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**Wellfleet Selectboard  
January 12, 2021  
Zoom Meeting  
Meeting Minutes**

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

**Others Present:** Town Administrator, Maria Broadbent; Executive Assistant, Rebekah Eldridge; Police Chief Michael Hurley; Fire Chief Rich Pauley; Suzanne Thomas, Beach Director; Candace Perry, Coordinator for the MLK walk; Mia Baumgarten, Media Operations Manager; Gary Sorkin, Wellfleet Housing Authority; Bill Traverse, Barnstable County IT manager; Peter & Diane Hall, Owners of Van Rensselaer's; Heather Michaud, Wellfleet Town Accountant; John Riehl, Nancy Civetta, Wellfleet Shellfish Constable; Joseph Aberdale, Dredging task Force

Chair DeVasto called the meeting to order at 6:01pm.

**Announcements, Open Session and Public Comments**

- Chief Hurley announced that Lt. LaRocco applied for a competitive "Make Safe Roads Grant" back in the fall of 2020 and was awarded twelve thousand dollars. He then gave a rundown of what the department will use the funds for. He congratulated Lt. LaRocco for his efforts.
- Chief Hurley informed the Board that he and most of the police department have now been given the Covid 19 vaccination, he stated by the end of next week the entire police department will be fully vaccinated.
- Chair DeVasto called on Candace Perry who informed the Board that they originally put in a request for a permit for use of town property for their 19<sup>th</sup> Annual Martin Luther King Jr. Walk, but due to covid they are not holding the walk. She informed the Board that there is children's artwork hanging throughout the town and there will be a vehicle out in front of Preservation Hall on Monday January 18<sup>th</sup> from 11am to 1pm to collect donations for the local food pantry.
- Chair DeVasto called on Mia Baumgarten who came to the Board as the Chair of the Cable Advisory Committee. She informed the Board that the renewal lease with Comcast has been signed which means some of Wellfleet residents will be eligible for Comcast coverage. She went on giving directions on how to find out if a resident is eligible.
- Chair DeVasto announced that the town has come a long way regarding Covid 19 being safe and diligent. He explained that the new strain of Covid is more contagious and asked the residents of Wellfleet to remain diligent and keep the town's numbers down.
- Chair DeVasto called on Gary Sorkin who announced that the Housing Authority is now offering a buy down grant for any first-time home buyers. He gave details on how residents of Wellfleet can go about applying for the program.

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**I. PUBLIC HEARINGS**

**A. Beach regulations – Suzanne Thomas**

- Chair DeVasto asked Thomas to give more details on her updated regulations. Thomas explained the only change in the regulations came from town counsel and the wording needed to be changed to say “no nudity on the beaches is permitted.” Selectboard member Curley questioned the fees and suggested adding a handicapped fee, for residents. Thomas asked the board to pass these rules, regulations, and fees as they are written and meet with Board member Curley later to discuss the handicapped fee. There were no objections. The Board continued to discuss the fees and the need for raising them.
- **A Motion was made by Vice Chair Reinhart, Seconded by Selectboard Member Carlson and voted to approve the Beach Rules and Regulations, Motion carried 4-1**

**B. Comcast License Renewal – ATA Mike Trovato**

- Trovato wasn't on the meeting so Town Administrator Broadbent explained that this renewal has been before the Board previously and it needed to be advertised as a public hearing and approved by the Board before the contract can be renewed. Chair DeVasto asked the Board if there were any issues with the contract. Curley noted that there were many issues with the wording in the contract and pointed them out to the Board. The Board discussed the issues and agreed that the contract needed to go back to Broadbent's desk, correct the issues, and then bring it back to the Board for an approval.
- **Reinhart Moved, Wilson seconded, and it was voted unanimously to continue discussion at the next Board meeting on January 26, 2021**

**C. Barnstable County Information Technology Contract Renewal**

- Broadbent gave some background information regarding this contract and then introduced Traverse. Traverse went over the contract explaining that there aren't many changes in the new contract. Carlson asked some questions about details in the contract. Curley stated that he was in favor of the contract and approved the way it was written.
- **Wilson Moved, Reinhart seconded, and it was voted unanimously to approve the renewal of the contract with Barnstable County Information Technology.**

