

***Wellfleet Selectboard
Hybrid Meeting: Zoom/715 Old King's Highway
Tuesday February 6, 2024; 6pm
Meeting Minutes***

Members Present: Barbara Carboni, Chair; John Wolf, Vice Chair; Michael DeVasto, (Virtual) Ryan Curley, Tim Sayre

Finance Committee Members Present: Fred Magee, Jenn Rhodes, Vice Chair; Jeff Tash, Stephen Polowczyk, Ira Wood (Virtual), Bob Wallace, Moe Barrocas (Virtual)

Others Present: Rich Waldo, Town Administrator; Silvio Genoa, Assistant Town Administrator; Rebekah Eldridge, Executive Assistant; Nancy Civetta, Shellfish Constable; Rich Bienvenue, Finance Director; Dan Silverman, Town Moderator; Diane Brunt, Brad Morse, Kathleen Bacon, Steve Oliver, Harry Terkanian, John Wallace, resident; KC Myers, Susan Reverby, Curt Felix, Chris Merl, Jude Ahern, Wes Stinson, Herring River Project; Jay Coburn, Community Housing Development; Vita Shklovsky, POAH representative; Gary Sorkin, Chair of the Community Preservation Committee; Jennifer Elsensohn, Assistant to the CPC; Caroly Ridley, Herring River Restoration Project; Jackie Bebe, Town Administrator for the Town of Eastham

Chair Carboni Called the meeting to order at 6:05pm

I. Announcements and Public Comments

Note: Public comments are limited to no more than three minutes per speaker. Speakers are allowed to speak once during public comments. The Board will not deliberate or vote on any matter raised solely during Announcements & Public Comments.

Chair Carboni announced this was the last meeting for both Waldo and Genoa, she gave a statement on behalf of the board thanking both for their time and service. She continued to highlight Waldo's accomplishments while he was with the town. She spoke of his hires and interim hires. She spoke of the large amount of grants Waldo has received for the town.

Wolf gave a statement on his thanks for Waldo, stating the environment wasn't always cohesive. He spoke about the help that he personally received from Genoa and is forever grateful for his service.

Curley spoke about Waldo's time on the board. Sayre spoke to both Waldo and Genoa about their roles in administration, stating that they were always willing to talk and listen. DeVasto spoke to the board and gave accolades to both Waldo and Genoa and thanked them both for their service.

Waldo spoke to the board and public thanking the staff for their support.

Genoa also thanked the staff and emphasized the staff and their importance.

Chair Carboni then read her conduct of speech statement and then allowed public comment; Bacon came to the microphone; she gave a roast and a thanks. She thanked them both for giving Wellfleet their best and stated the town is at a huge loss.

Terkanian came to the microphone and thanked the board for their search process when hiring the interim town administrator. Oliver came to the microphone and made a statement about the complaint process and asked the board to consider the bike and walkways committee.

Wallace spoke to the board making a statement about the shellfish deputy constable position. He gave his reasoning as to why he feels this is a problem and needs to go before the town meeting. HE spoke for three minutes, and the board thanked him.

Magee spoke to the board and the public on behalf of himself and the finance committee with regard to Waldo and Genoa and the committee has appreciated the communication.

Myers spoke to the board thanking Waldo for his great service and also spoke about the misconception of the shellfish hire disagreeing with the previous speaker. She spoke about the constant turnaround with town administration.

Reverby spoke to the board and public thanking Waldo for his leadership during his time.

Felix spoke to the board and public about his service to the town and thanking him for his leadership and Genoa as well. He spoke of his hiring of accomplished staff, he spoke about cancer in the community and needing to correct the issues, becoming a town where people want to be.

Merl spoke to the board about a lack of transparency and the shellfish budgets asking why the board and finance committee are taking that ability away from them. He questioned the warrant. He spoke about the finance committee not taking comments. Curley spoke to the public about the budgets being available on the town's website, also stating that the warrant is a living document that will change often until it is closed.

