

**Wellfleet Board of Selectmen
Minutes of the Meeting of February 13, 2018
Wellfleet Senior Center, 6:30 p.m.**

BOS Members Present: Janet Reinhart – Vice Chair, Jerry Houk, Helen Miranda Wilson, Kathleen Bacon – Clerk.

BOS Members Absent: Dennis Murphy -Chair - excused.

Staff: Dan Hoort - Town Administrator, Brian Carlson – Assistant Town Administrator, Radu Luca – Executive Assistant to the Town Administrator.

The meeting was called to order at 6:30 p.m. by Janet Reinhart.

I. Announcements, Open Session and Public Comments

Note: Public comments must be brief. The Board will not deliberate or vote on any matter raised solely during Announcements & Public Comment.

Bacon expanded on a comment the TA made during the State of the Town address. The TA used the term “informed” when referring to the residents, but she would like them to fill out an application, join a board or committee and be “involved.”

Bacon commended the Charter Review Committee and she said the residents should receive a copy of the Charter and read it.

Wilson said that anyone who would like to join a Town board or committee, should go to their webpage on the Town website and see what that Board / Committee is charged with.

Houk said people should take a tour of the new Police Station if they haven’t done so yet. Houk is sorry to hear Brian Carlson is leaving and wishes him all the best. He would also like to welcome Wilson back after a short hiatus. Houk remembered the late Paul Pilcher and what he did for the community and his work on the voucher system for the School Committee. Reinhart added Pilcher did a lot of good work on the Dredging Task Force as well.

Reinhart said that there will be an Open Government Forum at the Preservation Hall on March 17th. The public will be able to interact with representatives from Town boards and committees and she hopes that residents will get involved more in town government. Reinhart also said Selectperson Cheryl Andrews from Provincetown invited people from the communities of Truro and Wellfleet to join the 2020 commemorations.

Chief Fisette would like to thank Town staff and the BOS for supporting the White Ribbon Day Proclamation that addresses domestic violence in our community and for taking a step for raising awareness.

Fisette also presented the BOS with the Annual Police Report for 2017.

Amy Wolf, from the audience, commented on the proposed marijuana dispensary. She asked for more thought to be put into the location of the dispensary. She is concerned with the entrance and the egress of the dispensary and she said that the intersection at the Old Wharf Road and Route 6 is a problematic one, especially with the school bus stop at that location.

II. Budget review

A. Education Budget – Nauset Regional School District, Wellfleet Elementary School

Wellfleet Elementary School – the 2018-2019 budget is an exceedingly well considered plan, drafted by the Principal, considered by the School Committee and brought to the BOS after a public hearing. There are some unknown variables about the budget, where funds could be reduced. There is one student with special needs and it is not known how things will work out in the future, how the budget will be affected, or what that student's needs will be.

Principal Mary Beth Rodman said the WES FY2019 budget came in at -.79% compared to the previous year. There is a decrease in the line item for teachers' salaries and special needs teachers. There are savings coming from the amount of buses used, electricity, instructional materials, supplies, fuel / oil, telephone, contracted services and equipment. There are some moderate increases in the nurse's salary, cafeteria, custodians, speech language pathologists, special needs assistants', school year tuition, and central office salaries.

The proposed budget will also offer a free after-school child care program for children ages K to 5, but in the years to come there might be a fee associated with this program. The ratio child to qualified staff is 13 to 1.

Wilson commended the proposed free, after-school child care program, which would be beneficial for our children, their working parents and our economy.

Houk mentioned we also have the Sea Babies program, which progresses into Eastham as the children get older. He commended Staff for their budget proposal and all their work.

Hoort asked whether we could address or better understand what the costs associated with the special needs student might be in time for Town Meeting. WES said there are some unforeseen costs and a lot of them depend on what the parents would like to see as well.

Houk asked about bus pickup practices on Briar Lane and whether State regulations dictate where the bus stops.

I move to approve the FY 2019 Wellfleet Elementary School Budget as presented.

Motion: Bacon

Second: Houk

4-0-0. Motion carries.

Superintendent Thomas Conrad presented the Nauset Regional School Budget, which is close to being completed.

Wilson said these numbers are very important and would have appreciated receiving this information in advance, which would be to everyone's advantage, both for the BOS and the audience.

Bacon commended the effort Staff put into this budget and asked whether the 2.49% increase in the budget could be lowered before Town Meeting. Conrad said we could see a few possible adjustments that would bring the number down.

Reinhart asked about the number of children in the middle school and how that affects staffing and budgeting. Conrad said the regional number is basically flat and the projection for the region and the district.

