

**Wellfleet Selectboard  
Tuesday, January 26, 2021; 6 PM  
Virtual Meeting Minutes**

**Members Present:** Michael DeVasto, Chair; Janet Reinhart, Vice-Chair; Justina Carlson, Ryan Curley, Helen Miranda Wilson

**Others Present:** Maria Broadbent, Town Administrator; Rebekah Eldridge, Secretary; Michael Hurley, Police Chief; Rich Pauley, Fire Chief; Kevin Coakley, Nancy Najmi, Gordon Kahn, James McAuliffe, Dan Silverman, Town Moderator; David Mead-Fox, Lili Ann Green, Tom Conrad, Nauset School Superintendent; Chris Easley, Building committee for the new high school; Jennifer Congel, Town Clerk; Heather Michaud, Town Accountant

Chair DeVasto called the meeting to order at 6:01 PM

**I. Announcements, Open Session and Public Comments**

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

- Administrator Broadbent announced that the public works department had issued a denial in curb cut at the property off of Route 6 and Old Wharf Rd.
- David Mead-Fox made a few comments regarding the Assistant Town Administrator job that is currently posted. He explained that he feels very strongly that the person who fills this position needs to have strong capabilities in town planning and grant coordination. He stated that the town should seek to evolve towards two or three positions a town planner and an assistant town administrator. He continued stating this would be a critical impact on the town.
- Chief Rich Pauley addressed the Board and wished to recognize a few of his firefighter/paramedics that saved a town resident when that person went into cardiac arrest. The family sent a letter commended the EMS responders.
- Lilian Green was called on by Chair DeVasto. She agreed with Mead-Fox about having someone who is highly trained in planning and grant coordination. She continued informing the Board that the Cape Cod Commission recently passed the revisions to the regional policy plan and it will be coming to the Assembly of Delegates. Green gave more information on where to find out what the Assembly of Delegates is working on.

**II. Licenses**

**A. Annual Renewal of Common Victualler Licenses**

Board member Wilson asked to take an abutter (Moby Dick's) out of the list as she doesn't vote on financial impacts with her abutters. Chair DeVasto agreed and asked for a motion

**Board Member Reinhart moved, Board Member Curley seconded; and it was voted unanimously to approve all Common Victualler Licenses as listed except for Moby Dick's; 5-0**

**Board Member Reinhart moved, Board member Curley seconded; it was voted to approve Moby Dick's Common Victualler License. 4-1 (Wilson Recused)**

**B. Renewal of Weekday Entertainment Licenses**

**Board Member Reinhart moved, Board Member Curley seconded; it was voted unanimously to approve all weekday entertainment licenses as listed in the packet. 5-0**

**C. Renewal of Sunday Entertainment**

**Board Member Reinhart moved, Board Member Curley seconded; it was voted unanimously to approve all Sunday Entertainment Licenses as listed in the packet 5-0**

**D. Renewal of Class 2 License**

**Board Member Reinhart moved, Board Member Carlson seconded; it was voted unanimously to approve both Class 2 licenses as listed in the packets. 5-0**

**III. Board/Committee Appointments and Updates**

**A. Kevin Coakley – Marina Advisory Committee**

Chair DeVasto asked Coakley to give some information about himself and why he would like to be a part of the Marina Advisory Committee. Coakley informed the Board that he has had a charter boat business for many years, and he is on the Dredging Task Force. He feels he can make a difference, and he wants to be supportive of the marina.

**Board Member Reinhart moved, Board Member Carlson seconded; and it was voted unanimously to approve Kevin Coakley to the Marina Advisory Committee. 5-0**

**B. Nancy Najmi – Recycling Committee**

Chair DeVasto asked Najmi to introduce herself and give the Board some information on why she would like to serve on the recycling committee. She stated she bought a home in Wellfleet 12 years ago and this past year moved full-time to Wellfleet. She has been a part of the Recycling Committee in the town she came from and was asked by the Chair of the Recycling Committee to become a board member.

**Board Member Reinhart moved, Board Member Carlson seconded; and it was voted to approve Nancy Najmi to the Recycling Committee. 5-0**

**C. Gordon Kahn – Historical Commission**

Kahn introduced himself to the Board and stated he recently moved to Wellfleet year-round and is an architect. He continued stating that he loves the history of Wellfleet and its unique identity.

**Board Member Reinhart moved, Board Member Wilson seconded; and it was voted unanimously to approve Gordon Kahn to the Historical Commission. 5-0**

**D. James McAuliffe – Commission on Disabilities, Personnel Board, Council on Aging, Historical Commission**

McAuliffe stated he didn't list the board/committees in order of which he would like to be on more. He explained that he would like to serve on the boards that need his services the most. He stated an important board to him is Commission on Disabilities, which he feels he is most experienced in. His second Board that he would like to serve on is the Historical Commission. He gave some background information on his experience in this area. Wilson expressed the need for Board members on the Personnel Board. McAuliffe expressed his desire to be on the Disabilities Commission and the Personnel Board.

