

**Wellfleet Selectboard
Hybrid Meeting
Zoom/715 Old King's Highway
Thursday July 13, 2023; 6:30pm
Meeting Minutes**

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

Members Absent: Kathleen Bacon

Finance Committee Members Present: Kathy Granlund, Chair; Bob Wallace, Stephen Polowczyk, Ira Wood, Jenn Rhodes

Others Present: Rich Waldo, Town Administrator; Rebekah Eldridge, Executive Assistant; Catherine Pomeroy, accountant consultant; Nancy Civetta, Shellfish Constable; Jude Ahern; Tim Sayre, Adrien Kmiec, Shellfish Advisory Board applicant; Bradford Morse, Shellfish Advisory Board Applicant; Nemanja Krsmanovic, Shellfish Advisory Board Applicant; Chris Merl, Shellfish Advisory Board Applicant; Alfred Pickard, Ginny Parker, Lisa Dexter, shell fisher woman, Helen Miranda Wilson, Resident, Diane Brunt, resident; Richard Blakely

Chair Curley called the meeting to order: 6:35pm

I. *Announcements, Open Session and Public Comments*

Note: *Public comments are limited to no more than **two minutes per speaker**. The Board will not deliberate or vote on any matter raised solely during Announcements & Public Comments.*

Chief Pauley stood up to the microphone and read a statement to the board and public, stating that town leadership is at an all time low, speaking his full support of the town administrator and the need for this board to reorganize.

DeVasto spoke to the public regarding the motion that was made and voted on at the previous meeting, he was upset that it was not placed on tonight's agenda.

Brad Morse spoke to the board stating that the board was taking up the time this room needs for a meeting. Blakely spoke to the board that he was against reorganization.

II. *Year End Budgetary Transfers*

A. The finance committee will approve any transfers that need to be made at this meeting for the end of the year. ~ Finance Committee, Selectboard, Town Administrator

Granlund explained to the board that this is a normal process for the town at the end of every fiscal year. Polowczyk spoke to the boards and public about budgets and how these transfers take place. Sayre asked some questions about the budget, why there was more money in one account verses another account. Sayre continued to go back and forth with the board and finance committee regarding the negative accounts. Chair Curley explained the process.

Pomeroy spoke to the board and public explaining the legal aspect of this vote to transfer.

Chair Granlund moved; board member Wood seconded; and it was recommending the budgetary transfers listed in the packet for tonight's meeting.

Roll Call Vote: 5-0

Chair Curley Moved; Board Member Carboni Seconded; and it was voted to approve and recommend the \$5for the budgetary transfers.

Roll Call Vote: 4-0

Board Member Wood Moved; Board Member Polowczyk seconded, and it was voted to adjourn the finance committee portion of the meeting.

Roll Call Vote: 5-0

Board Member Devasto recused himself from the Shellfish Portion of the meeting as a board member.

III. *Deputy Shellfish Constable Appointments ~ Seasonal Positions*

A. Erika Smith

B. Mark Howard

Chair Curley Moved; Board Member Wolf Seconded and it was voted to appoint Erika Smith and Mark Howard as seasonal Deputy Shellfish Constables for the town of Wellfleet, Starting June 28, 2023, through September 30, 2023, and again May 12th through June 30, 2024.

Roll Call Vote: 4-0

Board Member DeVasto returned to the board and stated he received a determination form the state that he was able to vote on the Shellfish Advisory Board but was going to stay recused.

IV. *Shellfish Advisory Board Applicants*

A. Adrien Kmiec ~ Voting Member application received June 5th to move from alternate member to voting member.

The board questioned Kmiec on his experience with the shellfish community, he stated he has been an alternate for 6 months and would like to be a full-time voting member. Pickard asked about how he feels about bringing corporations coming into the town. He stated he felt he understood both sides. Parker questioned if he would be able to be biased because Nancy Civetta is his sister-in-law. He stated he didn't feel this would be an issue.

B. Bradford Morse ~ Application received May 11, 2023, to be on the board in any capacity.

Morse came to the table and was spoken to by the board, he stated there are a lot of issues going on at the ocean, he gave a little bit of information about his background and stated that he knows a lot that is going on throughout the town and to be able to sit on the board and get involved in town matters. He stated his care for Wellfleet and gave some background. It was asked of Morse when he submitted his application. Wolf questioned his feeling for corporations being able to hold a grant. He stated he doesn't like the idea and then explained why he felt this way.

