

**Wellfleet Selectboard
Virtual Meeting ~ Zoom
Tuesday March 23, 2021; 6PM
Meeting Minutes**

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

Others Present: Maria Broadbent, Town Administrator; Heather Michaud, Town Accountant; Rebekah Eldridge, Executive Assistant; Rich Pauley, Wellfleet Fire Chief; Michael Hurley, Wellfleet Police Chief; Will Sullivan, Wellfleet Harbormaster; David Agger, Suzanne Grout-Thomas, Director of Community Services; Peggy Jennings, Grant Owner Indian Neck; Nancy Civetta, Wellfleet Shellfish Constable; Dick Elkin, Cape Cod Commissions; Herb Gstalder, appointee for the Natural Resources Advisory Board; Dan Silverman, Wellfleet Town Meeting Moderator; Dale Rheaul, Friends of Herring River; Harry Terkanian, Wellfleet Housing Authority; Kathleen Bacon, Wellfleet Resident; Curt Felix, Wastewater Committee; Gary Sorkin, Community Preservation Committee;

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.

- Agger discussed with the board that the town is posting in the Cape Codder and not the Provincetown Independent he would like the town to reconsider posting in the Independent.
- Selectboard Member Curley announced that he had spoken with the Town Administrator regarding information for voluntary contributions that go to the Taxation Committee and he reported that over \$19,000 has been donated to the committee. He thanked people who had contributed to the fund.
- Selectboard Member Carlson announced that she is not running for re-election for the Selectboard and professed her appreciation for all the board has accomplished while she was on the board and how much she learned. She impressed upon the public to run for a selectboard position.

II. Covid-19 Updates and Recommendations

A. Wellfleet Health Agent Hillary Greenberg-Lemos to give and update on vaccines.

- Lemos stated she didn't have much of an update, there are 2 active cases in Wellfleet. She stated that cases in Barnstable are on the rise and she will continue to keep an eye on that. She informed the public that eligibility for the vaccine has changed, she listed the people that were eligible. She explained that there are details on the town's website and then gave the mass vaccination website.
- Lemos continued to give information on the opening phases of Massachusetts.
- Wilson asked about the Covid test testing for the variant forms of Covid. Lemos explained that the tests are all the same.

III. Public Hearings

A. Updated Beach Rules and Regulations – Beach Director Suzanne Grout Thomas/Selectboard Member Curley

- Selectboard Member Curley presented to the board the two changes that he made to the regulations. He explained that one of the changes is to prohibit the storage of vessels on town owned coastal banks and beaches. Giving the town the right to remove the vessels.
- The second change is to prohibit parking at Scutter's Landing and that Omaha Road is the primary road that is used to get to the landing. He continued discussing the land being used.
- It was asked if Grout-Thomas had any concerns or additions to these amended regulations. Grout-Thomas commented that she wasn't sure how the town would regulate parking on a private road. They continued to discuss the fee for violations.
- They discussed the amended regulations at great length.
- Grout-Thomas asked the Selectboard before they make any decisions, she suggested they look at the Environmental Regulations that have been updated by the Conservation Commission which is where the small boat language is. There was more discussion on the regulations and language.
- Jennings who was a grant holder on Indian Neck stated her concerns having people that were helping with the shellfishing park their vehicles on the land on Omaha Rd. (the left-hand side). The Selectboard discussed the safety of using the small-town owned landing.
- **Selectboard Chair Reinhart moved, Selectboard Member Carlson made to Wellfleet's Beach Rules and Regulations and approved by appropriate department heads dated March 5, 2021. 5-0**

B. Aquaculture License Extension (Indian Neck) – Michael DeVasto

- Selectboard Chair DeVasto removed himself as a board member and presented himself as a business owner and shellfisherman. Acting Chair Reinhart explained to the Selectboard and the Public that this is a request for a grant extension. The Shellfish Constable asked for this to be moved to the next meeting. Chair Reinhart asked Civetta to speak; Civetta stated she was not notified of the public hearing, she also stated DeVasto questioned if the Constable could approve the extension with conditions. (Civetta made clear that she was asking for this hearing to be continued); Civetta will approve the application based on the conditions: *Approval from the Harbormaster that it will not negatively impact navigation.*
A review from the Shellfish Department to determine there will be no other conflicts with growers or wild harvesters as a result of the extension.

Civetta continued that there needs to be more communication between the town and the shellfish department. She has had many inquiries about grant extensions that she has put off and needs to look at the harbor. DeVasto presented to the board that he appreciates the willingness to work with him. He did go to ethics and counsel to understand his role as a business owner. He stated his sincere gratitude to be a shellfisherman and be able to stay and work in Wellfleet. The Selectboard discussed the importance of shellfishing and this extension.

