

**Wellfleet Selectboard
Virtual Meeting ~ Zoom
Tuesday June 8, 2021; 6PM
Meeting Minutes**

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

Others Present: Charlie Sumner, Interim Town Administrator; Rebekah Eldridge, Executive Assistant; Rebecca Slick, Assistant Town Administrator; Chief Rich Pauley, Fire Chief; Jay Norton, Acting DPW Director; Will Sullivan, Harbormaster; Trudy Vermehren, Fox and Crow Restaurant; Mary Gallagher, Nanci Sullivan, Frank Corbishley, Dan Silverman, Town Moderator; Michael Nelligan, Powers & Sullivan Auditor; Laura Stone, Auditor Powers & Sullivan; Lara Henry, Executive Director Wellfleet Chamber of Commerce; Michelle Insley, Wellfleet SPAT; Suzanne Grout-Thomas, Beach Director; Carole Ridley, Coordinator Herring River restoration project; Sarah Fleming, Ducks Unlimited; Moe Barocas, Resident of Wellfleet.

Chair DeVasto called the meeting to order at 6:00PM

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 stated his condolences to the town staff and family members of Mark Vincent who passed away suddenly.
- Board Member Wilson informed the public that there will be a round table meeting on June 14th with DOT, DCR, the Selectboard and members of the Bike & Walkways Committee.
- Lara Henry from the Wellfleet Chamber of Commerce spoke to the board about receiving their letter requesting that the 4th of July parade be moved to Labor Day Weekend, and they will be filing a use of town property for the next meeting.

II. *COVID-19 Updates and Recommendations*

- Board Member Curley stated that the emergency for holding public meetings will be lifted on June 15th and hasn't been decided if meetings can stay remote. If there isn't an extension meeting will have to be held in person. He asked the TA to address some reopening plans.
- Board Member Wilson stated that she would like wording attached that if there is a surge with the virus the town can regulate those gatherings.
- Town Administrator Sumner stated to the Board that he will be meeting with the Health Director and the board of health Wednesday evening to discuss the reopening of town buildings and moving forward. He stated his concern with the legislature.
- Board Member Wilson stated that she would like to continue to have meetings virtually throughout the summer, she stated there is more attendance at their meetings and learning how to function with hybrid would be a new learning experience for them and they are in a groove.

Board Member Carlson agreed with keeping the zoom format if they are offered the choice. The Board discussed options and what the state may decide regarding legislation.

III. *Licenses*

- A. Trudy Vermehren ~ Weekday and Sunday Entertainment ~ Fox and Crow Restaurant.

The Board agreed that this was a straightforward license and had no issues.

Board Member Reinhart moved; Board Member Wilson seconded; it was voted to approve the weekday and Sunday entertainment license to Trudy Vermehren from the Fox & Crow Restaurant.

Roll Call Vote: 5-0

Vermehren, spoke to a third item in her packet that wasn't on the paper agenda, and it concerned the parking lot that was also a town landing. She stated it was in need of some care and would like that to happen. She stated it was a dangerous intersection.

- B. Weekday Entertainment ~ Lobster & Chowder House

The Board stated they didn't have any paperwork for this business and decided to continue to the next meeting.

Board Member Wilson moved; Board Member Reinhart seconded; and it was voted to continue the weekday entertainment license from Lobster & Chowder House until the next meeting in June.

Roll Call Vote: 5-0

IV. *Use of Town Property*

- A. Mayo Beach, Town Pier, and Indian Neck parking areas, for various dates and times ~ Wellfleet SPAT.

The Board had a couple issues with the dates in July and August regarding parking at the pier. They questioned Will, he stated that parking is always tough on Saturday's and Sundays at the pier, and he doesn't have any issues with parking.

They questioned how many people SPAT is planning on. Insley stated that they weren't planning on more than 20-25 people for these events. She stated her other events that are listed are for no more than 10 people and is hoping these compile of family members. Beach passes were discussed. The Board asked Thomas how this would work. Thomas stated in the past she would be willing to issue a one-day pass for those attending to park.

Board Member Curley asked about the fee. He continued discussing the fee that the town will charge. They discussed previous years charges.

Board Member Curley stated that he felt it would be fair to have a fee of \$260.

Board Member Reinhart moved; Board Member Curley seconded; and it was voted to approve the use of Mayo Beach, Town Pier, and Indian Neck Parking Areas for the fee of \$260 to Wellfleet SPAT.

Roll Call Vote: 5-0

Board Member Reinhart moved; Board Member Curley seconded; and it was voted to approve the use of Mayo Beach and Powers Landing Parking

Area for Wellfleet SPAT with a fee of \$20 for the dates of July 24th & August 22nd at 5PM.