Houk would like to commend Conrad for the budget he presented and agrees with Bacon about keeping the increase below 2.49%. He also commended Nauset High School for being ranked 27th in the State.

Hoort explained that Wellfleet's dollar share will be higher next year, all things being equal, because we'll have more students enrolled from Wellfleet.

III. Public Hearing(s) 7:00pm

None.

IV. Licenses

A. Food Truck

- Banghart Food Truck contract renewal

This item was tabled for a future meeting.

B. Common Victualler:

- Wellfleet Beachcomber

This item was tabled at the previous meeting because the Beach Administrator recommend the Beachcomber provided six port-o-potties on site. Wilson felt that the Beach Administrator knows what she talking about and would like to follow her direction on this. The BOS is an agreement to have all parties involved present in the room when voting on this item.

I move to postpone the Common Victualler Business License for Wellfleet Beachcomber.

Motion: Houk

Second: Wilson

4-0-0. Motion carries.

V. Contracts

A. Discussion and approval of concession contract with Leaside Café at White Crest Beach

Murro Van Meter was present to speak on and support the concession contract with Leaside Café at White Crest Beach.

Wilson said all the requirements for this concession contract were met.

Bacon asked if this would be his second concession. The answer is yes and Meter would employ up to six people. Bacon also asked about the exact location of the food truck at White Crest Beach and Meter said he would locate his truck at the Town's discretion. Bacon would like to commend Meter on his businesses and for providing jobs to local people. Houk asked about the hours of operation. Meter clarified he's obliged contractually to be there from 10 am to 4 pm, but can stay until sunset.

I move to approve the concession contract with Leaside Café at White Crest Beach.

Motion: Wilson

Second: Bacon

4-0-0. Motion carries.

B. Discussion and approval of concession contract with Joey's Food Truck at Baker Field

This item was postponed until a future meeting.

C. Discussion and approval of contract renewal with Purrfect Cleaning Services

Brian Carlson presented the contract renewal with Purrfect Cleaning Services. The only change to the contract is adding one more location to clean at Baker Field.

Bacon said the BOS received a few letters of discontent regarding the cleanliness of some of the restrooms. Houk said, under the contract, Purrfect Cleaning is not obligated to clean the restrooms past Labor Day.

Wilson said she reads the mail on the regular basis and doesn't remember reading about such complaints and would ask the Beach Administrator to check the restrooms and report on their cleanliness. Wilson said this was the only company that put in a bid for this project.

I move to approve the contract renewal with Purrfect Cleaning Services.

Motion: Bacon

Second: Houk

4-0-0. Motion carries.

VI. Appointments/Reappointments

A. C. Wilson Sullivan – Zoning Board of Appeals

Will Sullivan presented a brief introduction of his background to the BOS.

Roger Putnam would like to support Sullivan's application and appointment.

I move to appoint C. Wilson Sullivan as an alternate member to the Zoning Board of Appeals for a term ending in June 2018.

Motion: Houk

Second: Bacon

4-0-0. Motion carries.

VII. Use of Town Property

None.

VIII. Business

A. Approval of Host Community Agreement with Atlantic Medicinal Partners, Inc. [TA, Valerio Romano]

Reinhart clarified that this vote tonight is an agreement to proceed and that the next step is to send the agreement to the Planning Board.

Wilson likes the contract a lot more now, as presented. Wilson asked whether the Navigator program could be within the percentage allowed for the "Annual Payments" to the Town, as described in the Host Community Agreement or if that program could only be included as an optional donation, above and beyond the 3%. The answer was it could be either. The percentage of the revenue coming to the Town of Wellfleet would come solely from product sales and not equipment. Wilson also asked where the jobs created would be advertised. The answer was a job fair closer to the opening date as well as any other way the Town chose to get the word out. Wilson asked whether there would be cultivation on site, and the answer was no. AMP are not licensed by the State to cultivate at this location.

Hoort addressed a previous comment and concern regarding the location, exit, egress and urges AMP to address and satisfy all these issues as the permitting process goes forward.

Jan Morrissey, from the audience, asked about the 3% and what the State allows for the percentage to be used for. Romano said there are three 3%'s: one for the Host Community Agreement for medical marijuana, one for the Host Community Agreement for adult use, and one for the home excise tax. The first two 3% can be used to address addressing any impacts that the facility might have on the municipality with regard to health, safety, programs, personnel, etc. Morrissey also asked who makes the decision on how these tax revenues from medical marijuana would be spent. Wilson responded by saying the Selectmen would make that decision in consultation with AMP and input from the community, starting 14 months after the facility began to operate.

