

**Wellfleet Selectboard  
Virtual Meeting  
Wednesday May 12, 2021; 6PM  
Meeting Minutes**

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

**Members Absent:** Justina Carlson

**Others Present:** Charlie Sumner, Interim Town Administrator; Chief Rich Pauley, Fire Chief; Chief Michael Hurley, Police Chief; Harry Terkanian, Warrant assistant; Rebekah Eldridge, Executive Assistant; John Wolf, Resident; Heather Doyle, Cape Cod Ocena Community; Walter Baron, Old Wharf Dory Company; Michael Ceraldi, Ceraldi Restaurant; Ben Zehnder, Attorney for Nature's Promise; Suzanne Grout-Thomas, Beach Director; Jennifer Wertkin, Library Director; Robin Robinson, Chair of the Library Board of Trustees; Nancy Civetta, Shellfish Constable

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

**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.

- Chair DeVasto welcomed the interim Town Administrator Charles Sumner and also thanks Chief Pauley for standing in as acting Town Administrator.
- Board Member Wilson stated there is a meeting at the end of May to discuss the "Right to Farm".
- Chief Pauley informed the Board that he had a good meeting with Sumner and Terkanian and thanked Terkanian for all his hard work.

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

- Board Member Wilson asked that the Board think about when they would discuss town activities.

**III. *Use of Town Property***

A. Cape Cod Ocean Community/Heather Doyle - Newcomb Hollow Parking Lot (5 Total Days)

- Doyle gave an update on what she is planning to do for the five dates. She explained that they inform the public about safety products being offered, she explained they don't sell products just offer explanations.
- Board Member Curley questioned the use of drones. Doyle explained that she put it in there to show what they have done in the past.
- Thomas questioned the dates. Doyle stated the dates June 26<sup>th</sup>, rain date of the 27<sup>th</sup>, July 24<sup>th</sup> rain date of the 25<sup>th</sup>, August 21<sup>st</sup>, rain date August 22<sup>nd</sup>, September 18<sup>th</sup>, rain date of 19<sup>th</sup>.
- Silverman explained that the dates of June 26<sup>th</sup> and 27<sup>th</sup> are town meeting dates and asked that she pick a different weekend.

- **Board Member Reinhart moved, Board Member Curley seconded; and it was voted to approve the request from Cape Cod Ocean Community use of town property with the dates proposed June 18, 2021 with the rain date of June 19, 2021; July 17, 2021 with the rain date of July 18, 2021; August 21, 2021 with the rain date of August 22, 2021; September 18, 2021 with the rain date of September 19, 2021.**

**Roll Call Vote: 4-0**

B. Old Wharf Dory Co./Walter Baron - Mayo Beach; 9/25/21 (11am – 4 pm)

- Baron explained to the Board that because of the pandemic he wasn't able to have this last summer but would like to have it again this year. He called it the Wellfleet Rolling Rendezvous. The Board had no issues.
- **Board Member Reinhart moved; Chair DeVasto seconded; and it was voted to approve the use of Mayo Beach for September 25, 2021 from 11am to 4pm for the Old Wharf Dory Co for the rolling rendezvous.**

**Roll Call Vote: 4-0**

C. Luise Geueke - Mayo Beach; 5/7/22 (1pm – 2:45 pm)

- Geueke was not on the meeting so the board moved this to a future meeting.
- **No action was taken.**

D. Ceraldi Restaurant/Michael Ceraldi - Parking Lot and grass area of 15 Kendrick Ave to have outdoor dining like last summer.

- Ceraldi presented to the Board explaining his plan for outdoor seating as he had done last summer. Board Member Curley expressed his concern regarding the large space. Ceraldi explained the fire department had laid this design out for safety. The Board discussed this further, explaining the need for the barriers not having the traffic interfere with pedestrians. Chief Pauley asked the Board to approve the application and allow the staff to figure out the logistics and changes if needed.
- **Board Member Reinhart moved; Board Member Wilson seconded; and it was voted to approve the use of 15 Kendrick Ave. parking lot and grass area for outdoor dining like the summer of 2020.**

