



**Wellfleet Board of Selectmen
Minutes of July 25, 2017
Wellfleet Senior Center**

Present: Selectmen Dennis Murphy, Janet Reinhart, Kathleen Bacon, Jerry Houk; Helen Miranda Wilson
Town Administrator Dan Hoort, Assistant Town Administrator Brian Carlson;

Chairman Murphy called the meeting to order at 7:00 PM.

Announcements, Open Session and Public Comment

- Reinhart cautioned the public that a 10-foot dune slide on Newcomb Hollow beach happened over the weekend and asked people to be careful.
- Police Chief Ron Fisette announced that this year Pan Mass challenge will be on Sunday August 6 and warned the public about a heavy traffic in the area and specifically on Long Pond Rd.

Public Hearing: Building Department: Mechanical / Duct Work / Exhaust Hood Fee Increase – no action was taken; it will be re-advertised with the correct fee increase.

Appointment of Nick Picariello to the Board of Health with a term ending 06/30/2019.

Nick Picariello stated his interest for serving on the Board of Health and talked about his background as a retired MD.

MOTION 218-016: Wilson moved and Reinhart seconded to appoint Nick Picariello to the Board of Health with a term ending 06/30/2019. The motion passed 5-0.

Appointment of Stephen Cooney to the Planning Board with a term ending 6/30/2019.

Stephen Cooney stated his interest for serving on the Planning Board and talked about his experience serving as a Planning Board member for 10 years in Connecticut.

MOTION 218-017: Reinhart moved and Bacon seconded to appoint Stephen Cooney to the Planning Board with a term ending 06/30/2019. The motion passed 5-0.

Appointment of a Board of Selectmen member to the Herring River Executive Council (HREC)

Bacon and Reinhart voiced their interest to serve on the Herring River Executive Council. Wilson said that Bacon is already an alternate member on the Cape Cod National Seashore Advisory Board. Per Wilson, appointing Reinhart to the HREC would be of greater benefit. Houk was supportive of appointing Bacon to the HREC. Discussion ensued. Bacon graciously withdrew her candidacy to serve on the HREC, and said that she would fully support Reinhart's nomination.

MOTION 218-018: Bacon moved and Wilson seconded to appoint Janet Reinhart to the Herring River Executive Council. Tom Flynn offered comments on the motion. The motion passed 5-0.

Use of Town Property: Aine Cole/Thomson Family Adventures for a clambake on September 5, 2017 from 5 pm to 8 pm at Duck Harbor.

Aine Cole of Thomson Family Adventures was present to answer questions and address concerns about the request to use Duck Harbor on September 5, 2017 for a corporate clambake. Bacon suggested changing the location to Indian Neck per the recommendation of the Community Services Director and cautioned that portable toilets might not be available after Labor Day, and would be the responsibility of the applicant.

WWilson said that she had spoken to Suzanne Grout Thomas and she had confirmed that the Duck Harbor site would also be ok with her, and that it would be up to the applicant.

MOTION 218-019: Bacon moved and Reinhart seconded to approve the request of Aine Cole/Thomson Family Adventures for a clambake on September 5, 2017 from 5 pm to 8 pm at Indian Neck with a use fee of \$100 and conditions as listed on the use form. Discussion ensued about the availability of portable toilets and liability insurance. The applicant will check with the Community Services Director or the TA to verify portable toilets availability. The motion passed 5-0.

Business: Presentation and Request for Letter of Support by Atlantic Medicinal Partners

Valerio Romano, attorney of VGR Law Firm, PC, and Stephen Perkins and Frank Cieri of Atlantic Medicinal Partners presented a request for a medical marijuana dispensary at 1065 Route 6 in Wellfleet. They had a presentation provided with the meeting packets about the benefits of medical marijuana. Police Chief Fisette said that the Town voters have expressed their support for a medical marijuana, and said that if this gets approved by the Selectmen, there will be other reviews and permits required by local and state officials. The entire review process would take at least a year. Marge Piercy stated her support for a medical marijuana dispensary in Wellfleet. Michele Olem also spoke in favor of the dispensary and of the benefits of medical marijuana. Bacon, Wilson and Houk were in favor of the proposal. Wilson wanted to know the specifics about the job creation commitment for local residents. Romano explained the staffing needs of the venue and confirmed that he will try to hire residents whenever it is possible to do so. He said that this sort of commitment can be formalized with a “community host agreement”. Romano explained that they will be open year-round. Reinhart wanted to better understand the process of the operations of the dispensary. Discussion ensued about the possibility of a curb cut on the Town road instead of Route 6. The Board agreed that a letter of support for the dispensary should be sent to the State.

MOTION 218-020: Bacon moved and Reinhart seconded to approve the request of Atlantic Medicinal Partners, Inc. for a letter of support for a medical marijuana dispensary at 1065 State Highway (Route 6) in Wellfleet pursuant to the 2012 Act for the Humanitarian Medical Use of Marijuana. The motion passed 5-0.

