

***Wellfleet Selectboard
Tuesday September 19, 2023; 7pm
Hybrid Meeting
Zoom/715 Old King's Highway
Meeting Minutes***

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

Others Present: Rich Waldo, Town Administrator; Rebekah Eldridge, Executive Assistant; Michael Turner, Police Lieutenant; Anthony Emmott, Police Officer; Jack Richards, Police Officer; Mary Beth Rodman, Wellfleet Elementary School Retired principal; Adam O'Shea, New Wellfleet Elementary School Principal; Nancy Vail, Town Assessor; Nancy Civetta, Shellfish Constable; Nancy Gralla, Applicant to be on the Recycling Committee; Donald Thimas, Applicant to be on the Planning Board; Kevin Sheehan, applicant to be on the Wellfleet Historical Commission; Elaine McIlroy, Wellfleet Housing Trust Member; Susan Reverby, Seasonal Residents of Wellfleet; Melissa Lowe, Massachusetts Audubon

Chair Carboni Called the meeting to order 7:05pm

I. *Announcements 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.

Chair Carboni began, and thanked the residents, staff and moderator for a successful town meeting the previous night. She announced there would be a town election on Wednesday September 27, 2023; from 12pm to 7pm. She continued thanking Kathleen Bacon for her service to the selectboard.

Board Member Wolf gave a shout out to Christian Hilbig, where he is starting a group that will pick up trash along route 6. Wolf encouraged him and his partners to be active in the community.

Deputy Chief LaRocco spoke to the board stating he would like to give a brief update on the storm of the past weekend, he explained there were a few power outages, and urged the residents of the town to sign up for emergency calls, email, and text messages.

Clough spoke to the board thanking the members of the board that spoke against the nip bottle ban and stated that this needs to be a regionalized issue. He gave some statistics on trash pickup throughout Wellfleet, and stated the amount of trash has decreased over the last few years.

Sayre spoke to the board thanking everyone for their hard work on the town meeting and the storm. He stated that the election on the 27th and he would appreciate everyone's vote for him to be a member of the Selectboard.

Wolf thanked the Harbormaster and his staff for the storm preparation.

Brunt spoke to the board, thanking Suzanne Thomas for providing childcare at the town meeting. She spoke to the mitigation.

II. ***Police Appointments*** ~ Lt. Turner & Deputy Chief LaRocco

Deputy Chief LaRocco spoke to the two officers that would be appointed tonight as full-time police officers. He spoke of the two officers that were appointed in May and one of the officers didn't complete her training so she wouldn't be an officer. He gave an update of retirements and notice of leaving the town. He turned over to Lt. Turner who introduced Emmott and Richards to the board and public. He gave information on both officers to the board.

A. Anthony C. Emmott ~ Full Time Police Officer

Board member Wolf Moved; Board Member DeVasto Seconded; and it was voted to approve the appointment of Mr. Anthony Emmott as a full-time police officer.

Roll Call Vote: 5-0

B. Jack A. Richards ~ Full Time Police Officer

Lt. Turner introduced Richards to the board and public, he gave some of Richards's background, and his schooling.

Board Member Bacon Moved; Board Member Wolf Seconded; and it was voted to approve the appointment of Jack Richards as a full-time police officer.

Roll Call Vote: 5-0

Deputy Chief LaRocco thanked the board for their appointments tonight. He also thanked Bacon for her service to the board.

III. ***Wellfleet Elementary School ~ Staff ~ this was postponed.***

A. Recognition of Mary Beth Rodman for her many years of service to the town

B. Introduction of Adam O'Shea new principal of Wellfleet Elementary School

IV. ***Public Hearings***

A. Classification Hearing; Tax Rate for Fiscal Year 2024 ~ Nancy Vail, Assessor

Chair Carboni opened the hearing for the classification hearing tax rate for Fiscal year 2024.

Vail spoke to the board giving them an update on the tax classification, and explaining the options on what they can vote. The board discussed the tax rate and the board's options. Wolf expressed concerns with raising the taxes above 25% due to possible impact on property owners who rent their properties year round.

Board Member Curley Moved; Board Member DeVasto Seconded; and it was voted to retain a single tax rate with the residential factor as a numeral one for fiscal 2024.