Ahern spoke to the board asking the board if the new town accountant was familiar with accounting software. She spoke about why she was thrown out at the last meeting. She addressed Genoa about the investigation between her and DeVasto. She gave details on this investigation. She spoke about the staff grievances that she requested back in December.

Morse spoke to the board responding to the broad generalization of misinformation. Stinson spoke to the public about the Main Street work and gave details of what would be happening during this construction period. He thanked both Genoa and Waldo.

Brunt spoke to the board and public stating the selectboard is silencing the public, and fact checking. She spoke about the divide created by the leadership.

Elkin spoke to the board and thanked the chair for putting limits on discussion at the beginning of the meeting. He stated that this is standard procedure and thanked her for keeping the firm hand.

II. *Consent Agenda*

A. Authorize the selectboard chair to sign the contract for the interim town administrator on behalf of the board.

Board Member Curley asked to take out the contract out of the consent.

B. Appointment of Nancy Gralla from alternate to voting member, for the Energy and Climate Action Committee.

Board Member Wolf Moved; Board Member Sayre seconded; and it was voted to approve the consent agenda as printed minus the contract.

Authorize the selectboard chair to sign the contract for the interim town administrator on behalf of the board.

Board Member Carboni moved; Board Member Curley Seconded; and it was voted to approve the contract and the entire board to sign the document, at tonight's meeting.

Roll Call Vote: 5-0

III. *Joint Finance Committee & Selectboard*

- A. FY25 Budget Presentation – Operating & Capital Budget ~ Rich Bienvenue
Vice Chair Rhodes called the finance committee meeting to order a roll call vote. Bienvenue began his financial presentation to the board and public going over capital budget and the operating budget. Explaining the accounts and the line items.

The board had some questions which Bienvenue answered in detail. The Finance committee also questioned some items which were also answered.

The board discussed with Bienvenue and Waldo the next steps with regard to the budget. Waldo explained that the board needs to begin meeting with the individual department heads and go over their budget more in depth. Bienvenue will help with this process. The finance committee had a few comments, stating that this year's process was better than the past few years and they appreciate the interaction with the selectboard and the administration. There was some discussion about the process and the charter changes needed for the finance committee. The boards thanks Bienvenue. Genoa thanked Bienvenue and the town of Eastham for helping the town of Wellfleet.

The Finance Committee Adjourned their meeting at 8:04pm.

IV. *Residences at Lawrence Hill*

- A. Update on the Lawrence Hill project ~ Jay Coburn & Vita Shklovsky, Community Development Partnership.
Coburn and Shklovsky presented to the board. Shklovsky went through the slideshow presentation about the current state of the project and when they expected to begin the groundbreaking.

The board had some questions regarding the RFP for the construction.

V. *Charter Changes & Town Meeting Date*

- A. Discussion of proposed amendments to Wellfleet Charter ~ Dan Silverman, Moderator

Silverman came to the table. Silverman continued discussing the charter changes and began with a two-session town meeting where the spring town meeting would only discuss and consider financial matters and the fall town meeting be held to address zoning and other warrant articles. He went over the changes he is suggesting. The board had some questions for Silverman. They discussed the changes at great length.

No Action Was taken.

- B. Discussion and possible vote to change the Annual Town Meeting Date ~ Town Moderator, Dan Silverman

This item was discussed before the charter changes. HE spoke about the fourth Monday of town meeting also being the first night of Passover. He recommended changing the meeting from the Monday to either the Tuesday or Wednesday of the same week.

Chair Carboni recommended moving the town meeting to the Wednesday as she stated most Jewish families like to celebrate the second night of Passover with family and friends. The board discussed the date of the town meeting.

Board Member Wolf moved; Chair Carboni Seconded; and it was voted to move the Annual Town Meeting from Monday April 22, 2024, to Wednesday April 24, 2024, at 6pm to be held at the Wellfleet Elementary School.