**Roll Call Vote: 3-1**

E. Susie Nielsen/Megan Hinton - Art installations at various locations 7/17/21 – 9/15/21

- This was moved to a later date as the applicant tabled this for a future meeting.
- **No Action was taken.**

IV. *Board/Committee Appointments and Updates*

A. Elisabeth Salén - Local Housing Partnership

- Chair DeVasto explained that he spoke with Salén the previous day and explained she is working, and he stated that he would be inclined to approve her application. Board Member Wilson expressed that she would have appreciated her being here.
- **Board Member Reinhart moved; Board Member Wilson seconded; and it was voted to approve Elisabeth Salén to the Local Housing Authority for a term of 1 year.**

**Roll Call Vote: 4-0**

**V. *Business***

**A. Extension of Community Host Agreement – Nature's Alternative/Ben Zehnder**

- Chair DeVasto explained that he had spoken to town counsel and they have advised the Board to continue this to a future meeting, so they are able to review the documents. Zehnder spoke to the Board about the agreement and asked that they try to move this along quickly so that they business can open. Chair DeVasto explained that the meetings of the Selectboard next week are for all budgets and warrants but May 25, 2021 they can be on the agenda.
- **Board Member Wilson moved; Board Member Reinhart seconded; and it was voted to continue the discussion of the extension of the community host agreement to Tuesday May 25, 2021.**

**Roll Call Vote: 4-0**

**B. Extension of Emergency Order pertaining to Maguire Landing and Beach Fire Permits – Suzanne Grout Thomas**

- Thomas explained to the Board that she would like Maguire Landing to continue to be a resident beach this year until a more permanent decision can be made. She also asked the Board to lift the fire permit ban for the summer, explaining that the National Seashore would be offering fire permits as well as the town of Truro. Chair DeVasto stated he had no issues with this.
- **Board Member Curley moved; Board Member seconded; and it was voted to approve the extension of the emergency order limiting Maguire Landing to residents and nonresident taxpayers and to lift the ban of fire permits to allow them for the summer of 2021.**

**Roll Call Vote: 4-0**

**C. Discussion of Town Meeting**

- Reconfirm Annual Town Meeting Date – Town
- Reconfirm Annual Town Meeting Rain Dates
- Reconfirm Annual Town Election
- **Board Member Reinhart moved; Board Member seconded; and it was voted to reconfirm Wellfleet's Annual Town meeting be held on Saturday June 26, 2021 at 10am with the rain dates of June 27<sup>th</sup>, 28<sup>th</sup>, & 29<sup>th</sup> and the Annual Town Election be held on Wednesday June 30, 2021 at the Council on Aging from 12pm to 7pm.**

- D. Annual Town Meeting- To approve 100-person quorum – Dan Silverman/Town Moderator
- Chair DeVasto explained that this is so that there needs to be a minimum of 100 people at town meeting. HE stated that doesn't mean that more than 100 people can't be there, town meeting is open to all residents of Wellfleet.
  - **Board Member Reinhart moved; Board Member Wilson seconded; and it was voted to approve the 100-person quorum for the Annual Town Meeting held on June 26, 2021.**
  - The Board discussed allowing anyone in the ballfield including nonresidents. Silverman explained to the Board that this is determined by the Town Moderator.
- E. To discuss and possibly approve the June 26, 2021 Town Meeting Warrant
- Chair DeVasto addressed the Board with the letter that they received from Terkanian earlier in the day. Terkanian gave an update on town finances and what he has been working on. Explaining that free cash can't be accessed at this time. HE explained that there are a series of accounts that show changes between 7 accounts that add up to \$400,000 and wasn't sure what the process was in coming up with this budget. He gave an example of the town administration budget has gone up a significant amount and he wasn't understanding why. He continued with the articles total with override and debt exclusion to 8 million dollars and stated that there are some articles that don't need to be done this year and he explained he wasn't sure that the residents of Wellfleet are going to approve this large amount of money. He stated that the overall problem needs to be addressed in order to get the warrant together and ready to go to the printer.
  - Chair DeVasto continued the discussion stating that they originally placed them all into overrides and debt exclusions. He stated with the wastewater articles there was only one article that needed to be apart of the warrant for this year and that was the 95 Lawrence Road Article. He stated that just because they are authorized borrowing doesn't mean there will be a cost to taxpayers there are grants that could be received, but not knowing free cash he stated these could be moved to the 2022 town warrant.
  - Board Member Curley wanted to break down the discussion into topics. He stressed it would need to be item by item. Chair DeVasto stated he wanted to get a sense from the Board where they were fiscally.
  - They began with the stabilization fund, Board Member Curley asked Terkanian that they are requesting to increase the rental tax from 4 to 6% he asked what the timeline would be for that. Terkanian gave some strategies on how to make this work and stated using the stabilization fund for one time would be okay but it can't be continued to be done every year.
  - Board Member Reinhart stated that she agreed having the items addressed separately and was in favor of cutting the costs. Board