Hoort said that when receipts start coming in, we could go before Town Meeting and ask them for a distribution plan to go towards CIP and law enforcement and equipment, which are related expenses.

Wayne Cloff, from the audience, asked what the 3% might generate in funds. Romano said it's hard to say and it depends on the number of dispensaries on the Cape and he said he wouldn't be surprised if the amount received was up to \$500K.

I move to approve the Host Community Agreement with Atlantic Medicinal Partners, Inc. and authorize the Town Administrator to sign the contract.

Motion: Wilson Second: Bacon 4-0-0. Motion carries.

B. Town Meeting proposed article for Septic System Easement Access at 15 Harding Lane [ATA]

Ben Zehnder and Amy Roberts presented a proposed Town Meeting Article for Septic System Easement Access at 15 Harding Lane. The proposed article was included in the BOS packet.

Reinhart asked whether there would be any new building or construction on site. The answer was no.

Wilson asked whether the BOS would need to recommend the article tonight or wait and recommend it together with the other articles in the warrant. Hoort said the BOS didn't need to vote on this item at this meeting. Wilson said she would like to wait for the recommendation from the Board of Health and the Health Department on this article. Houk asked why Zehnder didn't go about placing this article on the warrant the usual way, but Zehnder explained petitioned articles tend to be considered self-serving and looked at differently. They were hoping for the Selectmen's blessing, so that it could be placed in the Warrant not as a petitioned article

Hoort will redraft this article as a warrant article and will bring it before the BOS for their approval.

No motion was taken on this item.

C. Approval of tax bill insert for the Wellfleet Housing Authority [Gary Sorkin]

I move to approve the Tax Bill Insert for the Wellfleet Taxation Aid Fund.

Motion: Houk Second: Wilson

I move to rescind the previous motion.

Motion: Houk Second: Wilson 4-0-0. Motion carries.

I move to approve the Tax Bill Insert for the Wellfleet Affordable Housing Trust Fund.**Motion: Wilson****Second: Bacon****4-0-0. Motion carries.****D. Approval of tax bill insert for Shellfishing mailing [Asst. Shellfish Constable]**

Bacon asked Mankevetch whether we're looking for fun family activities out on the flats and whether there is enough shellfish out there for everyone. Mankevetch believes we will have an adequate recreational season.

Wilson said that this seemed like a good promotional effort but believed this insert should be done in a few years, when the Department is sure that the clutching program initiative has borne fruit. Mankevetch said there are a lot of good things happening and the energy is good, but cannot really answer whether there will be plenty of shellfish this year or not because of the recent ice event with a lot of the shellfish being buried. He supports this initiative based on his personal experience and this insert will not detrimental.

Wilson would like to wait on including this tax insert bill in the mailing and believes would serve better if it were included in the future.

Houk believes we should give this program a trial period and see what happens, but Bacon would like to be more cautious, especially due to the recent ice event.

I move to take no action on the Tax Bill Insert for the Shellfishing Department.**Motion: Wilson****Second: Bacon****2-2-0. Motion does not pass.****E. Approval of draft BOS "Thank You" letter to SPAT [Asst. Shellfish Constable]**

John Mankevetch said this "Thank You" letter pertains to the grant SPAT gave to the Shellfish Department to enhance propagation efforts.

Bacon read out loud the last paragraph of the letter and suggested that the last paragraph be removed.

Wilson mentioned there were some typos in this draft, and would also like to have the last paragraph taken out.

Bacon would also like to change "Sincerely," to "Respectfully."

I move to approve the BOS "Thank You" letter to SPAT as amended, by removing the last paragraph, removing the last sentence and by changing "Sincerely" to "Respectfully."**Motion: Bacon****Second: Houk****4-0-0. Motion carries.**

F. Discussion of Plan for Town Owned Properties [TA]

Brian Carlson presented a short synopsis of what the Planning Board has been working on for the past several years in cooperation with Cape Cod Commission. The map presented to the BOS lists Wellfleet vacant developed parcels as well as Protected open space parcels.

Reinhart said our housing needs is huge issue and it is important to have a comprehensive list of open Town-owned land.

Hoort said he attended the Housing Authority meeting this morning along with Selectman Bacon, where possible locations for housing were discussed. He said we should look at every parcel of land the Town has and what parcels would be appropriate for building housing in the future. He recommended having a task force to focus on and speed up the housing effort.

