

Wellfleet Selectboard
Tuesday July 18, 2023; 7pm
Hybrid Meeting
Zoom/715 Old King's Highway
Meeting Minutes

Board Members Present: Ryan Curley, Chair; Barbara Carboni, Vice Chair; Kathleen Bacon, John Wolf, Michael DeVasto (virtual)

Others Present: Richard Waldo, Town Administrator; Rebekah Eldridge, Executive Assistant (Virtually); Will Sullivan, Harbormaster; Chris Allgeier, Dredging Task Force, Curt Felix, Dredging Task Force, Chris Merl, Shellfisherman; Tim Hughes, Resident; Jude Ahern, resident; Sheila Lyons, Barnstable County Commissioner, Susan Reverby, Resident; Tim Sayre, resident; Josh Yeston, Cable Advisory chair.

Chair Curley called the meeting to order at 7:03pm

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.

Merl, spoke to the board thanking the board for the support, he expressed the inaccuracy of the statement from DeVasto at the previous meeting stating that if Merl were elected to the Shellfish Advisory Board, he would be the fifth member of the Shellfish Fisherman's Association. He stated this was untrue, also stating he felt that DeVasto was unfit to be chair of the Selectboard and had submitted a complaint. Bacon made a statement recognizing the resignation of John Ryerson and thanked him for his service. She also thanked Chris Merl for the outstanding community event of the scallop dinner bringing the community together. DeVasto explained he is on the meeting but remotely because he has Lyme Disease and wasn't feeling well.

Hughes came to the microphone stating that the town received a complaint from him with regard to the Harbormaster and stated the town also received a cease and desist letter from him and residents regarding the harbor dredging, he continued stating the town could avoid a lawsuit from him if they bring the dredging to town meeting. Chair Curley thanked him for his comments.

II. *Consent Agenda*

A. Collective Bargaining Ratifications

- WEA

Chair Curley Moved; Board Member Bacon Seconded; and it was voted to adopt the consent agenda as drafted.

Roll call vote: 5-0

III. *Board Reorganization*

Chair Curley made a statement about being the chair of the selectboard, and he was looking forward to stepping down and taking some time.

Wolf nominated Barbara Carboni as chair, Curley seconded.

Ahern asked if the public was ever going to know what happened to put this item on the agenda. Curley stated that town counsel has put a letter together regarding the charter.

Blair spoke to the board stating that something has happened and as taxpayers they deserve to know, Bacon stated that yes something happened, and it would be revealed in time. DeVasto asked if any other board member was interested in being chair of the board.

Bacon then nominated herself to be chair, she stated to the comment made by Blair, and stated that something did happen, and it was bad enough, that the board felt the need to reorganize.

Curley stated that there was a nomination and a second on the chair of Carboni.

It was voted to approve Barbara Carboni as Chair

Roll Call Vote: 5-0

Carboni thanked Curley and stated that there needs to be a vice chair and clerk. She again stated that leadership is needed to rotate.

Curley Nominated John Wolf as Vice-Chair, Bacon Seconded the nomination and it was voted to approve John Wolf as vice Chair.

Roll Call Vote: 5-0

DeVasto Nominated Kathleen Bacon as Vice Chair, Wolf seconded; Bacon stated that she didn't wish to be vice chair.

Bacon Nominated John Wolf as Clerk of the board; Chair Carboni seconded the nomination, and it was voted to have John Wolf as Clerk of the Selectboard.

Roll Call Vote: 5-0

IV. *Use of Town Property*

A. Baker's Field Pavilion ~ Celebration of Life for Jane Tesson ~ date to be determined based on availability.

Eldridge presented to the board stating that Jane Tesson who was an employee for over 20 years of the town. She explained that Jane's last wishes were to not be sad and to celebrate her life. The date was still to be determined but it would be within the next 2 weeks.

Board Member Curley Moved; Board Member Bacon Seconded; and it was voted to approve the use of Baker's Field Pavilion for a Celebration of Life for a long-time town employee Jane Tesson at a date to be determined with the Recreation Director for availability, the fee is to be waived do to Jane's many years of service to the town.

Roll call Vote: 5-0

V. *Business*

A. Dredging Mitigation ~ **Board Member DeVasto recused himself for this item.**

Allgeier came to the microphone to discuss with the board the most recent draft of the mitigation plan made with the Army Corp of Engineers. Wolf questioned the methodology for assessing the baseline oyster parameters, stating he was unclear on how this would work. Allgeier stated that GEI the engineers for the mitigation were on. Wolf had more questions for Allgeier regarding the draft

document. Curley stated that he would like to move this to town meeting. There was discussion on the funding of this project.

Reverby questioned what would happen if the dredging was voted down at town meeting and what would the consequences be of that. Curley spoke to that and stated it would establish the will of the people. Sayer, spoke to the board stating his concern is the culching of the grounds giving the square meters. The holding of the bid was questioned, Waldo stated that the town did ask the successful bidder for an extension of time and the town now has until August 23, 2023. It was questioned what would happen if they missed this deadline, Waldo explained that the town would need to rebid the project. Chair Carboni questioned if they did do this, when would the dredging take place? It was explained the dredging would happen in October. Lyons spoke to the board stating that the dredging has been planned for many years and the dredging needs to happen. She stated the opinion of her and the town who originally voted to do this dredging, she explained this is necessary to do this project. She asked the board to please make this decision. Felix came to the microphone and spoke to the point about the permit costs and the mitigation plan. The discussion about the mitigation plan and the dredging project listing the pros and cons of this project. Bacon stated the board has discussed this at numerous meetings and it was time to vote on this tonight. Waldo stated the grant funds are available until December 20, 2024. Curley gave his advice and input on the mitigation plan.

