



Board of Selectmen

RECEIVED

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TOWN CLERK
TOWN OF WELLFLEET

The Wellfleet Board of Selectmen will hold a public meeting on Tuesday, July 25, 2017 at 7:00 p.m. at the Wellfleet Senior Center, 715 Old Kings Highway, Wellfleet, MA 02667. It is anticipated that the meeting will be recorded by the Town. Anyone else desiring to record the meeting may do so only after notifying the chair and may not interfere with the conduct of the meeting in doing so.

- I. Announcements, Open Session and Public Comment [7:00]** *Note: Public comments must be brief. The Board will not deliberate or vote on any matter raised solely during Announcements & Public Comment.*
- II. Public Hearing [7:00 PM]**
 - A. Building Department: Mechanical / Duct Work / Exhaust Hood Fee Increase
- III. Appointments/Reappointments**
 - A. Appointment of Nick Picariello to the Board of Health with a term ending 06/30/2019.
 - B. Appointment of Stephen Cooney to the Planning Board with a term ending 6/30/2019.
 - C. Appointment of a Board of Selectmen member to the Herring River Executive Council
- IV. Use of Town Property**
 - A. Aine Cole/Thomson Family Adventures for a clambake on September 5, 2017 from 5 pm to 8 pm at Duck Harbor.
- V. Business**
 - A. Presentation and Request for Letter of Support by Atlantic Medicinal Partners
 - B. Discussion of recreational marijuana dispensaries in Wellfleet [TA]
 - C. Approval of Eversource Licensing Agreement for 36 Gross Hill Rd. [TA]
 - D. Preventative maintenance dredging program [Dennis Murphy]
 - E. Consider an earlier start of the Board of Selectmen meetings [Janet Reinhart]
 - F. Preliminary discussion of FY 2018 BOS Goals [TA]
- VI. Town Administrator's Report**
- VII. Topics for Future Discussion** *[A brief listing of topics for future meeting agendas. The Board will not deliberate or vote on any matter introduced as a future concern]*
- VIII. Correspondence and Vacancy Report**
- IX. Minutes [July 11, 2017]**
- X. Adjournment**



BOARD OF SELECTMEN

AGENDA ACTION REQUEST
Tuesday, July 25, 2017

II

PUBLIC HEARING(S)

REQUESTED BY:	Justin Post, Building Commissioner
DESIRED ACTION:	Approve a fee increase
PROPOSED MOTION:	I move to approve the proposed fee increase for the Building Department for FY2018 for Mechanical/Duct Work/Exhaust Hood from \$50 to \$55 plus 1% of the construction value.
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s): _____
VOTED:	Yea _____ Nay _____ Abstain _____



TOWN OF WELFLEET

300 MAIN STREET WELFLEET MASSACHUSETTS 02667
Tel (508) 349-0300 Fax (508) 349-0305
www.wellfleetma.org

PUBLIC NOTICE

July 25, 2017 Proposed Fee Increases for FY18

BUILDING

	Current	Proposed FY2018
Mechanical / Duct Work / Exhaust Hood	\$50.00	\$55.00 plus 1% of construction value

AD#13587379
Cape Codder 7/17/17

SEL

LEGAL NOTICE TOWN OF WELFLEET PUBLIC NOTICE

Notice is hereby given that the Wellfleet Board of Selectmen will hold a public hearing on Tuesday, July 25, 2017, at 7:00 p.m. in the Wellfleet Council on Aging, 715 Old Kings Highway, to amend the Building Department fees as follows:
Mechanical / Duct Work / Exhaust Hood

Current - \$50.00

Proposed FY2018 \$55.00 plus 1% of construction value

WELFLEET BOARD OF SELECTMEN

AD# 13587207

Cape Codder 07/07/2017

Whether you're looking for
the right job or looking to fill a job
Wicked Local Jobs will get the job done.

Jobs
wickedlocaljobs.com



BOARD OF SELECTMEN

AGENDA ACTION REQUEST
Tuesday, July 25, 2017

III

APPOINTMENTS/REAPPOINTMENTS

REQUESTED BY:	Nick Picariello
DESIRED ACTION:	Fill a vacancy on the Board of Health
PROPOSED MOTION:	I move to appoint Nick Picariello to the Board of Health with a term ending 06/30/2019.
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____



TOWN OF WELLFLEET
APPLICATION FOR TOWN BOARDS & COMMITTEES MEMBERSHIP

Wellfleet depends on its citizens to carry out many of our government's activities. Your community needs your help. *Please volunteer.*

FILL OUT THE FORM BELOW and mail or bring it to:
Wellfleet Selectmen's Office, Town Hall, 300 Main Street, Wellfleet, MA 02667

☒ Name NICK PICARIELLO Date 7-5-17

Mailing Address 51 CHRIS DRIVE
Wellfleet, MA. 02667

Phone (Home) 508-349-2347 (cell) * 508-404-7836

E-mail drnicapic@icloud.com

☒ Please describe briefly any work experience, including volunteer service, that you feel would be useful to the Town: _____

- Retired M.D. after 30+ years as
internist / primary care M.D.
- Audubon, IFAW volunteer

☐ Please add any other information that you think may be useful, including education or other formal training, specialized courses, professional licenses or certifications, etc.:

Interest in Town's Future as 3 daughter
(4 grandchildren) living in Town.

☐ Committees/Boards of Interest: 1) Board of Health
2) _____
3) _____

RECEIVED
JUL 19 2017
OFFICE



BOARD OF SELECTMEN

AGENDA ACTION REQUEST

Tuesday, July 25, 2017

III

APPOINTMENTS/REAPPOINTMENTS

REQUESTED BY:	Stephen Cooney
DESIRED ACTION:	Fill a vacancy on the Planning Board
PROPOSED MOTION:	I move to appoint Stephen Cooney to the Planning Board with a term ending 06/30/2019.
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s): _____
VOTED:	Yea _____ Nay _____ Abstain _____



TOWN OF WELLFLEET
APPLICATION FOR TOWN BOARDS & COMMITTEES MEMBERSHIP

Wellfleet depends on its citizens to carry out many of our government's activities. Your community needs your help. *Please volunteer.*

FILL OUT THE FORM BELOW and mail it to:

Wellfleet Selectmen's Office, Town Hall, 300 Main Street, Wellfleet, MA 02667

☐ Name STEPHEN CONLEY Date 7-20-17

Mailing Address PO Box 1481
WELLFLEET MA 02667

Phone (Home) _____ (cell) 360-420-0683

E-mail THE.CAPE@ME.COM

☐ Please describe briefly any work experience, including volunteer service, that you feel would be useful to the Town: _____

PLANNING & ZONING COMMISSION, GOSHEN, CT
10 YEARS

☐ Please add any other information that you think may be useful, including education or other formal training, specialized courses, professional licenses or certifications, etc.: _____

OPEN MEETING SEMINAR

☐ Committees/Boards of Interest: 1) PLANNING BOARD

2) _____

3) _____





BOARD OF SELECTMEN

AGENDA ACTION REQUEST
Tuesday, July 25, 2017

III

APPOINTMENTS/REAPPOINTMENTS

REQUESTED BY:	BOS
DESIRED ACTION:	Appoint a BOS member to the Herring River Executive Council
PROPOSED MOTION:	I move to appoint _____ to the Herring River Executive Council.
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____