- **Selectboard Member Wilson moved, Selectboard Member Curley seconded; and it was voted to approve the aquacultural license extension 855c (to the south and west of grant 855b) as described on Map 1 in the selectboard packet, to Michael DeVasto in accordance with Massachusetts General Law Chapter 130, Section 57 and subject to certification by the Massachusetts Division of Marine Fisheries and licensing by the Army Core of Engineers. This license shall be approved for the initial term of 2 years as per section 7.8.2 of the Town's Shellfishing Policy and Regulations and is conditional upon approval from the Harbormaster that the extension will not materially impact navigational waters and a determination from the Shellfish Department that there will be no other conflicts with growers or wild harvesters. 4-0**

Chair DeVasto was welcomed back to the Board.

IV. Licenses

A. Seasonal Liquor License Renewals:

Wellfleet Beachcomber

Winslow's Tavern

Bocce Italian Grill

Wellfleet Motel and Lodge

VRs

Maurice's Campground

Wellfleet Marketplace

Chequessett Yacht & Country Club

Flying Fish Café

Wellfleet Flea Market

Macs Shack

Harbor Stage Company

Bob's Sub n Cone

Ceraldi

Chequessett Yacht & Country Club (boathouse)

Liquor n More

- **Selectboard Member Reinhart moved, Selectboard Member Wilson seconded; and it was voted to approve the above listed restaurants for their seasonal liquor license renewals. 5-0**

V. Board/Committee Appointments and Updates

A. Appointment to the Barnstable County Home Consortium – Richard Ciotti

- **Selectboard Member Carlson moved, Selectboard Member Curley seconded; and it was voted to approve the appointment of Richard Ciotti to the Barnstable County Home Consortium for the term of three years.**

B. Reappointment to the Cape Cod Commission – Richard Elkin

- **Selectboard Member Reinhart moved, Selectboard Member Carlson seconded; and it was voted to approve the reappointment of Richard Elkin to the Cape Cod Commission. 5-0**

C. Appointment to the Public Access Committee – James Falcone

- **Moved to the April Meeting**

D. Appointment to the Natural Resources Advisory Board – Herb Gstalder

- **Gstalder introduced himself to the Board stating he is passionate about the environment, especially the ponds in Wellfleet. He spoke about global warming and the rise in sea level. The Board communicated how pleased they were with this application.**
- **Selectboard Member Reinhart moved, Selectboard Member Wilson seconded; and it was voted to approve the appointment of Herb Gstalder to the Natural Resources Advisory Board. 5-0**

VI. Business

A. Block and Tackle to change reopening date to April 1, 2021.

- **Selectboard Member Reinhart moved, Selectboard Member Curley seconded; it was voted to approve the change of opening date for the Block and Tackle Restaurant date from March 1, 2021 to April 1, 2021. 5-0**

B. Continued outdoor seating approval for:

Mac's Shack

The Wellfleet Beachcomber

The C Shore

The Wicked Oyster

- **All have been approved by Wellfleet Police, Wellfleet Fire, and Wellfleet Health Departments**
- **The Board discussed these restaurants and asked both Fire and Police Chiefs if this was approved and if they had filed their seating plan? Chief Pauley stated that the Pearl Manager needed to come before the selectboard first and then to all the departments listed above. He stated that the restaurants above are using the same plan as was used in the previous year. They will do a final inspection before the restaurant opens.**
- **Selectboard Member Wilson moved, Selectboard Member Reinhart seconded; and it was voted to approve the restaurants listed above to continue their outdoor seating plan as allowed in 2020, and not to exceed the number of seats they are permitted for both indoor and**

outdoor for the summer of 2021. All restaurants have been approved by Wellfleet Police, Fire and Health Departments.

C. To discuss and vote to not issue Seasonal Recreational Shellfishing Permits for the summer of 2021 – Shellfish Constable Nancy Civetta

- Civetta explained that for the season of 2021 she is asking the Selectboard not to allow recreational seasonal shellfishing permits. She stated that do to the Covid Pandemic she would like to continue just selling annual permits at resident and nonresident rates. The Board discussed this with Civetta talking about only selling annual permits and forgo the Recreational Seasonal permits. Civetta stated she would look at this and the numbers that go with it. The Board supported Civetta in this recommendation.
- **Selectboard Member Curley moved, Selectboard Member Wilson seconded; and it was voted to not sell seasonal recreational shellfishing permits for the 2021 summer season. 5-0**