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**D. Amend Seasonal Liquor License Van Rensselaer's**

- Chair DeVasto asked if there were any questions regarding the renewal. Reinhart asked the owners if this was something the owners are considering permanent. The Board received a letter from a neighbor, who owns the hotel next door, with concerns of his patrons not being able to enjoy the pool because of the patio. The Halls addressed the concerns stating they have had a patio for 27 years and have plans to only use removable barriers and have spoken with the building inspector who had no issues with the Halls using removable barriers. The board discussed this further deliberating permanent structures, landscape plans, and permits that will need to be done if the owners decided to build a permanent structure.
- **Reinhart Moved, Wilson Seconded and it was voted to accept the amended application for Van Rensselaer's. Motion Carried 4-0-1 Board member Carlson Abstained.**

**E. Closure of Block and Tackle**

- Chair DeVasto asked if there were any questions regarding this closing. Wilson explained that if the owners didn't have a specific date to reopen, they would need to come back in front of the Board to get approval to reopen. Wilson went on to explain the details of reopening and the steps they need to take in order to do so.
- **Reinhart Moved, Carlson Seconded, and it was voted unanimously to approve the temporary closure of Block and Tackle restaurant until March 15, 2021.**

**II. Licenses**

**A. Renewal of Annual Victualler Licenses [Principal Clerk]**

- The board agreed because the title of this wasn't worded correctly when the packets were distributed that they continue these renewals until their next meeting.
- **Chair DeVasto Moved, Reinhart seconded, and it was voted unanimously to continue all licenses to the next meeting on January 26, 2021.**

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

**A. Steve Oliver – Planning board [rescinded]**

**B. Steve Blanchard – Rights of Public Access**

- Chair DeVasto introduced Blanchard and asked him to give a brief summary of why he is interested in the committee he is applying for. Blanchard stated he is interested in learning more about Wellfleet and stated that he found he could be most helpful with Rights of Public Access. Curley encouraged the board to appoint Blanchard as he feels he is qualified for this committee. Wilson asked Blanchard if has looked at the charge for the committee and suggested he watch some of their meetings.
- **Reinhart Moved, Wilson seconded, and it was voted unanimously to approve Steve Blanchard's application and appoint him to Rights of Public Access Committee.**

**C. Conflict of Interest Disclosure for Ryan Curley**

- Chair DeVasto asked if there were any issues with this. The Board had no issues and it was now of public record.
- **Reinhart Moved, Wilson Seconded and it was voted to receive Ryan Curley's appearance of conflict of interest. 4-0-1 (Curley Recused)**

**IV. Business**

**A. Summer Officer Program Chief Hurley**

- Chair DeVasto reintroduced Chief Hurley. Chief Hurley thanked the Board and gave them a summary of the summer officer program. He stated he submitted the paperwork a few months back and explained to the Board that recruitment is down on, and off Cape and harder to keep officers due to the lower salaries. He went into detail with the board how this program is being phased out due to the lack of officers in the job pool. The board had some questions for Chief Hurley and had a discussion with him on recruitment. Fire Chief, Pauley also commented that this is an issue that he brought to the board for the past few years, he stated staffing both fire and police is becoming more difficult due to retirements, cost of living and salary on the lower Cape. Wilson commented on how sad it was that there was so little interest in the summer officer program. The Board continued to discuss both police and fire departments and how hard they are working especially during the pandemic.
- There was further discussion on the town population during the summer months and now more residents in the winter. The need for more officers is great. Chief Hurley explained that the police department is staffed with young men and women and he is pleased with the amount of empathy and compassion they have. The Board agreed and stated their support of Chief Hurley and his requests.
- **No action was taken**

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**B. Wellfleet Affordable Housing Trust Town Counsel Request Harry Terkanian**

- Chair DeVasto stated his concern that because he is on both the Selectboard and the Affordable Housing Committee should he recuse. Terkanian didn't feel he needed to but advised that to be safe he could. Chair DeVasto stepped away and asked Vice Chair Reinhart to take over for this section of the meeting.
- Reinhart moved on asking Terkanian to give a small summary of his request. Terkanian explained that he would like access to town counsel so that when the committee needs to write up a contract or lease, they have the ability to do so. Curley explained to Terkanian the process of using town counsel is to ask the town administrator before coming to the Board. Wilson asked Broadbent if she had any issues with Terkanian and his committee going to town counsel. Broadbent stated she had no issues with this request.
- **No action was taken**