BOARD OF SELECTMEN

AGENDA ACTION REQUEST
Tuesday, July 25, 2017

IV

USE OF TOWN PROPERTY

REQUESTED BY:	Aine Cole/Thomson Family Adventures
DESIRED ACTION:	Approve a request for use of Town property
PROPOSED MOTION:	I move to approve the request of Aine Cole/Thomson Family Adventures for a clambake on September 5, 2017 from 5 pm to 8 pm at Duck Harbor with a use fee of \$100 and conditions as listed on the use form.
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s): _____
VOTED:	Yea _____ Nay _____ Abstain _____

17-~~31~~
31

APPLICATION FOR PERMIT TO USE TOWN OWNED PROPERTY

TOWN OF WELLFLEET
300 MAIN STREET
WELLFLEET, MA 02667

Applicant Aine Cole Affiliation or Group Thomson Family Adventures
Telephone Number 774-722-4397 Mailing Address 14 Mt. Auburn St. Watertown
Email address aine@familyadventures.com MA 02472

Town Property to be used (include specific area) Mayo Beach, Indian Neck, Whitcomb

- any of these - also open to suggestions! Duck Harbor
Date(s) and hours of use: Tuesday, Sept. 5th, 2017 around 5pm-8

Describe activity including purpose, number of persons involved, equipment to be used, parking arrangements, food/beverage service, etc. Also please indicate if fees will be charged by applicant.

• my company is having a travel conference on The Cape and would like to host a clambake for our international partners. • 30-40 ppl
• Clambakes Etc. will cater • we will provide table & chairs • pot-style
• carpooling • we understand no alcohol • clambake will be on The beach (we hope!)

Describe any Town services requested (police details, DPW assistance, etc.)

- no services - we will be setting up & cleaning up completely. It will be private event.

NOTE TO APPLICANTS: All applications must be accompanied by a non refundable \$50.00 processing fee. Applications must be received at least 30 days prior to the first event date to insure that all reviews can be completed prior to the event. This application is only for permission to use Town property. Any additional licenses, such as food service permit, etc., may be required and it is the applicant's responsibility to secure the same.

Action by the Board of Selectmen:

____ Approved as submitted

____ Approved with the following condition(s): _____

____ Disapproved for following reason(s): _____

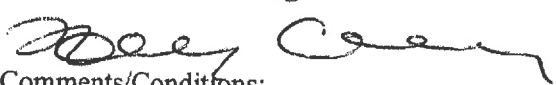





Processing Fee: \$50.00 paid

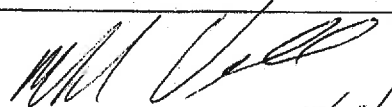
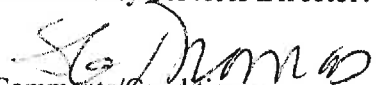
Fee: _____

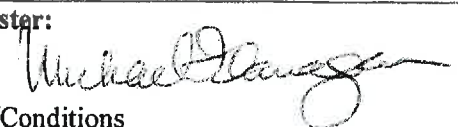
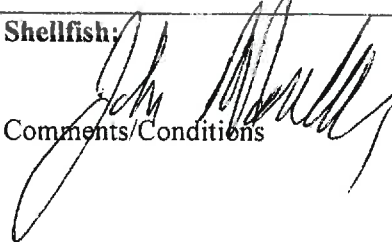
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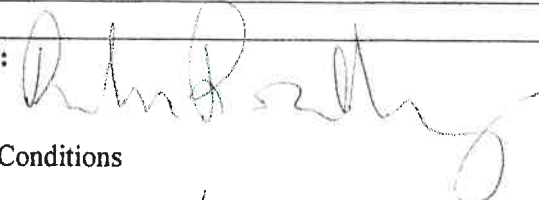
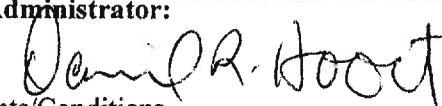
APPLICANT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND INSPECTIONS

Health/Conservation Agent:  Comments/Conditions: PRIVATE EVENT Permits/Inspections needed:	Inspector of Buildings:  Comments/Conditions: Permits/Inspections needed: 6-22-17
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Police Department: Comments/Conditions:  6/20/17 OK	Fire Department: Comments/Conditions:  6/23/17 OK
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DPW:  Comments/Conditions: 6/23/17	Community Services Director:  6/23/17 Comments/Conditions: OK for Indian Neck.
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Harbormaster:  Comments/Conditions: 6/24/17 OK	Shellfish:  Comments/Conditions:
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Recreation:  Comments/Conditions: 6/23/17	Town Administrator:  Comments/Conditions:
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BOARD OF SELECTMEN

AGENDA ACTION REQUEST
Tuesday, July 25, 2017

V

BUSINESS

REQUESTED BY:	Atlantic Medicinal Partners, Inc.
DESIRED ACTION:	Approve a request for a letter of support or non-opposition for a medical marijuana dispensary at 1065 State Highway (Route 6) in Wellfleet.
PROPOSED MOTION:	I move to approve/deny the request of Atlantic Medicinal Partners, Inc. for a letter of support or non-opposition 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.
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____



Vicente Sederberg, LLC
& VGR Law Firm, P.C.
1400 Hancock Street, 3rd Floor
Quincy, MA 02169



June 16, 2017

Wellfleet Board of Selectmen
Attn: Dennis Murphy, Chairman
300 Main Street
Wellfleet, MA 02667

Re: Atlantic Medicinal Partners, Inc. Request for Placement on Agenda

Dear Mr. Murphy:

This office represents Atlantic Medical Partners, Inc. ("AMP") in its efforts to site a medical marijuana dispensary at 1065 State Highway (Route 6) in Wellfleet, Massachusetts pursuant to the 2012 *Act for the Humanitarian Medical Use of Marijuana*.

As you may be aware, AMP met with the Town's Police Chief, Town Administrator, Building Inspector, Health Agent, and the Planning Department to discuss its plans and solicit input as to local concerns regarding such a facility. We feel that the meeting was a productive first step in providing information to the Town regarding the benefits that the business can provide to the Town. As a result, my client would like to proceed with an appearance at the next available Board of Selectmen meeting in July to seek a letter of support or non-opposition from the Board to operate the facility, as required by the licensing process overseen by the Massachusetts Department of Public Health.

I am attaching a formal Request for Placement on Agenda in the form provided on the Board's website. Please let me know when my client might appear at your earliest convenience, and do not hesitate to contact me if you have any questions regarding this matter.

Very Truly Yours,

A handwritten signature in blue ink, appearing to read "Valerio G. Romano". The signature is fluid and cursive, with a large loop at the end.

Valerio G. Romano, Esq.

VGR/tc
Enclosures

VGR Law Firm P.C.
Phone: (617) 307-4728
Fax: (617) 307-4729

Vicente Sederberg LLC
Phone: (617) 934-2121
Fax: (617) 514-0008



Board of Selectmen

Request for Placement on Agenda

Name: Valerio G. Romano, Esq.

Address: VGR Law Firm, P.C., 1400 Hancock Street, 3rd Floor, Quincy, MA 02169

Company or Organization Representing: Atlantic Medicinal Partners, Inc.

