



Wellfleet Selectboard

The Wellfleet Selectboard will hold a public meeting on **Tuesday, October 9, 2018, at 6:00 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. **Executive session** - pursuant to M.G.L. c.30A, Sec. 21 to consider the purchase, exchange, lease or value of real estate, if the chair so declares that an open meeting may have a detrimental effect on the negotiating position of the public body.
 - 3 Kendrick Avenue
 - "Landing Strip" property
 - 301 Main Street (News Dealer)
- II. **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.
- III. **Public Hearings – 7 pm**
 - A. **One-Day Beer and Wine License** – Stephen Curley (October 20, 2018 at Mayo Beach)
 - B. **Wellfleet Spirits Shoppe, Inc.** – change of Manager from Kevin M. Scalley to Julie Seabury
 - C. **Shellfish grant transfer** - #741 from Linda Taylor, Barbara Woodbury and Patrick Woodbury to James Clark and Paul Lalumiere
- IV. **Licenses**
 - A. **All alcoholic package store** – Wellfleet Spirits Shoppe, Inc. [Julie Seabury]
- V. **Business**
 - A. Addition of Goss Lane to the Town's Paved Private Roads Plow List [Patrick Winslow]
 - B. Discussion on Cape Light Compact Three-Year Plan [Melissa Allard]
 - C. Discussion of Water, Wastewater, WMA and 208 Plan [TA]
 - D. Approval of FY 2020 Budget Policy – [TA]
 - E. Approval of FY 2020 Annual Budget & 2019 Annual Town Meeting schedule [TA]
 - F. 3 Kendrick Avenue discussion [TA]
 - G. Approval of letters to State officials supporting grants for a small business incubator and the Cape Cod Rail Trail [TA]
 - H. Selection of attorney for Herring River Project representation [TA]
 - I. Approval of signature on deeds for Pleasant Point closing [TA]
 - J. Approval of Verizon & Eversource joint owned pole on Old Kings Way [Principal Clerk]
- VI. **Town Administrator's Report**
- VII. **Topics for Future Discussion**
- VIII. **Correspondence and Vacancy Report**
- IX. **Minutes (draft minutes from 9.25.18)**
- X. **Adjournment**

RECEIVED
2018 OCT - 4 P 12:53
TOWN OF WELFLEET



BOARD OF SELECTMEN

AGENDA ACTION REQUEST
October 9, 2018

I

Executive Session

REQUESTED BY:	Chair
DESIRED ACTION:	<p>Move into executive session pursuant to M.G.L. c.30A, Sec. 21 to consider the purchase, exchange, lease or value of real estate, if the chair so declares that an open meeting may have a detrimental effect on the negotiating position of the public body.</p> <ul style="list-style-type: none">• 3 Kendrick Avenue• “Landing Strip’ property• 301 Main Street (News Dealer)
PROPOSED MOTION:	<p>I move into executive session pursuant to M.G.L. c.30A, Sec. 21 to consider the purchase, exchange, lease or value of real estate, if the chair so declares that an open meeting may have a detrimental effect on the negotiating position of the public body.</p> <ul style="list-style-type: none">• 3 Kendrick Avenue• “Landing Strip’ property• 301 Main Street (News Dealer)
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____



BOARD OF SELECTMEN

AGENDA ACTION REQUEST
October 9, 2018

III

PUBLIC HEARING – A. One-Day Beer and Wine License

REQUESTED BY:	Stephen Curley
DESIRED ACTION:	Approval of one-day beer and wine license for Stephen Curley
PROPOSED MOTION:	I move to approve a one-day beer and wine license for Stephen Curley on October 20, 2018 at Mayo Beach.
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____

TOWN OF WELLFLEET
PUBLIC HEARING

In accordance with M.G.L. Chapter 138, notice is hereby given that a public hearing will be held on Tuesday, October 9, 2018 at 7:00 p.m. at the Wellfleet Council on Aging to consider the following:

- Application received September 17, 2018 from Stephen Curley for a One day Beer and Wine License on October 20, 2018 at Mayo Beach.

WELLFLEET BOARD OF SELECTMEN

TOWN OF WELLFLEET
APPLICATION FOR SPECIAL EVENT LIQUOR LICENSE

Oct 9

1. Applicant Stephen Curley Affiliation _____
Address Box 412 S Wellfleet MA Telephone 508-400-3326
2. Type of License All Alcohol (\$150.00/day) _____ Beer and Wine (\$100.00/day) X
3. Type of Activity Being Conducted Celebration of Life
4. Date 10/20/12 Hours of Service 3-8 PM
5. Description of Premises MAYO Field by the playground
(where the town sets up its tent)
6. Name, Address, Telephone of Designated Manager (person responsible for activity)
Stephen Curley 508-400-3326
Box 412 S Wellfleet MA 02663
7. If activity involves food service, please describe fully (i.e. raw shellfish, heated casseroles, bakery goods, etc.)
Food Karaoke, band + dancing

Stephen Curley
Applicant's signature

Fee: 100

Processing Fee \$50.00 paid



BOARD OF SELECTMEN

AGENDA ACTION REQUEST
October 9, 2018

III

PUBLIC HEARING – B. Change of Manager

REQUESTED BY:	Julie Seabury
DESIRED ACTION:	Approval of change of Manager at the Wellfleet Spirits Shoppe
PROPOSED MOTION:	I move to approve the change of Manager at the Wellfleet Spirits Shoppe, Inc. from Kevin M. Scalley to Julie Seabury.
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____

TOWN OF WELFLEET
PUBLIC NOTICE

In accordance with M.G.L. Chapter 138, notice is hereby given that the Wellfleet Board of Selectmen will hold a public hearing on Tuesday October 9, 2018 at 7:00 p.m. in the Wellfleet Council on Aging to consider the request from Wellfleet Spirits Shoppe, Inc. 309 Main Street for a change of Manager from Kevin M. Scalley to Julie Seabury.

WELFLEET BOARD OF SELECTMEN



The Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
239 Causeway Street Boston, MA 02114
www.mass.gov/abcc

**RETAIL ALCOHOLIC BEVERAGES LICENSE APPLICATION
MONETARY TRANSMITTAL FORM**

AMENDMENT-Change of Manager

APPLICATION SHOULD BE COMPLETED ON-LINE, PRINTED, SIGNED, AND SUBMITTED TO THE LOCAL
LICENSING AUTHORITY.

ECRT CODE: RETA

Please make \$200.00 payment here: <https://www.paybill.com/mass/abcc/retail/>
PAYMENT MUST DENOTE THE NAME OF THE LICENSEE CORPORATION, LLC, PARTNERSHIP, OR INDIVIDUAL

EPAY CONFIRMATION NUMBER

259001

A.B.C.C. LICENSE NUMBER (IF AN EXISTING LICENSEE, CAN BE OBTAINED FROM THE CITY)

134800018

ENTITY/ LICENSEE NAME Wellfleet Spirits Shoppe, Inc

ADDRESS 309 Main Street

CITY/TOWN Wellfleet

STATE MA

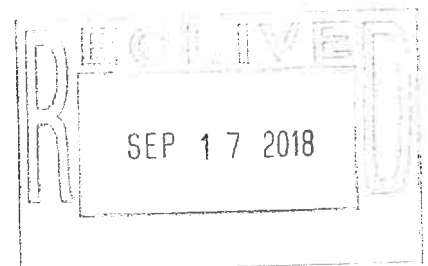
ZIP CODE 02667

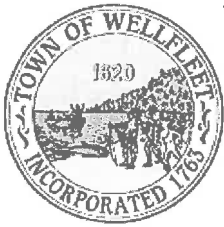
For the following transactions (Check all that apply):

- | | | | |
|--|---|---|---|
| <input type="checkbox"/> New License | <input type="checkbox"/> Change of Location | <input type="checkbox"/> Change of Class (i.e. Annual / Seasonal) | <input type="checkbox"/> Change Corporate Structure (i.e. Corp / LLC) |
| <input type="checkbox"/> Transfer of License | <input type="checkbox"/> Alteration of Licensed Premises | <input type="checkbox"/> Change of License Type (i.e. club / restaurant) | <input type="checkbox"/> Pledge of Collateral (i.e. License/Stock) |
| <input checked="" type="checkbox"/> Change of Manager | <input type="checkbox"/> Change Corporate Name | <input type="checkbox"/> Change of Category (i.e. All Alcohol/Wine, Malt) | <input type="checkbox"/> Management/Operating Agreement |
| <input type="checkbox"/> Change of Officers/
Directors/LLC Managers | <input type="checkbox"/> Change of Ownership Interest
(LLC Members/ LLP Partners,
Trustees) | <input type="checkbox"/> Issuance/Transfer of Stock/New Stockholder | <input type="checkbox"/> Change of Hours |
| | <input type="checkbox"/> Other | | <input type="checkbox"/> Change of DBA |

THE LOCAL LICENSING AUTHORITY MUST MAIL THIS
TRANSMITTAL FORM ALONG WITH
COMPLETED APPLICATION, AND SUPPORTING DOCUMENTS TO:

ALCOHOLIC BEVERAGES CONTROL COMMISSION
239 CAUSEWAY STREET
BOSTON, MA 02241-3396





BOARD OF SELECTMEN

AGENDA ACTION REQUEST
October 9, 2018

III

PUBLIC HEARING – C. Shellfish Grant Transfer

REQUESTED BY:	Shellfish Constable
DESIRED ACTION:	Approval of shellfish grant transfer #741
PROPOSED MOTION:	I move to approve the shellfish grant transfer for grant #741 from Linda Taylor, Barbara Woodbury and Patrick Woodbury to James Clark and Paul Lalumiere.
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____

SEP 26 2018

TOWN OF WELLFLEET
PUBLIC HEARING

In accordance with MGL Chapter 130 Sections 52, 57, 58, 60, and 68 and all applicable Town Shellfish Regulations, notice is hereby given that the Wellfleet Board of Selectmen will hold a public hearing on Tuesday, October 9, 2018 at 7:00 p.m. in the Wellfleet Council on Aging to consider the following:

- Application received September 20, 2018 from Linda Taylor, Barbara Woodbury and Patrick Woodbury to transfer shellfish grant license #741 from Linda Taylor, Barbara Woodbury and Patrick Woodbury to James Clark and Paul Lalumiere.

Recommendation of the Shellfish Constable will be available in the 10/09/18 Selectboard packet.

WELLFLEET BOARD OF SELECTMEN



Wellfleet Shellfish Department



300 Main Street, Wellfleet, Massachusetts 02667

September 19, 2018

To: Board of Selectmen
Re: Recommendations
From: Nancy Civetta, Shellfish Constable

On September 19, I received an application from Pat Woodbury, Barbara Woodbury and Linda Taylor to transfer shellfish grant license #741 from Pat Woodbury, Barbara Woodbury and Linda Taylor to Paul Lalumiere and Jim Clark.

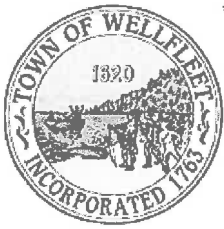
I recommend that the grant #741 be changed from Pat Woodbury, Barbara Woodbury and Linda Taylor to Paul Lalumiere and Jim Clark.

Attached please find all related paperwork.

Respectfully submitted,

Nancy Civetta
Shellfish Constable





BOARD OF SELECTMEN

AGENDA ACTION REQUEST
October 9, 2018

V

BUSINESS – A.

Addition of Goss Lane Town's Paved Private Roads List

REQUESTED BY:	Patrick Winslow
DESIRED ACTION:	Move Goss Lane forward as a private, paved plowed road
PROPOSED MOTION:	I move to add Goss Lane to the list of potential private paved roads eligible for snow removal. The road must meet all requirements of the Selectboard's Policy for Maintenance of Paved Private Roads Eligible for Plowing by the Town to be eligible for plowing.
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____



Board of Selectmen

Request for Placement on Agenda

Name: Patrick + Chelsea Winslow

Address: PO Box 224, 75 Goss Lane Wellfleet 02667

Company or Organization Representing: _____

Phone Number: 774-722-0232

Email Address: wellfleetpat@yahoo.com

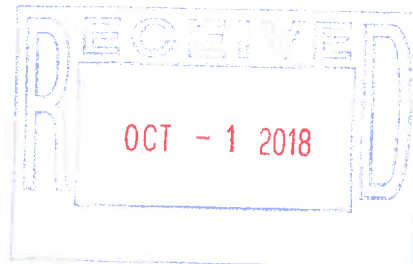
Specific Request: Addition of Goss Lane to
the towns Paved Private Roads Plow
list.

To be Filed out by Dept. _____

Applicant Notified: _____ Date of Hearing: _____

Date Request Completed: _____

Request for Placement on Agenda Form



09/11/06 - EGH

BOARD OF SELECTMEN

Policy for Maintenance of Paved Private Roads Eligible for Plowing by the Town

Original Date: November 13, 2012

2012-02

Approved: December 11, 2012

NOTE: On August 11, 2015 the Board of Selectmen voted to defer enforcement of this policy to the winter of 2016-2017.

1. Purpose

- a. To provide standards for the maintenance of paved private roads that are eligible to be plowed by the Town to ensure safe and adequate access for Town vehicles. The following standards were compiled to address surface conditions, widths, clearances, and roadside obstacles that are identified as obstructions to safe, cost-effective snow removal operations. These obstructions can also inhibit or delay emergency response by EMS, fire and police personnel and can cause considerable damage to Town vehicles. Damaged vehicles or equipment may need to be removed from service, causing delays in the snow removal process throughout Town or delays in emergency response.

2. Minimum clearance and maintenance standards

- a. There must be at least one paved travel lane for a plow to work that is a minimum width of 10 feet.
- b. Roadside clearance of any obstacles, including vegetation, shall be maintained no less than 3 feet on either side. This includes, but is not limited to, fences, mailboxes, stone walls, rocks, shrubs, trees or any other object that may be damaged by snow removal equipment. It also includes a raised shoulder that prevents snow removal.
- c. Height clearance shall be no less than 14 feet from the road surface. This is to ensure that branches or any other objects over hanging the roadway, when laden with snow, do not impede access of snowplows and emergency vehicles.
- d. Space at the end of the paved private road shall be of sufficient size for Town vehicles to be able to turn around in a safe manner.
- e. Paved private roads shall have no defects (potholes, ruts, etc.) exceeding 1 inch in depth. Manhole covers, catch basins, roots or other obstructions shall not protrude above the paved surface.
- f. All paved private roads covered by this policy shall have a visible street sign and be open to the public. Signs shall be of reflective material, blue in color, and measure 9 inches high with 6-inch letters. Owners shall contact the Wellfleet Dept. of Public Works for information on companies that supply these materials.
- g. These standards shall serve as basic requirements. Modest variations to these standards will be considered, upon written request, on a case-by-case basis. Certain sections of roads may require more stringent standards. These sections include, but are not limited to: intersections, sharp corners, cul-de-sacs and areas near water sources.

List of paved private roads covered by this policy

- a. The current list of paved private roads covered by this policy is incorporated by reference as Appendix A.

