

***Wellfleet Selectboard  
Hybrid Meeting  
Zoom ~ 715 Old King's Highway Wellfleet  
Tuesday December 6, 2022; 7:00pm  
Meeting Minutes***

**Members Present:** Ryan Curley, Chair; Michael DeVasto, Vice Chair; Barbara Carboni, John Wolf, Kathleen Bacon

**Others Present:** Richard Waldo, Town Administrator; Rebekah Eldridge, Executive Assistant; Michael Hurley, Police Chief; Dick Elkin, Energy & Climate Committee; Nancy Civetta, Shellfish Constable; Students from Massachusetts Maritime Academy, Laura Seabury, Wellfleet Spirits Shoppe owner; Toby, employee of Wellfleet Spirit Shoppe; Jude Ahern, resident; Alfred Pickard, shellfisherman; James Eustace, Student Massachusetts Maritime; Timothy Sayer, resident; Lisa Dexter, Shellfish permit holder

Chair Called the meeting to order 7:05pm

**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.

**A.** Chief Hurley to read a letter of recommendation.

Chief Hurley read a letter from the Truro Police Chief in recognition of the police officers from Wellfleet that assisted the Truro Police with the homicide of an resident. Thanking the Wellfleet police department for their assistance.

**B.** Dick Elkin ~ Cape Light compact Discussion

Elkin spoke to the board and public, regarding the electricity rates rising and gave numbers for homeowners that are in need of assistance.

**C.** Seabury spoke to the board regarding the Wellfleet Wine and Spirits extending their operating dates until January 15<sup>th</sup>. She spoke to the fact that this is a burden on her business, stating that the holidays are her busiest time of year and him being allowed to stay open will disturb her business. She stated that his license expired November 30, 2022, and he remained open and submitted paperwork after the time of his license.

**II. *Consent Agenda***

**A.** Appoint David Kornetsky to the Wellfleet Historical Commission

**B.** Approve Block & Tackle for extended closure for repairs to the restaurant ~ January 1, 2023 – February 9, 2023, ~ Beth Andreoli & Patrick Pokras

**C.** Approve Wellfleet Wine and Spirits to remain open until January 15, 2023, ~ owner Nilesh Marfatia ~ **REMOVED FROM CONSENT AGENDA**

**D.** Approve the 21<sup>st</sup> Annual MLK Walk ~ January 16, 2023, Starting on Town Hall Lot ~ 12:45pm – 2pm, ~ Sara Blanford, Art Peace Makers.

**E.** To approve the following licenses

**Common Victualler** ~ See packet for full list of businesses

**Class II ~ L & R Auto**

**Chair Curley Moved; Board Member DeVasto Seconded; and it was voted to approve all items under the consent agenda with the exception of item C Wellfleet Wine & Spirits.**

**Roll Call Vote: 5-0**

**Approve Wellfleet Wine and Spirits to remain open until January 15, 2023, ~ owner Niles Marfatia ~ REMOVED FROM CONSENT AGENDA**

Marfatia spoke to the board asking to extend his license, from December 1, 2022 – January 15, 2023. Bacon spoke to the public stating she didn't want to approve the extension and wanted to support the Wellfleet Spirit Shoppe with their yearly business. She felt the board should also support the local year-round business. DeVasto spoke to the extension as well, stating he to didn't feel the extension should be granted.

**Board Member Carboni Moved; Board Member DeVasto Seconded; and it was voted to deny the extension of the business license at Wellfleet Wine and Spirits located on 2586 State Highway, Wellfleet.**

**Roll Call Vote: 5-0**

**III. *Public Hearings ~ Chair Curley opened the public hearings 7:27***

**Board Member DeVasto Recused himself from all shellfish public hearings.**

- A.** Additions to Definition of Annual Report and Section 7.8.3 Renewal of Aquaculture Licenses in Town of Wellfleet Shellfishing Policy and Regulations  
Civetta spoke to the board about amending the annual report

**Chair Curley moved; Board Member Carboni Seconded; and it was voted to refer the requirement of having a business plan wither annually or during the renewal back to the Shellfish Advisory.**

**Roll Call Vote: 4-0-1**

Chair Curley spoke to the board about his concerns with the annual report changes. Civetta spoke to the board and stated that she would refer to town counsel.