Roll Call Vote: 5-0

- B. Wellfleet Memorial Garden ~ September 18, 2021, 5:30PM ~ Mary Gallagher & Alex Kent**

Gallagher presented to the Board regarding her wedding being held at Preservation Hall and the Memorial Garden. Alcohol in the garden was discussed and stated alcohol was not permitted in the garden.

Board Member Reinhart moved; Board Member seconded; it was voted to approve the use of the Wellfleet Memorial Garden located beside Preservation Hall to Mary Gallagher & Alex Kent on September 18, 2021, at 5:30PM with the conditions:

- a) No alcoholic beverages are to be served or consumed in the garden.**
- b) That any damage to the lawn will be repaired to the satisfaction of the DPW and Health Agent**
- c) A fee of \$110 to be charged for the usage.**

Roll Call Vote: 5-0

- C. Duck Harbor ~ July 23, 2021, 7:00PM – 8:45PM ~ Nanci Sullivan**

Sullivan presented to the Board wanting to use Duck Harbor for a small gathering for her wedding guests so she can give them an update and information about the wedding.

Board Member Reinhart moved; Board Member Carlson Seconded; and it was voted to approve the use of Duck Harbor to Nanci Sullivan on July 23, 2021, from 7:00PM to 8:45PM for a fee of \$110.

Roll Call Vote: 5-0

- D. Baker Field Tent ~ Various Dates and Times ~ Neal Nichols, Jr.**

Nichols was not on the meeting, The Board discussed his application, stating that both Becky Rosenburg and Suzanne Thomas have signed off on this usage. They discussed a fee for him to use the pavilion and Board Member Curley stated the policy regarding the use of the pavilion and tent need to be updated. They continued to discuss fees that need to be assessed to the applicant.

Board Member Wilson moved; Board Member Curley seconded; and it was voted to approve the use of the Baker Field Pavilion and grounds to Neal Nichols, Jr. for various dates and times as listed in the application, for a fee of \$200. And to waive the requirement for the presence of town recreation staff.

Roll Call Vote: 5-0

- E. Baker Field Pavilion ~ June 27, 2021, 6:00PM – 9:00PM ~ Frank Corbishley**
Corbishley presented to the Board stating this was a private event.

Board Member Reinhart moved; Board Member Carlson seconded; and it was voted to approve the use of the Baker Field Pavilion to Frank Corbishley on June 27, 2021 from 6:00pm to 9:00pm for a fee of \$110, and to waive the requirement that a town staff member be present.

V. ***Business***

A. Selectboard to rescind the original vote of Town Meeting Quorum.

The Board discussed that due to the governor's order being lifted they needed to rescind it. Silverman explained to the board that Town Counsel was contacted and lowering the quorum was not an option to the town.

Board Member Curley moved; Board Member Wilson seconded; and it was voted to rescind the vote to lower the Town meeting quorum to 100 people due to the governor's lifted orders.

Roll Call Vote: 5-0

Silverman updated the Board that the quorum needed to be 182 people. He asked the board to inform the public.

Silverman announced to the Board and the public that town meeting will not be requiring masks at town meeting, seating will be spaced to keep distancing.

There will be handouts at the meeting and any information that people would like to be in the handout need to be submitted to Rebekah Eldridge no later than June 14, 2021.

He continued that there will be a "Pre-Town Meeting" on June 14th at 7PM

Board Member Curley thanked those people that have and are working on town meeting.

B. Change Name of Wastewater Committee to Clean Water Advisory Committee

The Board moved onto changing the name of the Wastewater Committee. Felix was not on the meeting at the time this came up. Board Member Reinhart stated this is a simple request and didn't feel there needs to be discussion.

Board Member Reinhart moved; Board Member Curley seconded; and it was voted to approve the change of name from the Wastewater Committee to the Clean Water Advisory Board.

Roll Call Vote: 5-0

C. Request Town to Serve as 10% Match Partner for Grant Proposal for Herring River Restoration Project~ Carole Ridley.

Ridley explained to the Board that the project has an opportunity to apply for a grant for up to two-million dollars. She stated they are working with "Ducks Unlimited" who will be helping them to apply for the grant. She gave more details about the town matching the grant along with other donors that will be matching. Ridley continued to explain how this would work and the benefits of receiving this grant. She also explained that the town could withdraw the match if they become uncomfortable with a match. Ridley introduced Fleming to the Board who stated that there would be no cost to the town if they were to do an appraisal of the land.

