

***Wellfleet Selectboard
Tuesday November 1, 2022; 7pm
Meeting Minutes***

Members Present: Ryan Curley, Chair; Kathleen Bacon, Barbara Carboni, John Wolf, (7:15pm)

Members Absent: Michael DeVasto, Vice Chair

Others Present: Richard Waldo, Town Administrator; Rebekah Eldridge, Executive Assistant; Trudy Vermehren, owner Fox & Crow Restaurant; Ken Kozak, Owner of the Wicked Oyster; Dennis O'Connell, Wellfleet Conservation Trust; Roland Blair, applicant for Maurice's Campground committee; Heather Doyle, applicant for Maurice's Campground committee; Sharon Rule-Agger, Maurice's Campground applicant; Olga Kahn, Maurice's Campground applicant; Mac Hay, Belvernon, LLC (Mac's at the Pier) owner; Alfred Pickard, abutter of Mac's; Stephen Pickard, Abutter of Mac's; Chris Allgeier, Chair of the Dredging Task Force.

Chair Curley Called the meeting to order at 7:02pm

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 Curley announced that Board Member DeVasto would be unable to make the meeting tonight, and Board Member John Wolf was running a few minutes late. Chair Curley Thanked the fire department for the trunk or treat and the people that donated their trunks for the event.

II. *Consent Agenda*

A. *Approve the closure of Fox & Crow for repairs and updates ~ Trudy Vermehren*

(Board Member Bacon asked the chair to take both restaurants off the consent agenda.)

Chair Curley asked Vermehren to explain why she was asking to close. Board Member Bacon asked when she actually closed, she explained that she closed October 24, 2022. The board would amend the date to reflect the public record.

Board Member Bacon Moved; Chair Curley Seconded, and it was voted to approve the application to close the Fox & Crown from October 24, 2022, to December 22, 2022.

Roll Call Vote: 3-0

B. *Wellfleet Elementary PTA ~ Holiday Bazar Fundraiser~ Use of town hall parking lot ~ December 10, 2022; 1pm-8pm*

C. *Wellfleet Chamber of Commerce ~ Use of Town Property ~ Annual Tree Lighting ~ Brianna Sullivan*

Chair Curley Moved; Board Member Carboni Seconded; and it was voted to approve items B and C on the consent agenda as printed.

Roll Call Vote: 3-0

D. Approve the closure of The Wicked Oyster November 18, 2022, to April 2023. ~ Eliza Fitts (taken out of consent by Board Member Bacon)

Chair Curley asked Kozak to explain his reasoning for wanting to close. Bacon spoke to Kozak reading him the Wellfleet Selectboard's alcohol licenses rules and regulations. She explained that the restaurant is able to close for 14 days at most. She questioned him about their staff and where they go during the winter. **Chair Curley Moved; Board Member Carboni Seconded; and it was voted to approve the closure of the Wicked Oyster from November 14, 2022, to April 15, 2022.**

Roll Call Vote: 3-0 (Bacon voted no)

III. *Board/Committee Appointments and Updates*

A. Wellfleet Conservation Trust review and approve a conservation restriction Map #36, Lot #91

O'Connell spoke to the board explaining what the 0.3-acre parcel was addressed at 11 Paine Ave.

Chair Curley Moved, Board Member Bacon Seconded; and it was voted to approve the restrictions written and explained in the letter from the Conservation Trust for Map#36, Parcel #91.

Roll Call Vote: 4-0

B. Maurice's Campground Planning Members to be chosen ~ Chair Curley

Chair Curley stated that before the board begins interviews for this committee he would like the board to set a number of members that they would like to be on the committee.

The board discussed the amount of people, and some recommendations were made.

Chair Curley Moved; Board Member Wolf Seconded and it was voted to approve that two appointments will be made by the town administrator, seven appointments are to be made by the selectboard for three-year terms.

Roll Call Vote: 5-0

Chair Curley continued expressing his appreciation for all who have applied to be on this committee and that this purchase is a momentous purchase for the town.