- C. **Nemanja Krsmanovic** ~ Application Received June 1, 2023, to be on the Shellfish Advisory board in any capacity.
Ahern asked him how many grants he was working. He explained to the board before he decides. He stated he believes in empathy and that people should help each other.
- D. **Helen Miranda Wilson** ~ Application received June 12, 2023, to be on the Shellfish Advisory Board as a Voting Member – **Withdrew her application.**
- E. **Chris Merl**, application received June 28, 2023, to be on the board as a voting member. Chris Merl was unable to be at the meeting but submitted a letter to the board stating that he was fishing but wanted to be a part of the board because he has been a long time shellfisherman and would like to give back to the town of Wellfleet. Board Member Wolf read the letter from Merl.
Chair Curley spoke about all the applicants and how important it is to have them be a part of the board. DeVasto spoke as a resident, stating that if Merl were voted on that would be the 5th member of the Wellfleet Shellfishermen's Association and felt it would be unfair. An argument ensued.
Board Member Carboni Moved; Board Member Wolf Seconded: and it was voted to approve Adrien Kmiec as the voting member on the Shellfish Advisory Board. For a term of three years with the term to end June 30, 2026.
Roll Call Vote: 2-1 (Wolf Voted No)
Board Member Wolf Moved; Chair Curley Seconded; and it was voted to appoint Brad Morse as an alternate member to the Shellfish Advisory Board. For a term of three years with the term to end June 3, 2026.
Roll Call Vote: 3-0.

V. ***Business***

Civetta spoke to the board stating that the two people before them have not obtained commercial shellfish license and she stated that because this is a fairly new policy, so she is requesting that they approve both hardship exemptions.

- A. Mary Mallory commercial permit hardship exemption
Mallory was discussed first, and what her hardship would be if she wasn't able to obtain a commercial permit. Carboni stated she supported the constable and vote in support of this.
Chair Curley Moved; Board Member Carboni Seconded; and it was voted to direct the shellfish constable to issue a commercial shellfishing permit to Mary Mallory per section 6.1.5 Hardship Exemption.
Roll Call Vote: 3-0
- B. Kathleen Murphy commercial permit hardship exemption
Civetta spoke to this exemption, stating that Murphy was going to try to do a corporation and because that was denied she then wanted to be named to the grant and has requested a hardship. Chair Curley stated he felt it doesn't qualify for a hardship. Board Member Wolf spoke to the board disagreeing with Chair Curley. Murphy spoke to the board stating she has a lot of equipment on the grant and if she didn't have a commercial license.

Board Member Carboni Moved; Board Member Wolf Seconded; and it was voted to direct the shellfish constable to issue a commercial shellfishing permit to Kathleen Murphy per section 6.1.5 Hardship Exemption.

Roll Call Vote: 3-0.

C. Letter to Legislature in support of Bill S261 & H60

Board Member DeVasto returned to the table.

Chair Curley spoke to the board about this letter that has been drafted where legislature is holding meetings that allows universal school meals for all children to receive school lunch programs. Chair Curley stated that Martha Gordon wrote the letter and thanked her for her support.

Board Member Carboni moved, Chair Curley Seconded, and it was voted to approve the letter drafted to send a letter to the legislature in support of Bill S261 & H600

Roll Call Vote: 4-0

D. Open Meeting Law Complaint ~ Chad Williams – taken out of order to move after the financial transfers.

Waldo spoke to the board regarding this complaint and stated that town counsel has written a response to Mr. Williams on behalf of the town.

Board Member Carboni moved; Board Member Wolf seconded; and it was voted to have town counsel submit the letter as written to the attorney general on behalf of the town.

Roll Call Vote: 4-0

E. Principal Clerk, shellfish job position description

Chair Curley read the job description of the principal clerk to the board and public. There was a lot of discussion on the changing of job positions. Brunt spoke to the board stating she had issues. Stating that she had to much help.

Chair Curley Moved; Board Member Wolf Seconded, and it was voted to approve the reorganization of the Principal Clerks job description.

Roll Call Vote: 4-0

VI. *Public Hearings 7PM*

In accordance with MGL Chapter 130 Sections 52, 57, 58, 60, and 68 and all applicable Town Shellfish Regulations, notice is hereby given that the Wellfleet Selectboard will hold a hybrid public hearing on July 13, 2023, at 7:00 p.m. to consider the following:

Chair Curley Opened the public hearings:

Curley spoke of the need to find accommodations with those grant holders who were over the maximum allowed acreage at no fault of their own as well how to address transfers from one generation to the next.

A. Application received on 4/14/2023 from Brent Valli (Wellfleet, MA) and Sandra Mitchell (Wellfleet, MA) for the renewal of shellfish grant license #s 95-21/22 consisting of approximately two acres on Egg Island for seven years beginning March 1, 2023, and expiring March 1, 2030.