3. Inspections for maintenance to minimum standards

- a. The DPW, Fire Department and Police Department will perform inspections of all paved private roads on the list of roads eligible for plowing by the Town. These inspections will be completed by July 1. The Town will post a listing of roads with any deficiencies in Town Hall, on the Town web site, and in a local newspaper.

4. Failure to maintain minimum standards

- a. Roads that do not meet the standards will be removed from the list of paved private roads eligible for plowing by the Town. A three-year window will be observed prior to the enforcement of this policy in 2014-2015. The most deficient roads will be removed from the eligibility list in 2014-2015.
- b. Homeowners are advised that failure to maintain these standards may result in a delayed response by emergency personnel.

5. Opportunity for corrective action

- a. Property owners will be given the opportunity to take corrective action for roads that fail to meet the minimum standards. When repairs or other necessary measures are completed, the DPW, Fire Department and Police Department will, upon request, re-inspect a road to ensure that it complies with the standards. If the road is brought up to standards, it will be added back to the list of roads eligible to be plowed.

6. Plowing of paved private roads

- a. The DPW will not plow any paved private road that is not maintained to the standards of Section 2. However, the maintenance of a paved private road to the standards of Section 2 does not obligate the DPW to plow the road. The final decision whether to plow a private paved road will be made by the DPW in consultation with the Fire and Police Departments.

7. Implementation

- a. Upon implementation of this policy, residents who live on paved private roads should contact the DPW, Fire and Police Departments to inquire whether their road meets the standards set in Section 2.

Paved Private Road Inspection Report

Updated February 19, 2016 appendix A

Note: "X" does not comply, "O" has complied, Highlighted Road Name is In Compliance

Road Names	Signage Needed	Height Pruning Needed	Shoulder Pruning Needed	Road Surface Repair Needed	Road Width Not Adequate	Emergency Vehicle Access Not Adequate	Complies
Alves Road	X	X	X	X			
Arey Ave.	X	X	X			X	
Aunt Sarah's Way	X	X	X				
Back Drive	X	X	X	X			
Barquentine Court	O	O	O				O
Bartlett Road	X	X	X				
Bay View Road	X		X				
Bayberry Lane		X	X	X			
Bearberry Way	O	O	O				O
Belding Way	X	X	X				
Blue Heron Road			O				O
Brown's Neck	X	X	X	X			
Caledonia Path	X	X	X				
Castagna Drive		X	X				
Chequessett Knolls Drive	O	X	X				
Chris Drive	O	O	O				O
Coors Way	X	X	X				
Cove View Road			O				O
Crest Ave.	X	X	X				
Dalmas Trail	O	O	O				O
Daniel's Drive	X	X	X	X			
Day Road	X	X	X				
Deer Path Way	O						O
Delphi Path	O		O				O
Designer's Road		X	X				
Drummers Cove Road	X	X	X	X		X	
Druzilla Laha Road	O	O	O				O
East Hill Road	O		X				
Eden Lane		X	X				
Edmeister Drive	O		O				O
Elisha Witherell Road	X	X	X				
Franklin Lane	O		O				O
Freeman Ave.		X				X	
Fresh Brook Lane		O	O				O
Grist Mill Way	X		X				
Gross Hill Lane	O	O	O				O
Harbor View Circle		O	X				
Haywain Way	X	X	X				
Henry Doane Lane	X		O				
Herring River Road	X	X	X				
Hidden Acres		X	X				
Hidden Valley Way	O		O				O
Highmeadow Road	O		O				O

Paved Private Road Inspection Report

Updated February 19, 2016 appendix A

Note: "X" does not comply, "O" has complied, Highlighted Road Name is in Compliance

Road Names	Signage Needed	Height Pruning Needed	Shoulder Pruning Needed	Road Surface Repair Needed	Road Width Not Adequate	Emergency Vehicle Access Not Adequate	Complies
Hiram Hill Road	O	X	X			X	
Homestead Lane	O		O				O
Hopkins Drive	O		O				O
Howard Court	O		O			O	O
Huckleberry Lane	O		O			O	O
Indian Walk	X	X	X				
Indian Walk East	X	X	X			X	
Ira Freeman Lane	X		X				
Irene's Way		O	O				O
Iron Horse Drive	O	O	O				O
Isaiah Way	O	O	O			O	O
Joshua Cook Lane	X	X	X				
Karen Lane	O	O	O				O
Kerouach Road		X		X			
Kincaid Street	X	X					
Knowles Dyer Road	X	X	X				
Lookout Road		O	O				O
Major Doane Road	O	O	O				O
Marven Way	X	X	X				
Mayflower Drive	O	O	O				O
Meadow View	O	O	O				O
Mehitable Lane	X	X	X			X	
Michael's Way	O	O	O				O
Midden Road	X	X	X				
Nanny Waterman Drive	O	O	O				O
Newcomb Heights	O	O	O			O	O
Newcomb Hill Road	O	O					O
Newcomb Hill Way	O	O	O				O
Oak Ridge Drive	X	X	X				
Oak Valley Road	O	O	O				O
Old Hay Road	X	X	X				
Old Mill Way	X		X				
Partridge Way	X	X	X				
Peace Valley Road		X	X	X			
Perch Pond Way	X		X				
Pheasant Run	X	X					
Pine Ave.	X	X	X				
Pinecrest Way	O	O	O			O	O
Pineneedle Road	O	O	O	O			O
Pleasant Point Ave.	X	X	X				
Priscilla Road	X		X			X	
Quail Run	O						O
Queen's Way	O	O	O				O

Paved Private Road Inspection Report

Updated February 19, 2016 appendix A

Note: "X" does not comply, "O" has complied. Highlighted Road Name is in Compliance

Road Names	Signage Needed	Height Pruning Needed	Shoulder Pruning Needed	Road Surface Repair Needed	Road Width Not Adequate	Emergency Vehicle Access Not Adequate	Complies
Richard's Way		X					
Ridge Street Ext.							
River Harbor Road	X		X				
Riverview Road	O	X	X				
Rose Lane		X	X			X	
Sarett Lane	X	X	X				
Somerset Ave.	X	X	X	X			
South Wharf Lane	O		O				O
Swann's Way	X	X	X				
Thomas Coles Lane	X		X				
Timway Road	X	X	X	O			
Upper Marsh Road	X		O				
Wellfleet Woods Lane		O	O				O
Whitman Lane	X	X	X				
Wood Duck Lane	X	X	X				
Woodlot Way	X	X	X			X	
Zoheth Smith Way		O	O				O

Paved Private Road Inspection Report Needing Signage Only

October 29, 2015 Updated

Road Names	Signage Needed	Height Pruning Needed	Shoulder Pruning/Grading Needed	Road Surface Repair Needed	Road Width Not Adequate	Emergency Vehicle Access Not Adequate	Complies
Benjamin Way	O						O
Capt. Bellamy Road	O						O
Dow Drive	X						
East Wind Circle	O						O
Governor Foss Drive	O						O
Harding Drive	O						O
Hog Cranberry Lane	O						O
Leila Rich Drive	O						O
Liam's Hill Road	X						
Light Wing Drive	O						O
Noble Way	O						O
Old Bay Road	O						O
Pierce's Tavern Road	O						O
Pine Field Road	O						O
Pinewood Circle	O						O
Salt Hay Lane	O						O
Sandpiper Hill Road	O						O
Sea Pine Road	O						O
Whidah Way	O						O

Paved Private Road Inspection Report

Updated February 19, 2016 appendix A

Note: "X" does not comply, "O" has complied. Highlighted Road Name is in Compliance

Road Names	Signage Needed	Height Pruning Needed	Shoulder Pruning Needed	Road Surface Repair Needed	Road Width Not Adequate	Emergency Vehicle Access Not Adequate	Complies
Whitetail Lane	X						
Wood Lot Road	O						O



BOARD OF SELECTMEN

AGENDA ACTION REQUEST
October 9, 2018

V

BUSINESS – B.

Cape Light Compact Three-Year Plan

REQUESTED BY:	Melissa Allard
DESIRED ACTION:	TBD
PROPOSED MOTION:	TBD
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____

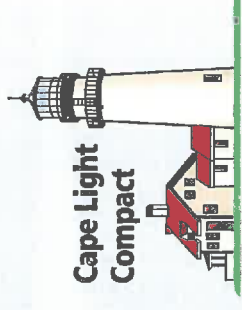
Building on success: Update on Cape Light Compact's 2019-2021 Three-Year Energy Efficiency Plan

**Cape Light
Compact**



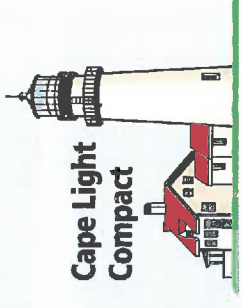
Working Together Toward A Smarter Energy Future

Agenda for Presentation



- Overview of Cape Light Compact (CLC)
- Three Year Energy Efficiency Plan – Cape Light Compact Enhancements and New Opportunities
 - 2019-2021 is the fourth 3-year Energy Efficiency Plan filed by the Program Administrators (PAs).
 - PAs = Cape Light Compact and Investor Owned Utilities (e.g. Eversource)

Cape Light Compact



- Award-winning energy services organization operated by the 21 towns on Cape Cod and Martha's Vineyard
- Mission: serve customers through delivery of
 - proven energy efficiency programs
 - effective consumer advocacy
 - competitive power supply and green aggregation
- Model for other community choice aggregation programs in MA and nationally

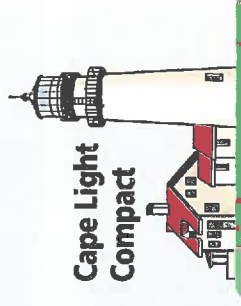


Background on Three-Year Energy Efficiency Plan



- 2008 Massachusetts Green Communities Act (GCA) mandates *“electric and natural gas resource needs shall first be met through all available energy efficiency and demand reduction resources that are cost effective or less expensive than supply.”*
- 2018 Amendments to the GCA:
 - Explicitly allows for cost effective energy storage and other active demand management technologies
 - Adds cost-effective strategic electrification
 - Explicitly authorizes renewable funding through EE funds
 - Changes cost-effectiveness requirement from program level to sector level (increases flexibility)
- Meetings with Department of Energy Resources and the Attorney General indicate Program Administrators’ 2019-2021 Energy Efficiency Plans should comply with amendments
- Compact works collaboratively with seven other statewide PAs to provide cost-effective energy efficiency programs. These programs are most commonly known as Mass Save®.

Calendar of Events



Date	Action
November 2017 – February 2018	Stakeholder Engagement Meetings to help inform the 2019-2021 EE Plan
April 30, 2018	Compact & all PAs submitted draft 2019-2021 Statewide EE Plans
September 14, and October 10, 2018	Second draft of Plan submitted Third draft of Plan due
October 31	Compact & all PAs file final 2019-2021 Statewide EE Plan with Department of Public Utilities

We Want Your Feedback:

- Cape Light Compact's online survey – www.capelightcompact.org/eeplan
- Email – info@capelightcompact.org

Overview of Compact Programs



Sector	Program	Initiative
Residential	Residential New Buildings	Residential New Homes & Renovations
	Residential Existing Buildings	Residential Coordinated Delivery
		Residential Conservation Services
		Residential Retail Residential Behavior & Active Demand Reduction
Income-Eligible	Income-Eligible Existing Buildings	Income-Eligible Coordinated Delivery
Commercial & Industrial	C&I New Buildings	C&I New Buildings and Major Renovations
	C&I Existing Buildings	C&I Existing Building Retrofit
		C&I New & Replacement Equipment C&I Active Demand Reduction

Residential is non-income eligible, 61% + of state median income and includes multi-family (5+ units)

Income Eligible is up to 60% state median income, fuel assistance, and other income eligible benefits

Commercial and Industrial is businesses (including non-profits, churches, etc.), industrial, and municipal

CLC Specific Program Enhancements

**Cape Light
Compact**



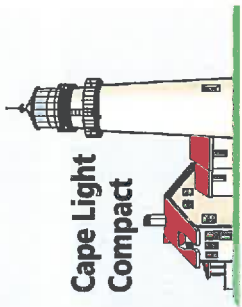
Working Together Toward A Smarter Energy Future

Enhanced Residential Coordinated Delivery Offerings



Statewide Offerings	Continue Current CLC Enhancements
<p>90% with no cap on insulation measures for:</p> <ul style="list-style-type: none"> - Landlords that agree to complete whole-building scoped weatherization work 	<p>100% with no cap on insulation measures for:</p> <ul style="list-style-type: none"> - Year-round tenants (who pay their own electric bill)
<p>Gas PAs serve gas heated homes, and electric PAs serve all other fuels</p>	<p>Serve customers with natural gas heated homes who prefer to be served by the Compact</p>

Enhanced Residential Income Verification Offerings



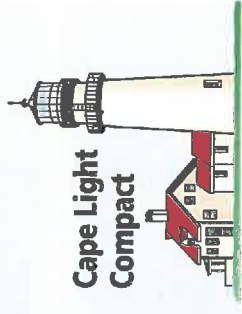
- Continue Compact-specific income verification for low-income customers
- Continue Compact-specific income verification for customers 61-80% of SMI

Household Members	60% State Median Income (\$MI)
1	\$35,510
2	\$46,437
3	\$57,363
4	\$68,289

Household Members	61-80% SMI
1	\$35,510 - \$47,550
2	\$46,437 - \$61,915
3	\$57,363 - \$76,484
4	\$68,289 - \$91,052

Enhanced Residential Behavior & Demand Management Offerings

- Behavior & Demand Management
 - Considering implementing a home energy report (e.g., OPower)



UtilityCo

10000 S. Wacker Drive, Suite 1000
Chicago, IL 60606-4000



Home Energy Report

Summer 2015
Account Number 824000000001

We've put together this report to help you understand your energy use and identify ways to save.

There's a lot of information here, so we've broken it down into sections to make it easier to read.

• www.utilityco.com/rebates

Home Energy Reports—designed just for you



Why you're receiving this report

Based on your energy usage, you've been selected for our Home Energy Report program. We think you have great potential to save.

Here's how you can get the most out of your report:

- Review your report and identify areas for improvement.
- Take action on the recommendations we provide.
- Monitor your energy usage to see if you're saving.

For more information, visit www.utilityco.com/rebates.

Here's how you compare to neighbors



Based on your energy usage, you've been selected for our Home Energy Report program. We think you have great potential to save.

Tips from efficient neighbors

Unplug electronics when they're not in use.



Replace your inefficient light bulbs.



Track your progress

✓ This billing period, you used 36% less than last billing period.



Save on your next bill



Replace your old refrigerator

Your refrigerator is over 24 hours a day, every day. It's a big energy hog. Replacing it with a new, energy-efficient model can save you a lot of money.

You could save up to 40% on your refrigerator's energy costs when you replace a model that's over 10 years old with a new one. And you'll get a \$100 rebate on the new refrigerator.

Save up to \$45 per year.

Frequently asked questions

What's a kWh? A kilowatt-hour (kWh) is a way to measure electricity use. A 100-watt light bulb uses 1 kWh every 10 hours.

How is my refrigerator selected? Your refrigerator is selected based on its age and energy efficiency. You can view your report information at <http://www.utilityco.com>.

