

**Wellfleet Selectboard
Tuesday September 14, 2021; 7PM
Virtual Meeting ~ Zoom
Meeting Minutes**

Members Present: Ryan Curley, Chair; Michael DeVasto, Vice Chair; Helen Miranda Wilson, John Wolf

Members Absent: Janet Reinhart

Others Present: Charlie Sumner, Town Administrator; Rebekah Eldridge, Executive Assistant; Mary McIsaac, Interim Town Accountant, Chief Mike Hurley, Police Chief; Suzanne Grout Thomas, Director of Human Services; Dan Silverman, Town Moderator; Nancy Civetta, Shellfish Constable; Paul Bagnal, Representative of the Massachusetts Shellfish Association; Katy Cushman, Wellfleet SPAT; Lori Rutter, Wellfleet Resident; Evonne Barocas, Wellfleet Cultural Council; Jennifer Congel, Town Clerk; Deborah Freeman, applicant for Board of Health; Kevin McMahon, applicant for Cultural Council; Carole Ridley, Herring River Restoration Project; Kathleen Klein, KPLaw, Town Counsel; Will Sullivan, Harbormaster; Dan Robbins, GEI Engineer; John Gorgio, KPLaw, town counsel;

Chair Curley called the meeting to order 7:01PM

Chair Curley called for a moment of silence in remembrance of the 20th anniversary for the tragic 9/11 terrorists attacks.

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.

- Silverman let the public know that Moby Dick's will be hosting a fundraiser for the "Fleet Fund" on September 24, 2021, from 11:30am to 8:30pm. He explained that there will be information about the Fleet Fund and what the money goes towards.
- Wilson stated that she would also like to remember the individuals in the armed forces who gave their lives in Afghanistan.
- Thomas spoke to the Board explaining that the COA will begin opening more than they had in the summer, book clubs will resume, bridge games will resume, and legal help will also be available again. She gave details and explained what needed to happen in order to participate. She explained they are also in the process of scheduling their Fall Food Clinic. She also stated that the long-time aerobics instructor will no longer be teaching classes.
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II. COVID-19 Updates and Recommendations

There was no update given at this meeting

III. Financial Management Workplan

Sumner stated he has been working with both McIsaac and Souve. McIsaac began her update and explained that they are working on the Capital Budget, the Enterprise budgets and are preparing for the FY 2023 Fiscal year. She explained that there is a finance meeting every other Tuesday consisting of the entire finance department so they can form a bond and understand the work that is before them. She continued to go over her memorandum that she submitted to the Selectboard in their meeting packet.

The Board had some questions for McIsaac regarding credit card procedures, the review that the accounts did and processing exemptions. Sumner explained to the Board that he is beginning to work on the Capital Plan and the financial forecast. He gave a timeline to the Board that he would like to present to the Selectboard and the Finance Committee sometime in October. Sumner also discussed with the Board setting the tax rate. He addressed the free cash issue, stating it is important and when they dive into the financial forecast, he will have a better understanding of what needs to be done with that money.

IV. Staff Appreciation

A. Nancy Civetta to receive Shellfish Constable of the Year award~ Paul Bagnal

Bagnal introduced himself and extended his gratitude to the Board for their continued support. He stated Civetta hit the ground running as a shellfish constable and has done a lot of learning during their meetings. He then presented her with the SHELLFISH CONSTABLE OF THE YEAR AWARD.

Civetta thanked the board and her staff for their amazing support. She thanked her peers, her family, and friends.

V. Public Hearings

- Transfer of Shellfish Grant Licenses # 85-J and 85-J-A ~ Shellfish Constable ~Nancy Civetta
DeVasto spoke to the Board recusing himself for all shellfish agenda items.
Mulpeter spoke to the Board regarding his transfer of license.
Chair Curley Moved; Board Wilson Member Seconded; and it was voted to approve the transfer of shellfish grant license #85-J and #85-J-A from James O'Connell to James O'Connell and James Mulpeter.
Roll Call Vote: 3-0