Phone Number: 617-307-4728

Email Address: Valerio@VGRLawFirm.com

Specific Request: Please place the request of Atlantic Medicinal Partners, Inc. for a
letter of support or non-opposition to operate a medical marijuana dispensary at 1065
State Highway on the agenda for the next available July 2017 Board of Selectmen
hearing.

To be Filed out by Dept. _____

Applicant Notified: _____ Date of Hearing: _____

Date Request Completed: _____

am

ATLANTIC MEDICINAL PARTNERS

PRESENTATION TO THE WELLFLEET BOARD OF SELECTMEN
TUESDAY, JULY 25TH, 2017

Mission and Vision

- The mission of Atlantic Medicinal Partners, Inc. (“AMP”) is to provide consistent, high quality marijuana for medical use, to qualifying patients and their caregivers in the Commonwealth of Massachusetts.
- AMP will offer a wide variety of products and services to meet the unique needs of each patient and will offer its products and services to registered patients and their caregivers at the most affordable price possible.
- AMP will ensure that patients have access to specialized strains of marijuana, including high CBD marijuana with little to no psychoactive properties, as well as a variety of marijuana infused products in accordance with 105 CMR 725.000.
- AMP will create a community-focused operation by leveraging its non-profit, business, and medical marijuana experience to give back to the community through a variety of charitable endeavors.

Executive Management Team

Frank Cieri (CFO)

- Mr. Cieri is a Founder and Vice President of Sales of Micros Northeast, New England's leading computing technology dealership that supplies equipment and services to the region's top high-tech firms, leading companies, and most prestigious universities.
- At Micros Northeast, Mr. Cieri oversees every aspect of the company from business development to operational supervision of its purchasing, inventory, receivables, and payables.
- Each year Mr. Cieri organizes and serves as the auctioneer for the Boys & Girls Club of Lawrence's annual auction, which generates approximately \$400K-\$500K annually that is used to support BGCL programs.

Frank Cousins (Director of Security)

- Mr. Cousins served as the Sheriff of Essex County for over 20 years, where he supervised more than 500 employees at nine facilities that together housed approximately 2,000 criminal offenders.
- During his tenure as Sheriff, Mr. Cousins instituted a number of progressive reforms, including establishing an 80-bed, in-house detox facility within the Middleton House of Corrections to enable non-violent, pre-sentence offenders break the cycle of addiction and incarceration.
- Mr. Cousins also established a separate, but similar, facility reserved specifically for female inmates called Women in Transition ("WIT") that currently serves 24 non-violent offenders suffering from alcohol and drug addictions in-house, and another 14 via electronic monitoring.

Executive Management Team

Chapman Dickerson (Director of Cultivation)

- Chapman started his career in medical marijuana at a collective in Colorado where he studied operational procedures and methods for quality control, processing, procurement, and cultivation.
- Chapman returned to Rhode Island to become a registered marijuana caregiver where he designed and built a cultivation and processing facility that provided safe, reliable, and consistent access to medical marijuana for registered patients and three registered compassion centers.
- During his time in Rhode Island, he implemented a seed-to-sale software platform that allowed for grow production and tracking management, real-time inventory tracking, and online ordering.
- Chapman also formed Dickerson Farms, LLC, a medical marijuana consulting company that provided clients assistance with identifying suitable dispensary locations, designing facilities, improving planned operations, developing business plans, and navigating the regulatory landscape.
- Chapman also founded and managed Controlled Environmental Services, LLC, which currently consults for several RMD applicants in the Commonwealth of Massachusetts.

Executive Management Team

Stephen Perkins (CEO)

- Stephen is also the Founder and Chief Operating Officer (COO) of Big Time Wrestling ("BTW"), a sports promotion firm that produces wrestling events in venues across the country.
- As COO of BTW, Stephen supervises over 100 independent contractors who work to ensure that each wrestling match, whether for profit or for a non-profit fundraiser, is properly promoted and conducted so that both the athletes and fans enjoy a safe and entertaining event.
- In addition, Stephen is a Founder and Managing Member of Causeway Tickets LLC ("Causeway"), a leading Boston-area event ticket broker. At Causeway, Stephen's primary responsibility is managing daily operations, staff, inventory, accounts and sales.

Jeffrey Perkins (COO)

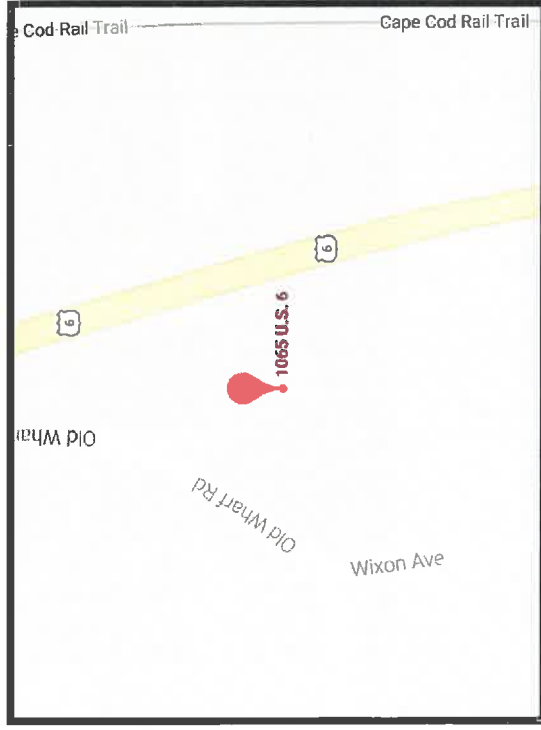
- Jeffrey is a Founder, Managing Member and COO of Causeway Tickets LLC ("Causeway"), a leading Boston-area event ticket broker.
- A conscientious, detail-oriented and accomplished software developer, Jeffrey relied on his technical know-how and business acumen to identify problems, craft efficient solutions, and grow Causeway from a small start-up to a thriving company.
- To meet AMP's complex inventory tracking and reporting demands, Jeffrey will rely on his experience developing an integrated point-of-sale inventory system for Causeway that automatically tracks and records ticket sales across the entire secondary market in order to eliminate overselling and improve the customer experience.

RMD Application Process

- AMP submitted one application to the Massachusetts Department of Public Health (DPH) to operate a Registered Marijuana Dispensary (RMD) in the Commonwealth.
- AMP anticipates being invited by the DPH to submit the third phase of the application process, the Siting Profile this month.
- The Siting Profile currently requires applicants to obtain a letter of support or non-opposition from the municipality that the RMD intends to locate in.



1065 State Highway, Route 6



- In accordance with Wellfleet's Zoning Bylaws, the proposed property is located in Wellfleet's Medical Marijuana Overlay District.
- As per Section 9.3.4.2 of Wellfleet's Zoning Bylaws, the proposed property is not located within 300 feet of the property line of a school, child care facility, playground, youth center, public beach or pond, or other facility in which minors commonly congregate.