Why does ENE send these reports? We want to help you save energy and get closer to meeting our state energy efficiency goals. We're glad for your feedback.

How do I stop receiving reports? Call 800-555-5555.

We're here to help

• <http://www.opower-test.com/>
• feedback@example.com

• (800) 555-5555

Find more energy saving purchases

• <http://www.opower-test.com/rebate>



UtilityCo

UtilityCo

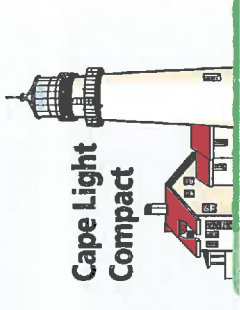
UtilityCo

UtilityCo

UtilityCo

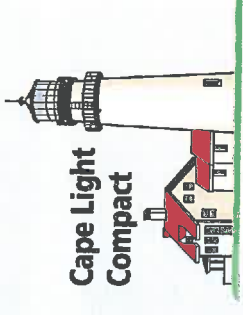
Enhanced Residential Offering

Strategic Electrification



- Objectives
 - 700 total non-gas heated participants, tiered services by income
 - Additional incentives for low-income (up to 60%), moderate income (61-80%) and extended moderate income (81-120%) customers
 - Convert oil, propane, electric resistance heat to cold climate heat pumps
 - Install PV systems to support electrification of heating system, reduce GHG emissions, offset increased electricity usage
 - Install battery storage for demand response and resiliency

Enhanced Residential Demonstration



- Look to explore ways to incentivize connected devices (i.e., smart appliances, WiFi thermostats, plug load controllers, etc.) to reduce residential energy use.

Summary of Enhancements for C&I Programs



- Continue enhancements for thermal measures in the New Construction and Major Renovation program as well as the C&I Retrofit program
- Municipalities – 7% of total C&I customers
 - Incentives (up to 100%) for greater cost coverage with equipment maintenance training to ensure savings with board approval for projects over \$150,000.
- Continue to offer Small Business incentives up to 100% as well as a zero-interest financing option
- Continue to offer a Business Energy Audit (BEA) which offers 100% incentive coverage for certain instant savings measures (ex. efficient lighting, water saving measures, etc.)
- Non-profits
 - Up to 100% coverage for recommended improvements
 - For 501 (c)(3) that promotes economic, social, cultural development on Cape or Vineyard or to organizations providing services to the low income population
 - Operating ≥ 3 years with unrestricted annual op. rev. $< \$15M$
- Main Streets Initiative

Enhancements for Residential and C&I Programs



- Exploring residential battery storage to reduce peak demand in homes that have distributed energy resources
 - Will then look to investigate the potential for offering this to C&I customers
- Explore ways to reduce demand through Electric Vehicle Charging
 - Shifting charging to off-peak hours

Thank You!

April and September Draft Plans

<https://www.capelightcompact.org/eeplan/>

Feedback

- Cape Light Compact's online survey
www.capelightcompact.org/eeplan
- Email

info@capelightcompact.org

**Cape Light
Compact**



Working Together Toward A Smarter Energy Future



BOARD OF SELECTMEN

AGENDA ACTION REQUEST
October 9, 2018

V

BUSINESS – C.

Discussion of Water, Wastewater, WMA & 208 Plan

REQUESTED BY:	Justina Carlson
DESIRED ACTION:	Rescission of 7/24/2018 vote assigning a charge for the WMA
PROPOSED MOTION:	I move to rescind the vote of the Selectboard on July 24, 2018 assigning the charge for the Wastewater Management Authority.
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____



BOARD OF SELECTMEN

AGENDA ACTION REQUEST
October 9, 2018

V

BUSINESS – D. **FY 2020 Budget Policy**

REQUESTED BY:	TA
DESIRED ACTION:	Approval of the fiscal year 2020 budget policy
PROPOSED MOTION:	I move to approve the fiscal year 2020 budget policy as presented by the Town Administrator.
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____

**TOWN OF WELLFLEET
BUDGET POLICY
FISCAL YEAR 2020**

It shall be the policy of the Town of Wellfleet that this Budget Policy articulates the Town's priorities and goals and provides an overview of the issues to be addressed during the Town of Wellfleet's budget process. This policy is adopted pursuant to Town Charter section 7-2-1 and Board of Selectmen's Policy 2013-02, Budget and Fiscal Management Policy.

BUDGET COMPLIANCE: The Budget will be estimated in accordance with all applicable laws.

BUDGET COMPONENTS: The Budget shall be composed of the General Fund Operating Budget, the Marina Enterprise Fund Budget, the Water System Enterprise Fund Budget, the Capital Budget, the ten-year Capital Improvement Plan and any budget Articles proposed for the Annual Town Meeting Warrant. The Capital Budget shall consist of capital requests to be funded from available funds including the tax levy; capital requests to be funded by borrowing shall be set forth in separate articles. The Budget should include financial results for the previous year and the current year to date. Object codes and summaries should be consistent across all organizational units. The Budget shall also include detailed revenue estimates and projections which will be created with the input of the Department Heads and the Town Accountant.

ENTERPRISE FUNDS: The Town of Wellfleet shall propose budgets for the Enterprise Funds that are self-supporting without a property tax transfer and which shall also reasonably and accurately allocate indirect costs.

CAPITAL BUDGET: The Capital Budget is important because regular replacement of worn out or obsolete equipment and prompt maintenance of facilities are important steps to avoid larger future expenditures which can result from delayed replacement or maintenance. The Town of Wellfleet shall propose a Capital Budget for the upcoming Fiscal Year that will include all capital projects and items with an overall expenditure of at least \$5,000 and a life expectancy of greater than one year. Replacement of vehicles will be reviewed in accordance with the Board of Selectmen's Vehicle Rollover Policy.

Certain capital budget items may be funded by borrowing. When presenting any capital item whose funding source is borrowing to town meeting voters the warrant shall include the projected debt service cost in the first year and the total projected debt service costs (principal and interest) for the entire borrowing term.

CAPITAL IMPROVEMENT PLAN:¹ The Town of Wellfleet shall propose a ten-year Capital Improvement Plan that will encompass any capital project or item with an overall expenditure of at least \$5,000 and a life expectancy of at least one year. Inclusive within the Capital Improvement Plan shall be a breakdown of the possible additional operational costs associated with the capital project or item, including whether additional personnel may be required. (The FY 2020 Capital Improvement Plan has been previously approved and can be found on the town web site.

¹ See Town Charter section 7-5.
Budget Policy FY 2020

The Town Administrator will review and revise the approved FY 2020 Capital Improvement Plan with Department Heads during the fall budget planning process.

After completion of the 2018 Annual Town Meeting and in accordance with Charter section 7-5 the Town Administrator shall begin the process of updating the FY 2019 Capital Improvement Plan for FY 2020.

BUDGET DEVELOPMENT: Department Heads shall make appropriate and well-reasoned budget submittals to the Town Administrator by November 2, 2018. The Town Administrator shall submit his proposed budget to the Board of Selectmen and the Finance Committee on December 3, 2018.

Where personnel costs are unknown due to pending contract negotiations department budgets shall include personnel costs based on FY 2019 costs. Required salary adjustments will be proposed in a separate article or articles.

PUBLIC MEETINGS ON THE PROPOSED BUDGET AND BUDGET APPROVALS: The Town Board of Selectmen and the Finance Committee shall hold joint budget workshops at 7:00 p.m. on Tuesdays or Wednesdays in December and in January. Department Heads will only need to be present at budget workshops if requested by the Board of Selectmen, the Finance Committee or the Town Administrator. The Board of Selectmen shall approve its proposed budget by the end of January. The Board of Selectmen's proposed budget may be subject to modifications if subsequent additional or unexpected budget or revenue information, including regional school district assessments or adjustments to state revenue or charges, becomes available prior to the Annual Town Meeting. Any modifications to the budget will be dated and consolidated where possible. The Finance Committee shall hold at least one Public Hearing on the proposed budget and shall make its recommendations on the proposed budget by February 28, 2019.

ADDITIONAL REQUESTED BUDGET AMOUNTS: Additional requested budget amounts above the previous year's budget request are not encouraged but will be considered if justification for such additional amounts is included with the budget materials. Justification and any supporting documents shall be submitted by department heads as a separate submission. Priority will be given for requests that place a minimum reliance upon the property tax to fund these endeavors and for requests required to meet legal obligations of the Town of Wellfleet.

Requests for new or expanded programs or services or substantial increases in ongoing expenditures, programs and services shall be detailed on the FY 2020 Additional Budget Request form (attached) and included with the proposed budget.

NON-PROPERTY TAX REVENUE SOURCES: The Town of Wellfleet shall continue supporting the concept that user fees, reasonable sponsorships and other non-property tax revenues be utilized to help offset the property tax and, to the fullest extent practical, be devised to recoup the costs of supplying a particular service. The Town Administrator in preparation of the budget shall review current department fee structures and charges for services and propose modifications as deemed necessary and appropriate.

BUDGET TIMETABLE: Due dates and deadlines are specified in the "Fiscal 2020 Budget and 2019 Annual Town Meeting and Annual Town Election Schedule" to be adopted by the Board.

**THE BOARD OF SELECTMEN ADOPTS THE FOLLOWING FISCAL MANAGEMENT
GOALS FOR FISCAL YEAR 2020:**
(changes from prior year are **BOLD**)

- **To work towards presenting a balanced budget, within the constraints of Proposition 2 ½, without requesting an override.**
 1. **To limit the overall increase in the budgets recommended for the Wellfleet Elementary School and the Nauset Regional School District to 2.5% or less while acknowledging the actual Town of Wellfleet assessment for the Nauset Regional School District and the Cape Cod Regional Technical High School may be above or below that amount due to variances in student enrollment numbers.**
 2. **To limit the increase in the unclassified accounts budget to 8% or less while acknowledging that the increase in health insurance and the retirement assessment is not controlled by the Town of Wellfleet.**
 3. **To limit the Fiscal 2020 operating budget for expenditures other than education and unclassified accounts to 2.5% or less.**
- **The Selectmen's Budget and Financial Management Policy specifies annual capital expenditures (exclusive of items financed by borrowing) of between three and seven percent of the operating budget. The Fiscal 2020 capital budget, based on the same set of operating budget assumptions, should therefore be between \$568,400 and \$1,326,263.**
- Not to authorize any new significant program without an identified financing source to pay for said program.
- Not to authorize any new full-time personnel beyond current authorized levels. However, if any such new personnel are funded the positions shall be valued at a cost that includes both salary and benefits.
- Any open positions will be evaluated and if needed, replaced with part-time or full-time employees as appropriate for the position.
- The maximum utilization of funds from all revenue sources to fund programs.
- Whenever possible and reasonable staff will cultivate productivity improvements that could lead to realized savings.
- Whenever possible and reasonable staff will investigate regional opportunities that could lead to realized savings.
- The Town Administrator shall review regularly the methods of operation, program service delivery and expenditure of resources in the various Town departments to ensure maximum efficiency for the Town of Wellfleet.
- **The town will continue to provide for an annual Other Post-Employment Benefits ("OPEB") contribution.**

- **The Town has reached its policy goal of a Stabilization Fund balance equal to approximately 5.0% of the annual operating budget. The Fund balance as of July 31, 2018, was approximately \$916,213. Based on policy goals the fund balance should be \$911,649. The Town will continue to fund the Stabilization Fund to match the 5% goal. Each year a smaller transfer equal to 5% of the budget growth will be requested.**
- **To maintain the Reserve Fund at an amount equal to 0.5% of the operating budget. Because the unexpended Reserve Fund balance reverts to free cash at the end of each fiscal year it must be appropriated in full each budget cycle. The estimated appropriation required to meet this goal for FY 2020 is \$94,733.**
- **To maintain a free cash balance equal to approximately 4.5% of the operating budget. The estimated free cash balance required to meet this goal for FY 2020 is \$852,597.**

Projected adoption in Fall 2018

210 Police Department FY 2020 Additional Budget Request

Additional Amount Requested

\$

Budget Line Number

Line #

Account Description:

One Time Only or Ongoing Expense?

Description of Program, Product or Service

Cost/Benefit Analysis



BOARD OF SELECTMEN

AGENDA ACTION REQUEST
October 9, 2018

V

BUSINESS – E.

Fiscal year 2020 annual budget and 2019 annual town meeting schedule

REQUESTED BY:	TA
DESIRED ACTION:	Approval of the fiscal year 2020 annual budget and 2019 annual town meeting schedule
PROPOSED MOTION:	I move to approve the fiscal year 2020 annual budget and 2019 annual town meeting schedule as presented by the Town Administrator.
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____

FY 2020 Annual Budget, 2019 Annual Town Meeting and Town Election Schedule

SEPTEMBER		
DATE	ACTION	WHO
September 11, 2018	Develop 5 Year Budget Outlook for Wellfleet	Town Accountant
September 11, 2018	TA: Prepare draft for Selectboard of 1.) Budget & Annual Town Meeting Calendar; 2.) FY 2020 Budget Policy Statement; 3.) Five-year financial forecast for submission to BOS	TA
September 24, 2018	Special Town Meeting	BOS/FinCom
September 25, 2018	BOS MEETING: Adoption of 1.) Annual Town Meeting Calendar and 2.) Budget Policy Statement. 2nd Review of 5 Year Financial Forecast	BOS
September 30, 2018	Certify Free Cash	Accountant
OCTOBER		
DATE	ACTION	WHO
October 9, 2018	BOS MEETING: Issue FY2018 Budget Policy Statement (Charter Sec. 7-2-1 'On or before the 31st of October of each year, the BOS shall prepare and issue a policy statement relating to the budget for the ensuing Fiscal Year.')	BOS/TA/ATA
October 9, 2018	BOS MEETING: Set date for budget submission and distribute Budget Message per Budget Policy Statement (see above Charter Sec 7-2-2)	BOS/TA
October 10, 2018	Distribute budget materials to department heads	Accountant
October 23, 2018	BOS MEETING	BOS
October 24, 2018	FINCOM MEETING: Review draft Annual Town Meeting calendar	FinCom
October 31, 2018	FINAL deadline date for BOS Budget Policy Statement and BOS/FinCom to set date for budget submission (see above Charter Sec 7-2-2)	FinCom
NOVEMBER		
DATE	ACTION	WHO
November 2, 2018	DEADLINE for submission of Operating Budget and CIP change requests to FY2020 CIP to EA	Dept Heads
November 12-19, 2018	Individual Dept Head Meetings with TA. Alert FinCom liaison to Departments of specific meeting date	TA/EA/Dept Heads/FinCom
November 28, 2018	FINCOM MEETING:	FinCom
November 28, 2018	BOS MEETING: Schedule joint FinCom BIG 5 Budget Review on December 18, 2018	TA/EA
DECEMBER		
DATE	ACTION	WHO
December 3, 2018	Request Annual Reports from officers, boards & committees	EA
December 3, 2018	Submission of budget documents and budget message to BOS + FinCom. Include FY20 budget documents + message in BOS Packets	TA/ATA
December 3, 2018	Budget materials made available to public	EA
December 11, 2018	BOS MEETING: Distribute budget packets of the Big 5 Budgets	TA/EA
December 11, 2018	Send memo requesting proposed ATM Articles + Transfer Requests to Dept + Committee Heads. Deadline for submission Jan 31, 2019	EA
December 18, 2018	SPECIAL JOINT BOS/FINCOM MEETING: Joint BOS/FinCom Budget Review meeting of five largest Department Budgets	BOS/Dept Heads/FinCom
December 28, 2018	2018 ANNUAL REPORT SUBMISSIONS DUE	All Depts/Boards/Committees