Civetta spoke to the board and advised the board to approve this renewal for even years. Chair Curley spoke to the board about his renewal.

Chair Curley Moved; Board Member Wolf Seconded; and it was voted to approve the renewal of Brent Valli and Sandra Mitchell's shellfish grant license #95-21 and #95-22 consisting of approximately two acres on Egg Island for seven years beginning March 1, 2023, and expiring March 1, 2030. Roll Call Vote: 3-0.

- B. Application received on 5/5/2023 from Jeremy Storer (Wellfleet, MA) for the renewal of shellfish grant license #s 95-13/14 consisting of approximately two acres on Egg Island for ten years, one month and 29 days beginning March 1, 2023, and expiring April 30, 2033.

Civetta spoke to the board about this renewal.

Chair Curley Moved; Board Member Carboni Seconded; and it was voted to grant a waiver to sections 7.8.6 and 7.8.7 and approve the renewal of Jeremy Storer's shellfish grant licenses #95-13 and #95-14 consisting of approximately two acres in Egg Island for ten years, one month and 29 days beginning March 1, 2023, and expiring April 30, 2033.

Roll Call Vote: 3-0

- C. Application received on 5/5/2023 from Jeremy Storer (Wellfleet, MA) and Alfred Pickard (Wellfleet, MA) for the renewal of shellfish grant license # 2000-4 consisting of 2.16 acres on Egg Island for ten years, one month and 29 days beginning March 1, 2023, and expiring April 30, 2033.

Chair Curley Moved, Board Member Wolf Seconded; and it was voted to grant a waiver to sections 7.8.6 and 7.8.7 and approve the renewal of Jeremy Storer's and Alfred Pickard's shellfish grant license #2000-4 consisting of 2.16 acres on Egg Island for the years, one month and 29 days beginning March 1, 2023, and expiring April 30, 2033.

Roll Call Vote: 3-0

- D. Application received on 5/5/2023 from Jeremy Storer (Wellfleet, MA) for the transfer of shellfish grant license #s 95-13/14 consisting of approximately two acres on Egg Island from Jeremy Storer to Jeremy Storer and Brandon Silva (Wellfleet, MA).

Civetta spoke to the board about this application.

Chair Curley Moved; Board Member Carboni Seconded and it was voted to approve the transfer of shellfish grant license #s 95-12/14 consisting of approximately two acres on Egg Island from Jeremy Storer (Wellfleet, MA) to Jeremy Storer and Brandon Silva (Wellfleet, MA)

Roll Call Vote: 3-0

- E. Application received on 5/5/2023 from Jeremy Storer (Wellfleet, MA) and Alfred Pickard (Wellfleet, MA) for the transfer of shellfish grant license # 2000-4 consisting of 2.16 acres on Egg Island from Jeremy Storer and Alfred Pickard to Jeremy Storer, Alfred Pickard and Brandon Silva (Wellfleet, MA).

Chair Curley Moved; Board Member Wolf Seconded, and it was voted to grant a waiver to sections 7.8.6 and 7.8.7 and approve the transfer of shellfish license #2000-4 consisting of 2.16 acres on Egg Island.

Roll Call Vote: 3-0

- F. Application received on 5/30/2023 from Peter Rennert (Wellfleet, MA) and Zach Rennert (Wellfleet, MA) for the transfer of shellfish grant license #s 95-23/24

consisting of approximately two acres on Egg Island from Peter Rennert and Zach Rennert to Zach Rennert.

Chair Curley Moved; Board Member Wolf Seconded and it was voted to approve the transfer of shellfish grant license #95-23 and #95-24 consisting of a total of approximately two acres on Egg Island from Zach Rennert and Peter Rennert to Zach Rennert.

Roll Call Vote: 3-0

- G.** Application received on 6/29/2023 from Michael Ramsdell (Wellfleet, MA) and Michael DeVasto (Wellfleet, MA) for the transfer of shellfish grant license #s 855 and 855B consisting of approximately two acres on Field Point from Michael Ramsdell and Michael DeVasto to Michael DeVasto and Kathleen Murphy (Wellfleet, MA).

Chair Curley Moved; Board Member Carboni Seconded; and it was voted to approve the transfer of shellfish grant license #s 855 and 855B consisting of approximately two acres on Field Point from Michael Ramsdell and Michael DeVasto to Michael DeVasto and Kathleen Murphy.