Board Member Curley moved; Board Member Reinhart seconded; and it was voted to approve the town of Wellfleet serve as a 10% match partner for a \$2 million grant proposal to be submitted by Ducks Unlimited to the US FWS North America Wetland Conservation Act program for the Herring River Restoration Project, and that the Town's 10% match contribution be met by pledging \$200,000 of a pending grant from the

Commonwealth's Municipal Vulnerability Preparedness Action Grant Program or, if the MVP grant funds are not received, by pledging alternate match value totaling \$200,000 that could be met by other non-federal grants and in-kind contributions toward the project from January 2019 through September 2025, and to authorize the signing of a Partner letter of support, by the Selectboard Chair

Roll Call Vote: 5-0

- D.** Discussion of Remote Participation after the resumption of in person meetings ~ Selectboard Member Curley

Board Member Curley stated this first part of this item was discussion and thoughts/opinions of the Board Members. He provided current regulations. He stated he was hoping to have an organized discussion.

Board Member Reinhart stated she sees advantages to both in person and remote. She stated she likes having the option of Department heads and audience members to be able to be remote. She stated she spoke to an outside town who has begun hybrid meetings and that person stated that it was complicated for the chair who had to be aware who was on the screen and who was in person. The Board discussed increased participation with the remote meetings. The Board believed there were benefits across the board to have remote participation.

- E.** Remote Participation Policy ~ Selectboard Member Curley

Board Member Curley informed the Board that the policy that he was presenting was the States policy with some information that was taken from surrounding towns. Chair DeVasto asked Curley to explain what changes he made to the policy. He explained that he changed that the public could participate in person if they wanted. He stated that is zoom would be used is that there is a recording. Chair DeVasto didn't want to single out zoom as there may be more secure platforms in the future. Board Member Wilson expressed her concern for some typos and wanted to correct them. She added a few comments to be added to the policy. Board Member Curley agreed to the amendments.

Board Member Curley moved; Board Member Wilson seconded; and it was voted to refer the remote participation policy as drafted to the Town Administrator to defer to Department Heads, public bodies of the town, and town counsel for comments and review, to be returned to the Selectboard no later than July 27, 2021.

Roll Call Vote: 5-0

- F.** Review of Administration's Workplan to address Auditor's Management letter and comments ~ TA Charlie Sumner, Lisa Souve, Mary McIsaac (interim accountants)

Administrator Sumer presented to the Board that administration has produced a work plan that they will follow and update the Board and public every two weeks as they check off each item on the plan. He went on explaining that Lisa and Mary are two accountants that will be helping. Lisa will be looking at finances moving forward, and Mary will be looking back on where issues began to arise. He continued explaining how they come to this work plan, they went through the auditor's letter and pinpointed each issue listed and will work their

way down the list working from top priority. He stated they will be working on this plan daily and will continue to keep everyone updated in a timely manner. He stated that right now they are struggling to get ready for the annual town meeting and this will be a priority for them right now. He stated to give them a more detailed report when his town administrator's report comes up. Board Member Curley asked if there was a need for an additional audit or auditors, he would come to the selectboard with any information. Sumner explained that the Town has a great bond rating so that is a good sign for them.

G. Review and Discuss Management & Audit Letter ~ Powers & Sullivan.

Chair DeVasto introduced Nelligan and Stone to the Board and public. Nelligan presented to the Board the audit and how they performed that and the management letter. He began by thanking the staff who helped him with the audit when they were performing it. He stated the Vadar system being installed within the town there wasn't a significant amount of training for the staff and the turnover in the accountant's office and administration made that harder. He gave their normal timeline for their audits and explained that they are behind the audits for Wellfleet because the past accountant had stated that the numbers weren't in anyway ready to be configured. He discussed funds were being mingled, projects were being mingled and not individualized. HE stated that some funds needed to be fixed and there was a number of weeks spent on prior year balances. He continued to explain how the audit was conducted. He reminded the Board that June 30th was only a few weeks away which indicates the end of the fiscal year and stated they will remain flexible with the town when they are ready to do their audit. He then asked if there were any questions. Chair DeVasto questioned why there was no management letter in 2019.

Nelligan explained that the audit was very late that year and they finished it he stated at that time the Town Administrator was ready to leave and the new town accountant was new in his position and stated that he felt it was to late to issue a management letter when he knew the next audit was fast approaching.

The Board discussed previous years and if the auditors felt the town was being responsible and responsive to the letters in previous years. Nelligan stated that he did feel the town was being responsible with all of their recommendations. Board Member Curley stated his dissatisfaction that there was no management letter in 2019 and lack of 1099's issued. He questioned why the issues weren't brought forward? Nelligan stated he believed there were no issues at that time and explained it was a huge effort while working with a new town accountant and administration. He continued to address the issues Board Member Curley brought to him. They continued to discuss the audit and the letter and stated that in the future communication with the town administration and the selectboard needs to be handled more efficiently.

