

***Wellfleet Selectboard
Virtual Meeting ~ Zoom
Tuesday November 23, 2021; 6:00pm
Meeting Minutes***

Members Present: Ryan Curley, Chair; Michael DeVasto (joined meeting at 6:20pm), vice chair; Janet Reinhart, Helen Miranda Wilson, John Wolf

Others Present: Charlie Sumner, Town Administrator; Rebekah Eldridge, Executive Assistant; Michael Hurley, Police Chief; Elaine McIlroy; Member of the 95 Lawrence Road Task Force; Harry Terkanian, Member of the 95 Lawrence Road Task Force, Kathleen Bacon, Member of the 95 Lawrence Road Task Force; Jeanne MacLauchlan, Principal Clerk; Gary Sorkin, Member of the 95 Lawrence Road Task Force; Manishaben Marfatia, Wellfleet Wine & Spirits; Steve DiGiavanni, Trailside Dinning; Richard White, Town Administrator Search Consultant;

Chair Hurley 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.

Reinhart stated she would like to congratulate the town of Wellfleet for recycling as the town is listed as being 7th out of 15 towns that recycle, and they recycle a lot in the state.

Chair Curley announced that the school committee is looking to fill the seat as soon as possible he encouraged anyone to step forward and apply with the town.

II. *Consent Agenda*

A. To accept the appointment of Building Inspector James Badera~ Interim Town Administrator Charles Sumner

B. Appointment of Victoria Solomon ~ Wellfleet Cultural Council

C. Appointment of Timothy Curley-Egan ~ Wellfleet Historical Commission

D. Appointment of Elizabeth McDonald ~ Wellfleet Open Space Committee

Chair Curley Moved that there were no objections and all items on the consent agenda have been approved.

III. *Covid-19 Updates*

A. Eldridge reported to the board on behalf of the Health Agent, there are currently 12 active cases in the town and the results of the thanksgiving testing will not be received until the following night.

IV. Public Hearings

Maclauchlan explained that the extension is allowable, but the hearing was posted for 7pm so they needed to wait to make sure all applicants were on the meeting. Chair Curley opened the public hearing at 7:34pm

- A. Extend liquor License ~ Wellfleet Wine & Spirits ~ Manishaben Marfatia
Marfatia who is the new owner of Wellfleet Wine & Spirits was on the call and introduced himself to the board. Explaining that he is a new owner and just opened the liquor store and would like the opportunity to bring in some revenue over the Thanksgiving and Christmas holidays. Reinhart had some comments about small local businesses around Wellfleet. It was asked of him if his intention would be to obtain a year-round license. He stated eventually yes, he would like to have a year-round license. The board discussed with him his intentions.

Chair Curley Moved; Board Member Wilson Seconded and it was voted to approve the extension of Wellfleet Wine and Spirits Liquor License to January 15, 2022.

Roll Call Vote: 5-0

- B. Extend liquor License to January 15, 2022, ~ New Fleet Corporation
DiGiovanni explained that he would like to extend his license so he would be able to hold holiday parties. Wilson asked him if he was familiar with all the rules and regulations of the towns charter and bylaws. He explained that yes he is aware of them and is prepared to follow them. Reinhart asked if he owned the property. He explained that yes he owned the property and the restaurant and is looking for staff to run as a year round restaurant in 2022. Reinhart asked him if he was aware of the complaints that they received concerning the parking and pedestrians crossing route 6. She stated he and their staff need to be mindful of the traffic. He explained to the board that he has met with the fire chief and the Police lieutenant, to figure out parking plans and safety. They discussed this application and the ability to hold parties on the property at great length including Chief Hurley in the conversation.

Board Member DeVasto Moved; Board Member Wilson Seconded and it was voted to extend the liquor license of New Fleet Corporation to January 15, 2022.

Roll Call Vote: 3-1-0 (Reinhart voted no; Curley abstained)

- C. 2022 Seasonal Population Increase ~ ABCC

Maclauchlan explained what this seasonal increase was. She stated Wellfleet has been the same for years and she feels it is a little lower than it should be. She stated it wouldn't do anything for the seasonal restaurants but could potentially give the town another year-round package store. The Board needs to vote the ABCC's determination. It was asked if the seasonal population was just homeowners, or did it include hotels and rentals. Maclauchlan stated she feels it should be higher. It has been 30,000 for years. Reinhart asked what it would

take to raise it, Maclauchlan explained the board just has to vote on a number and she can change it in the form. DeVasto stated he didn't feel he had the data he needed to change that number right now. They discussed changing this number and if it should be changed. It was decided that the board agreed it should be higher.

Chair Curley Moved; Board Member Wolf Seconded; and it was voted to approve the 2022 Seasonal Population Increase estimation provided by the commonwealth of Massachusetts alcoholic beverage division.

