

*Approved in DRAFT on June 23, 2020 – A full audio recording of this virtual meeting can be found on the Town's website under Wellfleet Town Media.*

**Wellfleet Selectboard with Emergency Management Team Meeting  
Tuesday, June 2, 2020 at 10am  
Zoom Virtual Meeting**

**Selectboard Members Present:** Chair Janet Reinhart; Kathleen Bacon; Helen Miranda Wilson; Michael DeVasto; Justina Carlson

**Also Present:** Town Administrator Dan Hoort; Executive Assistant Courtney Butler; Health Agent Hillary Lemos; Police Chief Michael Hurley; Fire Chief Rich Pauley; Community Services Director Suzanne Thomas

Chair Reinhart called the meeting to order at 10:00 a.m. This meeting was held via Zoom and the recording is available on the Town website.

**ANNOUNCEMENTS, OPEN SESSION AND PUBLIC COMMENT**

- Chief Hurley shared a statement he wrote in response to the death of George Floyd in Minneapolis, MN last week.
- Bacon reminded everyone that requests for absentee/mail-in voting ballots can be found at the Post Office and mailed to the Clerk's office. The information is also on the Town website homepage.
- Audience member Dan Silverman thanked the Police Department and Fire Department staff for their support and role in the
- Audience member Lili-Ann Green reminded the audience that she is the current Barnstable County Delegate for Wellfleet and that she is here to support any efforts going on in the Town.
- Wilson reminded everyone that it is Tick Season – information is on the Town website.

**COVID-19 UPDATES AND DISCUSSION**

***Creation or Expansion of Outdoor Dining Spaces for Restaurants***

Chief Pauley requested the Board create a measure for restaurants to increase their outdoor dining capacity. Bacon said that the Alcohol Beverage Control Commission (ABCC) has been given an executive order by the Governor to allow Local Licensing Authorities, the Towns, to expand the sale of alcohol to outdoor areas. Health Agent Lemos said that we do need to wait for the Governor's OK for restaurants to reopen. Chief Hurley noted that this order is only good until November 1, 2020 or possibly sooner if the order is rescinded. Chief Pauley said he wanted to have a system in place for approval, for when the restaurants are allowed to reopen.

DeVasto said this would be a helpful measure for the restaurants and will put in place a framework for them to reopen. Wilson asked Lemos how many restaurants could come under this change; Lemos said it would apply to every restaurant in Town. Wilson asked how many of those would be looking to have outdoor tables on Town property; Lemos said she was not sure because those with parking lots would prefer to have their outdoor dining areas close to their kitchens. Lemos said perhaps 4 total would use Town property. There was further discussion about staff safety and workplace protocols.

Reinhart asked about contact tracing for restaurant patrons; Lemos said this was not in the guidance that has come out from the State but that may change. Lemos discussed permits needed – she said restaurants need their Food Service License, from the Selectboard and Board of Health, and that

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tents will be needed and a site plan showing outdoor seating must be approved from the Building Inspector. Wilson suggested requiring contact tracing; Bacon said if the Governor includes it in his guideline it would not be necessary. Bacon asked to make the motion and that it include adherence to the Governor’s guidelines

- Bacon moved that the Board create an emergency measure for the 2020 calendar year to allow restaurants in the Town of Wellfleet the ability to create new or expanded outdoor dining space where practical, feasible and safe as follows:
  1. In existing restaurants/establishments that are approved and/or licensed by the Town of Wellfleet, said restaurants/establishments may request that the Selectboard approve new or expanded outdoor dining for Calendar Year 2020. Any request for new or expanded outdoor seating must be made in writing to the Selectboard and include the following information:
  2. Current approved seating capacity (indoor and outdoor) of the restaurant/establishment;
    - a. Proposed approved seating capacity (again indoor and outdoor) of the restaurant/establishment with new or expanded outdoor seating;
    - b. A diagram of the proposed new or expanded outdoor dining/seating area showing dimensions, table arrangement, means of egress, etc.
  3. Upon review of this request by the Health Agent, Building Inspector, Fire and Police Chief(s) a recommendation will be made to the Selectboard within (five) 5 days by said officials as to whether the application for new or expanded outdoor dining space should be approved.
  4. In keeping with the Governor’s final guidelines.
- Wilson seconded, and the motion carried 5-0.