- Transfer of Shellfish Grant Licenses# 00-01 and 00-01-Ext ~ Shellfish Constable~Nancy Civetta
Chair Curley Moved; Board Member Wilson Seconded; and it was voted to approve the transfer of shellfish grant license #00-01 and #00-01 extension from James O'Connell and Nancy O'Connell to James O'Connell, Nancy O'Connell, James Mulpeter.
Roll Call Vote: 3-0
- Transfer of Shellfish Grant License #01-01 Ext ~ Shellfish Constable ~ NancyCivetta
Chair Curley Moved; Board Member Wilson Seconded; and it was voted to approve the transfer of shellfish grant license #01-01 extension from Ralph Bassett, Rodney Avery and George Peirce III to Ralph Bassett and Rodney Avery.
Roll Call Vote: 3-0
- Shellfish Regulation Changes Section 7.6.1 ~ Shellfish Constable~ Nancy Civetta
Civetta explained to the Board that there were very minor changes and she explained the changes to the Board. She stated that Massachusetts Department of Marine Fisheries made some mandatory changes. She went through the changes. Chair Curley asked for a few changes, Civetta corrected them and there were no other comments.
Board Member Wilson Moved; Chair Curley Seconded; and it was voted to add the amendment into the rules and regulations.
Roll Call Vote: 3-0
Chair Curley Moved; Board Member Wolf Seconded; and it was voted amend section 7.6.1 of the Shellfish regulations as amended.
Roll Call Vote: 3-0
- Wellfleet SPAT ~ One Day Beer and Wine License ~ October 9, 2021
Cushman stated to the Board that SPAT is applying for a one-day license for the Art & Oyster Crawl.
Chair Curley moved; Board Member DeVasto Seconded; and it was voted to approve the one-day beer and wine license for October 9, 2021 to Wellfleet SPAT.
Roll Call Vote: 4-0
- Use of Town Property Fee Schedule~ Chair of the Selectboard ~ Ryan Curley
Chair Curley spoke to the Board stating that the Board is always trying to figure out fees for each use of town property. Wilson stated she feels that because Reinhart is not at the meeting, she would like to postpone this discussion until Reinhart can attend the meeting and be involved in the

discussion. The Board agreed to wait

Chair Curley moved; Board Member Wilson Seconded; and it was voted to continue the hearing on The Use of Town Property Fee Schedule.

Roll Call Vote: 4-0

VI. Update From Chair

- A. Briefing Board on Some Modifications to our Meetings ~ Ryan Curley
Chair Curley began stating that he would like to try and make the meetings shorter, he discussed a consent agenda.

Sumner raised his hand and stated that the previous motion needed to be amended with the date and time.

Chair Curley Moved; Board Member Wilson Seconded; and it was voted to reconsider the previous motion.

Roll Call Vote: 4-0

Chair Curley Moved; Board Member Wilson Seconded; and it was voted to amend the previous motion that the hearing on The Use of Town Property Fee Schedules will be continued until September 28, 2021, at 7PM.

Roll Call Vote: 4-0

Curley continued the discussion on his memo to the board (found in the selectboard packet)

Wilson stated some issues she had with this document. The Board discussed the document at great length with some debating.

VII. Use of Town Property

- A. Kat Williams ~ Bandstand at the Pier ~ September 26, 2021, ~ 4pm-6pm

Chair Curley Moved; Board Member Wilson Seconded, and it was voted to approve the use of bandstand at the pier to Kat Williams on September 26, 2021; from 4pm to 6pm

Williams asked the Board if she could change the date.

Chair Curley Moved; Board Member Wilson Seconded; and it was voted to amend the date to October 10, 2021, from 4pm to 6pm.

Roll Call Vote: 4-0

VIII. Board/Committee Appointments and Updates

- A. Personnel Board~ Lori Rutter~ Term of 3 years to end June 30, 2024

There were no questions for Rutter

Board Member Curley Moved; Board Member Seconded and it was voted to approve Lori Rutter to the Personnel Board with a term of 3 years ending June 30, 2024. The appointee shall be sworn in by the Town Clerk before acting as a member of the committee and shall comply with the town charter and all state and local requirements while serving the town.

Roll Call Vote 4-0.