Exterior of Existing RMDs



New England Treatment Access
118 Conz Street, Northampton



Patriot Care
70 Industrial Avenue, Lowell

Rendering of Proposed Facility



Security

- Director of Security Frank Cousins has significant experience and expertise in public safety and private security. Utilizing his professional knowledge, Mr. Cousins will manage and operate a comprehensive security program to ensure that the facility is a safe and secure environment for registered qualifying patients.
- AMP's state-of-the-art security system will consist of perimeter alarms at all entry points and perimeter windows, as well as duress, panic, and holdup alarms connected to local law enforcement for efficient notification and response in the event of a security threat. The system will also include a failure notification system that will alert management immediately in the event of a system failure.
- A redundant alarm system will be used to ensure that active alarms are operational in the event that the primary system is compromised.
- Cameras will be used in all areas that contain marijuana, entrances, exits, and parking lots. These cameras will remain operational in the event of a power outage.
- The exterior of the building and surrounding area will be sufficiently lit and foliage will be minimized to ensure clear visibility of the area at all times.

RMD Security Studies and Media Attention

- In a June 2011 Regent University study, researcher Maura Scherrer found that most crimes, including robbery, vandalism, and disorderly conduct increased in Denver from 2008 to 2009. However, in areas within 1,000 feet of a dispensary, rates were down for most types of crime (including a 27.5% reduction in disorderly conduct citations). She concluded, “it appears that crime around the medical marijuana centers is considerably lower than citywide crime rates; a much different depiction than originally perceived.”¹
- New England Treatment Access (NETA), an operating RMD in Massachusetts, recently assisted the Brookline Police Department in identifying a suspect who had been linked to several felonies in the area by providing Police with access to NETA’s high-resolution cameras. The high-resolution cameras are a regulatory requirement for RMDs—among dozens of other security requirement—that AMP will also be required to comply with.²
- A 2014 study found that those states that had passed a medical marijuana law experienced greater reductions in Part 1 offenses (i.e. homicide, rape, robbery, assault, burglary, larceny, and auto theft) than states that had not passed such laws.³

¹ Scherrer, Maura L., “Medical Marijuana Centers and Urban Resident’s Perception of Crime in their Neighborhood” (2011). *All Regis University Theses*. Paper 473.

² Myers, Danielle, “Brookline Marijuana Dispensary Helps Solve Crime.” Brookline Hub. 19 October 2016.

³ Morris RG, TenEyck M, Barnes JC, Kovandzic TV, “The Effect of Medical Marijuana Laws on Crime: Evidence from State Panel Data, 1990-2006.” 2014. PLoS ONE 9(3): e92816. doi:10.1371/journal.pone.0092816

Medical Marijuana Studies

- A study conducted by Wayne State University Medical School and published in 2013 found that medical marijuana patients consistently reported using marijuana to substitute or wean off prescription narcotic drugs. All of the interviewed patients reported having reduced their overall prescription drug use by using medical marijuana.¹
- An American Medical Association study published in 2014 reported that states that enacted medical cannabis laws had a 24.8% lower mean annual opioid overdose mortality rate compared with the states without medical cannabis laws.²
- The University of Colorado and the Institute for the Study of Labor jointly published a 2012 study that analyzed large national data sets of self-reported marijuana use by high school students in the years leading up to and following the enactment of medical marijuana laws. The researching economists concluded their results were not consistent with the hypothesis that the legalization of medical marijuana caused an increase in the use of marijuana and other substances among high school students.³
- In Colorado “youth marijuana use remains relatively unchanged” since the implementation of medical and non-medical marijuana laws. Colorado youth marijuana use is 21.2% versus 21.7% as the national average.⁴
- Typical physicians in medical marijuana states prescribe 1,826 fewer doses of painkillers in a given year, in comparison to states without medical marijuana laws.⁵

¹Peters II, David C., *Patients and Caregivers Report Using Medical Marijuana to Decrease Prescription Narcotics Use*, Humboldt J. of Soc. Rel., Wayne State University School of Medicine (2013).

²Bachhuber MD, Marcus A., *Medical Cannabis Laws and Opioid Analgesic Overdose Mortality in the United States, 1999-2010*, J. Amer. Med. Assoc. Internal Medicine (2014).

³Anderson, D. Mark, *Medical Marijuana Laws and Teen Marijuana Use*, University of Colorado and The Institute for the Study of Labor (2012).

⁴*Healthy Kids Colorado Survey 2015*, Colorado Department of Public Health & Environment.

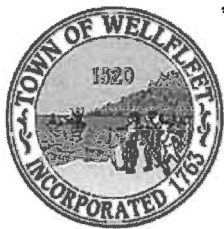
⁵Bradford, Ashley C. and Bradford, W. David, *Medical Marijuana Laws Reduce Prescription Medication Use in Medicare Part D*, Health Affairs (2016)

Benefits to Wellfleet

- **Jobs.** A RMD in Wellfleet will add 5-15 full-time jobs to Wellfleet, in addition to employing local contractors and other services.
- **Gifts.** A Community Host Agreement would provide Wellfleet with additional benefits, including regular payments beyond local taxes.
- **Taxes.** AMP commits to paying property taxes, despite non-profit status, and potential for charitable status in the future.
- **Regulation.** AMP will serve the needs of local patients, obviating any need for the mostly unregulated “hardship” cultivation registrations.
- **Control.** Wellfleet’s Police Department and other municipal departments will have oversight over AMP’s security systems and processes.
- **Access.** AMP will provide Wellfleet’s patients with access to valuable medication.
- **Responsibility.** AMP is comprised of local professionals who have undergone extensive background checks and DPH scrutiny.

Letter of Support or Non-Opposition

- A letter of support or non-opposition is just one step in the application process with the DPH and the first step in the approval process with Wellfleet.
- At DPH level, AMP must still:
 - Pass Siting Profile and obtain Provisional Registration;
 - Undergo architectural and security review;
 - Build out location and be inspected again;
 - Obtain Final Registration; and
 - Undergo continuous surprise and scheduled inspections.
- At the Municipal level:
 - Host Community Agreement;
 - Special Permit (Zoning Board of Appeals); and
 - Ongoing interaction with municipal departments.



BOARD OF SELECTMEN

AGENDA ACTION REQUEST
Tuesday, July 25, 2017

V

BUSINESS

REQUESTED BY:	TA
DESIRED ACTION:	Discuss recreational marijuana dispensaries in Wellfleet
PROPOSED MOTION:	TBD
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____

Michaela Miteva

From: Dan Hoort
Sent: Monday, July 17, 2017 3:45 PM
To: Board of Selectmen
Subject: FW: Wellfleet -: Recreational Marijuana

Dear Selectmen,

On your July 27th agenda we currently have a presentation and request for a letter of support for a medical marijuana dispensary in Wellfleet. I'm sending you the correspondence below in advance of your meeting, it will also be included in your Selectmen's packet.

Should the Town of Wellfleet decide it does NOT want recreational marijuana dispensaries in town, town voters would have to make that decision at a town meeting prior to April 1, 2018 which would require a special town meeting at some point. The agenda on July 27th will be broad enough so you will be able to have preliminary discussions on it.

Dan

From: Carolyn M. Murray [mailto:CMurray@k-plaw.com]
Sent: Monday, July 17, 2017 1:33 PM
To: Dan Hoort <Dan.Hoort@wellfleet-ma.gov>
Cc: Brian Carlson <Brian.Carlson@wellfleet-ma.gov>
Subject: RE: Wellfleet -: Recreational Marijuana

The application is made to the State, not to the Town. Assuming these dates remain unchanged by any pending legislation, the Town would need to take action before April 1, 2018 if they wanted to ban recreational marijuana establishments.

