



Board of Selectmen

NOTE 6:00 pm START TIME

The Wellfleet Board of Selectmen will hold a public meeting on **Tuesday, November 27, 2018, at 6:00 p.m. at the Wellfleet Senior Center, 715 Old Kings Highway, Wellfleet, MA 02667.** *It is anticipated that the meeting will be recorded by the Town. Anyone else desiring to record the meeting may do so only after notifying the chair and may not interfere with the conduct of the meeting in doing so.*

I. Announcements, Open Session and Public Comment

Note: Public comments must be brief. The Board will not deliberate or vote on any matter raised solely during Announcements & Public Comment.

II. Public Hearing(s)

- A. **Shellfish grant transfer - #754** from Joel Fox, Anne Fox and R. Andrew Cummings to R. Andrew Cummings
- B. **Amendments to the Traffic Rules and Orders – Bank & Commercial St intersection**

III. Licenses

A. Annual Liquor License Renewals

- Bookstore and Restaurant
- The Wagner at Duck Creek
- Marconi Beach Restaurant
- Seaside Liquors
- Wellfleet Marketplace
- Wellfleet Spirits Shoppe
- The Wicked Oyster
- Wellfleet Harbor Actors Theater
- PB Boulangerie Bistro
- Wellfleet Preservation Hall
- JB's Pizza Bar and Grill
- Blackfish Variety
- C. Shore
- Wellfleet Mobil

IV. Appointments/Reappointments

- A. **Local Housing Partnership**, Susan Spear, one-year term

V. Use of Town Property

- A. **Wellfleet Chamber of Commerce**, December 8, 2018, 4 – 5:30 pm, Town Hall
- B. **Ragnar Events**, May 11, 2019, 7:30am – 5:00 pm, White Crest

VI. Business

- A. **Discussion of Shellfish Shack** [Justin Post, Mark Vincent]
- B. **Review of Town Fees** [TA]
- C. **Herring River Restoration Project counsel agreement** [TA]
- D. **Approval of signatures** on landfill lease and power purchase agreement [TA]

(continued on next page)

- VII. Town Administrator's Report**
- VIII. Topics for Future Discussion**
- IX. Correspondence and Vacancy Report**
- X. Minutes**
- XI. Adjournment**



BOARD OF SELECTMEN

AGENDA ACTION REQUEST
November 27, 2018

II

PUBLIC HEARING – A. Shellfish grant transfer

REQUESTED BY:	Shellfish Constable
DESIRED ACTION:	Transfer of Shellfish Grant #754 from Joel Fox, Anne Fox and R. Andrew Cummings to R. Andrew Cummings
PROPOSED MOTION:	Move to transfer shellfish grant #754 from Joel Fox, Anne Fox and R. Andrew Cummings to R. Andrew Cummings.
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____

TOWN OF WELLFLEET
PUBLIC HEARING

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 Board of Selectmen will hold a public hearing on Tuesday, October 9, 2018 at 7:00 p.m. in the Wellfleet Council on Aging to consider the following:

- Application received November 5, 2018 from Joel Fox, Anne Fox and R. Andrew Cummings to transfer shellfish grant license #754 from Joel Fox, Anne Fox and R. Andrew Cummings to R. Andrew Cummings.

Recommendation of the Shellfish Constable will be available in the 11/27/18 Selectman packet.

WELLFLEET BOARD OF SELECTMEN



Wellfleet Shellfish Department



300 Main Street, Wellfleet, Massachusetts 02667

October 29, 2018

To: Board of Selectmen
Re: Recommendations
From: Nancy Civetta, Shellfish Constable

On October 29, Joel Fox stopped by my office to ask that he and his wife, Anne, be taken off of grant #754, because they are retiring. I gave him an application to transfer shellfish grant license #754 from Joel Fox, Anne Fox and R. Andrew Cummings to R. Andrew Cummings.

Although I am sad to see Mr. and Mrs. Fox retire, I recommend that grant #754 be changed from Joel Fox, Anne Fox and R. Andrew Cummings to R. Andrew Cummings.

Please join me in commending the Foxes for their long career on the water and the help they have given the town with their feedback and research over the years.

