Selectboard, dated September 15, 2020, re: Seashore/Bike Trail Letter;

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19. Green Communities Grant Contract documents;
20. Town Administrator's Report;
21. Correspondence Report;
22. Draft minutes of the September 8, 2020 and September 11, 2020 meetings.