- B. Board of Health ~ Deb Freeman ~ Term of 3 years to end June 30, 2024

***** Approved at the September 28, 2021 ** A full recording of the meeting can be found on the town's website.***

**Board Member Wilson Moved; Chair Curley Seconded; and it was voted to appoint Deb Freeman to the Board of Health with a term of 3 years ending June 30, 2024. The appointee shall be sworn in by the Town Clerk before acting as a member of the committee and shall comply with the town charter and all state and local requirements while serving the town.
Roll Call Vote: 4-0**

- C. Wellfleet Cultural Council Committee Size~ Ryan Curley~ Chair of the Selectboard**
Chair Curley spoke to the Board stating he received a letter from Evonne Barocas who asked for 13 members to be considered. Curley stated he had no problems with complying with this request. Wilson stated she feels they should keep the size to 11 members and not move it up so there are no issues with quorum. They discussed this further. Evonne spoke to the Board stating the committee never had issues with quorums.
**Chair Curley Moved; Board Member Wolf Seconded; and it was voted to reduce the size of the Wellfleet Cultural Council from 15 members to 13 members.
Roll Call Vote: 4-0**

- D. Cultural Council ~ Kevin McMahon~ Term of 3 years to end June 30, 2024**
**Chair Curley Moved; Board Member Wilson Seconded; and it was voted to appoint Kevin McMahon to the Wellfleet Cultural Council for a term of 3 years ending June 30, 2024. The appointee shall be sworn in by the Town Clerk before acting as a member of the committee and shall comply with the town charter and all state and local requirements while serving the town.
Roll Call Vote: 4-0**

- E. TA Search Committee Charge ~ Ryan Curley ~ Chair of the Selectboard**
Curley explained this is to advertise in local newspapers to create a search committee for a new Town Administrator. The Board discussed this at length, and it was stated that there will be many applicants and the board will discuss appointing committee members. Some language was changed in the document.
**Chair Curley Moved; Board Member Wilson Seconded; and it was voted to approve the Town Administrator Search Committee Charge as amended/
Roll Call Vote: 4-0**
**Chair Curley Moved; Board Member Wilson Seconded; and it was voted to authorize the posting of a public notice in the Provincetown Independent; The Cape Codder and the Cape Cod Times newspapers advertising for Committee Members for the 2021 Town Administrator Search Committee.
Roll Call Vote: 4-0**

IX. Business

- A. Vote to remain a one precinct town for election purposes. ~ Jennifer Congel, Congel explained to the Board that the most recent town census back and the town is still within the number of residents to remain a one-precinct district.
Chair Curley Moved; Board Member Wilson Seconded; and it was voted to approve the town of Wellfleet remain a one precinct Town for all election purposes pursuant to MGL chapter 54 Section 6.
Roll Call Vote: 4-0
- B. High Toss Rd ~ Carole Ridley & Katie Klein
Ridley explained to the Board that this is the last step in the taking of High Toss Road. She continued to explain the logistics of the taking and the mylar that will need to be signed by the entire board. Klein gave her update as town counsel. Klein continued to explain some background on the road being public and how the board needs to proceed. The Board had some questions for Klein regarding the mylar.
Board Member Wilson Moved; Board Member DeVasto Seconded; it was voted to
Adopt and execute the order of taking and to approve and execute the plans as included in the Selectboard packet, to authorize town counsel to file the order of taking and Mylar Plans with the Registry of Deeds.
Roll Call Vote: 4-0
- C. Harbor Dredging Contract Award ~ Harbormaster ~ Will Sullivan
Robbins spoke to the Board regarding the four bids that were submitted to Town Administration. He explained how the bids were evaluated and the decision they came to. The recommendation was to hire Burnham Associates. Gorgio spoke to the board explaining the qualifications and a protest that had been filed up by Robert B Our. He stated he agreed with the recommendation of Burnham Associates.
Chair Curley Moved; Board Member Wolf Seconded; and it was voted to award the Wellfleet Harbor Area One Dredging Project to Burnham Associates Inc.
Roll Call Vote: 4-0
- D. Remote Participation Policy ~ Selectboard Chair~ Ryan Curley
The Board discussed the policy and some of the changes that were made to this policy. Executive Session was brought up and the recording of the meeting. It was explained that there are some minutes that haven't been approved and the meeting has taken place so far back a recording for the minute taker would benefit the accuracy of the minutes. There was some debate on this issue. Chair Curley proposed an amendment to the policy.
Chair Curley Moved; Board Member DeVasto Seconded; and it was voted to amend the sentence "Not being remotely recorded on any device unless authorized by the chair."
Roll Call Vote: 4-0
Chair Curley Moved; Board Member Wolf Seconded; and it was voted to adopt the remote participation policy as drafted and amended.
Roll Call Vote: 4-0