Roll Call Vote: 5-0

VI. *Community Preservation Presentation*

- A. The committee will present their recommendations and needs to the board. Sorkin and Elsensohn, and Terkanian came to the table and presented their recommendations to the board and public for the town meeting. Sorkin explained the role of the CPC. He asked the board if they had any questions. There were a few questions with some of the recommendations. There was much discussion with this item.

Broyer House and Land Conservation Fund were taken out of the agenda.

Chair Carboni Moved; Board Member Wolf Seconded; and it was voted to Approve the recommendations of the Community Preservation Committee excluding the Broyer House and Land Conservation Fund.

Roll Call Vote: 5-0

Terkanian agreed to present to the board at the housing meeting on February 15, 2024. The board discussed this option, Curley had an issue with this.

VII. *Public Hearing ~ Chair Carboni opened the public hearings at 9:27pm*

DeVasto recused himself from all shellfish items on the agenda.

- A. Application received on 1/18/2024 from Robert McClellan (Wellfleet, MA) and Margaret McClellan (Wellfleet, MA) for the transfer of shellfish grant license #s 85-B and 85B-A1 consisting of approximately two acres total on Indian Neck from Robert McClellan and Margaret McClellan to Robert McClellan, Margaret McClellan and Adrien Kmiec (Wellfleet, MA).

Civetta spoke to the transfer stating it was a simple one.

Board Member Wolf Moved; Board Member Seconded; and it was voted to approve shellfish grant license #s 85-B and 85B-A1 consisting of approximately two acres total on Indian Neck from Robert McClellan and Margaret McClellan to Robert McClellan, Margaret McClellan and Adrien Kmiec (Wellfleet, MA).

Roll Call Vote: 4-0-1 (DeVasto recused)

- B. Application received on 1/23/2024 from William Young, Jr. (Wellfleet, MA) for the transfer of shellfish grant license #01-04-B consisting of three acres in the deep-water area of Indian Neck from William Young, Jr. to Andrew Young (Wellfleet, MA).

Board Member Wolf Moved; Board Member Sayre Seconded; and it was voted to approve the transfer of shellfish grant license #01-04-B consisting

of three acres in the deep-water area of Indian Neck from William Young, Jr. to Andrew Young (Wellfleet, MA).

Roll Call Vote: 3-0-2 (DeVasto and Curley recused)

- C. Application received on 1/11/2024 from Paul Lalumiere (Wellfleet, MA), James Clark (Wellfleet, MA) and Brett Morse (Wellfleet, MA) for the renewal of shellfish grant license #741 consisting of approximately 4.8 acres inside the Indian Neck Breakwater in the Inner Harbor area for nine years, eight months, and ten days beginning August 20, 2024, and expiring April 30, 2033.

Board Member Curley Moved; Board Member Wolf Seconded and it was voted to approve the application received on 1/11/2024 from Paul Lalumiere (Wellfleet, MA), James Clark (Wellfleet, MA) and Brett Morse (Wellfleet, MA) for the renewal of shellfish grant license #741 consisting of approximately 4.8 acres inside the Indian Neck Breakwater in the Inner Harbor area for nine years, eight months, and ten days beginning August 20, 2024, and expiring April 30, 2033.

Roll Call Vote: 4-0-1

- D. Application received on 1/11/2024 from Robert LaPointe (Wellfleet, MA) and Lorraine LaPointe (Wellfleet, MA) for the renewal of shellfish grant license #s 2006-01 and 2006-01 Ext. consisting of approximately two acres and 1.41 acres respectively on Indian Neck for four years and 24 days beginning April 6, 2024, and expiring April 30, 2028.

Board Member Curley Moved; Board Member Wolf Seconded; and it was voted to approve the application received on 1/11/2024 from Robert LaPointe (Wellfleet, MA) and Lorraine LaPointe (Wellfleet, MA) for the renewal of shellfish grant license #s 2006- 01 and 2006-01 Ext. consisting of approximately two acres and 1.41 acres respectively on Indian Neck for four years and 24 days beginning April 6, 2024, and expiring April 30, 2028.