Roll Call Vote: 5-0

Vail moved onto the residential exemption for residents of Wellfleet. She stated it is solely based on domiciled residents and had nothing to do with income. She explained that the board voted for this in 2018. She gave the history of this exemption. She gave some explanation of increasing the tax rates for residential exemptions. The board had some questions for Vail asking about how the properties are assessed. Vail explained what the recap (recapitulation sheet) means, it is a synopsis of FY23 accounting and doing some projections for FY14 accounting. What the town has spent on new growth of what the town has

done and where the town is going. There were questions regarding the exemptions. Vail gave information on the number of residents that receive the exemption. Bacon spoke to raising the rate and her objection to it. The board continued this discussion for a while giving their opinion and discussing the town's needs. DeVasto stated he would like to see the rate move from 25% to 30% rather than 35%. The board agreed that an increase to 30% would be fair. Reverby spoke to the board as a seasonal resident, she asked for more data about who is renting and who isn't renting. Sayre spoke to the board asking them to follow through with this rate increase as the town's people have asked for this increase.

Chair Carboni gave her opinion on raising the rate to 35% but would be comfortable with 30%.

Board Member Curley Moved; Board Member Bacon Seconded; and it was voted to set the residential tax exemption to 30% for FY2024.

Roll Call Vote: 5-0

Vail moved on to the Open Space exemption, Curley stated there are several different ones and wanted to discuss all of them at once. Vail explained that the town has never adopted the Open Space or the small business exemption. She stated there might be only 2 businesses that they could. She recommended no action on both of them.

Board Member Curley Moved; Board Member Bacon Seconded; and it was voted to take no action on option 2 and option 3.

Roll Call Vote: 5-0

Board Member Curley Moved; Board Member Bacon Seconded; and it was voted to close the public hearing for the tax classification FY2024.

Roll call Vote: 5-0

- B. Application for a special event liquor license: received September 6, 2023; Wellfleet Bay Wildlife Sanctuary, Mass Audubon; to hold "Flocktoberfest"; October 21, 2023, from 11:00am – 2:00pm

Lowe spoke to the board explaining what "Flocktoberfest" is and the event that will take place. Bacon asked if this was the first time, they were doing this. Lowe explained that they have done events before, but this would be the first time they are serving any sort of alcohol.

Board Member Curley Moved; Board Member Wolf Seconded; and it was voted to approve Mass Audubon for a one-day special event liquor license on October 21, 2023; from 11am to 2:00pm.

Roll Call Vote: 5-0

Board Member Curley Moved; Board Member Wolf Seconded; and it was voted to close the special event liquor license hearing.

Roll Call Vote: 5-0

- C. Chair Carboni read the law associated with this public hearing; in accordance with Mass General Law Chapter 130 Sections 52, 57, 58, 60 and 62 and all applicable Town Shellfish Regulations, this is a public hearing to consider the following two shellfish grant transfers.

Application dated 9/6/2023; for the transfer of shellfish grant license #85-I consisting of one acre on Indian Neck from Randy Williams (Wellfleet MA) and

Charter Williams (Wellfleet MA) to Randy Williams, Charter Williams and Nemanja Krsmanovic (Wellfleet MA).

Civetta spoke to this transfer correcting the record by stating that in her memo she wrote that she reviewed the state propagation permits, confirming that they were in good standing, she stated that both Nick and Randy have the propagation permits but Chad doesn't she stated it didn't matter but wanted the board to be aware. Krsmanovic spoke to the board thanking them for listening to him.

Board Member Curley Moved; Board Member Bacon Seconded; and it was voted to approve the transfer of shellfish grant license #85-I consisting of one acre on Indian Neck from Randy Williams (Wellfleet MA) and Charter Williams (Wellfleet MA) to Randy Williams, Charter Williams and Nemanja Krsmanovic (Wellfleet MA).

Roll Call Vote: 4-1-0 (DeVasto abstained)

- D. Application dated 8/28/2023 for the transfer of shellfish grant license #85-H consisting of one acre on Indian Neck from Shawn Rose (Wellfleet MA) to Shawn Rose and Nemanja Krsmanovic (Wellfleet MA).

Civetta spoke to the board stating that both men have been working together for a long time and they will now be sharing a grant.

Board member Wolf Moved; Board Member Curley Seconded; and it was voted to approve the transfer of shellfish grant license #85-H consisting of one acre on Indian Neck from Shawn Rose (Wellfleet MA) to Shawn Rose and Nemanja Krsmanovic (Wellfleet MA).

Roll Call Vote: 4-0-1 (DeVasto abstained).

V. ***Board/Committee Appointments and Updates***

- A. Nancy Gralla ~ Wellfleet Recycling Committee Alternate

Gralla came to the table to talk with the board about her appointment to the recycling committee. She introduced herself and discussed with the board her interest in being an alternate to the recycling committee. There were no questions for Gralla and the board thanked her for her willingness to serve the town.

Board member Curley Moved; Board Member Bacon Seconded; and it was voted to appoint Nancy Gralla as an alternate to the Wellfleet recycling Committee for a term of three years to end June 30, 2026; to be sworn in by the town clerk and follow all rules and regulations to be on a board or committee.