JANUARY		
DATE	ACTION	WHO
January 7, 2019	Develop 1st draft ATM Article Index	ATA/EA
January 7, 2019	Update revenue estimates based on first 6 months of the current fiscal year	Accountant
January 7, 2019	First day to obtain nomination papers for Town Election (last year 01/08/18)	Clerk
January 8, 2019	BOS MEETING: Submit FY20 Regional School Budget Development Schedule to BOS with January 8, 2019 packets	TA
January 8, 2019	BOS MEETING: Submit draft ATM Article Index to BOS	ATA/EA
January 23, 2019	FINCOM MEETING: Dept Heads may be invited to attend to answer budget questions	Dept Heads
FEBRUARY		
DATE	ACTION	WHO
February 8, 2019	Deadline to receive proposed ATM Articles + Transfer Requests from Department Heads + Committee Chairs	Dept + Committee Heads
February 5, 2019 [tentative date - confirm with School Committee]	School Committee Meeting - Final budget review + vote to approve FY2019 regional school budget	School Committee
February 12, 2019	BOS MEETING: Review Elementary School, Tech School + NRSD Budget w FinCom at joint meeting	BOS/FinCom/ School Reps
February 12, 2019	TENTATIVE - Receive approved regional school budget	NRSD Business Manager
February 13, 2019	Distribute placed Articles to Boards/Committees	EA
February 26, 2019	BOS MEETING: Review draft of warrant, no action required	BOS
February 27, 2019	FINCOM MEETING: Dept Heads may be invited to attend to answer budget questions	Dept Heads
February 27, 2019	FINCOM to submit final budget recommendations to TA	FinCom
February 28, 2019	Deadline for petitioned articles (" Prior to March 1 " - Charter 2-4-2)	Registered Voters
MARCH		
DATE	ACTION	WHO
March 1, 2019	Submit Articles other than budget Articles to FinCom	BOS through TA/ATA
March 1, 2019	Submit Annual Town Report TO PRINTER	EA
March 8, 2019	Last day to obtain nomination papers for Town Election (MGL c. 53, s. 9A)	Clerk
March 6, 2018	FINAL Board/Committee recommendations due to TA's office in order to be printed in the ATM Warrant	Board/Com Chairs + Com Secretaries
March 12, 2018	Deadline for certification to Town of NRSD and Cape Tech assessments (45 days before the earliest town meeting of a member town?)	Regional School Committees
March 12, 2018	Last day to submit nomination papers to the Board of Registrars (MGL c. 53, s.7)	Clerk
March 12, 2019	BOS MEETING: Final Article recommendations and vote on Warrant.	BOS
March 15, 2019	Final Review of Warrant	TA/ATA/EA
March 21, 2019	Planning Board Public Hearing on Any Citizen Petition Zoning Changes	ATA
March 22, 2019	Constable to Sign Warrant (5 copies). Constable to post.	EA
March 22, 2019	Submit Warrant to printer	EA
March 26, 2019	Regular BOS Meeting - BOS Sign Warrant (5 copies).	BOS
March 27, 2019	FINCOM MEETING	FinCom
March 25, 2019	Last day to file nomination papers with the Town Clerk (MGL c. 53, s. 10)	Clerk
March 27, 2019	Last day to object to or withdraw nomination papers (MGL c. 53, s. 11)	Clerk

APRIL		
DATE	ACTION	WHO
April 1, 2019	Distribute FY 2021 CIP request forms. Due May 1, 2019	EA
April 2, 2019	Last day to register to vote at ATM and Annual Town Election (MGL c. 51, ss 26,	Town Clerk
April 8, 2019	Deadline for posting and mailing Warrants ("14 days prior to ATM" Charter 2-6-3)	Printer
April 9, 2019	BOS MEETING	BOS
April 12, 2019	Finalize Article Motions	TA/ATA/EA
April 16, 2019	[Tent] Group conference call with Town Counsel to review and finalize Motions	Town Counsel
April 10-12, 2019	Create Power Point Presentation with Articles and Motions for ATM	EA
April 22, 2019	FINCOM MEETING: Special meeting immediately preceding ATM	FinCom
April 22, 2019	BOS MEETING: Special meeting immediately preceding ATM	BOS
April 22, 2019	ATM ("4th Monday in April" - Charter 2-6-1)	ALL
April 23, 2019	RESERVED FOR SECOND DAY OF ATM	ALL
April 29, 2019	Annual Town Election ("First Monday after the 4th Monday in April" Charter 2-6-1)	Town Clerk
MAY		
DATE	ACTION	WHO
May 1, 2019	FY2021 CIP request forms due from Department Heads (Dates will change if new charter is approved at Town election)	EA
May 2-28, 2019	Prepare FY 2021 Capital Improvement Plan (Dates will change if new charter is approved at Town election)	TA
May 14, 2019	BOS MEETING	BOS
May 28, 2019	BOS MEETING: Submit FY2021 CIP to BOS + FinCom (Dates will change if new charter is approved at Town election)	EA
May 30, 2019	FINCOM MEETING	FinCom
JUNE		
DATE	ACTION	WHO
June 1, 2019	DEADLINE Charter Sec 7-5-2: 'The CIP shall be submitted to the FINCOM + BOS not later than the 1st of June.' (Dates will change if new charter is approved at Town election)	TA
June 11, 2019	BOS MEETING	BOS
June 25, 2019	BOS MEETING	BOS
June 26, 2019	FINCOM MEETING	FinCom
June 30, 2019	DEADLINE Charter Sec 7-5-2: 'Within 30 days the FINCOM shall prepare and submit a report and its recommendations on the CIP to the TA and the BOS.' (Dates will change if new charter is approved at Town election)	FinCom
TBD: CIP Public Hearing	Charter Sec 7-6-1: 'The FINCOM shall publish...the general summary of the CIP and a notice stating: (a) the times and places where copies of the CIP are available for inspection; (b) the date, time, and place, not less than seven days following such publication, when the Committee shall conduct a public hearing on said Plan.' (Dates will change if new charter is approved at Town election)	FinCom



BOARD OF SELECTMEN

AGENDA ACTION REQUEST
October 9, 2018

V

BUSINESS – F. 3 Kendrick Avenue

REQUESTED BY:	Chair
DESIRED ACTION:	Discussion of the status of 3 Kendrick Avenue and possible special town election.
PROPOSED MOTION:	T B D
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____



BOARD OF SELECTMEN

AGENDA ACTION REQUEST
October 9, 2018

V

BUSINESS – G.

Letters of Support for State grants

REQUESTED BY:	TA
DESIRED ACTION:	Approval of Chair to sign letters of support for two state grants for Wellfleet
PROPOSED MOTION:	I move to authorize the Chair to sign letters of support for the Wellfleet Economic Vitality grant and the Cape Cod Rail Trail expansion grant.
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____



TOWN OF WELFLEET

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

October 9, 2018

Jay Ash, Secretary
Executive Office of Housing and Economic Development
1 Ashburton Place, Room 2101
Boston, MA 02108

Dear Secretary Ash:

I am writing to request that the Executive Office of Housing and Economic Development include in the Governor's 2020-2024 Capital Investment Plan certain investments authorized by the Legislature as a part of Economic Development Bond Bill, Chapter 228 of the Acts of 2018. Within item 7002-1120 of that Act, the language relevant to this request reads: *"provided further, that not less than \$1,100,000 shall be expended for the town of Wellfleet to purchase and develop a property within the town of Wellfleet, for use as a new business incubator space"*.

An investment from the Commonwealth would enable work to begin on the development of a Small Business Incubator in Wellfleet. Housing and jobs are vital to the sustainability for our community. The Small Business Incubator would allow small start-up businesses to plant their roots in Wellfleet and provide for a small retail space along with office space for those small start-ups. The space is in a prime downtown Wellfleet location, ideal for a small start-up with a retail product. One of the greatest roadblocks to a new business is the lack of affordable retail space in a good location. The business incubator project would remove that roadblock. For those start-ups not in retail the Small Business Incubator would provide office space.

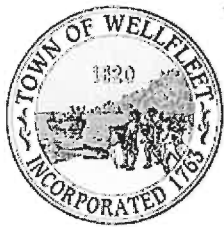
Thank you for your consideration of this request. I would greatly appreciate notice of any opportunities to submit comment or testimony regarding the Capital Investment Plan. Please do not hesitate to reach out if there is additional information that I could provide.

Respectfully,

Janet Reinhart, Chair
Wellfleet Selectboard

CC: Governor Charlie Baker
Massachusetts State House
24 Beacon Street, Room 280
Boston, MA 02133

Senator Julian Cyr
Massachusetts State House
24 Beacon Street, Room 218
Boston, MA 02133



TOWN OF WELLFLEET

300 MAIN STREET WELLFLEET MASSACHUSETTS 02667

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

www.wellfleetma.org

October 9, 2018

Michael J. Heffernan, Secretary
Executive Office for Administration and Finance
24 Beacon Street, State House, Room 373
Boston, MA 02133

Secretary Heffernan:

I am writing to request that the Executive Office of Administration and Finance include in the Governor's 2020-2024 Capital Investment Plan certain investments authorized by the Legislature as a part of DCAMM Bond Bill, Chapter 113 of the Acts of 2018. Within item 1100-3005 of that Act, the language relevant to this request reads: "*provided further, that \$2,000,000 shall be expended for the Wellfleet center segment and the Beach Point segment of the Cape Cod rail trail bike trail*".

An investment from the Commonwealth would enable work to begin on the Cape Cod Rail Trail Bike Trail in Wellfleet. The Rail Trail connects many of our Cape Cod communities through a safe bike trail for adults and children and provides outdoor exercise for so many users. The extension to Wellfleet allows our residents to benefit and also provides a safe extension available to the thousands of people who use the rail trail each year.

Thank you for your consideration of this request. I would greatly appreciate notice of any opportunities to submit comment or testimony regarding the Capital Investment Plan. Please do not hesitate to reach out if there is additional information that I could provide.

Respectfully,

Janet Reinhart, Chair
Wellfleet Selectboard

CC: Governor Charlie Baker
Massachusetts State House
24 Beacon Street, Room 280
Boston, MA 02133

Senator Julian Cyr
Massachusetts State House
24 Beacon Street, Room 218
Boston, MA 02133



BOARD OF SELECTMEN

AGENDA ACTION REQUEST
October 9, 2018

V

BUSINESS – H.

Legal Counsel Representation for Herring River Restoration Project related activities

REQUESTED BY:	TA
DESIRED ACTION:	Appointment of legal representation on matters dealing with the Herring River Restoration Project.
PROPOSED MOTION:	I move to
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____

Gregor I. McGregor, Esq.

Gregor I. McGregor, Esq.

GREGOR I. MCGREGOR, Esq. is the founder of New England's oldest environmental law firm McGregor & Associates, PC in Boston, formed in 1975 and now McGregor & Legere, PC. The firm handles all aspects of environmental law, land use, real estate, and related litigation. The firm is a founding member of the Environmental Law Network (ELN), an alliance of specialty law firms, in the United States and abroad, sharing their legal expertise and practical experience for the benefit of their clients. Mr. McGregor enjoys Martindale-Hubbell's highest rating for attorneys (AV).

In 45 years of environmental practice, Mr. McGregor's cases in court broke new ground in the law of Environmental Impact Statements under the National Environmental Policy Act (NEPA) and Massachusetts Environmental Policy Act (MEPA), wetland and floodplain protection under the Massachusetts Wetlands Protection Act, hazardous waste cleanup liability and cost-recovery under the Massachusetts Superfund, reduced taxes and tax exemptions for qualified land conservation transactions, constitutional protections for open space and parkland, Home Rule environmental ordinances and bylaws of cities and towns, law enforcement and contempt remedies, and the constitutional doctrine of Regulatory Takings.

Before 1975, Mr. McGregor was an Assistant Attorney General of Massachusetts and the first chief of the Attorney General's Division of Environmental Protection. In that capacity he advised and represented the Commonwealth during the formative years of Massachusetts environmental statutes, agencies, regulations, enforcement and cases in court.

Mr. McGregor is editor of the two-volume treatise on Massachusetts Environmental Law, published by Massachusetts Continuing Legal Education, Inc.(MCLE). He is co-chair of MCLE's annual Environmental, Land Use, and Energy Law Conference and MCLE's Real Estate and Environmental Law Curriculum Advisory Committee. He received from MCLE in 2013 its Scholar-Mentor Award recognizing his dedication to legal scholarship and leadership.

Mr. McGregor chairs the Environmental Committee of the Real Estate Bar Association for Massachusetts (REBA) and serves as a member of the REBA Board of Directors. He is an active member of the Massachusetts Municipal Lawyers Association (MMLA), which honored him for his career contributions to legal education and effective advocacy on the Home Rule Doctrine. At the National CLE Conference in Vail, CO, Mr. McGregor co-chairs an annual seminar on Environmental Law, Land Use, Energy & Litigation for attorneys from across the United States.

Mr. McGregor is a long time member of the board of directors of the [Massachusetts Association of Conservation Commissions](#) (MACC) having served as Board President twice. He has handled several cases for MACC as amicus and is a regular presenter at their annual meeting.

Mr. McGregor is a graduate of Dartmouth College and Harvard Law School.

[View Attorney McGregor's Case List >>](#)

Environmental Law Experience of Attorney Gregor I. McGregor

Gregor I. McGregor

Gregor I. McGregor, Esq.

Mr. McGregor conducts or supervises the litigation of the firm. His cases in court, administrative trials, hard-won settlements, and enforcement disputes have been at the intersection of environmental law and evolving science, usually involving application of important statutes and legal principles or resolution of noted disputes of environmental policy or practice. He is known for close attention to clients' needs, thorough preparation of the case, and tenacious advocacy grounded in mastery of the technical issues.

At the same time, Mr. McGregor's penchant for preparation, use of the right consultants, knowledge of agency rules and personnel, and teamwork toward results has benefited our clients who don't need court representation, but rather confidential strategy advice and careful steps to secure government permits, acquire property rights, avoid new disputes, complete transactions, and finish projects on time.

SUPREME JUDICIAL COURT CASES

City of Brockton v. Energy Facilities Siting Board & Brockton Power Company LLC v. Energy Facilities Siting Board — Special Counsel for the City of Brockton in Superior Court, Appeals Court, Supreme Judicial Court, Energy Facilities Siting Board (EFSB), and DEP challenging a proposed Brockton Power gas-fired electrical generating plant. The City eventually settled all claims with the company. *City of Brockton v. Energy Facilities Siting Board*, 469 Mass. 196 (2014); *Brockton Power Company LLC v. Energy Facilities Siting Board*, 469 Mass. 215 (2014).