Wilson believes we have a very good process in place that is generated by recommendations from the Housing Authority and Housing Partnership and would like to hear the opinions of the people on those two groups, as well as all the other boards and committees who would review properties proposed for housing according to our policy for the disposition of Town-owned Land.

Bacon supports the idea of a Task Force and listened to the DPW staff at today's meeting about how the Coles Neck property should not be used for housing. Bacon would also like the DPW to be a contact and present their recommendation.

Reinhart would like this to be a fluid plan in the future.

Hoort said we do not have a lot of time because more and more people cannot afford to live in our community and it's better to get a task force in place now and really dig into the map and listen to their recommendation.

Wilson was on two housing task forces and agrees things are moving too slowly, but we could gather a huge amount of information very quickly if we had a task force in place.

Gary Sorkin, from the audience, supported Hoort's idea about having a task force. He said we first must assess our needs are and then continue from there.

Jan Morrissey, from the audience, supports Hoort's thoughts on affordable housing needs.

Bacon said we're tapped out on large parcels of land and mentioned she had recommended a feasibility study be done on 95 Lawrence Road to be used for affordable housing.

Wilson asked whether when Sorkin was talking about the old COA lot, he was referring to the entire lot. The answer was yes.

Wayne Cloff, from the audience, mentioned the town map behind the door in the Assessor's Office.

G. Vote to open the 2018 Annual Town Meeting warrant and articles review [TA]

I move to open the 2018 Annual Town Meeting Warrant.

Motion: Wilson

Second: Bacon

4-0-0. Motion carries.

H. Discussion of possible Annual Town Meeting warrant articles [TA]

Hoort said any petitioned articles need to be in before March 1st, 2018. The BOS will have the opportunity to discuss articles at the February 27th meeting and recommend the articles they would like to have included at the following meeting.

Bacon would like to support the article about outstanding fines, which need to be paid before the issuance of the beach stickers.

Wilson suggested that we have a separate meeting, just for the Warrant and there seemed to be consensus for doing that.

IX. Town Administrator's Report

Bacon said Hoort did an outstanding job at the February 8th Town Forum and regrets not being able to attend. Reinhart agreed with Bacon.

X. Topics for Future Discussion

Referring back to the School Committees' agenda item, Wilson doesn't think it's necessary to have a long itemization of budgets or agenda topics read out during a meeting, when they have been included in the packet, so that both the Board and the public can review them in amore easily digestible way.

Bacon would like to advocate for an increase in compensation for the Wellfleet BOS. Out of the four Outer Cape Towns, the Wellfleet BOS have the lowest stipend. Wilson said with some humor, that our considering this issue might represent a conflict of interest. Houk clarified the Selectmen's salaries were established in 1986 and haven't been changed since. Hoort doesn't think this is self-serving because it would encourage people to join the BOS.

From the audience there was a recommendation that other Town board and committee meetings be taped. There was also a question about an update on the intersection at Main Street and Route 6.

- XI. Correspondence and Vacancy Report**
- XII. Minutes [January 23, 2018]**

I move to approve the minutes of January 23rd as amended.

Motion: Bacon Second: Houk 3-0-1. Wilson abstained.

Motion carries.

Janet Reinhart: I move to adjourn the public meeting and enter in executive session for the following reasons:

A. Pursuant to G.L. c. 30A, §21(a) (3) To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares; the Board will review the current collective bargaining status and strategy recommendations for the Wellfleet Police Officers Union.

The Board will not reconvene in public session after the executive session.

Bacon aye

Houk aye

Wilson aye

Reinhart aye

4-0-0. Motion carries.

XIII. Adjournment & Executive Session

- A. Pursuant to G.L. c. 30A, §21(a)(3), to discuss strategy with respect to collective bargaining and litigation if the Chair declares that an open meeting may have a detrimental effect on the Town's bargaining and litigating position, the Board will review the current collective bargaining status and strategy recommendations for the Wellfleet Police Officers Union.**

The BOS meeting was adjourned at 9:12 p.m.

Respectfully submitted,

Radu D. Luca, Executive Assistant to the Town Administrator

Public Records Material for the Meeting of 2/13/18

- 1. Concession Services Bid – Murro Van Meter

2. Concession Services Bid – Joseph Rugo
3. Application to join a Town Board / Committee – C. William Sullivan
4. Tax Bill Insert – Taxation Aid Committee
5. Tax Bill Insert – Shellfish Department
6. Correspondence and Vacancy Report Jan 24 – Feb 13, 2018
7. Draft BOS Minutes 1.23.18