D. 370 Coles Neck Road/Dump Road Ameresco Solar Panel Contract – Town Administrator Broadbent

- Administrator Broadbent explained to the Board that there is a solution and Land Court has approved it but has not recorded the Book and Page number, she continued working with all attorney's they approve the contract and will insert those numbers once it has been recorded. It was suggested to cut a ribbon when the switch is flipped.
- **Selectboard Member Reinhart moved, Selectboard Member Wilson seconded; and it was voted to approve and have the selectboard sign the easement for the solar panels located at 370 Coles Neck Road, Wellfleet Massachusetts. 5-0**

E. 925 Chequessett Neck Road Easement Agreement – Town Administrator Broadbent

- Administrator Broadbent gave some information on this property, she explained that KP Law has been working with the property owner who needs and easement for an existing well be moved to an adjacent property.
- **Selectboard Member Reinhart moved, Selectboard Member Curley seconded; and it was voted to approve and have the Selectboard sign the easement as written for 925 Chequessett Neck Road, Wellfleet. 5-0**

F. Discussion and possible vote on Credit Card/Electronic Checks/ACH Fees – Administrator Broadbent & Town Accountant Michaud

- Administrator Broadbent asked Town Accountant Michaud to present to the Board. She explained to the Board that the town has been paying these fees for a long time and what they would like is to turn the fee over to the customers. This could allow the town to bring in extra revenue. It

was questioned if this needs to go out to bid to benefit from the best rates. They continued to discuss the details.

- **Selectboard Member Carlson moved, Selectboard Member Reinhart seconded; and it was voted to approve Wellfleet's Administration recommendations as follows:**
 1. **To offer electronic or ACH transaction options when available**
 2. **To assess all credit card and electronic check and ACH transaction fees to the customer Town Departments**
 3. **To direct Administration to streamline all payments processing onto a single platform**

5-0

G. *Town of Wellfleet Master Fee Schedule – Town Accountant Michaud/Administrator Broadbent*

- Town Accountant Michaud presented to the Board the master fee schedule. She explained she is used to working with a master fee schedule which allows better streamlining within the town. She explained the spreadsheet that was in front of the Board. She explained the building fees that had been made simpler for them. They are looking for the Board's approval to make sure all the departments are going through the fees annually. Administrator Broadbent explained that this makes it easier for the Board to understand. Broadbent explained she would like to ask the Selectboard to approve the fee schedule annually.
- **No Action Was Taken**

H. *Discussion and Vote to finalize the dates for Annual Town Meeting to be June 5, 2021 with rain dates included and to vote the change of date for the Annual Town Election to June 14, 2021 in accordance with recent amendments to the election laws.*

- Moderator Silverman asked the board to take a formal vote for their town meeting. He explained that he has met with the town meeting committee and it would be helpful if the date was officially set along with the rain dates set for the following Sunday and Monday June 6th and 7th. He continued to state that in checking with officials it is best that town meeting be held outside as it was the previous year.
- **Selectboard Member Wilson moved, Selectboard Member Carlson seconded; and it was voted to approve that Wellfleet's Annual Town Meeting be held on Saturday June 5, 2021 at 10am with the rain dates of Sunday June 6, 2021 and Monday June 7, 2021 and vote to change Wellfleet's annual Town Election on Monday June 14, 2021 in accordance with recent amendments to the election laws.**

I. *Discussion and possible vote on proclaiming the Month of May as Herring River Month – Friends of Herring River*

- Rheault presented to the board stating all the programs the group has for the month of may including their first annual 5k which she explained

will be virtual this year. Selectboard Member questioned the Board if they could make the Month of May Herring River Month every year.

- **Selectboard Member Curley moved, Selectboard Member Carlson seconded; and it was voted to approve that the month of May be proclaimed Herring River Month for the town of Wellfleet. 5-0**

J. *Discuss and possible vote on designating receipts for short term rental tax for housing purposes – Harry Terkanian.*

- Terkanian presented to the board discussing the incredible need for housing in Wellfleet. He stated the average cost to buy a house in Wellfleet is over five-hundred thousand dollars. He continued with rental properties are at this point non-existent. He stated the only way to add housing would be to build but again stated there is little land to build on. He continued with details about housing including people who wish to work here not being able to live here. He went on to discuss how he would like to suggest that the significant revenue that comes in from the Rental taxes and feels that a majority of this revenue should be committed to housing. Selectboard Member Curley questioned the year-to-date money that has been taken in for rental taxes Chair DeVasto stated he believed it was approximately \$500,000. The Board discussed that 80% was a large amount but they were willing to discuss 6% going towards housing and making this a year-by-year basis or taking it to town meeting. They discussed this at great length, which included zoning.
- Chair DeVasto went to the audience for comments, Bacon spoke in favor of allocating money to the housing authority. Chief Pauley spoke in support of utilizing some of the revenue to support housing. He also stated that there are so many competitive resources wanting to use this revenue. He continued to state that many of the warrant articles from last town meeting were deferred that will be coming before the town again. He supports the housing but cannot support 80% going towards housing. Felix spoke to the board discussing wastewater and the need the town has for it. He asked the board to not decide at this meeting and look further into other revenues.
- **No Action Was Taken**