**C. Harbor Management Plan John Riehl**

- Chair DeVasto asked Riehl to introduce his plan and a summary of what is being asked. Riehl stated that this is in front of them is just a draft and is looking for the Board to approve the draft so they can move forward. He went further into detail about engineering, dredging, and cleaning out the harbor. He would like to eventually go to town meeting to ask for money to begin. Chair DeVasto stated how pleased he is with the plan and feels it covers all aspects of the harbor.
- Wilson would like to help with the final draft. Riehl stated he was doing the final draft and approved Wilson's request.
- There was further discussion with the board and Riehl giving more details about the plan and how it will move forward.
- **Chair DeVasto Moved, Wilson seconded, and it was voted unanimously to accept the Draft Version of the Wellfleet Harbor Management -3.**

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**D. Spring Tax insert for Shellfish Department**

- Chair DeVasto introduced Shellfish Constable Civetta. Civetta stated she has shared with the Board copies of what the tax insert would look like. She explained that there is a credit card processing fee and increasing these fees would help with those costs. She explained the selectboard can't vote on the tax increase at this meeting because she realized it needed to be advertised as a public hearing. At this meeting she is asking the board to approve the tax insert and will bring the fee increase request at their next meeting.
- The Board went on to discuss the fees, details of the insert, and staffing concerns for the coming summer season. Civetta explained to the board she will do more research before their next meeting regarding the fees. There were no issues with the tax insert. Civetta said that this will be in spring 2021 tax bills.
- **No action was taken**

**E. Fuel Efficient Vehicle Policy – Ryan Curley**

- Curley requested that the Board continue this to the next meeting on January 26, 2021. He stated that the original packet that was provided was missing a page. Chair DeVasto agreed.
- **No action was taken**

**F. Obtaining Legal Opinions – Ryan Curley**

- Chair DeVasto asked if there was any discussion on the agenda item. Curley gave an explanation to the Board that this will provide permission to Boards to obtain legal opinions and advice if needed. The Board discussed the wording in the document and changes that need to be made before, sent out to the different committees.
- There was discussion about the process of requesting town counsel opinions. The request will go to the town administrator and if there is no response from the town administrator the request can be put on the Board's agenda.
- **Chair DeVasto Moved, Carlson Seconded and it was voted unanimously to approve the document as amended.**
- Wilson asked to have Eldridge put the Board's policy regarding town Counsel on the website.

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**G. Accounting update; Selectboard Investigation – Selectboard Chair DeVasto**

- Broadbent gave an update on town finances. She explained to the board that the town filed for an extension for the towns schedule A 2019/2020 filing. She went on to explain that cash flow is no longer an issue. Broadbent asked Michaud to talk about what she's been working on in the accounting office. DeVasto asked Michaud more about the schedule A. Michaud explained that the town was past the deadline for filing the schedule A. and went on to explain that she is working on getting all the financial books up to date and balanced. Broadbent was questioned by members of the board regarding the communication from the state, Broadbent stated she is in constant communication with the state and the state has been very supportive.
- Chair DeVasto moved on to the selectboard investigation. He stated this is mainly to address how the towns finances ended up the way they did and appoint two members of the board to talk with staff and see how things were going throughout the town. Reinhart stated that she believed that Chair DeVasto would be good at interviewing staff, Curley was also nominated by Carlson. Wilson refreshed the board's memory on open meeting law and that they are not to deliberate on anything that is learned from the town staff, she stated they need to bring what they have found back to the board. They continued the discussion on speaking with staff.
- **Carlson Moved, Reinhart Seconded, and it was voted to appoint Chair DeVasto and selectboard member Curley as the members of the selectboard to investigate town finances. Motion Carried 4-1 (Board Member Wilson voted against)**