Carolyn M. Murray, Esq.
KP | LAW
101 Arch Street, 12th Floor
Boston, MA 02110
O: (617) 654 1726
F: (617) 654 1735
C: (617) 257 9581
cmurray@k-plaw.com
www.k-plaw.com

This message and the documents attached to it, if any, are intended only for the use of the addressee and may contain information that is PRIVILEGED and CONFIDENTIAL and/or may contain ATTORNEY WORK PRODUCT. If you are not the intended recipient, you are hereby notified that any dissemination of this communication is strictly prohibited. If you have received this communication in error, please delete all electronic copies of this message and attachments thereto, if any, and destroy any hard copies you may have created and notify me immediately.

From: Dan Hoort [mailto:Dan.Hoort@wellfleet-ma.gov]
Sent: Monday, July 17, 2017 1:31 PM
To: Carolyn M. Murray
Cc: Brian Carlson
Subject: RE: Wellfleet -: Recreational Marijuana

If medical marijuana dispensaries wish to file an application to operate a recreational marijuana establishment is their application to the Town or to the state? If it's to the Town I would think the Selectmen could delay approval. But, I'm

guessing it's to the state and if the Town doesn't want a recreational marijuana establishment they would need to have that decision in place no later than April 1st. Is that correct?

Dan

From: Carolyn M. Murray [<mailto:CMurray@k-plaw.com>]
Sent: Monday, July 17, 2017 11:57 AM
To: Dan Hoort <Dan.Hoort@wellfleet-ma.gov>
Cc: Brian Carlson <Brian.Carlson@wellfleet-ma.gov>
Subject: Wellfleet -: Recreational Marijuana

Dan,

Right now, the Cannabis Control Commission is supposed to issue final regulations pertaining to recreational marijuana establishments by July 1, 2018, and applications for licenses under those final regulations are expected to be issued beginning 90 days thereafter. However, medical marijuana dispensaries can begin filing applications to operate as a recreational marijuana establishment beginning April 1, 2018 with retail sales of recreational marijuana to begin July 1, 2018 if the Cannabis Control Commission has not issued final regulations.

As you are aware, there are several bills pending with the state legislature at this time that could impact these current deadlines or even change the process by which a recreational marijuana establishment is prohibited by a town. Also, under the current law, it is our opinion that a town must adopt a zoning bylaw plus submit a ballot question to voters in order to prohibit recreational marijuana establishments, although this procedure may also be addressed in the pending legislation.

This situation is clearly in a state of flux, but right now the critical deadlines are April 1, 2018 for a medical marijuana dispensary to apply for a license to sell recreational marijuana and July 1, 2018 for final regulations to be issued, whereby other entities may apply for licenses to operate as a recreational marijuana establishment. Accordingly, the Town should consider whether any action is needed for the Fall Town Meeting.

Please contact me with any further questions.

Thank you,

Carolyn M. Murray, Esq.
KP | LAW
101 Arch Street, 12th Floor
Boston, MA 02110
O: (617) 654 1726
F: (617) 654 1735
C: (617) 257 9581
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From: Dan Hoort [<mailto:Dan.Hoort@wellfleet-ma.gov>]
Sent: Monday, July 17, 2017 9:08 AM
To: Carolyn M. Murray

Cc: Brian Carlson
Subject: FW: Recreational Marijuana

Carolyn,

If the Town decides it does not want to allow the sale of recreational marijuana by what date should that decision be made? The question may come up at our next Selectmen's meeting when a medical marijuana dispensary is before the BOS to discuss a possible location in Wellfleet.

Thanks,
Dan

From: dennyoc [<mailto:dennyoc@comcast.net>]
Sent: Monday, June 12, 2017 2:04 PM
To: Dan Hoort <Dan.Hoort@wellfleet-ma.gov>; Brian Carlson <Brian.Carlson@wellfleet-ma.gov>
Cc: Parent Gerry <geparent@yahoo.com>; Morrissey Jan <jvmorris47@gmail.com>
Subject: Recreational Marijuana

Dan and Brian – the following showed up on the MassPlanner's blog this morning. I would hope that Wellfleet will take some conscious action rather than letting the default actions take place – and to do such will require Town Meeting action before April 1, 2018.

Is anything going to happen?

Denny O'Connell

Hi All,

The Governor has until August 1, 2017 to appoint the 15-member Cannabis Advisory Board.

The State Treasurer has until September 1, 2017 to appoint the 3-member Cannabis Control Commission.

The Cannabis Control Commission then has until March 15, 2018 to adopt regulations for the sale of recreational marijuana, and until April 1, 2018 to begin accepting vendor applications.

Approved vendors can begin selling marijuana to the public as of July 1, 2018.

If for some reason the CCC does not adopt regulations before June 1, 2018, then any existing medical marijuana dispensary may sell marijuana to the public with no further permitting. (An exception may be that if there is a local host agreement that prohibits such sale to recreational users but this is open to interpretation since there were no parameters in the November 2016 ballot question.)

Therefore, if you are considering prohibiting or limiting the opportunity for retail sales, or a moratorium to decide exactly how to craft some local bylaw language, you may want to consider some form of action at a 2017 fall town meeting or a special town meeting if your spring town meeting or annual election falls after April 1, 2018.

Exactly what form of action is still open to a wide variety of

options. There were more than 80 bills filed to address some aspect of marijuana, and not all were assigned to the Marijuana Policy Committee. Most pundits do not expect a bill to be passed before the summer break begins at the end of July, although the draft may be available to provide some guidance. We are hopeful that there will be guidance for those seeking to prohibit or limit retail sales, such as whether a simple "ban" on issuance of licenses by the board of selectmen is sufficient, as could be the case for alcohol sales, or if something more explicit in the general bylaw or zoning bylaw is required. Even with legislative clarification, regulations are not expected before next spring, leaving a very narrow window of time to react locally before retail sales can otherwise begin.

Tony Fields
MAPD Legislative Liaison

On Fri, Jun 9, 2017 at 9:47 AM, Aaron Henry <ahenry@lexingtonma.gov> wrote:

> I've heard tell of a new schedule of events on Recreational MJ from the
> state? The result of which would likely require us to move on this at a
> special fall town meeting, rather than wait until the regular annual town
> meeting as we were planning on. Have any of you heard of this?

>

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>

> Aaron Henry, AICP

>

> Planning Director | Town of Lexington

>

>>

>



BOARD OF SELECTMEN

AGENDA ACTION REQUEST
Tuesday, July 25, 2017

V

BUSINESS

REQUESTED BY:	TA
DESIRED ACTION:	Approve a licensing agreement with Eversources
PROPOSED MOTION:	I move to approve the Eversource Licensing Agreement for 36 Gross Hill Rd as printed.
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____



484 Willow St W. Yarmouth, MA 02673

June 30, 2017

Town of Wellfleet
Board of Selectmen
300 Main Street
Wellfleet, MA 02669

Dear Sirs:

Enclosed is a prepared form by which you may grant a License Agreement to NSTAR Electric Company d/b/a EVERSOURCE ENERGY for electric facilities which will service the @ 36 Gross Hill Road, Wellfleet, MA.