Pickard spoke to the board about doing more than one report. He discussed the reports with the board. Carboni asked the chair to continue this hearing so that the board and shellfish constable can get better clarification from town counsel.

**Board Member Carboni Moved; Board Member Bacon Seconded; and it was voted to continue this hearing until December 20, 2022 and direct the town administrator to request and opinion of counsel relating to the confidentiality issues brought up at this hearing.**

**Roll Call Vote 4-0-1**

- B.** Add to regulation 7.22 as required by state law and town regulations because it relates to a grant ~ Shellfish Constable & Shellfish Advisory Board

Civetta spoke to the board stating that she had worked with the Shellfish Advisory Board to formulate a document that if someone wanted to appeal they would need to fill out this form and they realized that there was a mistake in the regulations and it needed to be addressed with a public hearing.

**Chair Curley Moved; Board Member Bacon Seconded; and it was voted to refer section 7.22; Hydraulic Harvesting of shellfish back to the shellfish advisory board for recommendations.**

**Roll Call Vote: 4-0-1**

IV. ***Comprehensive Emergency Management Plan***

A. Presentation from the Police Chief Michael Hurley & Massachusetts Maritime Academy Students

Hurley and Eustace spoke to the board and provided them with their management plan. He went over the plan that the students came up with.

V. ***Licenses***

A. **Weekday Entertainment**

- Lobster & Chowder House
- Van Rensselaer's
- Block & Tackle
- The Bookstore & Restaurant

**Board Member Bacon Moved; Board Member Wolf Seconded and it was voted to approve the 2023 business licenses for the above listed businesses**

**Roll Call Vote: 5-0**

B. **Sunday Entertainment**

- Lobster & Chowder House
- Van Rensselaer's
- Block and Tackle
- The Bookstore & Restaurant

**Chair Curley Moved; Board Member DeVasto Seconded, and it was voted to approve the 2023 Sunday Entertainment licenses for the above listed businesses.**

**Roll Call Vote: 5-0**

VI. ***Business***

A. Maurice's Campground (80 State Highway, Wellfleet MA) ~ Land Purchase Documentation

**Chair Curley Moved; Board Member Carboni Seconded; and it was voted to approve the bill of sale land purchase documents for Maurice's Campground as presented, and it to be executed at tonight's meeting.**

**Chair Curley Moved; Board Member Bacon Seconded; and it was voted to accept the deed for 80 state highway as presented at tonight's meeting.**

**Roll Call Vote: 5-0**

B. Maurice's Campground Purchase ~ BAN ~ Vote to approve short term note documents for land purchase

Waldo explained the documents before them and stated this is a short term BAN, giving the details of the BAN. Carboni asked Waldo to explain for the public's information to explain what a BAN is. Waldo explained what the difference was between a Bond and BAN.

**Chair Curley Moved; Board Member DeVasto Seconded; and it was voted to approve the short-term BAN documents for the purchase of the property located at 80 State Highway**

**Roll Call Vote: 5-0**

**C. Capital Improvement Plan Budgets**

Waldo gave a brief update of the budgets before them and explained that they are robust in the coming years because so many items have been postponed in the past.

- **Police**

Chief Hurley spoke to the board regarding his capital improvement plan for the next 10 years. He explained in FY2024 there is a request for 2 vehicles and spoke about a hybrid vehicle which he explained that Ford is cancelling orders due to battery issues. He went into detail with his capital budget and explained in detail what his department is looking for. The board had some questions for he Chief.

**Chair Curley Moved; Board Member Carboni Seconded; and it was voted to approve the 10-year capital improvement plan for the Police Department as presented.**

**Roll Call Vote: 5-0**

- **Fire**

Chief Pauley spoke to the board explaining his ten year plan and answered questions about his budget.

**Chair Curley Moved; Board Member Wolf Seconded; and it was voted to approve the 10-year capital improvement plan for the Fire Department as presented.**

**Roll Call Vote: 5-0**

- **Department of Public Works**

Norton spoke to the board and went over all of his budgets breaking them down into department.