Roll Call Vote: 5-0

V. *Appointments*

A. New Hire for the Police Department ~ Chief Hurley *Chair Curley took this out of order as the new police officer was catching a flight*

Board Member Reinhart Moved; Board Member Reinhart Seconded; and it was voted to approve the appointment of full-time police officer Eric F. Daley subject to a successful acceptance and subsequent completion of the Massachusetts Police Training Academy.

Roll Call Vote: 4-0

Chief Hurley thanked the board and expressed his excitement for hiring this officer.

B. Appointment of John Tansey ~ Wellfleet Shellfish Advisory Board ~ Tansey removed his application.

VI. *Use of Town Property*

A. Mac's at the Pier

Chair Curley asked if Sumner would present this agreement to the board. He explained that he has had many conversations with Mac and the board has seen this agreement in the past and has been reviewed by town counsel to begin January 1, 2022. He stated he thinks it would be fair for Mac Hay to look at this and if there were any issues, he would have time to state them and then have the issues rectified. The picnic tables were discussed, along with trash containers and the walk-in cooler. The price for the use was discussed.

Mac was not on the call at this point for questioning.

The board discussed this agreement at great length and in great detail.

Wilson expressed her concern for insurance and the importance of making sure that all parties were notified. She continued stating that this property is not just for Mac's use, it is a town owned property, so anyone is allowed to use it.

The number of tables on the property were discussed and Chair Curley noted that he didn't want as many picnic tables at the property and wanted to reduce it. Reinhart stated she wanted to wait on the vote, so she has the chance to go down and look how the tables work in the space. They continued discussing the number of tables and who owns the tables that are there. DeVasto stated he felt the board should keep the tables at the current number and when Mac is able to join the meeting they could discuss and possibly change the number of tables at the pier.

Board Member DeVasto Moved; Board Member Wolf Seconded; and it was voted to approve the agreement with Mac's at the Pier as amended with a limit of 14 picnic tables.

Roll Call Vote: 4-1 (Curley voted no)

B. Town Hall Front Lawn ~ Wellfleet Chamber of Commerce ~ December 11, 2021

Chair Curley took this before Mac's at the Pier, Reinhart asked if they understood that they would need to be wearing masks. Eldridge explained that Lemos stated to them that they needed to wear masks if they were less than six feet apart even though they were outside.

Board Member Reinhart Moved; Board Member Wilson Seconded; and it was voted to approve the use of the front lawn located at town hall for the annual Tree Lighting and Sing Along on December 11, 2021 for a fee of \$110 and shall comply with any and all conditions set by the department heads.

Roll Call Vote: 5-0

VII. *Finance Workplan*

A. Charlie Sumner will update the board on the continuing financial workplan and the 2022 tax rate.

Sumner gave an update that the finance team and he have been working with the department of revenue and the tax bills for 2022 went out on November 18, 2021; and need to be paid and returned December 20, 2021.

He informed the board that Miriam Spencer the current town treasurer has given her notice and her last day will be December 1, 2021. He informed the board that he will ask Mary McIsaac one of the interim town accountants has a lot of experience being a town treasurer so he will appoint her to be the interim town treasurer. He also stated he would like to fill this position sooner rather than later so that the person they hire can work and train under both Mary and Lisa. He continued stating the finance team met with a member of the DOR on the 15th of November who is helping him with the financial forecast which will look out a five-year window for the town.

He stated to the board that he has hired an interim accountant Judy Sprague who has a lot of experience with municipal accounting.

The auditors will be coming to town hall on December 15, 2021; he gave his expectations of the audit to the board and explained there is a zoom meeting set up with Powers and Sullivan to discuss what needs to be done and when.

He continued giving his update on the town's finances and who he meets with on a regular basis to help the town move through the issues that they are currently working through.

VIII. Business

A. Introduce Richard White, Consultant for the TA Search Process ~ Mr. White will give a presentation to the board explaining his process and timeline. White introduced himself to the board and explained who he is and how he works as a consultant for the town. He gave the board a timeline of the search and explained that the fit for the town is extremely important. He went into detail explaining that he would like to meet with the department heads to discuss with them what they are looking for in a town administrator. He explained he would like to do that right after Thanksgiving. He also explained that he would like to meet with 10-12 community leaders so that he can have three in depth perspectives from different groups. He discussed how he would advertise and in working with the Selectboard he will put together a job description. He explained to the board how he will work with the Town Administrator screening committee and stated that they will work closely. He continued explaining the process and how he proceeds. The board had some questions and discussion with White.

B. Approval of TA Search Consultant Contract

Sumner stated to the board that there were three proposals and White was the only response to the proposal request. He stated he had known White for a long time and was pleased with his work in Provincetown.

Board Member Wilson moved; Board Member Wolf Seconded; and it was voted to approve the contract agreement with Richard White for consulting services for the recruitment and selection of a town administrator for the town of Wellfleet in the amount of \$9,920.00 and as otherwise printed in the draft contract.