The License Agreement shall remain in effect until the permanent easement can be signed at the next Town Meeting.

If this meets with your approval, please have the Selectmen sign the Agreement and return two original copies of the instrument to my attention:

Eversource Energy
484 Willow Street
W. Yarmouth, MA 02673
Attn: Jessica Elder-Right of Way

You may retain the additional copy for your records.

Warm Regards,

Jessica Elder

Jessica Elder
Right of Way Agent

LICENSE AGREEMENT
WO#2170272 – Pdmnt#10162/020
36 Gross Hill Rd- Wellfleet

THIS LICENSE AGREEMENT is entered into this _____ day of _____, 2017, by and between **THE TOWN OF WELLFLEET**, a municipal corporation, having its principal place of business at 300 Main Street, Wellfleet, MA 02667 (hereinafter referred to as "Licensor") and **NSTAR ELECTRIC COMPANY d/b/a Eversource Energy**, a Massachusetts corporation having a principal place of business at 800 Boylston Street, Boston, Suffolk County, Massachusetts (hereinafter referred to as "Licensee").

WHEREAS, Licensor is the record owner of land situated on 36 Gross Hill Road, Wellfleet, Barnstable County, Massachusetts, by virtue of documents known as "Order of Taking by the Selectmen of Wellfleet" recorded in Book2606, Page 264 dated October 28, 1977 and recorded with the Barnstable County Registry of Deeds.

NOW THEREFORE, Licensor hereby grants to Licensee, its successors and assigns, the non-exclusive right to locate, relocate, erect, construct, reconstruct, install, operate, maintain, patrol, inspect, repair, replace, alter, change the location of, extend or remove transformers, and primary wire, together with service conductors and other necessary equipment and apparatus ("equipment"), along, upon, under, across and over that certain parcels of land situated in the Town of Wellfleet. It is agreed that the location of said easement shall be established by the installation and/or existence of said lines and that the easement shall be 15 feet in width.

Together with the right to trim, clear, keep cleared, cut and remove such trees and underbrush or other obstructions as in the judgment of the Grantees may interfere with or endanger said line and equipment and to enter upon said land for any of the aforesaid purposes.

It is agreed that such line or lines and each and every part thereof, whether fixed to the realty or not, shall be and remain the property of the Grantees and their successors and assigns, as their interests may appear.

This License Agreement shall be in effect until such time as an Easement is procured from the Town of Wellfleet.

IN WITNESS WHEREOF, the parties have hereunto caused this License Agreement to be executed by their authorized officials, effective as of the date first written above.

Town of Wellfleet-Board of Selectmen

Dennis Murphy, Chairman

Janet Reinhart, Vice Chairman

Jerry Houk, Selectmen

Helen Miranda Wilson-Selectmen

Kathleen Bacon-Clerk



BOARD OF SELECTMEN

AGENDA ACTION REQUEST
Tuesday, July 25, 2017

V

BUSINESS

REQUESTED BY:	BOS Chairman Dennis Murphy
DESIRED ACTION:	Discuss and consider approval of a Preventative maintenance dredging program
PROPOSED MOTION:	TBD
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s): _____
VOTED:	Yea _____ Nay _____ Abstain _____



BOARD OF SELECTMEN

AGENDA ACTION REQUEST
Tuesday, July 25, 2017

V

BUSINESS

REQUESTED BY:	Janet Reinhart
DESIRED ACTION:	Consider an earlier start of BOS meetings
PROPOSED MOTION:	I move to change the start of the Board of Selectmen meetings from 7:00 pm to _____ pm starting with the meeting on _____.
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____



BOARD OF SELECTMEN

AGENDA ACTION REQUEST
Tuesday, July 25, 2017

V

BUSINESS

REQUESTED BY:	TA
DESIRED ACTION:	Each BOS member to prepare a list of individual BOS Goals for the next Board's meeting (8/8/17)
PROPOSED MOTION:	N/A
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____



TOWN OF WELLFLEET

300 MAIN STREET WELLFLEET MASSACHUSETTS 02667
Tel (508) 349-0300 Fax (508) 349-0305
www.wellfleet-ma.gov

BOARD OF SELECTMEN GOALS 2016-2017

Approved on September 13, 2016

Buildings and Grounds

- Make decision on Baker Field Recreation building (BB, JH, JR)
- Make decision on Shellfish building (BB, JR)
- Review funding for maintenance and repairs of public buildings; consider hiring separate maintenance personnel (DM)
- Continue Harbor Dredging efforts (DM)
- Make long-term plan for Mayo Beach and Recreation area (JR)

Financial

- Forensic Audit of Shellfish Department (DM, JH, HW, JR)
- Limit the FY 2018 budget increase to 2.5% (BB, JR)
- Direct departments to look into funding from fees and grants (JH, JR, HW)
- Require that any new positions be subject to Town Meeting vote and prop 2 ½ override by voters (BB)

Other

- Consider a Full-Time Building Inspector (DM, JH, JR,)
- Work with Board of Water Commissioners to update the Master Water Plan (DM, JH)
- Provide ongoing education to staff, committees and voters on:
 1. Open Meeting Law (JR, HW)
 2. Conflict of Interest (JR, HW)
 3. Regulations (JR, HW)
 4. Charter, Bylaws, Selectboard policies training for staff (HW)
 5. Meeting Procedures (JR)
- Provide education for new commercial and non-commercial shellfish permit holders (HW)
- Consider getting off Virtual Town Hall (HW)



BOARD OF SELECTMEN

AGENDA ACTION REQUEST
Tuesday, July 25, 2017

VI

TOWN ADMINISTRATOR'S REPORT



TOWN OF WELFLEET

300 MAIN STREET WELLFLEET MASSACHUSETTS 02667

Tel (508) 349-0300 Fax (508) 349-0305

www.wellfleetma.org

To: Board of Selectmen
From: Dan Hoort, Town Administrator
Subject: Town Administrator's Report
Date: July 21, 2017

This report is for the period July 8 through July 21, 2017.

1. General

- Completed Wellfleet Dredging Project informational piece to use with Army Corp of Engineers and legislators. To be reviewed by Dredging taskforce.
- Looking for a charging station installation proposals to bring to BOS.

2. Fiscal Matters

- Prepared preliminary draft of FY 2019 budget and 2018 ATM schedule.

3. Meetings

- July 11 – Met with resident regarding food truck
- July 11 – Meeting on expansion of White Crest parking lot
- July 11 – Meeting with Barnstable County IT regarding upgraded phone system
- July 11 – Meeting with residents to discuss local options for teens
- July 11 – Meeting with Tom Cole to discuss government channel programming
- July 11 – Board of Selectmen meeting
- July 12 – Meeting with SPAT to discuss Oysterfest electrical
- July 12 – Finance Committee meeting
- July 13 – Meeting with Non-resident Taxpayers Association president
- July 14 – Meeting with CCNS representative to discuss possible charging stations
- July 19 – Planning Board meeting
- July 20 – Dredging Task Force meeting
- July 20 – Conference call with DMF and MEPA regarding cultching

4. Complaints.

- Pond parking lots

5. Miscellaneous.

- Planning for an October 28th economic vitality summit with business community and interested Wellfleet residents.

6. Personnel Matters:

- Nancy Civetta start date is August 10th.