Roll Call Vote: 4-0-1

- E. Application received on 1/16/2024 from Justin Lynch (Wellfleet, MA) and Eben Kenny (Wellfleet, MA) for the renewal of shellfish grant license # 01-05-B consisting of approximately three acres in the deep-water area of Indian Neck for nine years, ten months, and 18 days beginning June 12, 2024, and expiring April 30, 2033.

Board Member Moved; Board Member Sayre Seconded; and it was voted to approve the application received on 1/16/2024 from Justin Lynch (Wellfleet, MA) and Eben Kenny (Wellfleet, MA) for the renewal of shellfish grant license# 01-05-B consisting of approximately three acres in the deep-water area of Indian Neck for nine years, ten months, and 18 days beginning June 12, 2024, and expiring April 30, 2033.

Roll Call Vote: 4-0-1

- F. Application received on 1/18/2024 from Zachary Rennert (Wellfleet, MA) and Blake Olson (Wellfleet, MA) for the renewal of shellfish grant license #s 95-23 and 95-24 consisting of approximately two acres total on Egg Island for nine years, six months, and 29 days beginning October 1, 2024, and expiring April 30, 2033.

Board Member Curley Moved; Board Member Sayre Seconded; and it was voted to approve renewal of shellfish grant license #s 95-23 and 95-24 consisting of approximately two acres total on Egg Island for nine years, six months, and 29 days beginning October 1, 2024, and expiring April 30, 2033.

Roll Call Vote: 4-0-1

- G.** Application received on 1/22/2024 from Keith Rose (Wellfleet, MA) and Lisa Dexter (Wellfleet, MA) for the renewal of shellfish grant license #s 95-25 and 95-26 consisting of approximately two acres total on Egg Island for nine years and one month beginning March 30, 2024, and expiring April 30, 2033.

Board Member Curley Moved; Board Member Sayre Seconded; and it was vote to approve the application received on 1/22/2024 from Keith Rose (Wellfleet, MA) and Lisa Dexter (Wellfleet, MA) for the renewal of shellfish grant license #s 95-25 and 95-26 consisting of approximately two acres total on Egg Island for nine years and one month beginning March 30, 2024, and expiring April 30, 2033.

Roll Call Vote: 4-0-1

Board Member Curley moved; Board Member Sayre seconded; and it was voted to close the public hearings.

Roll Call Vote: 4-0-1

VIII. Licenses

A. Common Victualler License Renewals

- Bob's Sub & Cone
- Box Lunch
- Ceraldi
- Endless Coast
- Even Tide Motel
- Maurice's Campground
- Moby Dick's Restaurant
- PB Boulangerie Bistro
- The Wicked Oyster
- Wellfleet Miniature Golf, Dairy Bar & Grill
- Wellfleet Cinemas
- Wellfleet Drive-In & Flea Market
- Wellfleet Motel and Lodge
- The Copper Swan
- Van Rensselaer's

Board Member Curley Moved; Board Member Sayre Seconded; and it was voted to approve the renewal of the above Common Victualler Licenses.

Roll Call Vote: 5-0

B. Weekday Entertainment License Renewals

- The Wicked Oyster

- Wellfleet Miniature Golf
- Wellfleet Cinemas
- Wellfleet Drive-In & Flea Market
- The Copper Swan
- Van Rensselaer's

Board Member Moved; Board Member Seconded; and it was voted to approve the weekday entertainment licenses as printed above.

Roll Call Vote: 5-0

IX. *Business*

- A. Amendment #2 to MA Division of Ecological Restoration (MA DER) Grant to Fund Herring River Restoration Project, Phase 1 ~ Carole Ridley**

Chair Carboni Recused herself from this agenda item.