**V. COVID-19 Updates and Recommendations**

- Chief Hurley discussed the CARES act. He stated this is a memo that he sent out explaining what is, and isn't, covered by FEMA. He explained that after a lot of work they are now recuperating all the costs on the porta potties. He explained the schedule of payments the town will receive, and he has sent another application to receive more money from FEMA. Chief Hurley will keep the board updated on the status of the payments and moving forward with the application.
- Broadbent updated the board that all public buildings are still following the governor's 25% occupancy in town buildings. She explained that she is offering any town employees that can work from home do work from home. Chair DeVasto talked about the new strain of Covid that is in the United States and to be prepared to minimize all contact between employees. He asked to consider drawing up a plan in case this does come to the state, so they are prepared. The board continued to discuss covid and the vaccine in the state.

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**VI. Selectboard Reports**

- Reinhart began with a report on dredging. She explained that dredging has stopped for the season and the Dredging task force will put out an RFP for the fall to begin applying for grants to get money to continue the dredging project. Aberdale agreed with selectboard member Reinhart and went on to state that they are expecting to receive grants.
- Curley updated the board that he attended a zoning board meeting and gave an update about a building that is being torn down and will be used for commercial interests. Chair DeVasto questioned the commercial use of the building. This will be discussed at the next meeting.
- Chair DeVasto stated there will be an MSI (Mass Shellfish Initiative) meeting on January 15<sup>th</sup> regarding all shellfish issues, he gave the information if anyone is interested in attending the meeting.

**VII. Town Administrator's Report**

- Broadbent began with announcing that Eldridge was hired for the Executive Assistant to the Town Administrator and her previous committee secretary job has been posted. The Assistant Town Administrator job has been posted and the Harbormaster position has been posted. She gave the deadline dates to the Board.
- Wilson questioned Broadbent about the ATA position and wanted to make sure the person applying for the job needs to understand that the ATA position also includes town planner and help with the AADU's (Affordable Accessory Dwelling Unit) and ADU's (Accessory Dwelling Units). Wilson went on the state that the previous ATA's that were hired didn't have those qualifications and she would like to make sure the new ATA hired will be included. Broadbent agreed this is something that she will be looking for someone with planning experience.
- Curley asked Broadbent about her meeting with the state regarding the bike trail. Broadbent gave a status update and will continue to keep the board posted and the status.



*Approved at the Meeting of January 26, 2021 A full audio recording of this virtual meeting can be found on the town's website under Town Media*

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**VIII. Topics for Future Discussion**

- Board member Wilson would like to discuss having a resident only beach for the summer season of 2021
- Reinhart would like to have department head work meetings, so the Board can be more up to date on things that are happening throughout the town. Broadbent agreed with Reinhart and welcomed open communication between the Selectboard, Town Administrator, and Department Heads.
- DeVasto added the Right to Farm for future discussions. He also talked about town meeting which he feels might need to be pushed back from April, so we are able to have it outside again.
- The Nauset Public School Systems will be added to the next agenda. Broadbent explained there is a district wide vote that is taking place on March 30<sup>th</sup> at the COA.

**IX. Correspondence and Vacancy Reports**

- Wilson discussed an application that was in their correspondence file which needed to be in committee appointments.

**A.** Letter to Selectboard from Bradley Sverid

**B.** Letter to Selectboard from Planning Board

**C.** Letter to Selectboard from Bill Dugan

**X. Adjournment**

- **Wilson Moved, Reinhart seconded, and it was voted unanimously to adjourn.**

**Meeting adjourned at 10:15pm**

***Public Records:***

*Beach Rules, Regulations, and fee document*

*Comcast Contract for renewal*

*Packet, drawings and application for an amended license for Van Rensselaer's*

*Letter to approve closure for Block and Tackle Restaurant*

*List of Businesses for Victualler license renewals, weekday entertainment, and Sunday entertainment*

*Steve Blanchard application for Rights of Public Access Committee*

*Conflict of interest paperwork for Ryan Curley*

*Memo from Chief Hurley regarding the summer officer program*

*Letter from Harry Terkanian asking to speak with town counsel*

*Harbor Management packet*

*Fuel Efficient policy submitted by selectboard member Ryan Curley*

*Letter about obtaining legal advice*

*Memo regarding the CARES Act*