[illegible]



BOARD OF SELECTMEN

AGENDA ACTION REQUEST
Tuesday, July 25, 2017

VIII

CORRESPONDENCE AND VACANCY REPORT

CORRESPONDENCE TO THE BOARD OF SELECTMEN

Friday, July 21, 2017

Letters (emails):

7/12/17	NRAB	Letter of support for the HRRP
7/14/17	TA Dan Hoort	Letter of Support to the Mass Joint Committee on Revenue for House Bill 2641 (Room Occupancy Tax)
7/19/17	Jude Ahern	E-mail - SAB meeting on 7/19 and Nancy Civetta's plans for the Shellfish Dept.
7/19/17	Jason Ortega	E-mail: Coastal Communities Coalition – request for \$500 annual membership
7/19/17	John Cumbler	Resignation from the Board of Health
7/20/17	Wayne Klockner, The Nature Conservancy	Letter of support for the HRRP
7/20/17	Bennet Environmental Associates, Inc.	Harborside Village Cooperative Corp. – concerns with the Mayo Creek Restoration Committee Freedom of Information Act Response Information

Applications:

7/19/17	Nick Picariello	Application for appointment to the Board of Health
7/20/17	Stephen Cooney	Application for appointment to the Planning Board

Federal State Local:

7/14/17	Cape Cod Assembly of Delegates	Meeting Agenda for July 19, 2017 at 4 pm
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Board & Committee Meeting Minutes:

7/12/17	WES School Committee	Minutes of March 14, 2017
7/21/17	Conservation Commission	Minutes of June 7, 2017
7/21/17	ZBA	Minutes of May 18, June 1 and June 15, 2017

Notices:

7/21/17	ZBA	1. Notice of Original Decision on 17/15 and 17/16 - Curtis Felix, 2207 State Hwy, Map 23, Parcel 217: To Uphold the Building Inspector's Order -- no appeals filed, therefore ZBA considers these requests final.
7/21/17	ZBA	Notice of Decision on 17/27 – Susannah Pabot, Trustee of 196 Chequessett Neck Rd., Map 14, Parcel 64 – to grant the Special Permit
7/21/17	ZBA	Notice of Decision on 17/28 – Robert S. Johnson and Richard Wolff, Trustee of 156 Pleasant Point Rd., Map 35, Parcel 110 – to grant the Special Permit
7/21/17	ZBA	Notice of Decision on 17/29 – Susan & F. Gorham Brigham of 9 Whit's Ln., Map 15, Parcel 65 – to grant the Special Permit

Internal Memos:

7/13/17	TA	Extract of BOS Actions of July 11, 2017
7/17/17	TA	Legal information on Recreational Marijuana Dispensaries
7/17/17	TA	Info on School Street Lot

Date: July 21, 2017
To: Board of Selectmen
From: Michaela Miteva, EA
Re: Vacancies on Town Boards

Board of Health (5 Members)

Vacant Positions	Appointing Authority	Length of Term
1 Position	Board of Selectmen	2 years to complete term
Requesting Appointment: One applications on file		

Building and Needs Assessment Committee (5 Members)

Vacant Positions	Appointing Authority	Length of Term
1 Position	Board of Selectmen	3 years
Requesting Appointment: No applications on file		

Cable Advisory Committee (5 Members)

Vacant Positions	Appointing Authority	Length of Term
2 Positions	Board of Selectmen	1 year
Requesting Appointment: No applications on file		

Commission on Disabilities (up to 7 Members)

Vacant Positions	Appointing Authority	Length of Term
6 Positions	Board of Selectmen	3 years
Requesting Appointment: No applications on file		

Comprehensive Wastewater Management Planning Committee (7 Members)

Vacant Position	Appointing Authority	Length of Term
3 Positions	Board of Selectmen	3 years
Requesting Appointment: No applications on file		

Conservation Commission (7 Members)

Vacant Position	Appointing Authority	Length of Term
1 Position	Board of Selectmen	1 year to complete term
Requesting Appointment: No application on file		

Cultural Council (no more than 15 members)

Vacant Positions	Appointing Authority	Length of Term
3 positions	Board of Selectmen	3 years
Requesting Appointment: No applications on file		

Energy Committee (11 members total)

Vacant Positions	Appointing Authority	Length of Term
1 BOS Rep	Board of Selectmen	3 years

Finance Committee (9 members, 2 alternate)

Vacant Positions	Appointing Authority	Length of Term
1 Position	Town Moderator	3 years
2 Alternate Positions		3 years
Requesting Appointment: No applications on file		

Herring Warden (1 Warden, 1 Assistant Warden)

Vacant Positions	Appointing Authority	Length of Term
1 Assistant Position	Board of Selectmen	3 years
Requesting Appointment: No applications on file		

NRAB (At least 3 members)

Vacant Positions	Appointing Authority	Length of Term
	Board of Selectmen	3 years (overlapping)
Requesting Appointment: No application on file		

Personnel Board (4 members + TA + FinCom Rep)

Vacant Positions	Appointing Authority	Length of Term
2 Positions	Board of Selectmen	3 years
Requesting Appointment: No applications on file		

Planning Board (7 members)

Vacant Positions	Appointing Authority	Length of Term
1 Position	Board of Selectmen	2 years to complete term
Requesting Appointment: One applications on file		

Recycling Committee (11 members)

Vacant Positions	Appointing Authority	Length of Term
1 Position	Board of Selectmen	3 years
Requesting Appointment: No applications on file		

Shellfish Advisory Board (7 Members, 2 Alternates)

Vacant Positions	Appointing Authority	Length of Term
1 Alternate Position	Board of Selectmen	3 years
Requesting Appointment: No applications on file		



BOARD OF SELECTMEN

AGENDA ACTION REQUEST
Tuesday, July 25, 2017

IX

MINUTES

REQUESTED BY:	Executive Assistant
DESIRED ACTION:	Approval of meeting minutes
PROPOSED MOTION:	I move to approve the minutes of July 11, 2017 as printed/as amended.
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____



DRAFT

Wellfleet Board of Selectmen
Minutes of July 11, 2017
Wellfleet Senior Center

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

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

Announcements, Open Session and Public Comment

- Murphy read a letter by the Chairman of the Marina Advisory Committee about the outstanding performance and services of the retired Assistant Harbormaster Lenny Croteau.
- Murphy announced his resignation from the Herring River Executive Council (HREC) due to potential appearance of conflict of interest. He is an owner of property abutting the Mill Creek basin area and would like to avoid any potential claim that his property will benefit from the Herring River Restoration Project (HRRP). He said that he is still in support of the HRRP, and he has always looked for the best interest of the Town with no personal gains in mind. He advised that even if he were to fill a Conflict of Interest disclosure form with the Board of Selectmen, that would not protect him from legal liability, and would only satisfy the State requirement. He asked to have a replacement HREC appointment on the next meeting agenda.

Murphy opened the public hearings.

Public Hearing: Myron, Judy P & Rebecca Taylor to transfer shellfish grant licenses #734 and 734A from Myron, Judy P & Rebecca Taylor to Myron Taylor & Rebecca Taylor & to renew them for a 10-year period.

The applicants were present to answer Selectmen's about their request. The acting shellfish constable John Mankevetch recommended the transfer and the grant renewal requests.