Vice Chair Wolf began to chair this part of the agenda, he stated to the public that there is no money being taken from the town. This is just moving grant funds from one source to another.

Ridley spoke to the board explaining the amendment, asking for the board to approve this amendment. There were a few questions from Board Member Sayre. Which Ridley was able to answer.

Board Member Curley Moved; Board Member Seconded; and it was voted to approve the proposed changes and authorize the town administrator to execute the amended grant consisting of the Commonwealth of Massachusetts Standard contract Form, and Attachment A: Scope of services, Amendment #2 February 2024, Town of Wellfleet, Authorized signatory listing from, as proposed by the Massachusetts department of Fish and Game, Division of Ecological Restoration, for grant to the town of up to \$22,619,094.61 for implementation of the Herring Rivers Restoration Project.

Roll Call Vote: 4-0-1

- B. Intermunicipal Agreement between the towns of Eastham and Wellfleet for extension of public water supply**

Waldo presented to the board the agreement that they have been in communication with the town of Eastham. Bebe came to the table and gave a brief rundown of what the town of Eastham is asking regarding cost. The board discussed this agreement and some concerns. They discussed the language of the agreement.

Board Member Curley Moved; Board Member Seconded; and it was voted to approve the intermunicipal agreement between the towns of Eastham and Wellfleet for the extension of the public water supply, to be signed by both the Wellfleet and Eastham Selectboard's, for the chair to be copied on all correspondence until the contract is executed.

Roll Call Vote: 5-0

- C. Draft Annual Town Meeting Warrant ~ Town Administrator**

Board Member Curley Moved; Board Member Seconded; and it was voted to open the Wellfleet 2024 annual town meeting warrant and to communicate with all the towns boards and committees.

Roll Call Vote: 5-0

D. Ice Machine ~ Chair Carboni

Chair Carboni explained she was looking for a volunteer to be a liaison from the selectboard to work with the small working group to move the ice machine project forward.

The board discussed and decided John would be the liaison for the board.

X. *Selectboard Reports*

DeVasto questioned the cable advisory grant for the fiber optics to the beaches.

Waldo gave a brief rundown and Eldridge stated she is working on a meeting with that group and the interim TA.

XI. *Topics for Future Discussion*

Curley spoke to the board about the town planner, asking who the interview committee was for that position. Waldo explained that he, Genoa and The Human Resource director were the three interviewers. Wolf stated that the board needs to have trust in the people that they hire. The board discussed the issues. This position was discussed and the 15-day grace period. It was asked if it was a contract position or a union position. Curley stated his objection to this.

Sayre spoke to the board about a community forum.

Curley spoke to the board about the housing workshop, he would like to discuss how to structure that meeting.

Curley would like a Route 6 resurfacing and the main street project update.

Curley gave suggestions on the capital budget.

XII. *Minutes*

A. January 16, 2024

B. January 30, 2024

Board Member Wolf Moved; Board Member Sayre Seconded; and it was voted to approve the meeting minutes of January 16th as amended and the minutes of January 30, 2024, as printed.

Roll Call Vote: 5-0

XIII. *Adjournment*

Board Member Sayre Moved; Board Member Curley Seconded; and it was voted to adjourn the meeting.

Roll Call Vote: 5-0

Meeting Adjourned: 10:45pm

Public Documents:

Application from Nancy Gralla to move from an alternate member to a voting member on the Energy and Climate action Committee.

Contract for the interim town administrator Thomas Guerino

Budget slideshow presentation

Charter change documents

Community Preservation Committee documents including recommendation.

Shellfish Grant and Transfer Paperwork

Herring River Restoration project documents concerning the #2 Amendment.

Intermunicipal Agreement for the towns of Eastham and Wellfleet for the extension of the Water Supply.

Draft Annual Town Meeting Warrant

*Approved 02-20-2024 ***A full recording of this meeting can be found on the town's website****

Meeting Minutes of January 16th and January 30th.