**Board Member Wilson moved, Board Member Curley seconded; and it was voted unanimously to approve James McAuliffe to the Commission on Disabilities, The Personnel Board, and the Historical Commission for terms appropriate to those committees. 5-0**

**IV. Business**

**A. License Agreement Eversource – Administrator Broadbent**

Broadbent informed the Board that the transfer station solar panels have been installed for some time but have not been connected to the grid. The connection to begin supplying electricity is being held up in land court. She explained it was a clerical error made back in the 1950s. She stated that the lease with Eversource enables the project to move forward and get the engineering done and the poles up. The lease has been reviewed by the town's counsel. The easement required for a connection to the grid is still waiting for the court's decision.

**Board Member Curley moved; Board Member Reinhart seconded; it was voted unanimously to approve the license agreement with Eversource as written. 5-0**

**B. Fuel Efficient Vehicle Policy – Curley**

Curley said the policy dates from 2014 and had not been updated since then. He made changes to the policy to respond to changes in the marketplace with greater availability of vehicles that meet or surpass the initial guidance and presented it to the Board. He went into detail about having the town's police cars become hybrid electric and concerns that were raised about the cost, but some of the costs will be offset by reduced fuel usage. Wilson gave some feedback on the policy and discussed what some Department Heads' comments were about moving towards fuel-efficient vehicles and amended the policy to make it clearer. Reinhart stated that the federal government will be releasing funds for municipalities to purchase fuel-efficient vehicles. Chief Pauley stated some concerns that he has three vehicles that have four-wheel drive and doesn't believe electric vehicles are practical in this circumstance. They continued to discuss the issue and give opinions. Lilly-Ann Green also commented that the townsfolk sent a clear message on this issue at the 2020 annual town meeting.

**Board Member Wilson moved as amended, Board Member Reinhart seconded; and it was voted unanimously to adopt the Selectboard's Fuel Efficient Vehicle Policy as amended with the sentence added whenever such**

**vehicles become commercially available and practicable at the end of the first paragraph.**

**5-0**

- C. Special Town Election March 30, 2021, School Building project, and how Wellfleet will vote –Town Administrator /Clerk/School Building Members/Superintendent.**

Broadbent gave a summary of what this entails and asked the school officials and the clerk to give more and detailed information on this subject. Chris Easley was introduced by Chair DeVasto and gave a lengthy statement about the building project vote and the extension that was given to them by the state regarding their funding. There was further discussion on the town election for voting for the school project and the funding. All towns that are included in the Nauset School Systems will have the election on the same day. Wilson questioned who would be paying for the election. Easley informed Wilson and the Board that the building committee for the school is responsible for all costs associated with the district-wide election. Town Clerk Jennifer Congel explained to the Board that this isn't just a special town election, but a district-wide election, and the town has to decide if they want on the ballot for that day how the Town of Wellfleet will pay for the new school. Easley explained that without a town meeting, they are guaranteed the money for the project. There was further discussion on this topic. The Town Moderator, Dan Silverman, was asked his opinion about this, and he stated the March 30 vote is only to approve the building project. A separate vote will be taken on how the town will fund the project. He believes this part of the vote can be on the town warrant for the town meeting. The Board continued to discuss this project and how the voting would take place, what would happen if Wellfleet voted against this and other towns voted for it. It was discussed that they wait to decide on a special town election or add the vote to the March 30 election.

**No action was taken**

- D. Town Meeting Date – Chair DeVasto/Dan Silverman**

Chair DeVasto asked Moderator Dan Silverman to discuss his recommendation to the Board delaying setting the date of the Annual Town Meeting. Silverman continued discussing with the Board not knowing how quickly the vaccine will roll out on Cape Cod and would like to try to do an outdoor meeting. He suggested to the Board June 5, 2021, is the Saturday after Memorial Day, and he explained there is enough time to have a town election before the end of the fiscal year. He continued stating that the sooner the Board sets the date, the easier it will be to acquire the resources to have an outdoor meeting. The Board discussed this further, with many members stating a preference for an outdoor meeting and setting the date. Chief Hurley Brought up the triathlon that usually takes place that weekend but stated he hasn't received any paperwork for this event but wanted to make the Board aware.

**Board Member Wilson Moved, Board Member Curley seconded; and it was voted unanimously to approve the town meeting date be June 5, 2021**

**E. Open Space Committee's Charge and Purview – Curley**

Board Member Curley asked to postpone this discussion to a later meeting because the Open Space Committee Members would like to be a part of the discussion. The Board agreed, and it will be placed on the February 9 meeting.

**F. The Fleet Fund Update – Dan Silverman**

Chair DeVasto asked Silverman to discuss this subject. Silverman introduced the members of the fleet fund that were on the call. Paula Erickson, who is the president of the Fleet Fund and explained how it works and what they do within the community. She stated they provide a flexible, confidential source of funding to the community. She gave the website for the Fleet Fund and explained how to go about requesting support. The Board members expressed their gratitude.