MOTION 218-006: Reinhart moved and Wilson seconded to approve the request of Myron, Judy P and Rebecca Taylor to transfer shellfish grant licenses #734 and 734A from Myron, Judy P and Rebecca Taylor to Myron Taylor and Rebecca Taylor and to renew shellfish grant licenses #734 and 734A for a 10-year period. The motion passed 4-0.

Public Hearing: Joseph Gray and Louis Doucette to transfer shellfish grant license #755 from Joseph Gray and Louis Doucette to Joseph Gray and Rachael Aurelie Finn. (continued from 6/27/17)

Rachel Finn and Joseph Gray were available to answer questions. John Mankevetch recommended the request for a grant transfer.

MOTION 218-007: Wilson moved and Reinhart seconded to approve the request of Joseph Gray and Louis Doucette to transfer shellfish grant license #755 from Joseph Gray and Louis Doucette to Joseph Gray and Rachael Aurelie Finn. The motion passed 4-0.

Appointment: Tom Flynn to the Natural Resources Advisory Board with a term to June 30, 2020. Tom Flynn presented his interest to serve on the NRAB. Reinhart and Wilson spoke highly of Flynn. John Riehl, Chair of the NRAB supported the appointment.

MOTION 218-008: Reinhart moved and Wilson seconded to appoint Tom Flynn to the Natural Resources Advisory Board with a term to June 30, 2020. The motion passed 4-0.

Appointment: John Cumbler to the Conservation Commission with a term to June 30, 2019.

John Cumbler presented his interest to serve on the Conservation Commission. He said he leave the Board of Health if he gets appointed to the Conservation Commission.

MOTION 218-009: Reinhart moved and Bacon seconded to appoint John Cumbler to the Conservation Commission with a term to June 30, 2019. The motion passed 4-0.

Appointment: Jayne Oliva Faxon to the Conservation Commission with a term to June 30, 2018

The applicant Jayne Oliva Faxon withdrew her application, and there was no action taken on this request.

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.

The applicant was not present, but the Board had questions before deciding on this use of Town property request.

MOTION 218-010: Bacon moved and Wilson seconded to postpone the request of Aine Cole/Thomson Family Adventures for a clambake on September 5, 2017 from 5 pm to 8 pm at Duck Harbor because applicants were not present to answer questions. The motion passed 4-0.

Business: Request for FY 2017 year-end budget transfers

Town Accountant Connie Boulos had prepared a detailed explanation of the request for end of FY 2017 transfers¹. TA Dan Hoort explained recent changes of the Municipal Modernization Act and the removal of the \$5,000 restriction and answered Wilson's questions about the snow removal overage. Boulos explained to Bacon the reasons for the overages of the Beach Program were caused by an early start of the program. Reinhart wanted to know more about the overage in the fringe benefits line item in the Accounting Budget. Hoort explained that this was caused by accrued vacation time by the retired Town Accountants. In the future in order to avoid this situation from happening again, he is requiring all employee use their excess vacation and as of June 30, 2020 employees will be able to carry-over no more than two weeks of vacation time. The selectmen were very impressed with Boulo's and Hoort's presentation.

MOTION 218-011: Reinhart moved and Bacon seconded to approve the FY 2017 year-end budget transfers as presented, subject to changes as a result to unprocessed FY 2017 payroll and vendor bill adjustments. The motion passed 4-0.

Business: Briefing on a follow-up program to the Solarize Wellfleet Program

Dick Elkin had a PowerPoint presentation² to brief the Board on a follow-up initiative to the Solarize Wellfleet program. He explained the contractual relationships with Mass CEC and how it evolved between 2014 and 2016. He presented a proposal for creating a corporation for the five participating towns – Orleans, Eastham, Wellfleet, Truro and Provincetown, and asked the Selectmen on how to proceed with the list of action items requested from the Board. Discussion ensued, during which Wilson expressed concerns about weighted votes and preferred to have each town represented by an equal number of participants having an equal vote. Reinhart wanted to know about funding opportunities and the structure of the proposed corporation. Murphy was in favor of having Outer Cape Energy Committee, Inc (OCEC, Inc.). The rest of the Board agreed with Murphy and the caveat by Wilson that each town should be represented equally. Hoort talked about the liabilities of the corporations and cautioned the Board. He said that he would like to review this before approval to make sure that the Town is protected. Elkin will come back to the Board with candidates for nomination and OCEC, Inc. corporation agreement for the five towns.

Business: Conflict of Interest Law Review

Hoort went over the conflict of interest disclosure form³, submitted by Select Board member Helen Miranda Wilson and received by the Board on July 5, 2017. The Board reviewed the form. Wilson talked about the process she took with the State Ethics Commission about this matter. She disclosed that her property would not be impacted by the HRRP. There was a mutual consensus among the members of the Board that there is no substantial conflict of interest. Reinhart said that the Board should accept the determination of Helen Miranda Wilson that there is no financial conflict of interest with her appointment to the Herring River Executive Council. Discussion ensued about the benefits of the Attorney on duty at the State Ethics Commission. Bacon wanted to know how future conflicts of interest would be handled. In conclusion, Murphy pointed out that this disclosure and its acceptance by the Board does not indemnify Wilson from legal claims.

Town Administrator's Report⁴

In addition to the TA Report submitted with the meeting packets, Hoort went over the material he had prepared for the Harbor Dredging Project. He answered a question by Wilson about the meeting with Andrew Gottlieb, and a question by Reinhart about the two road complaints mentioned in his report.

Topics for Future Discussion

- Wilson – letter from Carol Dumas and the request for a sign by The Firebirds promoting Wellfleet Night on July 21. There was a consensus to allow a placement of a sandwich board where the community forum sign goes, as long as it is in compliance with the Town's sign bylaws.
- Reinhart asked for department heads reports. Hoort will follow up on this request.
- Reinhart suggested having informational updates from all boards, committees and departments. Murphy suggested looking at the agendas when planning for these committees and boards reports.

Correspondence⁵ and Vacancy⁶ Report

Minutes⁷ [June 20, June 27 and July 5, 2017]

Wilson offered comments on the minutes of June 27, July 5 and June 20, 2017.

MOTION 218-006: Wilson moved and Reinhart seconded to approve the minutes of June 27, 2017 as amended by Wilson. The motion passed 4-0.

MOTION 218-006: Wilson moved and Reinhart seconded to approve the minutes of July 5, 2017 as amended by Wilson. The motion passed 4-0.

MOTION 218-006: Wilson moved and Reinhart seconded to approve the minutes of June 20, 2017 as amended by Wilson. The motion passed 4-0.

Adjournment

MOTION 218-006: Reinhart moved and Murphy seconded to adjourn the public meeting at 8:47 pm. The motion passed 4-0.

Respectfully submitted,

Michaela Miteva, Executive Assistant

Public Records Materials

- ¹ Request for FY 2017 end of fiscal year transfers
- ² PowerPoint on Briefing on a follow-up program to the Solarize Wellfleet Program
- ³ Conflict of Interest Disclosure Form submitted by Helen Miranda Wilson
- ⁴ TA Report of July 7, 2017
- ⁵ Correspondence Report of July 11, 2017
- ⁶ Vacancy Report of July 7, 2017
- ⁷ Draft Minutes of June 20, June 27 and July 5, 2017