Roll Call Vote: 5-0

- B. Donald Thimas ~ Wellfleet Planning Board Voting Member

Thimas came to the table and explained to the board his interest in being a member of the Planning Board. He gave some of his background regarding the experience that he can give being on the planning board. The board had some questions for Thimas regarding housing, and his thoughts on affordable housing.

Board Member Curley Moved; Board Member Wolf Seconded; and it was voted to appoint Donald Thimas as a voting member to the Wellfleet Planning Board for a term of 3 years to end on June 30, 2026; to be sworn

in by the town clerk and follow all rules and regulations to be a board or committee member.

Roll call Vote: 5-0

C. Kevin Sheehan ~ Wellfleet Historical Commission Voting Member

The board moved on to the next appointment. Sheehan wasn't on the meeting, but the board agreed that they could move on with appointing him as a member.

Board Member Curley Moved; Board Member DeVasto seconded, and it was voted to approve the appointment of Kevin Sheehan to the Wellfleet Historical Commission, for a term of 3 years to end June 30, 2026, to be sworn in by the town clerk, and to follow all rules and regulations to be on a town board or committee.

Roll Call Vote: 5-0

VI. ***Licenses***

A. Winslow's Tavern ~ approval of extension of alcohol license until January 1, 2024

Bacon Stated having another restaurant stay open for a little bit longer and stated that last year they were opened later, and it helped the residents stay involved. DeVasto stated he had some concerns about allowing some of the businesses to stay open, not considering the year-round businesses.

Board Member Curley Moved; Board Member Bacon Seconded; and it was voted to approve the extension of Winslow's Tavern alcohol license to December 31, 2023.

Roll Call Vote: 5-0

VII. ***Proposed Appointment of Assistant Town Administrator***

A. Town Administrator ~ Rich Waldo

Waldo spoke to the board about Silvio Genoa, who was the finalist for Assistant Town Administrator. Waldo gave some of Genoa's background and stated that all the applicants were great, but Genoa was the most qualified for this position. He was able to answer difficult questions during his interview. Curley spoke about receiving favorable recommendations from references. The board discussed this appointment and the need for this position to be filled.

Board Member Curley Moved; Board Member Bacon Seconded, and it was voted to support the recommendation to enter into a contract Genoa to serve the Town of Wellfleet as the Assistant Town Administrator.

Roll Call Vote: 5-0

Sayre spoke to the board about Genoa's ability to last more than 2-3 years.

Waldo explained that those were questions that were asked of him during the interview.

VIII. ***Business***

A. 90 Freeman Ave, transfer of deed to the Wellfleet Housing trust ~ Elaine McIlroy

The board moved on to this agenda item. DeVasto spoke to the board about this item, explaining that this deed needs to be transferred to the housing authority.

The board discussed if they were allowed to vote on it because it is listed incorrectly on the agenda and in the motion. Eldridge explained that this was her

mistake. The board took no action on this item because it was listed as the housing trust not the housing authority.

No Action Taken

- B. Reorganization of the Health and Conservation Department ~ Rich Waldo**
Waldo explained the need to split this job description, stating that the previous health and conservation agent was able to fulfill those roles perfectly but now it is hard to get one person in to do both. He said the administration has received applications where some of the applicants are strong in the area of health and others in conservation. He continued discussing splitting the two job descriptions the town has a conservation agent and a health agent. HE explained why he is coming to the board to get this information to them and the need for him to split. There will be no change in staffing numbers just moving the staff around.

A few of the board members agreed that this position should be split. They discussed the split and the details regarding it. The workload for this position was discussed. Cross Training was discussed. Curley had a few points to the job descriptions and stated what they were.

Board Member Bacon Moved; Board Member Seconded; and it was voted to approve the reorganization of the Wellfleet Health and Conservation Department as explained by the town administrator at tonight's meeting. Roll Call Vote: 4-0-1 (Curley Abstained)

- C. Intermunicipal Agreement ~ Consent for dual representation ~ KP Law Eastham/Wellfleet for budgetary Support**
Chair Carboni spoke to this and stated the board needs to consent to the dual recommendation.
Board Member Curley Moved; Board Member Seconded; and it was voted to consent to the dual representation of Wellfleet and Eastham with respect to the MOA notwithstanding the fact that KP Law also serves as town counsel to Eastham and to authorize the board chair or the town Administrator to sign on the board's behalf the enclosed determination the roles of professional conduct. Roll Call Vote: 5-0

Board Member Curley Moved; Board Member DeVasto Seconded and it was voted to take item D out of order. Roll Call Vote: 5-0

- D. Memorandum of Agreement w/ Town of Eastham for Budgetary Support**
Chair Carboni took the above two agenda items together as it discusses dual representation for the town of Eastham and Wellfleet from KP Law. Waldo explained what he was looking to do with the town of Eastham, he stated the intent with this agreement is to bring in the Town of Eastham's financial Director to help the town of Wellfleet understand the budgetary process for the upcoming fiscal year, he stated that this could be the beginning of regionalization for Wellfleet and Eastham for a financial Director.