Ten Local Citizen Group v. New England Wind, LLC. — Counsel for the applicant in the DEP adjudicatory hearing under the Wetlands Protection Act and consequent Supreme Judicial Court appeal that culminated seven years litigation, clearing the way for the largest land based wind farm in Massachusetts, now constructed, Hoosac Wind, in the Berkshires. *Ten Local Citizen Group v. New England Wind, LLC*, 457 Mass. 222 (2010).

Lovequist v. Conservation Commission of the Town of Dennis — Special Counsel for the Town of Dennis on Cape Cod, in the Superior Court and Supreme Judicial Court, in a precedent setting case upholding the Dennis Home Rule wetlands protection bylaw against Home Rule and Regulatory Taking challenges. This ruling established the legality of local environmental legislation in the form of bylaws and ordinances. *Lovequist v. Conservation Commission of the Town of Dennis*, 379 Mass. 7 (1979).

Parkinson v. Board of Assessors of Medfield — Counsel to 16 local, state, regional and national land trusts and conservation organizations as amici curiae in the leading Supreme Judicial Court case on the legality of Conservation Restrictions under the first Conservation Restriction Act in the nation, and on the related issue of the obligation of local real estate tax assessors to take the restrictions into account in taxation valuation. *Parkinson v. Board of Assessors of Medfield*, 398 Mass. 112 (1986).

Ten Persons of the Commonwealth v. Fellsway Development, LLC — Counsel for amici in the case of *Ten Persons of the Commonwealth v. Fellsway Development, LLC*, 460 Mass. 366 (2011), submitting a friend of the court brief successfully arguing that a group of ten citizens had the right to a trial to determine whether a project's proponents illegally segmented the project to avoid review under the Massachusetts Environmental Policy Act (MEPA).

Blair v. Department of Conservation and Recreation — Counsel for amici in the case of *Blair v. Department of Conservation and Recreation*, 457 Mass. 634 (2010), submitting a friend of the court brief successfully arguing that the Massachusetts Department of Conservation and Recreation (DCR) denial of a variance under the Watershed Protection Act to allow a proposed beach and lawn expansion did not constitute a compensable categorical or regulatory taking.

Gove v. Zoning Board of Appeals of Chatham — Counsel for amici in the case of *Gove v. Zoning Board of Appeals of Chatham*, 444 Mass. 754 (2005), submitting a friend of the court brief successfully arguing that a Cape Cod town's zoning bylaw banning new residential structures in a "coastal conservancy district" did not deny the owner of all economically beneficial uses so did not constitute an unconstitutional Regulatory Taking.

New England Forestry Foundation v. Town of Hawley — Counsel for amici in the case of *New England Forestry Foundation v. Town of Hawley*, 468 Mass. 138 (2014), submitting a friend of the court brief on behalf of the Massachusetts Association of Conservation Commissions (MACC) and Compact of Cape Cod Conservation Trusts (CCCCT or The Compact), successfully arguing that commissions and land trusts operate as public and private counterparts on conservation, forest and open space conservation is a qualified charitable activity, and non-profit organizations created to preserve land in its natural state are entitled to a property tax exemption.

Mahajan et al v. Dept. of Environmental Protection — Counsel to the “North End Ten,” the plaintiffs and appellants in *Mahajan et al v. Dept. of Environmental Protection*, 464 Mass. 604 (2013), challenging a DEP license and Boston Redevelopment Authority (BRA) 60-year lease to use Boston’s historic Long Wharf as a private restaurant. The SJC interpreted and applied Article 97 of the Amendments to the Massachusetts Constitution.

TRIALS, APPEALS AND ADJUDICATORY HEARINGS

Colvin v. Town of Lynnfield — Trial counsel for seven families against the Town of Lynnfield for destruction of Mill Pond by sludge from a Town dredging project. Obtained a jury verdict of over \$600,000 and Contempt Judgment followed by Consent Judgment to restore the pond under the Wetlands Protection Act. *Colvin v. Town of Lynnfield*, 68 Mass. App. Ct. 1108 (2007) (Rule 1:28 decision).

Grazing Fields Farm v. Goldschmidt — Counsel to Grazing Fields Farm in Bourne, MA, in the federal District Court and Court of Appeals for the First Circuit, successfully challenging the federal Environmental Impact Statement (EIS) under NEPA and plans of the Massachusetts Highway Department to build Route 25 (I-495). Forced the rerouting of Interstate 495 to the Cape via the Bourne Bridge. *Grazing Fields Farm v. Goldschmidt*, 626 F.2d 1068 (1980).

Expert Witness Testimony — Testified as an expert witness on environmental law in a multi-day Superior Court eminent domain jury trial, on behalf of NStar, against the Massachusetts Water Resources Authority (MWRA) on the developability of industrial and commercial real estate on account of environmental issues, as relevant to its fair market value. Over the years Mr. McGregor has testified in a half-dozen such Commonwealth or municipal taking cases involving infrastructure, parklands, and the Boston Harbor Islands State Park.

In the Matter of David Mann — Counsel to commercial cranberry bog owners in long-running state administrative case, challenging the use of salt on I-495 in Bourne, MA. Secured the first “no-salt order” against the Massachusetts Highway Department and a closed drainage system for two miles of I-495, discharged to the Cape Cod Canal rather than local cranberry bogs and groundwater. *In the Matter of David Mann*.

Hogan v. Conservation Comm’n of Falmouth & In the Matter of Edward C. Gordon — Counsel to a Cape Cod homeowner from challenged by his neighbor on his waterfront home expansion in the Town of Falmouth. Successfully defended state and local wetland permits before DEP, Superior Court, and the Appeals Court. *Hogan v. Conservation Comm’n of Falmouth*, 78 Mass. App. Ct. 1124 (2011) (Rule 1:28 decision); *In the Matter of Edward C. Gordon, Trustee, 120 Racing Beach Trust*” (Fin. Dec. Mar. 5, 2010).

Matheson v. Town of Falmouth Conservation Commission — Counsel to a Cape Cod cottage owner against the Falmouth Conservation Commission for refusing permit extensions and a new permit to finish his project. We obtained an order in Superior Court, upheld in the Appeals Court, mandating that the board approve the work and issue the necessary permissions. *Matheson v. Town of Falmouth Conservation Commission*, 77 Mass. App. Ct. 1116 (2010) (Rule 1:28).

Wildstar Farm, LLC, et al v. Massachusetts Department of Environmental Protection — Counsel to the Sandy Valley Road neighborhood in the Town of Westwood, challenging a commercial horse farm, prevailing in a year-long adjudicatory hearing at DEP. Successfully defended that victory in Land Court against the applicant’s further appeal. *Wildstar Farm, LLC, et al v. Massachusetts Department of Environmental Protection*, Norfolk Land Court, Civil Action No. 10-PS-443877, Stipulation of Dismissal (July 8, 2011).

LAND USE PERMITS AND TRANSACTIONS

Counsel to a family trust — Landowners on a Massachusetts island, for over 10 years, assisting on a variety of environmental issues: closing a landfill on client’s land, changing a dredging project on client’s land, documenting limited access through client’s land, defending inadvertent trimming of wetlands vegetation to re-open a road on the property, counseling the client on develop-

ment rights, access issues, prescriptive easements, water rights, accretion and reliction, and maintaining effective relations with a rural community.

In the Matter of Salt Pond Association — Counsel to homeowners in a small subdivision adjacent to a Cape Cod salt pond to obtain wetlands permits for restoration and maintenance of view corridors, satisfying scientific issues and policy considerations over vegetation removal, resulting in wildlife habitat restoration in tandem with the view corridors. *In the Matter of Salt Pond Association*.

Malloy, Trustee v. Falmouth Conservation Commission — Counsel to a residential pier owner in Woods Hole, Falmouth, MA to challenge conditions on expansion imposed by the Falmouth Conservation Commission, after successful appeal to Superior Court in which the court had ruled the permit conditions were too onerous on the landowner. *Malloy, Trustee v. Falmouth Conservation Commission*, Barnstable Superior Court, Civil Action No. 2006-00732, Final Judgment (October 1, 2010).

In the Matter of CASE NAME — Represented a landowner to obtain local permits for the tear-down and reconstruction of a single-family residence, from a variety of boards and officials in the Town of Concord, including the Natural Resources Commission (NRC) for wetlands, the Building Commissioner and Zoning Board of Appeals (ZBA) for zoning, and the Historic District Commission, with support of the Minuteman National Park. *In the Matter of CASE NAME*.

In the Matter of Ocean Edge Resort Ltd. Partnership — Counsel to a popular Cape Cod resort before the Conservation Commission and DEP for local and state permits to construct and maintain seasonal docks for kayaking and swimming in a Great Pond, and to undertake a proper invasive plant removal and qualified vista pruning project in the buffer zone of the pond, restoring original views from the development. *In the Matter of Ocean Edge Resort Ltd. Partnership* (Fin. Dec. May 13, 2014).

NEGOTIATIONS AND SETTLEMENTS

City of New Bedford v. Consolidated Rail Corporation, et al. — Special Counsel for the City of New Bedford in cleanup cost recovery claims against the railroads for PCB contamination at the New Bedford rail yard, utilizing the Massachusetts Superfund statute, G.L.c.21E, with its private right of action for response action costs, real property damages, and expert and legal fees. *City of New Bedford v. Consolidated Rail Corporation, et al.* Settled for \$3 million.

Special Counsel for the Town of Charlton — in claims and negotiations under the federal and state Superfunds resulting in a \$500,000 settlement with Exxon Corporation over water mains installed and replacement water supply obtained from a neighboring community, all in response to historic gasoline contamination of neighborhoods along Route 20.

Special Counsel to the Town of Acton — on a 350-unit Affordable Housing project under the state Affordable Housing Statute, G.L.c.40B. Novel legal issues of housing units in the Town of Concord, but sole access in Acton at the confluence of public ways in three towns. Negotiated, drafted and executed a \$1 million Development Agreement between the Town and a large national housing developer for contributions to the municipal affordable housing fund and road and sidewalk improvements.

Special Counsel to the Town of Westwood — regarding the MBTA-Amtrak rail station at Route 128, with advice on applicability of wetland protection laws, environmental impact reports, and political strategy relative to this state, carried out in a series of public hearings and successful negotiations on completing this project the gateway to the Towns commercial area.

In the Matter of Jet Aviation of America, Inc. — Counsel to Save Our Heritage (SOH) in Concord, Bedford, Lincoln and Lexington, MA — against expansion of commercial aircraft operations at Logan Airport's Hanscom Airfield, notably the jurisdiction under municipal Home Rule wetlands protection bylaws. *In the Matter of Jet Aviation of America, Inc.*

ENFORCEMENT AND DEFENSE

In the Matter of Old Farm Road Water Trust — Counsel to the proprietors of a private water system in Dover, MA in a rural neighborhood, to deal with unexpected contaminant levels. Represented the homeowner association through recruiting qualified experts, testing and validation of results, and successful resolution of state enforcement. *In the Matter of Old Farm Road Water Trust*

Special Counsel to the Town of Easton — for its Conservation Commission, to defend Superior Court and DEP appeals by applicants of wetland permit decisions, draft enforcement orders and gather evidence against wetland violators, advise the Commission on revisions and interpretation of its Home Rule wetlands protection bylaw, and litigate illegal tree cutting on Town conservation land.

In the Matter of Whittier Regional Vocational Technical High School District — Counsel to the Whittier Regional Vocational Technical School, a Regional High School in Haverhill, which serves a district including eight towns and three cities in northern Massachusetts, achieve negotiated compliance with state wastewater regulations, against threatened DEP enforcement action. *In the Matter of Whittier Regional Vocational Technical High School District*



BOARD OF SELECTMEN

AGENDA ACTION REQUEST
October 9, 2018

V

BUSINESS – I.

Approval of Deeds for Pleasant Point Bulkhead

REQUESTED BY:	TA
DESIRED ACTION:	Approval of execution of deeds
PROPOSED MOTION:	I move that the Selectboard execute four deeds to the purchasers of the parcels containing the Pleasant Point bulkhead, as approved by vote at the 2017 Annual Town Meeting in article 39.
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____

Premises:
174 Pleasant Point Road
Wellfleet, MA 02667

RELEASE DEED

The **Town of Wellfleet** ("*Town*"), a Massachusetts municipal corporation acting by and through its Selectboard, pursuant to the vote taken under Article 39 of the 2017 Annual Town Meeting, a certified copy of which is recorded herewith in Book _____, Page _____, having an address of Wellfleet Town Hall, 300 Main Street, Wellfleet, Massachusetts 02667

For consideration paid of Two Thousand Four Hundred Forty Five Dollars and 39/100 (\$2,445.39), hereby releases all of its right, title and interest in a certain parcel of land, described below, to

Charles F. Henrickson, of 714 Rollerton Road, Apt. 305, Charlotte, NC 28205, **Inga-Lil Barnello**, of 516 North Orchard Road, Solvay, NY 13209, and **Jana H. Catuccio**, of 80 Windsor Drive, Englewood, FL 34223, all as tenants in common, (together, the "*Grantee*")

With Quitclaim Covenants,

A parcel of land located off Pleasant Point Road, Wellfleet, Massachusetts, shown as "Parcel B Area = 1349 Sq.Ft.±" (the "*Premises*") on a plan entitled "Plan of Land in Wellfleet, Mass. Prepared for: The Town of Wellfleet," dated July 10, 2018, prepared by Schofield Brothers of Cape Cod, recorded with the Barnstable Registry of Deeds in Plan Book _____, Page _____ (the "*Plan*").

Parcel B is not a buildable lot, and is hereby merged with other property of the Grantee described in a deed recorded with the Barnstable Registry of Deeds, dated September 4, 2004 in Book 19077, Page 329.

Also conveying an easement in the area shown as "Proposed 20' Wide Easement" on the Plan for the purpose of accessing, constructing, installing, operating, maintaining, repairing and replacing a bulkhead, located on Parcel A, Parcel B, Parcel C and Parcel D, as shown on the Plan, so long as the Owners, as hereinafter defined, shall not interfere with the right of the public to pass and repass between the bulkhead and the shoreline. The owners of Parcel A, Parcel B, Parcel C and Parcel D (the "*Owners*") shall, jointly and severally, have the obligation for maintaining, repairing and replacing said bulkhead, assume any and all liability with respect to the bulkhead, and, further, shall defend, indemnify and hold harmless the Town from any and all liability, loss, damage, costs, expenses (including, without limitation, reasonably attorney's fees and expenses), causes of action, suits, claims, demands or judgments of any nature whatsoever, in law and equity which may be brought against the Town, or its officials, employees, agents and representatives arising from any failure on the part of the Owners to comply with any provisions or terms required to be performed or complied with by the Owners, including, death, injury or property damage suffered by any person on account of or based upon the act, omission, fault, negligence or misconduct of the Owners.

No deed stamps are due pursuant to G.L. c 64D, §1.

The undersigned certify compliance with the provisions of G.L. c. 7C, §38 and G.L. c. 44, §63A.