**No Action was taken**

**G. Harbor Dredging Update, lobbyist proposal review and request to fund the proposal. – Joe Aberdale**

Chair DeVasto asked Aberdale to inform the Board of what he is asking and went into detail with his request. Aberdale informed the Board that the Harbor Dredging Project in Wellfleet is the largest dredging project in Massachusetts. He continued advising the Board that the expense with this project is high, and the need for more funds is great. He explained that multiple federal agencies have to sign off on the permit, and one agency is objecting, The National Marine Fisheries Service. Their position is that it is not an active mooring field and that rather than it being maintenance dredging, it is improvement dredging as they have a 50 year rule and the last time area 2 was dredged was in 1957. The cost for the dredging project will be significantly higher if area 2 is considered improvement rather than maintenance. He explained that several years back, the committee used a lobbyist to aid permitting for the dredging project. He continued explaining that there are certain restrictions for this committee to communicate with outside sources. He stated the Army Core of Engineers will not allow the Dredging Committee to communicate with The National Marine Fisheries. He explained that the Board has before them the contract with the lobbyist that they have worked with for the past five years and have a good relationship. He gave some background of how this lobbyist has helped the town with advice and securing funds for dredging. Once he finished his presentation, the Board had some questions, and they discussed the proposal. Town Administrator Broadbent questioned the Board about funding as there is no line item regarding a lobbyist. The Board discussed funding and asked Broadbent to see if she could locate the money for this proposal.

**Board Member Reinhart moved; Board Member Carlson seconded; it was voted unanimously to approve the request to fund the lobbyist to obtain funds for the harbor dredging project. 5-0**

- H.** Selectboard Investigation update from the state – Chair DeVasto/ Curley  
Chair DeVasto explained to the Board that Board Member Curley received information from the Attorney General's Office that appointing more than one person to create a subcommittee and subcommittees are subject to OML. Any interviews or discussions of the body would be subject to OML, and that was not the intent of the Board while investigating the town finances and might prevent people from speaking candidly. Chair DeVasto will be the lead Board member on the investigation, and it is at his discretion on who else he can use to further the investigation. The Board discussed this further. Chief Pauley recommended that Chair DeVasto involve former department heads.

**Board Member Carlson moved; Reinhart Board Member seconded, and it was voted to amend the appointment of both members and appoint Chair Michael DeVasto as the main contact person for the investigation. 4-1 Wilson was against**

**V. COVID-19 Updates and Recommendations**

- A.** Chair DeVasto commented that there is community spread of the virus and the new strain of the Covid Virus is now in Massachusetts, and he is asking residents to be vigilant. This is not going away, and please continue to be cautious. Lili-Ann Green updated the Board that the county website is updated regularly and is giving information on the vaccine rollout. Chief Pauley notified the Board that all first responders are being vaccinated now.

**VI. Selectboard Reports**

- A.** Board Member Wilson announced that there will be another Massachusetts Shellfish Initiative Meeting January 29.  
**B.** Board Member Wilson would also like Administrator Broadbent to reach out to DOT to have a meeting and find out the status of the bike trail project.

**VII. Town Administrator's Report**

- A.** Town Administrator Broadbent informed the Board that her report mainly deals with town fiscal matters. She stated she and Town Accountant Michaud are going through contracts, what is in the Vardar system, and issuing 1099's. In the past, about 20 1099s were issued, and about 80 have been issued this time around. She also informed the Board that they are working on payroll and making it an easier format, and reducing data entry. She informed the Board that they are trying to figure out what the capabilities and limitations of the Vadar system are and that currently, it lacks the expandability that many other municipalities use and might involve additional costs at some point in the future. The town received chapter 90 funds to replace the backhoe so it will no longer be a CIP request and received a grant for a generator at the public works building. She updated the Board on the new hiring that the town will be doing

Minutes approved at the February 23, 2021 selectboard meeting

*A full recording of the meeting is available on the town's website under board/committee recordings.*

and that there will be a committee for it. A town contact was discussed for each town board or committee. Board Member Carlson complemented Broadbent for her hiring technique and stated how pleased she was to see there was a hiring committee.

**VIII. Topics for Future Discussion**

- A. Eldridge reported that she is continuing to keep a running record of all the Selectboard members' topics so they are able to discuss and handle them
- B. Board member Wilson spoke again about a meeting with DOR

**IX. Correspondence and Vacancy Reports**

- A. Cardiac Arrest Save Letter – Chief Pauley
- B. Letter of appreciation – Suzanne Thomas
- C. Email from Arthur Parker regarding transfer of land
- D. Letter from Robert Kennedy – regarding real estate taxes

**X. Minutes**

- A. January 12, 2021

**Board Member Reinhart moved; Board Member Carlson Seconded, and it was voted to approve the meeting minutes from January 12, 2021 4-0-1 (Board Member Wilson abstained)**

**XI. Adjournment**

- A. **Board Member Reinhart moved, Board Member Wilson seconded, and it was voted unanimously to adjourn the meeting. 5-0**

**The meeting adjourned at 9:45 PM**

***Public Records:***

*Applications for Marine Advisory Board, Recycling Committee; Historical Commission, Personnel Board, Disabilities Committee  
License Agreement for Eversource  
Fuel Efficiency Vehicle policy  
Cardiac Arrest Save Letter  
Letter of Appreciation  
Letter from Robert Kennedy  
Email from Arthur Parker  
Town Administrators Report  
Meeting Minutes*