### ***Neighboring Communities***

Reinhart said this was discussed yesterday at a Cape and Islands Selectmen’s meeting; the group decided it would be best to send a joint letter to the Governor but could not come up on letter to send to him. Hoort said that he will continue to send the Board information about what other communities are doing as it comes about. Carlson noted there have been concerns, similar to Wellfleet, of neighboring communities and that we heard from Sen. Cyr last week that there needs to be a regional plan in response. DeVasto, looking at the example of Employee Guidelines from Brewster, said he felt that this was a concise and included good protocols for reopening. Lemos said there was a joint Zoom meeting with the Truro and Wellfleet Boards of Health and Chambers of Commerce for businesses to learn about reopening guidelines and protocols.

There was further discussion about possible guidelines for employees going back to work. Hoort said he would share the Brewster example with Town employees.

### ***Short-term Rentals***

Hoort said he sent an email to Town Counsel asking for clarification on which options are available to the Board; Counsel has not responded yet but he expects to hear back by the Tuesday, June 9 meeting. Hoort said that, in a conference call with the Chamber, there was a concern about the possible limiting the number of stays for short-term rentals. He said that people would like to know what to do and give them an answer so people can plan. Carlson said the Town may want to think

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about anything else those with short-term rentals can do during this time – such as renting for longer stays. Wilson said she would like to leave this up to the property owners, but the Town needs to be in line with what other Outer Cape towns are doing – including abiding by Governor's orders. DeVasto said these have all been ongoing conversations with other Towns.

Lemos said that the Board of Health is having a meeting on June 10 at 1PM to discuss the proposed short-term rental registration program. Information is on the Town website and comments can be sent to the Board of Health. Reinhart said this program will work to keep everyone safe. Bacon said this conversation, about rentals, has been ongoing but that the Town heard from Senator Cyr last week that the Town needs to act with the region. Bacon asked the Board to verbally state they will adhere to the Governor's guidelines on this matter.

- Bacon moved that the Town of Wellfleet adhere to the Governor's recommendations with regard to all rentals for the Calendar Year 2020.
- Wilson seconded.
  - Discussion: DeVasto and Carlson were not in favor of this and wanted to see what the Governor comes out with. Wilson said she wants to be on record as a Board that we will adhere to the Governor's guidelines, and noted that the Town can be stricter than what he ends up coming out with. DeVasto said he felt the current motion, proposed by Kathleen, indicated that the Town would not be any stricter. Hoort said that with or without a motion, the Town must abide by the Governor's guidelines and that he is coming out with guidance on June 8, and there is a meeting of this Board again on June 9, so the matter can be taken up then.
- The motion failed by 2-3, with Reinhart, DeVasto and Carlson opposed.

### ***Governor's Reopening Plan***

Grout Thomas asked to revisit the discussion of visitor beach stickers for next Tuesday, after the Governor's guidance is released.

### ***Business Plans for Reopening***

No comments.

### ***Other Recommendations and Updates***

Wilson discussed options for Town Meeting and asked that the Board send a letter to the Massachusetts Municipal Association (MMA) regarding legislative changes to Town Meeting. Reinhart asked Beach Director Thomas to put more signs on the beaches; Thomas said they have already been ordered and are on their way.

### **TOPICS FOR FUTURE DISCUSSION**

- Wilson: Food Trucks and Use of Town Property
- Wilson: letter to MMA regarding Town Meeting
- Bacon: Emergency Evacuation Plan in the event of severe weather during COVID-19
- Bacon: reopening of Town buildings
- DeVasto: visitor beach stickers
- DeVasto: FY21 Budget
- Carlson: Short-term rentals

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## **ADJOURNMENT**

- Bacon moved to adjourn.
- Wilson seconded, and the motion carried 5-0.

The meeting adjourned at 11:31 am.

Respectfully submitted,

Courtney Butler,  
Secretary

Public Records Documents available as of 6/2/2020:

1. Town of Brewster COVID-19 Employee Health Guidelines
2. Town of Orleans Beach Opening Schedule Recommendations
3. Town of West Springfield COVID-19 Standard Operating Procedures
4. Letter from the Chamber of Commerce Board of Directors to the Selectboard re: Short-term rental policy during COVID-19, dated May 21, 2020
5. Email from Chief Pauley to the Board re: creation or expansion of outdoor dining spaces for restaurants, dated May 28, 2020
6. Article from Boston Eater, dated May 26, 2020 “The Boston Licensing Board is Making it Easier for Restaurants to Create Outdoor Dining Spaces”