Board Member Wolf Moved; Board Member Bacon Seconded; and it was voted to accept the most recent mitigation draft agreement as presented at tonight's meeting, subject to clarification from town counsel about the operating expenses associated, with the mitigation agreement and the funding mechanism.

There was more discussion on funding, easements, and culching. The Audubon was discussed and the acreage that they oversee and own.

Roll Call Vote: 4-0-1 (DeVasto was recused)

Board Member Curley Moved; Board Member Wolf Seconded; and it was voted to approve the letter prepared by administration requesting participation in the Mass Audubon Sanctuary.

Roll Call Vote: 4-0-1

Board Member Bacon left the meeting ill (8:15pm)

B. Financial Update

Chair Carboni questioned Waldo about the financial updates for the town, Board Member Curley questioned if the sales tax for the town was ready, and Waldo explained that it wasn't now, but they have some of the revenues up. Curley asked about the email from the DOR and asked Waldo to speak on the letter and his response. Waldo spoke about the letter that was sent and the status of the fiscal 2022 audit. Discussion of when the auditors would come to meet with the board. Waldo gave some information on the end of the fiscal year. Discussion on free cash and the next steps with the tax recap. He informed the board that the interim town treasurer has a lot of knowledge and will help the town put

their money in appropriate accounts to increase interest and make the money that town can make.

C. Town Administrator Development Plan

Waldo spoke to the board per his contract he is required to further his education. He stated the MCPPO training is completed, and he did receive his MCPPO designation. He gave a run down of his upcoming educational goals.

Board member Curley Moved; Board member Wolf Seconded, and it was voted to approve the town administrator's professional development plan as presented at tonight's meeting.

Roll Call Vote: 4-0

D. Departmental Goals

Administration

Human Resources

Police

Fire

DPW

Building Department

Community Services

Town Clerk

Shellfish Department

Harbor Master

The board spoke to the department head goals. Each Department gave a brief update and goals they wish their departments accomplish.

Selectboard goals were discussed and when they would be due to the town meeting. It was decided that the board would get their goals into the Administration office by August 3, 2023.

E. Special Town Meeting Warrant

Chair Carboni spoke to the board asking how long they wanted to spend on the warrant tonight. It was discussed that the zoning bylaws were set for the most part they could spend some time on the other articles. Waldo began with asking the board to vote on a date for the special town election.

Board member Curley Moved; Board member Wolf Seconded; and it was voted to approve Wednesday September 27, 2023, from 12 noon to 7pm, to be held at the Wellfleet Adult Community Center.

Roll Call Vote: 4-0

The board moved to the packet with new articles, the Town Planner was mentioned and discussed stating that the town needs a planner this position provides support to the building commissioner, the Planning Board, and the Zoning Board of Appeals. The board discussed this position.

Board member Curley Moved; Board Member DeVasto seconded; and it was voted to insert a warrant article for a town planner.

Roll Call Vote: 4-0

Waldo continued discussing and reviewing the warrant.

Board Curley Moved; Board member DeVasto seconded; and it was voted to insert Article 1 prior year invoices into the Special Town Meeting Warrant.

Roll Call Vote: 4-0

Board member Curley Moved; Board member Wolf Seconded; and it was voted to insert Article 2 FY2024 Budgetary transfers into the Special Town Meeting Warrant.

Roll Call Vote: 4-0

Waldo continued with the next article which was the wastewater article, he gave an explanation and information on the warrant article. The board discussed the funding and the ability to receive a grant.

Board Member Curley Moved; Board Member DeVasto Seconded; and it was voted to insert Article 3, 95 Lawrence Road Wastewater treatment facility into the Special Town Meeting Warrant.

Roll Call Vote: 4-0

The board moved onto article 4, Waldo discussed with them borrowing and appropriating funds.

Board Member Curley Moved; Board member DeVasto Seconded, and it was voted to insert an article, Enhanced Innovative & Alternate Septic Program into the Special town meeting Warrant.

Roll Call Vote: 4-0

Felix came to the microphone and explained the financial aspect of the IA systems, coming up with a plan to get this going Felix stated was very important.

Curley questioned Waldo on his sewer and wastewater installation experience. Waldo explained it is a large process and everything takes a long time to work through. He stated there are a lot of issues to work out when it comes to sewer, money, were the sewer system will be.

Curley stated he needed to provide an update on the Maurice's warrant article and will have that for the next meeting. Waldo stated the planning board was to have a meeting the following night on the 19th to produce their comments to the selectboard. It was explained by media services that there was no meeting scheduled for the Planning Board.

VI. *Adjournment of Open Session; Enter into Executive Session; M.GL. c.30A, Sec. 21 This was postponed for a later date to be determined.*

Purpose 3: To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares.

- Collective Bargaining
WEA

VII. *Adjournment*

Board Member Curley Moved; Board member Wolf Seconded; and it was voted to adjourn,

Roll Call Vote: 4-0

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

Meeting adjourned, 9:45pm