Respectfully submitted,

A handwritten signature in cursive script that reads "Nancy Civetta".

Nancy Civetta
Shellfish Constable



APPLICATION FOR TRANSFER OF SHELLFISH GRANT LICENSE

Date: NOV - 5 2018

To: Board of Selectmen
300 Main Street
Wellfleet, MA 02667

I/We hereby request transfer of Shellfish Grant License # 754

From JOEL FOX, ANNE FOX AND R. ANDREW CUMMINGS

To R. ANDREW CUMMINGS

Said grant license is located at POWERS/MAYO BEACH, in Wellfleet, MA

and consisting of 2.37 acres, as shown on a plan prepared

by R.F. LAY and dated 9.19.1975

Signature	Signature	Signature
<u>JOEL FOX</u>	<u>ANNE FOX</u>	<u>R. ANDREW CUMMINGS</u>
Name <u>Joel Fox</u>	Name <u>Anne C. Fox</u>	Name <u>R. Andrew Cummings</u>
Mailing Address <u>30 Barker St</u>	Mailing Address <u>30 Barker St</u>	Mailing Address <u>PO Box 1079 S. Wellfleet</u>
<u>Wellfleet, MA 02667</u>	<u>Wellfleet, MA 02667</u>	<u>02667</u>
Telephone <u>508-349-9021</u>	Telephone <u>508-349-9021</u>	Telephone <u>508-349-0819</u>
Email _____	Email _____	Email <u>CAPTANDREW@GMAIL.COM</u>



BOARD OF SELECTMEN

AGENDA ACTION REQUEST
November 27, 2018

II

PUBLIC HEARING – B. Amendments to the Traffic Rules and Orders

REQUESTED BY:	Town Administrator
DESIRED ACTION:	Approval of placement of Yield sign on Bank Street at intersection with E. Commercial Street.
PROPOSED MOTION:	Move to amend Wellfleet’s Traffic Rules and order, Article VI Operation of Vehicle, Section 1. Obedience to Stop Signs and Yield Signs, section C by adding “Southbound drivers on Bank Street at Commercial Street” to the last paragraph that authorizes the erection and maintenance of “Yield” signs.
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____

RECEIVED

2018 NOV -1 A 9 17

TOWN CLERK
TOWN OF WELFLEET

TOWN OF WELFLEET
PUBLIC HEARING

Notice is hereby given that the Wellfleet Board of Selectmen will hold a public hearing on Tuesday, November 27, 2018 at 7:00 p.m. in the Wellfleet Council on Aging to consider amendments to the Traffic Rules and orders.

In accordance with the foregoing, the erection and maintenance of an isolated stop sign, or signs or flashing red signals, as the case may be, are authorized as shown in **Appendix A**.

- b. **Flashing Red** – When a red lens is illuminated in a traffic control signal by rapid intermittent flashes, and its use has been specifically authorized by the Department of Public Works, Commonwealth of Massachusetts, drivers shall stop before entering the nearer line of crosswalk of the street intersection, or at a stop line when marked, and the right to proceed shall then be governed by provisions of Chapter 89, Section 8 of the General Laws (Ter. Ed.).
- c. **Obedience to Yield Signs**. Except when directed by a police officer, every driver of a vehicle approaching a yield sign shall in obedience to such sign slow down to a speed reasonable for the existing conditions and, if required for safety to stop, shall stop at a clearly marked stop line, but if none, before entering the crosswalk on the near side of the intersection, or, if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering it. After slowing or stopping, the driver shall yield the right of way to any vehicle in the intersection or approaching on another roadway so closely as to constitute an immediate hazard during the time such driver is moving across or within the intersection or junction of roadways; provided, however, that if such a driver is involved in a collision with a vehicle in the intersection or junction of roadways, after driving past a yield sign without stopping, such collision shall be deemed prima facie evidence of his failure to yield the right of way¹. 720 CMR 9.06(14) shall not apply when the traffic is otherwise directed by an officer or by a lawful traffic regulating sign, signal or device or as provided in 720 CMR 9.06(24)(c).