Said premises being a portion of the property described in deeds recorded with the Barnstable Registry of Deeds in Book 13615, Page 321 and Book 10434, Page 27.

[Signature Page Follows]

WITNESS our hands and seals this 9th day of October, 2018.

TOWN OF WELLFLEET,
By its Selectboard

Janet Reinhart, Chair

Helen Miranda Wilson, Vice-Chair

Justina Carlson, Clerk

Kathleen Bacon

Jerry Houk

COMMONWEALTH OF MASSACHUSETTS

Barnstable, ss.

On this 9th day of October, 2018, before me, the undersigned Notary Public, personally appeared _____, member of the Wellfleet Selectboard, who proved to me through satisfactory evidence of identification, which was _____, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he/she signed it voluntarily for its stated purpose on behalf of the Town of Wellfleet.

Notary Public
My Commission Expires:

Premises:
170 Pleasant Point Road
Wellfleet, MA 02667

RELEASE DEED

The **Town of Wellfleet** ("*Town*"), a Massachusetts municipal corporation acting by and through its Selectboard, pursuant to the vote taken under Article 39 of the 2017 Annual Town Meeting, a certified copy of which is recorded herewith in Book ____, Page ____, having an address of Wellfleet Town Hall, 300 Main Street, Wellfleet, Massachusetts 02667

For consideration paid of Four Thousand Four Hundred Seventy Five Dollars and 66/100 (\$4,475.66), hereby releases all of its right, title and interest in a certain parcel of land, described below, to

Wright Cottage, LLC, a Massachusetts limited liability company with an address of 5026 Fairlawn Crescent Court, Charlotte, NC 28226 (the "*Grantee*")

With Quitclaim Covenants,

A parcel of land located off Pleasant Point Road, Wellfleet, Massachusetts, shown as "Parcel A Area = 2469 Sq.Ft.±" (the "*Premises*") on a plan entitled "Plan of Land in Wellfleet, Mass. Prepared for: The Town of Wellfleet," dated July 10, 2018, prepared by Schofield Brothers of Cape Cod, recorded with the Barnstable Registry of Deeds in Plan Book ____, Page ____ (the "*Plan*").

Parcel A is not a buildable lot, and is hereby merged with other property of the Grantee described in a deed recorded with the Barnstable Registry of Deeds, dated June 12, 2014 in Book 28213, Page 221.

Also conveying an easement in the area shown as "Proposed 20' Wide Easement" on the Plan for the purpose of accessing, constructing, installing, operating, maintaining, repairing and replacing a bulkhead, located on Parcel A, Parcel B, Parcel C and Parcel D, as shown on the Plan, so long as the Owners, as hereinafter defined, shall not interfere with the right of the public to pass and repass between the bulkhead and the shoreline. The owners of Parcel A, Parcel B, Parcel C and Parcel D (the "*Owners*") shall, jointly and severally, have the obligation for maintaining, repairing and replacing said bulkhead, assume any and all liability with respect to the bulkhead, and, further, shall defend, indemnify and hold harmless the Town from any and all liability, loss, damage, costs, expenses (including, without limitation, reasonably attorney's fees and expenses), causes of action, suits, claims, demands or judgments of any nature whatsoever, in law and equity which may be brought against the Town, or its officials, employees, agents and representatives arising from any failure on the part of the Owners to comply with any provisions or terms required to be performed or complied with by the Owners, including, death, injury or property damage suffered by any person on account of or based upon the act, omission, fault, negligence or misconduct of the Owners.

No deed stamps are due pursuant to G.L. c 64D, §1.

The undersigned certify compliance with the provisions of G.L. c. 7C, §38 and G.L. c. 44, §63A.

Said premises being a portion of the property described in deeds recorded with the Barnstable Registry of Deeds in Book 13615, Page 321 and Book 10434, Page 27.

[Signature Page Follows]

WITNESS our hands and seals this 9th day of October, 2018.

TOWN OF WELLFLEET,
By its Selectboard

Janet Reinhart, Chair

Helen Miranda Wilson, Vice-Chair

Justina Carlson, Clerk

Kathleen Bacon

Jerry Houk

COMMONWEALTH OF MASSACHUSETTS

Barnstable, ss.

On this 9th day of October, 2018, before me, the undersigned Notary Public, personally appeared _____, member of the Wellfleet Selectboard, who proved to me through satisfactory evidence of identification, which was _____, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he/she signed it voluntarily for its stated purpose on behalf of the Town of Wellfleet.

Notary Public
My Commission Expires:

Premises:
180 Pleasant Point Road
Wellfleet, MA 02667

RELEASE DEED

The **Town of Wellfleet** ("*Town*"), a Massachusetts municipal corporation acting by and through its Selectboard, pursuant to the vote taken under Article 39 of the 2017 Annual Town Meeting, a certified copy of which is recorded herewith in Book _____, Page _____, having an address of Wellfleet Town Hall, 300 Main Street, Wellfleet, Massachusetts 02667

For consideration paid of Four Thousand Seven Hundred Ninety Four Dollars and 71/100 (\$4,794.71), hereby releases all of its right, title and interest in a certain parcel of land, described below, to

Charles A. Wales, residing at 19 Front Street, #1, Binghamton, New York and **Roger M. Wales**, residing at P.O. Box 666, Barnes Road, Millwood, New York, as tenants in common (together, the "*Grantee*")

With Quitclaim Covenants,

A parcel of land located off Pleasant Point Road, Wellfleet, Massachusetts, shown as "Parcel C Area = 2645 Sq.Ft.±" (the "*Premises*") on a plan entitled "Plan of Land in Wellfleet, Mass. Prepared for: The Town of Wellfleet," dated July 10, 2018, prepared by Schofield Brothers of Cape Cod, recorded with the Barnstable Registry of Deeds in Plan Book _____, Page _____ (the "*Plan*").

Parcel C is not a buildable lot, and is hereby merged with other property of the Grantee described as Parcel 1 in a deed recorded with the Barnstable Registry of Deeds, dated May 13, 2013 in Book 27523, Page 52.

Also conveying an easement in the area shown as "Proposed 20' Wide Easement" on the Plan for the purpose of accessing, constructing, installing, operating, maintaining, repairing and replacing a bulkhead, located on Parcel A, Parcel B, Parcel C and Parcel D, as shown on the Plan, so long as the Owners, as hereinafter defined, shall not interfere with the right of the public to pass and repass between the bulkhead and the shoreline. The owners of Parcel A, Parcel B, Parcel C and Parcel D (the "*Owners*") shall, jointly and severally, have the obligation for maintaining, repairing and replacing said bulkhead, assume any and all liability with respect to the bulkhead, and, further, shall defend, indemnify and hold harmless the Town from any and all liability, loss, damage, costs, expenses (including, without limitation, reasonably attorney's fees and expenses), causes of action, suits, claims, demands or judgments of any nature whatsoever, in law and equity which may be brought against the Town, or its officials, employees, agents and representatives arising from any failure on the part of the Owners to comply with any provisions or terms required to be performed or complied with by the Owners, including, death, injury or property damage suffered by any person on account of or based upon the act, omission, fault, negligence or misconduct of the Owners.

No deed stamps are due pursuant to G.L. c 64D, §1.

The undersigned certify compliance with the provisions of G.L. c. 7C, §38 and G.L. c. 44, §63A.

Said premises being a portion of the property described in deeds recorded with the Barnstable Registry of Deeds in Book 13615, Page 321 and **Book 10434, Page 27**.

[Signature Page Follows]

WITNESS our hands and seals this 9th day of October, 2018.

TOWN OF WELLFLEET,
By its Selectboard

Janet Reinhart, Chair

Helen Miranda Wilson, Vice-Chair

Justina Carlson, Clerk

Kathleen Bacon

Jerry Houk

COMMONWEALTH OF MASSACHUSETTS

Barnstable, ss.

On this 9th day of October, 2018, before me, the undersigned Notary Public, personally appeared _____, member of the Wellfleet Selectboard, who proved to me through satisfactory evidence of identification, which was _____, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he/she signed it voluntarily for its stated purpose on behalf of the Town of Wellfleet.

Notary Public
My Commission Expires:

Premises:
186 Pleasant Point Road
Wellfleet, MA 02667

RELEASE DEED

The **Town of Wellfleet** ("*Town*"), a Massachusetts municipal corporation acting by and through its Selectboard, pursuant to the vote taken under Article 39 of the 2017 Annual Town Meeting, a certified copy of which is recorded herewith in Book _____, Page _____, having an address of Wellfleet Town Hall, 300 Main Street, Wellfleet, Massachusetts 02667

For consideration paid of Eight Thousand Two Hundred Eighty Four Dollars and 24/100 (\$8,284.24), hereby releases all of its right, title and interest in a certain parcel of land, described below, to

Margaret E. Jackson, of 45 Churchill Avenue, #1, Arlington, Massachusetts, for her life, with a remainder interest to **Tyler Benjamin Nash Patterson**, of 26 Iffley Road, Jamaica Plain, MA 02130, and **Timothy M. Hughes, Trustee of the Trust under the Last Will and Testament of Christopher A.N. Patterson** (Middlesex County Probate and Family Court, Docket No. 13P5342EA) for the benefit of Kristen Haley Rose Patterson, as to which a Certificate of Trust is recorded with the Barnstable Registry of Deeds in Book 29185, Page 59, with a mailing address of 6 Old County Road, Suite 9, Sudbury, MA 01776, such interest in the Premises, as defined below, as tenants in common (together, the "*Grantee*")

With Quitclaim Covenants,

A parcel of land located off Pleasant Point Road, Wellfleet, Massachusetts, shown as "Parcel D Area = 4570 Sq.Ft.±" (the "*Premises*") on a plan entitled "Plan of Land in Wellfleet, Mass. Prepared for: The Town of Wellfleet," dated July 10, 2018, prepared by Schofield Brothers of Cape Cod, recorded with the Barnstable Registry of Deeds in Plan Book _____, Page _____ (the "*Plan*").

Parcel D is not a buildable lot, and is hereby merged with other property of the Grantee described in a deed recorded with the Barnstable Registry of Deeds, dated September 8, 2015 in Book 29185, Page 53.

Also conveying an easement in the area shown as "Proposed 20' Wide Easement" on the Plan for the purpose of accessing, constructing, installing, operating, maintaining, repairing and replacing a bulkhead, located on Parcel A, Parcel B, Parcel C and Parcel D, as shown on the Plan, so long as the Owners, as hereinafter defined, shall not interfere with the right of the public to pass and repass between the bulkhead and the shoreline. The owners of Parcel A, Parcel B, Parcel C and Parcel D (the "*Owners*") shall, jointly and severally, have the obligation for maintaining, repairing and replacing said bulkhead, assume any and all liability with respect to the bulkhead, and, further, shall defend, indemnify and hold harmless the Town from any and all liability, loss, damage, costs, expenses (including, without limitation, reasonably attorney's fees and expenses), causes of action, suits, claims, demands or judgments of any nature whatsoever,

in law and equity which may be brought against the Town, or its officials, employees, agents and representatives arising from any failure on the part of the Owners to comply with any provisions or terms required to be performed or complied with by the Owners, including, death, injury or property damage suffered by any person on account of or based upon the act, omission, fault, negligence or misconduct of the Owners.

No deed stamps are due pursuant to G.L. c 64D, §1.

The undersigned certify compliance with the provisions of G.L. c. 7C, §38 and G.L. c. 44, §63A.

Said premises being a portion of the property described in deeds recorded with the Barnstable Registry of Deeds in Book 13615, Page 321 and **Book 10434, Page 27**.

[Signature Page Follows]

WITNESS our hands and seals this 9th day of October, 2018.

TOWN OF WELLFLEET,
By its Selectboard

Janet Reinhart, Chair

Helen Miranda Wilson, Vice-Chair

Justina Carlson, Clerk

Kathleen Bacon

Jerry Houk

COMMONWEALTH OF MASSACHUSETTS

Barnstable, ss.

On this 9th day of October, 2018, before me, the undersigned Notary Public, personally appeared _____, member of the Wellfleet Selectboard, who proved to me through satisfactory evidence of identification, which was _____, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he/she signed it voluntarily for its stated purpose on behalf of the Town of Wellfleet.

Notary Public
My Commission Expires:



BOARD OF SELECTMEN

AGENDA ACTION REQUEST
October 9, 2018

V

BUSINESS – J.

Approval of Verizon & Eversource joint owned pole on Old Kings Hwy

REQUESTED BY:	Principal Clerk
DESIRED ACTION:	Approval of jointly owned Verizon & Eversource pole on Old Kings Hwy
PROPOSED MOTION:	I move to approve the jointly-owned Verizon New England and Eversource Energy pole on Old Kings Hwy.
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____

TO: Board of Selectmen

From: Principal Clerk

Date: September 28, 2018

RE: Pole Hearing



A hearing was held on Friday, September 28, 2018 at 10:00 a.m. in the Town Hall Conference Room, on the petition of Verizon New England and Eversource Energy to place one jointly owned pole (14/30.5) on Old Kings Highway in Wellfleet.

A copy of the minutes is attached.

I recommend that the Board vote to approve this petition.

MINUTES

Pole Hearing

A hearing was held on Friday, September 28, 2018 at 10:00 a.m. in the Wellfleet Town Hall Conference Room, on the petition of Verizon New England and Eversource Energy to place one jointly owned pole (14/30.5) on Old Kings Highway in Wellfleet.

Jeanne Maclauchlan called the meeting to order at 10:01 a.m. and read the legal advertisement which had been posted with the Town Clerk. Also present were abutters Elizabeth B. Hall and Greg Hall and Tom Stanton from Verizon New England. There was discussion on the placement of the pole and the road name.

The hearing closed at 10:04 a.m.

Respectfully submitted,



Jeanne Maclauchlan
Principal Clerk

RECEIVED

2018 SEP 14 P 1:04

TOWN OF WELLFLEET
PUBLIC HEARING

TOWN CLERK
TOWN OF WELLFLEET

Notice is hereby given that a public hearing will be held on Friday, September 28, 2018 at 10:00 a.m. in the Wellfleet Town Hall Conference Room, on the petition of Verizon New England and Eversource Energy to place one jointly owned pole (14/30.5) on Old Kings Highway in Wellfleet.
A copy of the petition is available for inspection in the Administration Office.



385 Myles Standish Blvd
Taunton, MA 02780

September 6, 2018

Town of Wellfleet
Attn: Selectboard
Town Hall
300 Main Street
Wellfleet, MA 02667

Dear Selectboard,

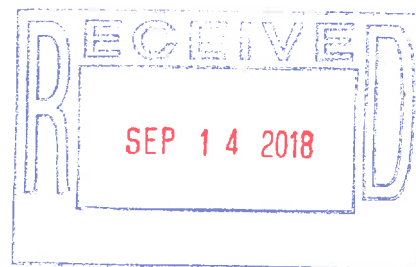
Attached is a petition for VERIZON NEW ENGLAND, INC. and NSTAR ELECTRIC COMPANY D/B/A EVERSOURCE ENERGY to place one jointly owned pole - 14/30.5, on Old Kings Highway in the Town of Wellfleet, Massachusetts as shown on the attached plan.

Would you kindly consider this petition and return the executed copies.