Member Wilson stated that a lot of the articles aren't "oven ready" although she is in support of the articles, she doesn't think they need to be on this year's warrant. She continued stating that she believes the 95 Lawrence Road article remain on the warrant.

- Terkanian went over reoccurring items verses one-time items. He gave examples of police cruisers, fire cars, shellfish trucks, and DPW equipment. He continued discussing the wastewater articles and explained that he spoke with Hillary Lemos the health agent for Wellfleet and stated that she explained without a wastewater permit was needed in order to figure out what was needed for a wastewater plant, also DEP has stated that the town needs the capital part of the Lawrence Rd project needs to be done now but other items can wait. He continued with having a capital project in this year's warrant asking the residents for money that the town wont use for a few years. He gave more examples of things that can postpone and things that are so small that they can be put into budgets.
- Board Member Wilson stated she didn't want to cut into the stabilization fund and ask the townspeople to pay higher taxes.
- Chair DeVasto asked the Board to discuss and possibly remove the wastewater warrant articles.
- **Board Member Wilson moved; Board Member Reinhart seconded; and it was voted to remove articles numbered 12, 13, 14, 15, 16, 17, 18 & 20 (wastewater articles) keeping Article 19 on the 2022 Annual Town meeting warrant regarding 95 Lawrence Road.**

**Roll Call Vote: 4-0**

- Board Member Curley asked if the Transfer station and guard shack be removed. Chief Pauley expressed that he and Sumner were getting together to see where items could be moved and what funds could be spent and will have a better idea at Monday night's meeting.
- Warrant articles continued to be discussed and Terkanian requested that this year they remove the request for the new computer system for administration.
- Board Member Curley asked to hear from administration; Sumner stated that if the Board was willing to use some of the stabilization fund, they could come up with a plan and take a look at the funding requests.
- Civetta spoke to the Board asking that they take this to the Shellfish Advisory Board to get their thoughts and recommendations. So they are going against each other. She also suggested it go before the Board of Health just to get their feedback as well. Chair DeVasto asked if it could just be placed.
- **Board Member Reinhart moved; Chair DeVasto seconded; and it was voted to place the Right to Farm Article on the Annual 2020 Town Meeting Warrant**

**Roll Call Vote: 3-1 (Wilson voted No)**

- The Board decided to wait to place and recommend the Transfer tax until Board Member Carlson was available to vote.

- They continued on to the Animal Bylaw. It was discussed at great length; the wording was discussed along with the fee schedule.
- **Chair DeVasto moved; Board Member Wilson seconded; and it was voted to place the Animal Control Bylaw on the 2021 Annual Town Warrant**

**Roll Call Vote: 3-1 (Curley Abstained)**

- **Board Member Wilson moved; Board Member Reinhart seconded; and it was voted to recommend the Animal Control Bylaw on the 2021 Annual Town Warrant**

**Roll Call Vote: 3-1 (Curley voted No)**

- The Board continued to move down the articles, moving to the Police Union Contract, there was no discussion.
- **Board Member Reinhart moved; Board Member Wilson seconded; and it was voted to place the Police Union Changes and one-year extension onto the Annual 2021 Town Meeting Warrant**

**Roll Call Vote: 4-0**

- They Moved on to the Cable Access Fund and discussed if it was worded correctly. Terkanian explained that this creates a specific fund that operates as it always has, and he pointed out his changes which had to do with transferring money which he explained is already in the General Budget.
- **Board Member Curley moved; Board Member Wilson seconded; and it was voted to place public education and governmental PEG access and Cable related fund Article into the 2021 Annual Town Meeting Warrant**