In accordance with the foregoing the erection and maintenance of “Yield” signs are authorized so as to face:

Eastbound drivers on Chequessett Neck Road at Kendrick Ave
Northbound drivers on Kendrick Ave at Chequessett Neck Road (12/9/14)

¹ See, MGL c. 89, s. 9

THIS MAP IS FOR INFORMATION PURPOSES. IT IS NOT VALID FOR CONSTRUCTION OR FOR ANY OTHER PURPOSES. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

REVIEWED & REPRINTED BY
CAI
 CONSULTANTS AND ENGINEERS

LEGEND

- EXISTING BOUNDARIES
- PROPOSED BOUNDARIES
- EXISTING UTILITIES
- PROPOSED UTILITIES
- EXISTING ROADS
- PROPOSED ROADS
- EXISTING POND
- PROPOSED POND

SCALE 1" = 100'

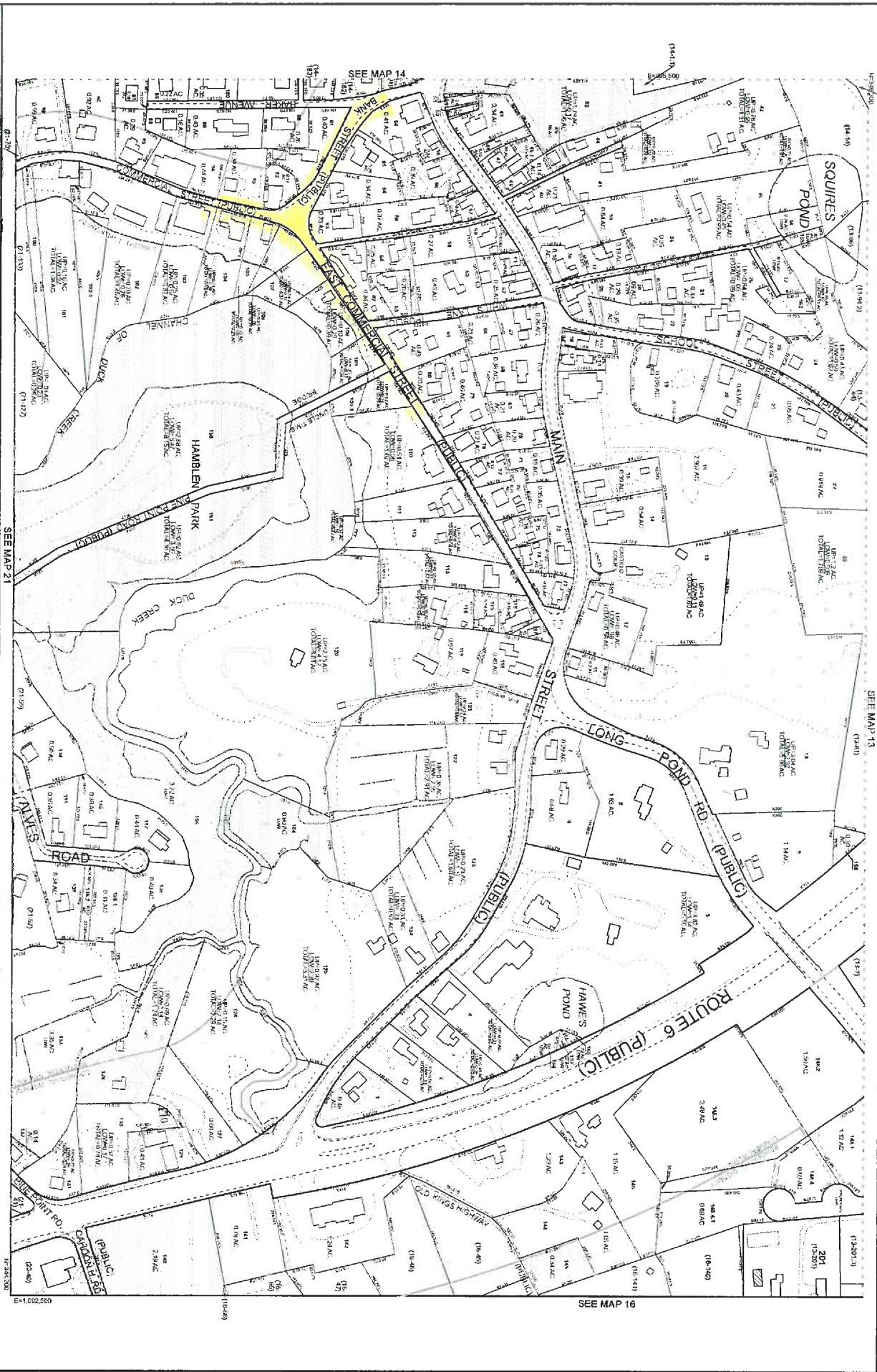
REVISIONS

NO.	DATE	DESCRIPTION
1	JANUARY 1, 2018	ISSUED

PROPERTY MAPS
WELLFLEET
 MASSACHUSETTS

INDEX DIAGRAM

MAP NO.
15





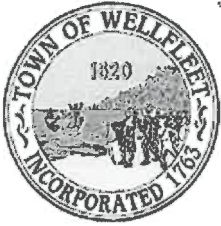
BOARD OF SELECTMEN

AGENDA ACTION REQUEST
November 27, 2018

III

LICENSES – A. Liquor License Renewals

REQUESTED BY:	Principal Clerk
DESIRED ACTION:	Approve the liquor license renewals as presented by the Principle Clerk.
PROPOSED MOTION:	<p>I move to approve the Annual Liquor License Renewals for the following establishments.</p> <ul style="list-style-type: none">• Bookstore and Restaurant• The Wagner at Duck Creek• Marconi Beach Restaurant• Seaside Liquors• Wellfleet Marketplace• Wellfleet Spirits Shoppe• The Wicked Oyster• Wellfleet Harbor Actors Theater• PB Boulangerie Bistro• Wellfleet Preservation Hall• JB's Pizza Bar and Grill• Blackfish Variety• C. Shore• Wellfleet Mobil
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____



BOARD OF SELECTMEN

AGENDA ACTION REQUEST
November 27, 2018

IV

APPOINTMENTS – A. Local Housing Authority

REQUESTED BY:	Principal Clerk
DESIRED ACTION:	Appointment of Susan Spear to the Local Housing Partnership