Yours truly,

A handwritten signature in black ink that reads "Daryl Crossman". The signature is written in a cursive, flowing style.

Daryl Crossman
Manager Rights of Way
(774) 409-3191 - Office
(774) 409 -3930 – Fax
daryl.crossman@verizon.com - Email



PETITION FOR JOINT OR IDENTICAL POLE LOCATIONS

September 6, 2018

To the Selectboard

in **WELLFLEET**, Massachusetts

VERIZON NEW ENGLAND INC. and NSTAR ELECTRIC COMPANY D/B/A EVERSOURCE ENERGY request permission to locate poles, wires, cables and fixtures including the necessary anchors, guys and other such sustaining and protecting fixtures to be owned and used in common by your petitioners, along and across the following public way or ways:

Old Kings Highway:

Placement of one (1) JO pole 14/30.5, on the southerly side of Old Kings Highway to a point approximately 60' westerly from existing pole 14/30 which is located on the southerly side of Old Kings Highway.

This pole placement is necessary to provide new service.

Wherefore they pray that after due notice and hearing as provided by law, they be granted joint or identical locations for and permission to erect and maintain poles, wires and cables, together with anchors, guys and other such sustaining and protecting fixtures as they may find necessary, said poles to be erected substantially in accordance with the plan filed herewith marked-VZ N.E. Inc. Plan No. **MA2018-27**
Dated **September 4, 2018.**

Also, for permission to lay and maintain underground laterals, cables and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

Your petitioners agree that space shall be reserved and maintained for the limited purpose of attaching one-way low voltage fire and police signaling wires owned by the municipality or governmental entity for public safety purposes only.

VERIZON NEW ENGLAND INC.

By 
Daryl Crossman - Manager - Rights of Way

Dated this 6 day of SEP, 2018.

NSTAR ELECTRIC COMPANY D/B/A EVERSOURCE ENERGY

By 
Right of Way Representative

Dated this 11th day of Sept, 2018.

ORDER FOR JOINT OR IDENTICAL POLE LOCATIONS

By the Selectboard of the Town of WELLFLEET, Massachusetts.

Notice having been given and a public hearing held, as provided by law,
IT IS HEREBY ORDERED:

that VERIZON NEW ENGLAND INC. and NSTAR ELECTRIC COMPANY D/B/A
EVERSOURCE ENERGY, and they are hereby granted joint or identical locations for and permission
to erect and maintain poles and their respective wires and cables to be placed thereon, together with anchors
guys and other such sustaining and protecting fixtures as said Companies may deem necessary, in public way
or ways hereinafter referred to, as requested in petition of said Companies dated the 4th day of September
2018

Old Kings Highway:

**Placement of one (1) JO pole 14/30.5, on the southerly side of Old Kings Highway to
a point approximately 60' westerly from existing pole 14/30 which is located on the
southerly side of Old Kings Highway.**

This pole placement is necessary to provide new service.

All construction under this order shall be in accordance with the following conditions:

Poles shall be of sound timber, and reasonably straight and shall be set substantially at the points
indicated upon the plan marked-VZ N. E. Inc. No. MA2018-27 in a package Dated September 4, 2018
- filed with said petition.

The following are the public ways or parts of ways along which the poles above referred to may be
erected, and the number of poles, which may be erected thereon under this order:

Old Kings Highway
1 JO pole to be placed

Also, that permission be and hereby is granted to each of said Companies to lay and maintain
underground laterals, cables and wires in the above or intersecting public ways for the purpose of making
connections with such poles and buildings as each may desire for distributing purposes.

I hereby certify that the foregoing order was adopted at a meeting of the Selectboard for the Town of
WELLFLEET, Massachusetts held on the 9th day of October 2018.

Selectboard's Clerk

We hereby certify that on September 28 2018, at 10 o'clock 12 m., at the Town Hall Conference Room a public hearing was held on the petition of the VERIZON NEW ENGLAND INC. and NSTAR ELECTRIC COMPANY D/B/A EVERSOURE ENERGY for permission to erect the poles, wires, cables, fixtures and connections described in the order herewith recorded, and that we mailed at least seven days before said hearing a written notice of the time and place of said hearing to each of the owners of real estate (as determined by the last preceding assessment for taxation) along the ways or parts of ways upon which the Companies are permitted to erect poles, wires, cables, fixtures and connections under said order. And that thereupon said order was duly adopted.

Selectboard of the Town of WELLFLEET, Massachusetts

CERTIFICATE

I hereby certify that the foregoing is a true copy of a joint location order and certificate of hearing with notice adopted by the Selectboard for the Town of WELLFLEET, Massachusetts, on the _____ day of _____ 2018, and recorded with the records of location orders of said Town, Book _____, Page _____, this certified copy is made under the provisions of Chapter 166 of General Laws and any additions thereto or amendments thereof.

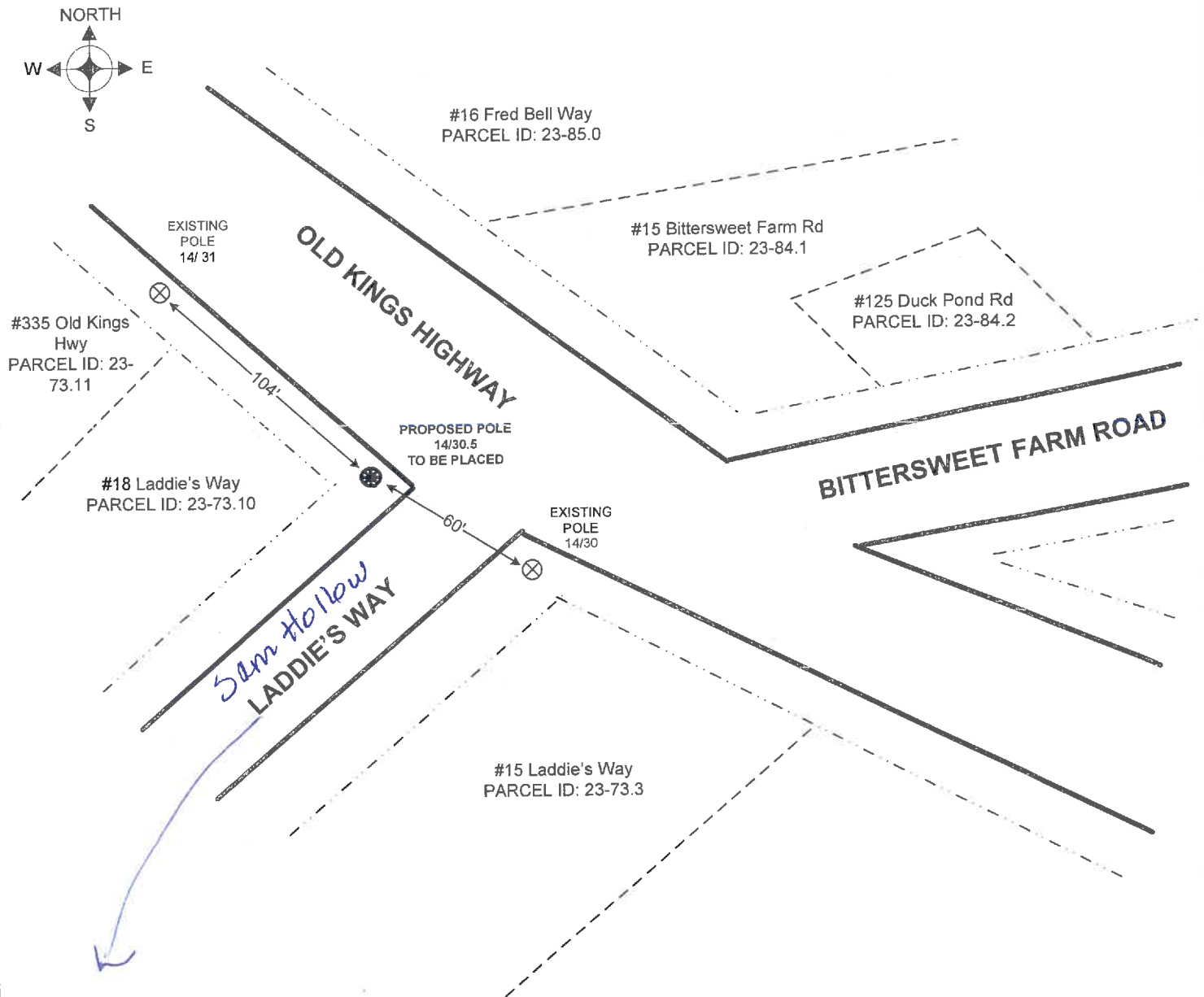
Attest:

Town Clerk



PETITION PLAN

MUNICIPALITY WELLFLEET VZ. N.E. INC. NO. MA2018-27
VERIZON NEW ENGLAND, INC AND
NSTAR ELECTRIC COMPANY D/B/A EVERSOURCE ENERGY DATE : SEPTEMBER 4, 2018
SHOWING PROPOSED PLACEMENT OF ONE NEW POLE ON OLD KINGS HIGHWAY



LEGEND

NOT TO SCALE

- PROPERTY LINE
- EDGE OF PAVEMENT
- - - EDGE OF ROADWAY



EXISTING JOINTLY OWNED POLE
TO REMAIN



PROPOSED NEW JOINTLY OWNED POLE TO
BE INSTALLED

PETITION FOR JOINT OR IDENTICAL POLE LOCATIONS

September 6, 2018

To the Selectboard

in **WELLFLEET**, Massachusetts

VERIZON NEW ENGLAND INC. and **NSTAR ELECTRIC COMPANY D/B/A EVERSOURCE ENERGY** request permission to locate poles, wires, cables and fixtures including the necessary anchors, guys and other such sustaining and protecting fixtures to be owned and used in common by your petitioners, along and across the following public way or ways:

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This pole placement is necessary to provide new service.

Wherefore they pray that after due notice and hearing as provided by law, they be granted joint or identical locations for and permission to erect and maintain poles, wires and cables, together with anchors, guys and other such sustaining and protecting fixtures as they may find necessary, said poles to be erected substantially in accordance with the plan filed herewith marked-VZ N.E. Inc. Plan No. **MA2018-27**
Dated **September 4, 2018.**

Also, for permission to lay and maintain underground laterals, cables and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

Your petitioners agree that space shall be reserved and maintained for the limited purpose of attaching one-way low voltage fire and police signaling wires owned by the municipality or governmental entity for public safety purposes only.

VERIZON NEW ENGLAND INC.

By Daryl Crossman
Daryl Crossman - Manager - Rights of Way

Dated this 6 day of SEP, 2018.

NSTAR ELECTRIC COMPANY D/B/A EVERSOURCE ENERGY

By [Signature]
Right of Way Representative

Dated this 11th day of Sept, 2018.

ABUTTERS LIST

Tom Stanton

PARCEL ID: 23-73-3 & 23-73-10 & 23-73-11
15 Laddie's Way & 18 Laddie's Way & 335 Old Kings Highway

ELIZABETH B. HALL, TRUSTEE
P. O. Box 348
South Wellfleet, MA 02663

✓ Greg Hall

PARCEL ID: 23-84-2
125 Duck Pond Road

GERALD E. PARENT
AUDREY S. PARENT
P. O. Box 760
Wellfleet, MA 02667

PARCEL ID: 23-84-1
15 Bittersweet Farm Road

RANDY B. MCDONALD
ELIZABETH A. MCDONALD
P. O. Box 751
N. Eastham, MA 02651

PARCEL ID: 23-85-0
18 Fred Bell Way

WELLFLEET HOUSING AUTHORITY
300 Main Street
Wellfleet, MA 02667

10:01

10:04

PLEASE RETURN TO: Verizon New England Inc.,
Attn: Daryl Crossman – ENG – ROW
385 Myles Standish Blvd, Taunton, MA 02780

ORDER FOR JOINT OR IDENTICAL POLE LOCATIONS

By the Selectboard of the Town of WELLFLEET, Massachusetts.

Notice having been given and a public hearing held, as provided by law,
IT IS HEREBY ORDERED:

that VERIZON NEW ENGLAND INC. and NSTAR ELECTRIC COMPANY D/B/A
EVERSOURCE ENERGY, and they are hereby granted joint or identical locations for and permission
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connections with such poles and buildings as each may desire for distributing purposes.

I hereby certify that the foregoing order was adopted at a meeting of the Selectboard for the Town of
WELLFLEET, Massachusetts held on the 9th day of October 2018.

Selectboard's Clerk

We hereby certify that on September 28 2018, at 10 o'clock 2 m., at the Town Hall Conference Room a public hearing was held on the petition of the VERIZON NEW ENGLAND INC. and NSTAR ELECTRIC COMPANY D/B/A EVERSORE ENERGY for permission to erect the poles, wires, cables, fixtures and connections described in the order herewith recorded, and that we mailed at least seven days before said hearing a written notice of the time and place of said hearing to each of the owners of real estate (as determined by the last preceding assessment for taxation) along the ways or parts of ways upon which the Companies are permitted to erect poles, wires, cables, fixtures and connections under said order. And that thereupon said order was duly adopted.

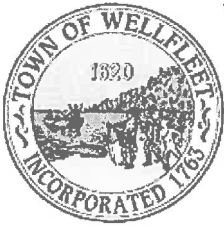
Selectboard of the Town of WELLFLEET, Massachusetts

CERTIFICATE

I hereby certify that the foregoing is a true copy of a joint location order and certificate of hearing with notice adopted by the Selectboard for the Town of WELLFLEET, Massachusetts, on the _____ day of _____ 2018, and recorded with the records of location orders of said Town, Book _____, Page _____, this certified copy is made under the provisions of Chapter 166 of General Laws and any additions thereto or amendments thereof.

Attest:

Town Clerk



BOARD OF SELECTMEN

AGENDA ACTION REQUEST
October 9, 2018

VI



TOWN ADMINISTRATOR'S REPORT

To: Board of Selectmen
From: Dan Hoort, Town Administrator
Subject: Town Administrator's Report
Date: October 4, 2018

This report is for the period September 23, 2018 through October 6, 2018.

1. General

- Working with Eversource and National Park Service for installation of electric vehicle charging stations.

2. Fiscal Matters

- Work on FY 2020 budget has begun

3. Meetings

- September 24 – Meeting with Porchfest representatives
- September 24 – Special Town Meeting
- September 25 – Meeting with Wellfleet Historical Society representative
- September 25 – Selectboard meeting
- September 26 – Cable Advisory Committee meeting
- September 27 – COA Luncheon furnished by Wellfleet Police Department
- September 27 – Shark Community Forum
- September 28 – Vacation day
- October 1 – Vacation day
- October 2 – Board of Water Commissioners Chair
- October 2 – Meeting with owner of Sick Day regarding sharks
- October 4 – Meeting with Lower Cape Community Access Television
- October 6 – Fire Station open house

4. Complaints.

- none.