- Chair Curley began by calling Roland Blair to the microphone and questioned his experience. Blair gave his experience to the board and his passion for housing for the town. Wolf questioned Blair's opinion on Habitat for Humanity Housing, Blair stated that he was in favor. Carboni questioned Blair about other ideas he might have for the property.
- Chair Curley called on Heather Doyle, questioning her to list her experience. She explained she is a stake holder and a community member that cares about what happens with this property. The board asked Doyle the same questions for her and she stated she has no bias when it comes to being on the committee.

- Emily Achtenberg, was not on the meeting but Bacon gave a little background information on her stating she was on the 95 Lawrence Road Committee and stated she is a very detailed person and would be a valuable asset to the committee.
- Gary Sorkin, was also not on the meeting but the board spoke very highly of him and the benefit he would bring to the committee.
- Robert Wagner was called and not on the meeting.
- Sharon Rule-Agger was next to be spoken to on the board questioned her with the same set of questions. She explained her background being on many of the housing committees for the town. She expressed her passion for housing especially in the town of Wellfleet. Her vision is housing.
- Olga Kahn came on the meeting and was asked the same questions as previous applicants. She spoke to her experience and her knowledge of local housing
- Peter Simon, came to the microphone, and stated that he arrived three-years ago and has stated due to covid. He spoke to the board how important Maurice's was to him and gave some background information. He spoke about healthy housing and his knowledge of that.
- Board Member Bacon spoke on behalf of Jan Plaue stated that she had previously worked with Plaue and stated she was always prepared and knowledgeable with the 95 Lawrence Road housing task force.
- Chair Curley spoke about Farrukh Najmi stating he was on the Maurice's working group and has been very helpful to that committee, Bacon spoke very highly of him and stated he would add "heart and soul to the group".
- Carl Sussman was discussed next, and Chair Curley stated that he has an extensive background in affordable housing, he is a seasonal resident and would be beneficial to this committee. Bacon agreed and stated how important it was to include the seasonal residents on this committee.
- Domenico Russo was not on the meeting Chair Curley stated his background to the board and public and didn't have anymore to add to him at this point. It was discussed that he may be good in the stakeholders group.
- Board Member Bacon Spoke to the board and public and stated she felt Board Member Carboni be added to this committee and implored Administrator Waldo to have Carboni as one of the town administrator's appointed members.

The Board discussed the applicants and how they wanted to choose. Going down the list of who they agreed should be on the committee and who they had more questions for.

Chair Curley Moved, Board Member Wolf Seconded and it was voted to appoint:

Roland Blair

Emily Achtenberg

Farrukh Najmi

Heather Doyle

Sharon Rule-Agger

Gary Sorkin

to the Maurice's Campground Planning Committee for a term of three years to end June 30, 2025.

Roll Call Vote: 4-0

Board Member Carboni Moved; Chair Curley Seconded; the motion was to nominate Olga Kahn as the last member of the committee.

Roll Call Vote: 2-2

MOTION FAILED

Board Member Bacon Moved; Board Member Wolf Seconded, the motion was to nominate Carl Sussman to the as the last member of the committee.

Roll Call Vote: 2-2

MOTION FAILED

IV. *Business*

A. One year license agreement with Mac's at the pier for calendar year 2023 ~ Mac Hay/Town Administrator

Administrator Waldo spoke to the license of Mac's (Belvernion, LLC) he stated this is not a renewal this is a license agreement. The owners are interested in holding a license agreement with the town for another year. Waldo went into the explanation as to why it isn't a lease it is a license. He explained the definition of both stating that the town can revoke a license, but a lease is a longer term, needs to go out for bid as a lease. Carboni wanted to look further into this as a lease agreement and go out to bid. The board discussed this with Waldo and Hay to come to an agreement.

Pickard spoke to the board regarding this property and the dredging window may interfere with his opening of the restaurant in the spring. This was discussed. The board couldn't come to an agreement because they weren't a five-member board this evening.

NO ACTION WAS TAKEN

- B. Town Seal Replacement Request, ~ Community Preservation Committee**
Chair Curley spoke to this item stating that the board would be going in front of the CPC to fund this application. He gave further details on how he planned to go about replacing the town seal with having a competition to have a new depiction of the seal. Carboni explained that there needed to be verification to make sure this money needed to be approved for use. Bacon stated her disapproval of this item stating the seal has been a part of Wellfleet for many years. The board discussed this further.
Chair Curley stated he would withdraw the submission.