Barocas questioned how the town's issues got so bad. Chair DeVasto stated that these issues were before his time on the Board. Barocas asked if the new software that was implemented in 2020 was something the auditors suggested or administration. The Nelligan stated the auditors did not have any say deciding what software is used. Board Member Wilson explained that the Board was informed when the town switched the software to the Vadar system. Board

Member Carlson stated that the Board can't go to town hall and watch over every employee to micromanage employees. She stated the town needs a strong Town Administrator hire when things are settled, and policies are put into place. Chief Pauley spoke to the Vadar system being implemented and stating to the Board that it wasn't explained or brought to Department Heads and staff. He stated the system has never worked and stated that if the town decides to move forward with a new accounting system there needs to be better communication with Department Heads and much more understanding of the system being put into place. There were no other comments from the public. Chair DeVasto thanked Nelligan for helping them understand.

VI. *Selectboard Reports*

Wilson gave an update on the round table meeting and how it would be run. She wanted to make this agenda as soon as possible. Also, that it would be an open meeting but not allowed to have public comment because it would be a large group. Wilson also stated that the Shellfish Advisory Committee had a great meeting and discussed a moratorium and recommended watching it to see the great work that was being done.

Chair DeVasto reported to the Public that there was a quorum of the Selectboard at the June 4, 2021; Shellfish Advisory Board and wanted to make it known he was there as a individual not as a selectboard member, but there was discussion at this meeting, and he did give his opinions as an individual and stated so in the meeting and not as a member of the selectboard. He wanted to make it know and to clear any concerns. Chair DeVasto referred the public to the video of the Shellfish Advisory Committee Meeting that is posted on the town's website and You tube. Wilson stated that everyone has a right to be at those meetings and she reported that she never misses a meeting and is always there and that maybe the meeting should be posted for the selectboard so that the bases are covered. Chair DeVasto agreed and moving forward the Selectboard will post on the website that there may be a quorum at the Shellfish Advisory Board Meetings.

VII. *Town Administrator's Report*

A. TA Sumner explained that he has met with quite a few people over the last few weeks and has enjoyed getting to know them. He went into a little more detail about his work plan and financial issues that he will address in the coming months. He stated that ATA Slick has been working very hard with the housing partnership and has submitted a grant for the 95 Lawrence Road Project. He gave some more detail on the 2021 operating budgets and stated the Souve is working on that currently. He did state to the Board that he will have some items on the June 22nd meeting that they will need to vote on at that meeting. HE also stated that there may need to be amendments on town meeting floor. He continued stating that he feels there may need to be a town meeting in the fall. He stated that he had a department head meeting on June 3rd and explained that it was a good meeting, and they are willing to work together. He will continue to keep them informed.

He announced that the mail in ballots have been mailed and gave information on where to drop the ballots in person.

Board Member Wilson questioned Sumner if the Board of Health would be issuing a plan regarding reopening. He stated he believed they would.

VIII. *Topics for Future Discussion*

- A. Fees need to be discussed for future uses of town property.
- B. Discuss an agenda for the Round Table meeting with various agencies.
- C. Board Member Curley would like to revisit the Town Media Policy

IX. *Correspondence and Vacancy Reports*

- A. Site map received by Attorney Ben Zehnder for Nature's Alternative

X. *Minutes*

- A. May 17, 2021, ~ **Board Member Reinhart moved; Board Member seconded and it was voted to approve the minutes as written
Roll Call Vote 4-1 (Wilson Abstained)**
- B. May 18, 2021, ~ **Board Member Reinhart moved; Board Member seconded; and it was voted to approve the minutes as written
Roll Call Vote: 4-1 (Wilson Abstained)**
- C. May 20, 2021, ~ Board Member Reinhart amended the minutes, her name was in two spaces and needed to be changed. **Board Member Reinhart moved; Board Member seconded; it was voted to approve the minutes as amended.
Roll Call Vote: 4-1 (Wilson Abstained)**
- D. May 25, 2021, ~ **Board Member Reinhart moved; Board Member seconded; and it was voted to approve the minutes as written.
Roll Call Vote: 4-1 (Wilson Abstained)**

XI. *Adjournment*

**Board Member Wilson moved; Board Member Reinhart seconded; and it was voted to adjourn the meeting.
Meeting adjourned 9:33pm**

Public Records

*Licenses for Fox and Crow restaurant
License for Lobster and Chowder House
Paperwork from Carole Ridley, regarding Herring River Restoration Project
Paperwork for changing the remote participation in public meetings.
2020 Management Letter from Powers & Sullivan
2020 Audit from Powers & Sullivan
Town Administrators Report as presented by Charlie Sumner.
Town Administration Work Plan
Meeting Minutes*