5. Miscellaneous.

- Open Meeting Law training being planned for October 22 or 24

6. Personnel Matters:

- Position of Water Clerk/Committee Secretary has been filled

No deliberation should take place during this item. Any deliberation or question and answers not previously posted on the agenda may be considered an open meeting law violation



BOARD OF SELECTMEN

AGENDA ACTION REQUEST

October 9, 2018

VII

CORRESPONDENCE AND VACANCY REPORT

Date: October 4, 2018
To: Board of Selectmen
From: Jeanne Maclauchlan
Re: Vacancies on Town Boards

Building and Needs Assessment Committee (5 Members)

Vacant Positions	Appointing Authority	Length of Term
2 Positions	Board of Selectmen	3 years
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		

Conservation Commission (7 Members)

Vacant Positions	Appointing Authority	Length of Term
2 Positions	Board of Selectmen	3 years
Requesting Appointment: One application on file		

Vacant Positions	Appointing Authority	Length of Term
2 Positions	Board of Selectmen	3 years
Requesting Appointment: One application on file		

Comprehensive Wastewater Management Planning Committee (7 Members)

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

Council on Aging Committee (At least 11 Members)

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

Cultural Council (no more than 15 members)

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

CORRESPONDENCE TO THE SELECTBOARD

September 25, 2018 – October 10, 2018

Letters/Emails:

9/26/18	Jude Ahern	SPR18/1298, open meeting law, request for minutes (multiple)
9/26/18	Kathleen Bacon	Passage of H.R. 5585 re: CCNS Advisory Committee
9/26/18	Ron Beaty	Shark safety
9/26/18	Nancy Civetta	Herring Decision
9/26/18	Ron Beaty, Dan Hoort	Wellfleet Harbor Dredging
9/27/18	Jude Ahern	Public Records request – audio recording for Planning Board
9/27/18	Dan Hoort	Assistant DPW Director retirement letter
9/27/18	Dan Hoort	Cape Cod Rail Trail expansion
9/27/18	Jude Ahern	Letter to Assistant Attorney General Margaret Hurley, public records database
9/28/18	Willy Planinshek	Shark Proposal
9/28/18	Janice O’Connell	BCAD meeting schedules for 10/3/18
10/1/18	John Cumbler	Climate change
10/1/18	Comcast	FCC Forms 1240 and 1205
10/1/18	Sharon Rule-Agger	Affordable Housing Field Trip, Oct 9
10/2/18	Hillary Lemos	Wellfleet Memorial Garden
10/3/18	Ed McManus	CC&I Selectmen & Councilors’ Association, Oct 12 meeting
10/3/18	Willem Post	Flawed EPA Method of Calculating MPG for E10 Vehicles and MPGeq for EVs
10/4/18	Osamu Kumasaka	Herring River Stakeholder Group – Notice of Meeting, Oct 11
10/4/18	Terri Frazier	COA Upcoming Events

Internal Memos:

Minutes:

9/26/18	Community Preservation Committee	Meeting minutes of June 27, 2018
---------	----------------------------------	----------------------------------

Fed/State/Local:

9/28/18	Cape Cod Commission	Regional Policy Plan Sub-Regional Public Hearings
9/28/18	Christopher Schillaci (FWE)	Wellfleet Spit Collection DMF Approval
10/4/18	DCR	CCRT Wellfleet Extension Public Meeting (Proposed Date)

Legal:

Notices:

Applications:



BOARD OF SELECTMEN

AGENDA ACTION REQUEST
October 9, 2018

IX

MINUTES

REQUESTED BY:	Executive Assistant
DESIRED ACTION:	Approval of meeting minutes of September 25, 2018
PROPOSED MOTION:	I move to approve the meeting minutes of September 25, 2018 as amended.
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____

DRAFT

Wellfleet Select Board Meeting Tuesday, September 25th, 2018, at 7 p.m. Wellfleet Senior Center, 715 Old Kings Highway, Wellfleet MA 02667

Select Board Members Present: Chair Janet Reinhart – Chair, Helen Miranda Wilson – Vice Chair, Justina Carlson – Clerk, Kathleen Bacon.

Excused: Jerry Houk.

Also Present: Dan Hoort - Town Administrator, Radu Luca – Executive Assistant to the Town Administrator.

I. Announcements, Open Session and Public Comment

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

Reinhart said there would be a Wellfleet Community Forum on Thursday evening, September 27th, 2018 at 6 pm at the Wellfleet Elementary School to talk about sharks and shark safety. Also, Reinhart said that there was some discussion about possibly having a bench at Newcomb Hollow Beach in Arthur Medici's memory. Also, the woman who had a medical emergency last night at Special Town Meeting is alright now.

Denny O'Connell, Wellfleet Conservation Trust, said that there would be a gathering on Saturday night at Mayo Beach for the Annual Coast Sweep.

Nancy Civetta said that she had returned from the New England Fishery Management Council meeting where they voted to implement buffer zones on the backside of Cape Cod to protect herring as food for larger species such as cod and striped bass that are key to the livelihoods of many commercial and charter fishermen here. This action means that industrial midwater trawling may not take place within 12, and in places up to 25 miles, from shore, which is where the local fishing industry works. Mass. Division of Marine Fisheries Director David Pierce and N.H. Fish & Game Chief for Marine Division Douglas Grout both mentioned in their comments how many selectboards, state senators and representatives, and other elected officials had weighed in on this issue and how their letters really did make an impact.

II. Public Hearings

A. SPAT – Mac Hay two-day beer and wine license on Oct 5 & 6, 2018

Katie Cushman spoke in favor of the application for the two-day beer license. The event on Sep 5th would start at 5 pm and the art galleries have been compacted so they'd be in a closer range from each other. The event on Sep 6th is half sold and each person would get

DRAFT

two tickets good for two alcoholic drinks. Wilson asked whether SPAT's insurance umbrella would cover all the events. The answer was yes. Wilson wanted to have the names of the four galleries included in the motion.

I move to approve a two-day beer and wine license for S.P.A.T. on October 5, 2018 at The Cove, Left Bank, Works and Harmon Galleries, respectively, and on October 6, 2018 at the Council on Aging.

Motion: Wilson

Second: Bacon

4-0-0. Motion carries.

B. Shellfish grant transfer - #2000-05 from Chris Merl and Denise LaPierre to Chris Merl, Denise LaPierre and Ronald Butlier

I move to approve the transfer of grant #2005-05 from Chris Merl and Denise LaPierre to Chris Merl, Denise LaPierre and Ronald Butlier.

Motion: Wilson

Second: Bacon

4-0-0. Motion carries.

III. Appointments/Reappointments

A. Zoning Board of Appeals – Jessica Dalby (3-year alternate appointment)

Reinhart said that the Selectboard received a letter from Bruce Drucker, the Vice Chair of the ZBA, in support of Jessica Dalby's application. Roger Putnam was also present to speak in favor of Dalby's application and he said that she would be a great addition to the ZBA, which is an aging board.

I move to appoint Jessica Dalby as Alternate to the Zoning Board of Appeals for a three-year term expiring June 30, 2021.

Motion: Bacon

Second: Carlson

4-0-0. Motion carries.

B. Cable Advisory Committee – Jennifer Wertkin (1-year appointment)

Reinhart and Bacon said that Wertkin would be a great addition to the Cable Advisory Committee. Carlson asked whether someone would have to be Wellfleet resident to serve on a Town board. The answer was no. Wertkin encouraged other boards and committees to meet at the Library and have their meetings taped and televised. Wertkin said that the Library has the capacity to welcome a good size audience if the committees called and scheduled in advance.

I move to appoint Jennifer Wertkin to the Cable Advisory Committee for a one-year term expiring June 30, 2019.

Motion: Bacon

Second: Wilson

4-0-0. Motion carries.

IV. Use of Town Property

DRAFT

A. **Bakers Field** - Stephen Curley celebration of life for Sarah Curley (Oct 20, 3-8 pm)

Stephen Curley was present to speak on his application and he assured the Board that there would be portapotties available at the event. Wilson said that the death of Sarah Curley is a great loss to the community.

I move to approve the use of town property by Stephen Curley at Bakers Field on October 20, from 3:00 pm to 8:00 pm, subject to the conditions, if any, as listed on the Application, for a fee of \$110.

Motion: Carlson

Second: Wilson

4-0-0. Motion carries.

B. **Transfer Station** – Wellfleet Fire Department (WFD) fundraiser for the Muscular Dystrophy Association (October 7th, 9 am – 1 pm)

Reinhart described the event (fill the boot), which will take place on Sunday, October 7, and she said that it's for a good cause.

I move to approve the use of town property by the Wellfleet Fire Department at the Transfer Station on October 7, from 9:00 am to 1:00 pm, subject to the conditions, if any, as listed on the Application.

Motion: Bacon

Second: Carlson

4-0-0. Motion carries.

V. **Business**

A. Review and approval of the conservation restriction on the land of 180 Bayberry Lane [Wellfleet Conservation Trust]

Dennis O'Connell was present to the speak on this agenda item. All material pertaining to this item were included in the Selectboard's packet for the meeting. O'Connell said this is a standard conservation restriction and that he tried to contact the owner, but he couldn't get ahold of her and that he hopes she would be OK with it. Wilson inquired about the use of chemicals and fertilizers at the site and O'Connell said that could be included in the restriction to have only organic such products be used.

I move to approve the conservation restriction on the land of 180 Bayberry Lane as recommended by the Wellfleet Conservation Trust.

Motion: Wilson

Second: Bacon

4-0-0. Motion carries.

B. Rescission of 7/24/18 vote forming of the Wastewater Management Authority (WMA)

Carlson and Wilson said they would like to postpone this agenda item.
The Selectboard took no action on this agenda item.

DRAFT

C. Review of Herring River Restoration Project legal representation [TA]

Wilson presented some background information and update on this agenda item. Bacon said she wouldn't want to lose any ground on this issue. Wilson asked Hoort whether Truro had chosen a firm yet. Hoort said that he hadn't heard back from Truro and that most likely the issue would be addressed at their meeting tonight.

D. Update on shark concerns [Chair]

Reinhart said that this had been a very traumatic week for everyone in this town and she had questions about having trauma counseling available. Reinhart suggested people contacted the Navigator program and herself if people needed help. The TA said that he had reached out to the Fire and Police Chiefs saying that help and counseling would be available if any of the staff needed it.

Hoort said that on Friday afternoon he had a meeting with representatives from the Seashore and Provincetown, Truro, Wellfleet and Eastham. There has been a shark working task force since 2013 and that group would be talking about what's been done at the Town Community Forum on Thursday evening. The Forum will address communication capabilities at the Seashore and the beaches among other topics. Hoort also said that the Selectboard have information about smart buoys included in their packets and that we're looking at a variety of options to make our waters safe for swimming. Bacon said she was at the Seashore Advisory Board meeting this past Thursday and she said that Supt. Carlstrom was forthwith about this topic and she said that the Seashore would not go into any kind of detection apparatus and that all their decisions would be based on science. Shark deterrents is false security, there is no easy and fast solution. This is the nature, it's the wild and that there is no guarantee for safety. Bacon would like to propose a flag pole at Newcomb Hollow Beach. The flag is purple and has a shark on it and it would be raised when there are shark sightings. Reinhart said she was considering proposing a memorial bench for Arthur Medici. Wilson said that in Australia they use a pole with a camera at the top of it that has the capability of filming closely what is happening at the bottom of the ocean. Bacon said that a method of controlling the seal population would be administering birth control medication to female seals. Hoort said that as a community we should look at improved communication, educating the public and that if someone gets bitten we are completely prepared to save their life. Reinhart urged the audience not to go in the ocean if they see seals swimming in the water as they attract sharks and that people should stay close to the shore. Bacon mentioned that people were frustrated at the time of the incident because they couldn't get cell phone reception at the beach. Hoort said that this afternoon he had received a phone from Sen. Cyr and Rep. Peake saying that the Commonwealth is here to help with any communication and financial support pertaining to improving communication in our towns and at our beaches.

E. Approval of Inter-municipal agreement

DRAFT

Hoort provided some background information and a short update on this intermunicipal agreement. Hoort said this is an initial agreement and we can always change and improve it down the road, be it improved communication at our beaches or other mutual matters. Bacon and Wilson thanked Hoort for his initiative on this issue. Wilson also commended Hoort on his initiative pertaining to procurement alone and the four communities sharing resources.

I move to approve the Intermunicipal Agreement as presented.

Motion: Bacon

Second: Wilson

4-0-0. Motion carries.

VI. Town Administrator's Report

Hoort said he had a phone conversation with Ed O'Donnell from the Army Corps of Engineers who said that there were more funds available than initially anticipated and that some of the funds could be used towards dredging the harbor.

VII. Topics for Future Discussion

Wilson said that we have two issues that merit an executive session: the landing strip and the property at 3 Kendrick Ave (which can be discussed, preferably, in an open, public meeting). Wilson said that we need to have a meeting with all parties involved with the 208 Plan.

VIII. Correspondence and Vacancy Report

Reinhart said we need more people on committees and that she likes serving on committees.

IX. Minutes (Draft from 9/11/18)

Wilson and Bacon presented their amendments to board, which were accepted.

I move to approve the minutes of September 11, 2018 as amended.

Motion: Wilson

Second: Bacon

4-0-0. Motion carries.

X. Adjournment

I move to adjourn.

Motion: Bacon

Second: Wilson

4-0-0. Motion carries.

The meeting was adjourned at 8:30 pm.

DRAFT

Respectfully submitted,

Radu D. Luca,
Executive Assistant to the Town Administrator

Link to video here: N/A

Public Records Materials of 9/25/18

1. Public Hearing Notice – SPAT two-day beer and wine license (Sep 6)
2. Public Hearing Notice – Shellfish grant transfer (Sep 14)
3. Momo – Shellfish Constable to Selectboard re: shellfish grant transfer (Sep 14)
4. Application – Jessica Dalby to ZBA (Sep 13)
5. Application – Jessica Dalby to CAC (Sep 17)
6. Use of Town property – Stephen Curley at Bakers Field (Sep 17)
7. Use of Town property – WPD at Transfer Station (Sep 21)
8. Memo – Wellfleet Conservation Trust to Selectboard re: conservation restriction at 180 Bayberry Lane (Sep 20)
9. Agreement – Teresa R. Corcoran and John R. Grieb | The Compact of Cape Cod Conservation Trust, Inc.
10. Correspondence – Town of Truro to Town of Wellfleet re: Herring River Restoration Project joint legal representation (Sep 12)
11. Correspondence – KP | Law to Selectboard re: Truro | Wellfleet MOU re: Herring River Restoration (Oct 14, 2015)
12. Correspondence – TA to Selectboard re: update on shark safety and attack prevention systems & devices (Sep 20)
13. Agreement – MOU Truro | Wellfleet
14. Memo – TA Report to Selectboard (Sep 21)
15. Memo – Principal Clerk to Selectboard re: Vacancy report (Sep 6)
16. Memo – Executive Assistant to Selectboard re: Correspondence (Sep 21)
17. Minutes – Draft Selectboard 9.11.18



BOARD OF SELECTMEN

AGENDA ACTION REQUEST
October 9, 2018

X

ADJOURNMENT

REQUESTED BY:	BOS
DESIRED ACTION:	Adjournment
PROPOSED MOTION:	I move to adjourn.
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s): _____
VOTED:	Yea _____ Nay _____ Abstain _____