- E. Town Media Policy~ Selectboard Chair~ Ryan Curley
Chair Curley discussed this policy and the modifications that he made. The Board had a few questions regarding this policy. There was some debate about is the town has capacity to carry this policy out. Some examples given were staffing, technical assistance. Sumner gave some input on town media and his plans moving forward of trying to hire a group which has a lot of members and experience. Chair Curley stated that the board needs to get in the habit of voting on items that come up at each of their meetings.
Chair Curley Moved; Board Member Wilson Seconded; and it was voted to adopt the town media policy as amended at the meeting.
Roll Call Vote: 4-0

- F. Proclaim the month of September as Suicide awareness month for the Town of Wellfleet~
Chair Ryan Curley Moved; Board Member Wolf Seconded; and it was voted to proclaim the month of September in the town of Wellfleet as suicide awareness month, to issue the proclamation as printed in the Selectboard Packet.
Roll Call Vote: 4-0

X *Selectboard Reports*

Board Member Wilson reported to the Board that she attended the Cemetery Commissioners meeting and learned a lot about green burials. She urged the board the watch the meeting and get familiar with green burials, she would like to receive their approved guidelines pertaining to green burials.

Chair Curley reported to the Board that there is a Conservation Committee Meeting the next day with an item to reduce parking and he urged the board to join the meeting.

Civetta spoke to the Board stating that they are not trying to reduce the amount of parking but want to put more guidelines on parking as al the parking there now is destroying the land. She stated this has nothing to do with the shellfish community. Chair Curley corrected her stating it was a different location.

XI. *Town Administrator's and Assistant Town Administrator's Report*

- A. Sumner gave a brief summary of his written report. (The Full report can be found in the 9-14-2021 Selectboard Packet).

XII. *Topics for Future Discussion*

- A. Wilson stated that the tax rate needs to be set, Sumner stated he and the accountants need some time to get that done and are working with DOR.

XIII. *Correspondence and Vacancy Reports*

- A. Chair Curley spoke to the Board stating there was a letter that was sent to them through certified mail, and he stated he sent it electronically to the board for their review.
B. The Cape Cod National Seashore also sent in letters regarding the Bike & Walkways recommendations.

**** Approved at the September 28, 2021 **** *A full recording of the meeting can be found on the town's website.*

XIV. Minutes

A. August 10, 2021

Wilson had a few amendments and gave them to the Board. Eldridge corrected the issues.

Chair Curley Moved; Board Member Wilson Seconded; and it was voted to approve the minutes from August 10, 2021.

Roll Call Vote: 3-0-1 (Wilson Abstained)

XV. Adjournment

Chair Curley Moved; Board member Wilson Seconded; and it was voted to adjourn

Roll Call Vote: 4-0

Meeting Adjourned at 9:45pm

*****Public Records*****

Financial Memorandum provided by Mary McIsaac

Documents and applications for Shellfish Grant Licenses

Amended Shellfish Regulations

SPAT application for one day beer and wine license

Document showing Use of Town Property fee schedules

Memorandum from Ryan Curley

Application for use of Town Property, Bandstand at the pier, Kat Williams

Application from Lori Rutter to be on the Wellfleet Personnel Board

Application from Deborah Freeman to be on the Wellfleet Board of Health

Application from Kevin McMahon to be on Wellfleet Cultural Council

Town Administrator Search Committee Advertisement

Paperwork for Wellfleet to remain one precinct district

Remote Participation Policy

Town Media policy

Town Administrator and Assistant Town Administrator's Report

All Public Correspondence to the Selectboard

Meeting Minutes, August 10, 2021