K. *Send a letter in relation to the proposed fee increase by the Provincetown Public Pier Corporation – Selectboard Member Curley*

- Selectboard Member Curley stated he wrote a letter to the Corporation. The Board Members stated they read the letter and agreed to all sign it.
- **Selectboard Member Carlson moved, Selectboard Member Wilson seconded; and it was voted to approve to send the letter as written dated March 23, 2021 in relation to the proposed fee increases by the Provincetown Public Pier Corporation to the Provincetown Selectboard and the Provincetown Public Pier Corporation. 5-0**

L. *Discuss and vote to give the Wellfleet Marketplace Employees free beach and transfer station stickers for the 2021 season in appreciation of all their hard work through the pandemic– Susan Spear.*

- The Board discussed this request and came to the decision that if they did this for the employees at the market, they would have to begin to do it for all the people that worked during the pandemic. They professed their gratitude to the employees as well as all the other residents and workers that worked hard and throughout this pandemic. Chair DeVasto stated that a private fund could be set up by residents to donate money and then gift it to the appropriate people. Selectboard Member Wilson stated that the board should write a fantastic letter to all local government asking why all these frontline workers were not on the first list.
- **No Action was Taken.**

M. *Discussion on Eversource to spray the powerlines – Selectboard Member Wilson*

- Selectboard Member stated that she believes the entire Board is against spraying of chemicals. She continued stating that the Board could send a letter. Selectboard Member Wilson stated that they have until April 9, 2021 to submit comments to Eversource. She volunteered to draft a letter on behalf of the Board stating their concern for the spraying of chemicals. Wilson also stated that any mail that comes in to the selectboard needs to be scanned and sent to the selectboard as soon as it is received.
- **Selectboard Chair DeVasto moved, Selectboard Member Reinhart seconded; and it was voted to designate Selectboard Member Wilson write a letter on behalf of the Selectboard in opposition to the spraying of chemicals by Eversource around the power lines to be submitted as public comment. 5-0**

VII. *Selectboard Reports*

- Selectboard Chair DeVasto reminded everyone that the vote for the Nauset School Renovation is March 30, 2021 and urged residents to get out and vote.

VIII. *Town Administrator's Report*

- A.** Full Report is in the Selectboard packet, Administrator Broadbent highlighted a few things from her report, discussing that the DPW would like to cancel amnesty day for the town this year due to the close contact people have with each other. She explained that the money came in from the bonds and thanked the Board for taking the time to come in and sign the paperwork. She informed the Board that they have selected a candidate for Eldridge's old position. She also stated they are hoping to have a full report from the auditors in the next week or so.

IX. Topics for Future Discussion

- March 17th Herring River Kick off meeting was discussed and how it will be managed – Selectboard Member Wilson would like a report or notes about the meeting.
- Issues with the historical society and the stairway behind town hall. Broadbent explained she has a call to them and will report to the Board as soon as she has answers.
- Selectboard Member Reinhart stated the Board should meet with the Finance Committee as soon as possible before time runs out and they must wait for the next year. She also would like to meet with the housing people to discuss the rental tax and the percentage that will go to the housing.
- They would like to set the warrant and discuss the town's budgets. Chair DeVasto asked the board to meet on April 6, 2021. They agreed and Eldridge will set that up. Selectboard Member Wilson suggested the Board watch the finance committee meetings, so they are able to see the presentations that the department heads made.
- Moving the meetings to 7pm, the board agreed to keep it at 6pm until the sun starts setting later.
- Eldridge will send the Selectboard links to the meetings where the budgets were approved by the finance committee.
- Discussion on the beaches for the summer season

X. Correspondence and Vacancy Reports

- No reports

XI. Minutes

- A. March 9, 2021 ~ Selectboard Member Wilson moved; Selectboard Member Reinhart seconded 5-1 (Wilson abstained)**

XII. Adjournment

Selectboard Member Wilson moved, Selectboard Chair DeVasto seconded; and it was voted to adjourn.

Meeting adjourned at 10:10PM