Business: Discussion of recreational marijuana dispensaries in Wellfleet

Wilson said that the Town and the State have passed the recreational marijuana act. Reinhart went over the email¹ sent by the Town Administrator to the Board with an information from Town Counsel about the need for a special town meeting, if the Board were to decide to ban recreational marijuana dispensaries in Wellfleet. Hoort said that no action would be required, if the Town is not in opposition of the recreational marijuana dispensaries. A special Town Meeting before April 1, 2018 will be needed if the Board is in opposition of allowing recreational marijuana dispensaries. Police Chief Fisette said that if the Town would like to allow the sale of recreational marijuana, proactive measures must be taken in order to regulate THE process and license the establishments. Reinhart asked Romano, if Atlantic Medicinal Partners were also intending to offer recreational marijuana. Romano answered that their request was strictly for medical marijuana, but down the road if sales of the recreational marijuana were to be allowed, they would consider it. The discussion concluded with no action taken by the Board.

Business: Approval of Eversource Licensing Agreement for 36 Gross Hill Rd.

Hoort explained the request for a licensing agreement with Eversource for 36 Gross Hill Rd and confirmed that Town Counsel has reviewed the agreement. The agreement would be in effect until the 2018 Town Meeting grants a utility easement to Eversource.

MOTION 218-021: Reinhart moved and Bacon seconded to approve the Eversource Licensing Agreement for 36 Gross Hill Rd as printed. The motion passed 5-0.

Business: Preventative maintenance dredging program

Chairman Dennis Murphy introduced the idea of a preventative maintenance program, its benefits and the need to identify a funding source in order to plan for it in the future. Hoort said that Russ Titmus of Bourne Consulting and Engineering will be coming to the Board on August 8. A representative from the State - Secretary for Economic Development and Housing, Jay Ash, will also be visiting Wellfleet, but may not be able to attend the Selectmen's meeting. Discussion ensued about the possibility of using the Barnstable County equipment for the maintenance dredging in Wellfleet. John Riehl, Chair of the Natural Resources Advisory Board (NRAB) said that the NRAB has considered the option of using the spoils to build up the surface of degraded wet lands. Bacon wanted to make sure that this maintenance dredging would be a proof to the State that the Town is doing its due diligence by planning for the future. The discussion concluded without any action taken by the Board.

Business: Consider an earlier start of the Board of Selectmen meetings

Janet Reinhart opened the discussion by saying that having an earlier meeting would be easier for staff and guest attendants. She suggested starting at 5 pm and having the public hearings later in the meeting. Wilson was supportive of the proposal. Houk said that he was initially supportive, but had changed his mind, because 7 pm meetings would have greater benefits for the public. Reinhart was of the opinion that an earlier meeting start will serve the community better. Murphy said that a better management and balance of the agenda would be more useful, and advised doing this before changing the time of the meetings. Hoort informed the Board that a proposal will soon be coming to the Board's attention in an effort to have a better management of the agenda. Bacon said that an earlier time at 5 pm would not work for her due to work obligations, and agreed with having a better tailoring of the agenda. Wilson said that the Board has been flexible and has been allowing enough time to deal with big issues, and agreed with the suggestion for a better planning of the agendas. No action was taken by the Board.

Business: Preliminary discussion of FY 2018 BOS Goals [TA]

Hoort said that this is the start of the process for the FY 2018 BOS goals, and the entire process would most likely be finalized in September. Murphy asked the Selectmen to think about their individual goals, and send them to the Executive Assistant to be compiled for a joint review and an approval.

Town Administrator's Report²

The TA report was submitted with the meeting packets. Wilson asked Hoort to prepare a memo about the conference call with the DMF and MEPA regarding cultching.

Topics for Future Discussion

- Wilson – requested to have a revision of the Use of Town property fee schedule.
- Wilson asked about the Shellfish Department report for the month of June.
- Houk said that the paramedic training program at Cape Cod Community College (4Cs) will be ending in a year, and suggested sending a letter of support to 4Cs for the continuation of the program due to the aging population on the Cape.
- Wilson requested a report on the affordable housing units inventory from ATA Brian Carlson.
- Murphy requested an update on the engineered plans for White Crest parking lot.
- Bacon requested a report of the Building Needs and Assessment Committee on the old shellfish shack and the old COA building.
- Houk requested an update on the status of the landing strip with the Cape Cod National Seashore.

Correspondence³ and Vacancy⁴ Report

Wilson brought to the attention of the Board three matters: 1) a noise complaint by Tim Callis and Albert Proia about loud music coming from the Well and the Wagner at Duck Creek after 10 pm. 2) Considering the invitation to join the Coastal Communities Coalition; and 3) Review of the report by Bennet Environmental about the Mayo Creek Restoration Committee.

Minutes⁵ [July 11, 2017]

Wilson offered two amendments on the minutes of June 11, 2017.

MOTION 218-022: Wilson moved and Reinhart seconded to approve the minutes of July 11, 2017 as amended by Wilson. The motion passed 4-0. Houk did not vote.

Adjournment

MOTION 218-023: Reinhart moved and Wilson seconded to adjourn the meeting at 8:50 pm. The motion passed 5-0.

Respectfully submitted,

Michaela Miteva, Executive Assistant

Public Records Materials

¹ TA Email re recreational marijuana dispensaries

² TA Report of July 21, 2017

³ Correspondence Report of July 21, 2017

⁴ Vacancy Report of July 21, 2017

⁵ Draft Minutes of July 11, 2017