- C. Eversource Spraying ~ Chair Curley**
Chair Curley stated that there was a letter written to Eversource stating the towns objection to the spraying of chemicals. The board agreed herbicides shouldn't be used.
Chair Curley Moved; Board Member Carboni seconded, and it was voted approve the letter as drafted to be submitted as comments on Eversource's vegetation management plan.
Roll Call Vote: 4-0

- D. Zoning Bylaw Amendment ~ Notable Trees ~ Chair Curley**
NO ACTION WAS TAKEN

- E. Zoning Bylaw Amendment ~ Intensity of Use of Multi-Family Dwellings ~ Chair Curley**
Chair Curley explained the amendments to this bylaw. The board discussed the changes.
Chair Curley Moved, Board Member Seconded, and it was voted to refer the Zoning Bylaw Amendment, intensity of use of Multi-Family Dwellings to town counsel for comment and to the Planning Board as a draft for comment.
Roll Call Vote: 4-0

- F. Financial Update ~ Town Administrator**
Administrator Waldo gave an update on the town schedule A which has been submitted to the Department of Revenue for review, he explained the backup information will be sent to the auditors which he explained included union agreements, contracts and other documentation. Waldo explained that there is a checklist that the financial team has been working off of and will meet with the auditors every two weeks for updates on where the town stands. He explained that his next meeting with the auditors is Thursday November 10, 2022. The board had questions for Waldo and discussed the auditors' updates with DOR. Chair Curley expressed his concerns for not having fiscal year of 2021 finished.
NO ACTION WAS TAKEN

G. Distribution of the Town Administrator's Six-Month Review ~ Selectboard
Chair Curley spoke to the board, stating that it would be distributed tonight and changes that needed to be made should be done so tonight. The board reviewed the documents and discussed some items on the review. The board decided that the reviews should be submitted to Rebecca Roughley by November 23, 2022.

V. ***New Business***

There was no new business to report.

VI. ***Selectboard Reports***

Board Member Wolf reported on the Dredging Task force meeting, he stated Alfred Pickard did not renew his appointment with the Task Force so he is no longer on the committee.

VII. ***Town Administrator's Report***

Waldo spoke to the board, explaining that Nauset Regional School Board was over their estimated budget which he explained was not in his original report. He gave a further update to the board that the bid did come back and the projection for the project will be a little over 35million more than originally stated. Each town was reached out to by the school committee asking what their thoughts were on this new estimate.

VIII. ***Topics for Future Discussion***

Notable trees will be brought before the board when they hear from

IX. ***Vacancy Reports***

Please see packet for full report.

Board Member Wolf asked Allgiere to speak to the

X. ***Minutes***

A. October 18, 2022

Board Member Bacon Moved; Board Member Carboni Seconded, and it was voted to approve the meeting minutes of October 18, 2022, as printed in draft.

Roll Call Vote: 4-0

XI. ***Adjournment***

Chair Curley Moved; Board Member Bacon Seconded and it was voted to adjourn.

Roll Call Vote: 4-0

Meeting adjourned 10:05pm

*** ***Public Documents:*** ***

Application to close the Fox & Crow from October 24, 2022-December 22, 2022, for repairs and updates.

Application for use of town property from the Elementary school holiday bizarre

Application for use of town property from the Wellfleet Chamber of Commerce for the annual tree lighting

Letter from the owners of the Wicked Oyster to close from November to April due to lack of staff

Conservation Trust letter for restrictions

Maurice's Campground Planning Committee applications

Approved 11-16-2022 *a full recording of this meeting can be found on the town's website*****

License agreement with Belvernon, LLC. Macs at the Pier

Application from the board to submit to CPC for town seal money

Letter to Eversource regarding the objection of spraying of herbicides

Zoning Bylaw Amendments for Notable trees and Multifamily Dwellings

Town administrator's six-month review paperwork

Town Administrator's Report

Vacancy Report

Meeting Minutes