Roll Call Vote: 3-0

- H.** Application received on 6/29/2023 from Michael DeVasto (Wellfleet, MA) for the transfer of shellfish grant license # 855C consisting of approximately 1.6 acres on Field Point from Michael DeVasto to Michael DeVasto and Kathleen Murphy (Wellfleet, MA).

Chair Curley Moved, Board Member Wolf Seconded; and it was voted to approve the transfer of shellfish grant license #855C consisting of approximately 1.6 acres on Field Point from Michael DeVasto to Michael DeVasto and Kathleen Murphy.

Roll Call Vote: 3-0

- I.** Application received on 6/29/2023 from Rebecca Taylor (Wellfleet, MA) and Myron Taylor (Wellfleet, MA) to transfer shellfish grant license #s 734 and 734A consisting of a total of approximately 3.5 acres on Mayo Beach from Rebecca Taylor and Myron Taylor to Rebecca Taylor.

Chair Curley Moved; Board Member Carboni Seconded, and it was voted to approve the transfer of shellfish grant license #s 734 and 734A consisting of a total of approximately 3.5 acres on Mayo Beach from Rebecca Taylor and Myron Taylor to Rebecca Taylor.

Roll Call Vote: 3-0

- J.** Application received on 6/9/2023 from Rebecca Taylor (Wellfleet, MA) for two extensions to shellfish grant license # 734 (to be called 734B and 734C) on Mayo Beach for approximately 1.4 acres total, reconfigured from an extension approved by the Wellfleet Selectboard at its 3/21/2023 public hearing.

Civetta spoke that this is part of the compromise with Osowski. Taylor explained why both were interested in the land. She explained the compromise that the two came to. Curley thanked Taylor for her willingness to compromise.

Chair Curley Moved; Board Member Carboni Seconded; and it was voted to reconsider the vote of the selectboard from March 21, 2023; for the granting of two extensions from Rebecca Taylor #734B.

Roll Call Vote: 3-0

Board Member Carboni Moved; Board Member Wolf Seconded and it was voted to revoke the extension granted on March 21, 2023, to Rebecca Taylor with respect to grant license #734B.

Roll Call Vote: 3-0

Chair Curley Moved; Board Member Carboni Seconded; amend the approve two shellfish grant license extensions to be called #734B and 734C to shellfish grant license #s 734 and 734A consisting of a total of approximately 0.61 and 0.79 acres respectively on Mayo Beach for Rebecca Taylor.

Roll Call Vote: 3-0

- K. CONTINUED FROM 6/6/2023 ~** Application received 1/10/2023 for a grant extension (to be numbered #99-1 Ext) to shellfish grant license #99-1 consisting of approximately .43 acres on Mayo Beach from Angela Osowski (Wellfleet, MA), Robert Mallory (Wellfleet, MA) and Mary Mallory (Wellfleet, MA). New configuration of proposed grant extension submitted on 5/26/2023 equal to 0.35 acres.

Chair Curley Moved; Board Member Carboni Seconded and it was voted to approve Angela Osowski's and Robert and Mary Mallory's request for a grant extension to be called #99-1ext. consisting of approximately 0.35 acres on Mayo Beach.

Roll Call Vote: 3-0

- L.** Application received on 5/26/2023 from Stephen Pickard (Wellfleet, MA), Iris Pickard (Wellfleet, MA) and Benjamin Pickard (Wellfleet, MA) for an extension to shellfish grant license # 2000-2 (to be called 2000-2 Ext.) on Egg Island for approximately 1.23 acres.

Chair Curley Moved; Board Member Wolf Seconded, and it was voted to approve an extension to shellfish grant license #2000-2 (to be called 2000-2 ext.) on Egg Island for approximately 1.23 acres for Stephen Pickard, Iris Pickard, and Benjamin Pickard.

Roll Call Vote: 3-0.

VII. *Special Town Meeting Warrant ~ continued to July 18th meeting.*

VIII. *Adjournment*

Chair Curley Moved; Board Member Seconded, and it was voted to adjourn the meeting.

Roll Call Vote: 3-0

Meeting Adjourned: 9:10pm

Public Documents:

Spreadsheet for yearend transfers

Letter to Massachusetts Division of Marine Fisheries to appoint Ericka Smith and Mark Howard as

Seasonal Deputy Shellfish Constables

Applications to be on the Shellfish Advisory Board

Commercial Permit Hardship exemption for Mary Mallory and Kathleen Murphy

Letter to the legislature to support all school free meals.

Open meeting law complaint and town counsel's response to the letter

Job Description of Principal Clerk with regard to the shellfish department

Public hearing documents lettered A through L

Special Town Meeting Warrant

*Approved 8/22/2023 *** A full recording of this meeting can be found on the town's website****