There was discussion to move item out of order. Curley stated his concerns with going over budget. Waldo explained that there are monthly expense and revenue reports that come out to the administration, which they are reviewing on a regular basis, so they don't go over budget. The board discussed having assistance from Eastham and ultimately agreed this was a great thing for Wellfleet.

Board Member DeVasto Moved; Board Member Wolf Seconded; and it was voted to authorize the town administrator to enter into the agreement with the Town of Eastham and the town of Wellfleet subject to the review of town counsel.

Roll Call Vote: 5-0

IX. *Selectboard Reports*

A. Prior Affiliations ~ Chair Barbara Carboni

Chair Carboni read her statement to the board regarding her affiliation with KP Law and Horsely Whitten that she was accused of. She addressed the allegations in this letter.

The board members thanked Chair Carboni for her letter.

B. Selectboard Goals FY2024 – Review and prioritize Town-wide goals.

Board Member Curley spoke to the board stating that the goals needed to be addressed. Chair Curley asked Waldo how many goals were set for him from the board, Waldo responded there were 10 specific goals set forth by the board for him and they were whittled down. Chair Carboni discussed working meetings, asking the board to consider this in the future. The board discussed the option for working meetings. It was put off until after the town's election when a new board member would be voted in.

X. *Town Administrator's Report*

Waldo gave a brief update on his written report. He explained the new hire Summer Fulcher, he stated she is picking up the workload quickly. He informed the board that they have a part time building commissioner, Angelo, and will be working part time with Victor Staley. He explained that there is an interim health agent Gary Locke who has been a member of the board of health for many years. He stated he has the career that gives him a leg up and has a great working relationship with Hillary. He informed the board that he will be attending a training in Texas as part of his continuing education for the town. Curley asked if in the future there Herring River updates in the Town Administrator's report could be.

XI. *Topics for Future Discussion*

- Wolf stated he would like to bring the new superintendent for the National Seashore once there is a person hired to discuss fires on the seashore. Chair Carboni requested Waldo to write a letter to the Seashore with regard to coming before the board to discuss fire management at the seashore and the surrounding areas.
- Curley requested a letter be sent regarding the seashore advisory council, he stated it was reinstated and the board would like to know when the appointments will be made. The board asked Curley to draft the letter. He agreed.

- Curley brought up the ice machine at the marina, who would be in charge of the machine, where would it be placed. Is there grant funding for the machine.
- Revisit the pesticide policy.
- Chair Carboni spoke about some complaints that she has received about board members and other towns committee members. She would like to have a discussion on how to handle these complaints. The code of conduct was discussed.

XII. *Vacancy Reports*

- A. Please see the Selectboard Packet for the full list of vacancies

XIII. *Minutes*

- A. August 8, 2023, ~ **Board member Curley Moved; Board Member Bacon Seconded; and it was voted to approve the meeting minutes of August 8, 2023, as amended.**
Roll Call Vote: 5-0
- B. August 15, 2023, ~ **Board Member Bacon Moved; Board Member Wolf Seconded, and it was voted to approve the meeting minutes of August 15, 2023, as amended.**
Roll Call Vote: 5-0
- C. August 22, 2023, ~ **Board Member Bacon Moved, Board Member Wolf Seconded; and it was voted to approve the meeting minutes of August 22, 2023, as amended.**
Roll Call Vote: 5-0
- D. September 5, 2023, ~ **These minutes were moved to the October 3, 2023, meeting. NO ACTION WAS TAKEN**

XIV. *Adjournment*

Board Member Bacon Moved; Board Member Wolf Seconded, and it was voted to adjourn the meeting.

Roll Call Vote: 5-0

Meeting Adjourned: 10:20pm

Public Documents:

Police Officer Appointment Papers for Anthony Emmott and Jack Reynolds

Certificate of thanks and recognition for Mary Beth Rodman

Documents for the tax classification hearing

Application for a special event liquor license from Mass Audubon

Application for two shellfish grant transfers

Board and Committee Applications received from Nancy Gralla, Donald Thimas, and Kevin Sheehan

Letter from Winslow's Tavern to stay open until December 31, 2023

Cover letter of from Silvio Genoa

Deed transfer paperwork for 90 Freeman Ave.

Paperwork to reorganize the health and conservation department.

Intermunicipal agreement for budgetary support with the town of Eastham

Minutes of 8-8-2023, 8-15-2023, 8-22-2023, and 9-5-2023