**Chair Curley Moved; Board Member Carboni Seconded; and it was voted to approve the 10-year Capital Improvement Plan for the Department of Public Works as presented.**

**Roll Call Vote: 5-0**

- **Community Services**

Thomas spoke to the board and explained her ten year plan and gave details on why she was asking for certain items in her budget.

**Chair Curley Moved; Board Member Wolf Seconded; and it was voted to approve the 10-year Capital Improvement Plan for the Community Service Department as presented.**

**Roll Call Vote: 5-0**

- **Health and Conservation**

Waldo explained that The Health and Conservation agent wasn't able to be on the meeting tonight and gave a detailed explanation of the capital improvement plan for the health and conservation department. It was discussed that a position needed to be created for the town of a Waste Water Director.

**Chair Curley Moved; Board Member Bacon Seconded; and it was voted to approve the Health and Conservation 10-year Capital Improvement Plan as presented.**

**Roll Call Vote: 5-0**

**D. Developments of Significant Planning Interests and Food Establishments**

**Zoning Bylaw**

The board discussed this bylaw amendment and why it was coming before the board and being discussed to be amended. Chair Curley gave a full explanation of this amendment.

**Chair Curley Moved; Board Member Seconded; and it was voted to refer the developments of significant planning interests and food establishments zoning bylaw amendment as drafted for review and comment to the Planning Board as draft.**

**Roll Call Vote: 5-0**

**E. Town Administrator Six-Month Performance Review**

The board discussed the review and the pages they filled out. They discussed the rating process and how the administrator was reviewed. The board discussed staffing has been a major concern. Waldo thanked the board for their comments and explained that this was a tough six months, but he is prepared to continue.

**VII. *Selectboard Reports***

Wolf spoke to his attendance at the Marina Advisory Committee meeting on November 16, 2022. He gave a full written and verbal report to the board.

Wolf also gave a Dredging Task Force report from the meeting that he attended on November 28, 2022.

**VIII. *Town Administrator's Report***

Waldo gave a brief report going from his full written report that is in the Selectboard packet. He spoke about Jane Tesson's retirement and her last day will be December 9, 2022. He wished her well. Waldo spoke of her interim replacement she is retired from Brewster. He announced the community compact award that needs to be accepted, and asked it to be on the agenda for December 20, 2022.

Bacon questioned the 70 main street alleged zoning violations.

**IX. *Topics for Future Discussion***

Carboni would like to discuss staffing issues

Bacon discussed 301 Main Street and would like to have the administrator touch base with the owner to see what is happening at that building. Bylaw of abandoned and derelict buildings.

**X. *Vacancy Reports***

There is a new vacancy in the

**XI. *Minutes***

**A. November 15, 2022**

**Board Member Carboni Moved; Chair Curley Seconded; and it was voted to approve the minutes of November 15, 2022 as amended.**

**Roll Call Vote: 5-0**

**XII. *Adjournment***

**10:40**

***Public Documents:***

*Letter of recommendation from the police department of Truro*

***Minutes approved on 12-20-2022 \*\*\*A full recording of this meeting can be found on the town's website under town media\*\*\****

***Presentation from Dick Elkin regarding Cape Light Compact  
Application from David Kornetsky to the Wellfleet Historical Commission  
Letter from Block and Tackle to close for repairs  
Letter from Wellfleet Wine & Spirits to remain open until January 15, 2023  
Application for use of town property for MLK annual walk in January 2023  
Common Victualler and Class II annual licenses  
Shellfish public hearing documents  
Comprehensive Emergency Plan  
Weekday Entertainment Licenses  
Sunday Entertainment Licenses  
Maurice's Campground Land Purchase Documents  
Maurice's Campground BAN documentation  
Capital Improvement Plan Budgets  
    Police  
    Fire  
    DPW  
    Community Services  
    Health & Conservation  
Developments of Significant Planning Interests and Food Establishments Zoning Bylaw  
Town Administrators Six-Month Review  
John Wolf's written report regarding his attendance at the Marina Advisory Committee  
Town Administrator's report  
Meeting Minutes in draft for  
    November 15, 2022***