Roll Call Vote: 5-0

C. 95 Lawrence Road Presentation ~ *Chair Curley took this out of order and asked the task force to begin their presentation at 6:30pm.*

McIlroy began the task forces presentation stating that there were three developers that submitted bids for the affordable housing project at 95 Lawrence Road. They as a group decided the best developer for the job was POAH/CDP they filled all the "boxes" for the committee.

There was a power point presentation that was shared with the board and public explaining the process and how the committee came to the final decision.

Eldridge screen shared the presentation, and the committee took the board and public through each slide explaining them. They discussed the project with the board. The presentation lasted about 30 minutes and the board had some questions and comments which they discussed and the Selectboard thanked the task force for the hard work that they put into this project and the research they all did.

The board and task force discussed the project at great length and if there could be small changes made to the plans or if these plans were set in stone. They can be slightly changed once the developer gets started. Public transportation was discussed.

Board Member DeVasto Moved; Chair Curley Seconded; and it was voted to accept the recommendation of the 95 Lawrence Road Task Force to select POAH/CDP to develop the rental housing at 95 Lawrence Road Wellfleet MA 02667.

Roll Call Vote: 5-0

D. Letter to the County regarding use of ARPA funds

Chair Curley explained this letter is to the delegates to express how the town would like to use these funds. Reinhart stated that she read in the newspaper that the funds are distributed by the county, and they are designated for infrastructure which includes high speed internet, water, and wastewater. She continued stating she believes they may need to wait to send the letter because the county decides. Sumner stated the county received 41 million dollars. Sumner gave more details about how the money is distributed.

Board Member DeVasto Moved; Board Member Reinhart Seconded; and it was voted to approve the letter written as amended regarding the use of the ARPA funds to the County.

Roll Call Vote: 5-0

IX. *Selectboard Reports*

Chair Curley stated the Wellfleet School Committee has requested a joint meeting with the selectboard to appoint a new member. They are asking for December 14, 2021. They have requested that the board start at 5:30pm. The board agreed on the time. Chair Curley explained this is not their annual budget meeting.

Wilson stated that the town had heard back from the Attorney General's office and continued to give an update on what they said and what needed to be done.

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

Sumner gave a quick summary of his report he stated on December 8, 2021; at 4pm there will be a public hearing on the low-lying road project and the purpose of the hearing is to educate the public on coastal flooding and get the public's input. He gave information regarding the Herring River Restoration Project explaining there are meetings scheduled to put together permanent and temporary easements that will be needed for this project. He stated these will have to go to town meeting and they will work on getting the article into the draft Annual Town Meeting Warrant. He updated the board that there is a finalist for the assistant health agent but wasn't able to release her name due to the fact that she hasn't given notice at her current job.

XI. *Topics for Future Discussion*

DeVasto stated he would like to get something going in terms of discussing bathroom renovations for the entire town. He feels the town should be able to renovate a bathroom a year.

XII. *Correspondence and Vacancy Reports*

Please see the Selectboard Packet for the full report.

XIII. *Minutes*

- A. October 26, 2021; ~ no amendments
- B. October 28, 2021; ~ Chair Curley had an amendment, the motion needed to be changed as Wilson wasn't at the meeting.
- C. November 2, 2021; ~ Wilson stated regarding the item for class taxification; she stated she left the meeting and like that to be noted.
- D. November 9, 2021; ~ Wilson made amendments to page 4, Long Pond.
Chair Curley Moved; Board Member Seconded; and it was voted to approve the minutes of October 26, 2021; October 28, 2021 as amended; November 2, 2021; and November 9, 2021 as amended.
Roll Call Vote: 5-1 (Wilson abstained)

XIV. *Adjournment*

Chair Curley moved; Board Member Reinhart Seconded; and it was voted to adjourn.
Roll Call Vote: 5-0

Meeting adjourned 9:15pm

Public Records:

- *Resume James Badera*
- *Applications for Wellfleet Historical Commission ~ Timothy Curley-Egan*
- *Application for Wellfleet Cultural Council ~ Victoria Solomon*
- *Application for Open Space Committee ~ Elizabeth McDonald*
- *Liquor License extension documents ~ Trailside Dining & Wellfleet Wine and Spirits*
- *ABCC 2022 Seasonal Alcohol paperwork*
- *New police Officer paperwork*
- *Mac's at the Pier agreement*
- *Application for use of town property; Wellfleet Chamber of Commerce*
- *95 Lawrence Road Task Force Power Point presentation*
- *Paperwork regarding Richard White and his experience for TA Consultant*
- *Draft Letter to the county regarding ARAP funds to be distributed*
- *All Correspondence and the current vacancy report for the town's boards and committees*
- *Meeting Minutes*