**Roll Call Vote: 4-0**

- **Board Member Curley moved; Board Member Wilson seconded; and it was voted to recommend public education and governmental PEG access Cable related fund Article**

**Roll Call Vote: 4-0**

- **Board Member Curley moved; Board Member Reinhart seconded; and it was voted to place the article to amend the local excise tax on short term rentals**

**Roll Call Vote: 4-0**

- **Chair DeVasto moved; Board Member Curley seconded; and it was voted to recommend the article to amend the local excise tax to 6% on short term rentals.**

**Roll Call Vote: 3-1 (Wilson voted No)**

- **Board Member Curley moved; Board member Reinhart seconded; and it was voted to place and recommend an article on the underground fuel tanks at the marina.**

**Roll Call Vote: 4-0**

- **Board Member Reinhart moved; Board Member Wilson seconded; and it was voted to place and recommend the Wellfleet Affordable Housing Trust Bylaw into the 2021 Annual Town Warrant.**

**Roll Call Vote: 4-0**

- They discussed schedule B and Chief Pauley explained that this is still in the works and should be ready in the next day.
- They continued with the marina enterprise budget which they had already approved the budget and the water budget they discussed was still up in the air and would have a better idea in a day or two.

F. To discuss and possibly approve the Fiscal Year 2022 Budgets

- Chief Pauley explained to the Board that he had asked Jennifer Wertkin to be on the meeting to explain the needs of her budget. She stressed that she would like this budget approved as soon as possible because she needs staff at the library. She explained the difference in her budget was because of the staff. They discussed the budget further and figuring out the numbers so Wertkin could have the same number of staff members. Board Member Wilson stated she couldn't vote on a budget that she hasn't seen. Chief Pauley explained that the town has been so busy with budgets and warrant articles that this isn't normally how he would do a budget but is requesting that they approve this budget so they can move forward with the budgets and get the Board a clean copy.
- **Board Member Curley moved; Board Member Reinhart seconded; and it was voted to approve the Fiscal Year 2022 Library Budget 610 for the total dollar amount of \$531,865.59.**

**Roll Call Vote: 4-1 (Wilson abstained)**

- They continued with other warrant articles. Chair DeVasto stated he wanted to place the right to farm articles and didn't want to add in Board Member Wilson's amendments. Wilson responded to Chair DeVasto. They discussed this article at great length. Terkanian suggested the change of a few words and they agreed to him changes it.

**VI. *Selectboard Reports***

- A. Wilson reported she went to a webinar regarding civil conduct. She expressed to the board that it is recorded, and she expressed how amazing this presentation was. She will send the Board a link to watch it.

**VII. *Town Administrator's Report***

- A. Sumner informed the Board that he has spoken with Lisa Souve and she will be starting the following Monday to help with the finances. He also informed the Board that he is also meeting with another finance person next Wednesday to see if she will be willing to come also help with finances.
- B. Chief Pauley stated he had a good day with Charlie meeting with staff and getting some issues resolved. He continued with how appreciative he was to the Board for their support.

**VIII. *Topics for Future Discussion***

- A. Board Member Wilson MOU IV for the Herring River Project she explained that she and Board Member Reinhart are on it. She stated that the language



allows them to appoint anyone of their choosing to the council. She explained they needed to think of someone who can carry them through. The Board agreed they would look.

- B. Board Member Wilson asked if the Town Accountant job had been posted yet. Sumner stated that he would recommend the Board wait to post it the job until the finances are corrected to make the job more appealing.

**IX. *Correspondence and Vacancy Reports***

- A. Board Member Curley stated that Lance Miller has resigned from the Bike & Walkaways Committee and expressed his gratitude.

**X. *Minutes***

- **Chair DeVasto moved; Board Member Reinhart seconded; and it was voted to approve the minutes as listed below and printed Draft.**
- April 13, 2021
- April 20, 2021
- April 27, 2021 -
- April 29, 2021

**XI. *Adjournment***

- **Board Member Reinhart moved; Board Member Wilson seconded; and it was voted to adjourn.**

**Roll Call Vote: 4-0**

**Meeting adjourned 9:01PM**