PROPOSED MOTION:	Move to appoint Susan Spear to the Local Housing Partnership for a one-year term to expire June 30, 2019.
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____



**TOWN OF WELLFLEET
APPLICATION FOR TOWN BOARDS & COMMITTEES MEMBERSHIP**

Wellfleet depends on its citizens to carry out many of our government's activities. Your community needs your help. *Please volunteer.*

FILL OUT THE FORM BELOW and mail it to:

Wellfleet Selectmen's Office, Town Hall, 300 Main Street, Wellfleet, MA 02667

Name Susan Spear Date 11/19/18

Mailing Address 225 W 83rd St, 14F
NY NY 10024

Phone (Home) 508-349-2558 *(cell) 917-771-2320

E-mail spearsus@gmail.com

Please describe briefly any work experience, including volunteer service, that you feel would be useful to the Town: _____

Habitat for Humanity of Cape Cod
Wellfleet Preservation Hall Board member
Physician

Please add any other information that you think may be useful, including education or other formal training, specialized courses, professional licenses or certifications, etc.:

Medical license

Committees/Boards of Interest: 1) Local Housing Partnership
2) _____
3) _____

NOV 19 2018

Town of Wellfleet Boards and Committees

Bike & Walkway Committee	3 year term
Board of Assessors	3 year term
Board of Health	3 year term
Board of Water Commissioners	3 year term
Building and Needs Assessment	3 year term
* Bylaw Committee	3 year term
Cable Advisory Committee	1 year term
Cape Cod Commission	3 year term
*Cape Cod Regional Technical High School	(ATM)
*Charter Review Committee	(ATM)
Commission on Disabilities	3 year term
Community Preservation Committee	3 year term
Comprehensive Wastewater Management	3 year term
Conservation Commission	3 year term
Council on Aging	3 year term
Cultural Council	3 year term
Energy Committee	3 year term
* Finance Committee	3 year term (ATM)
Health Care Campus Committee	Indefinite
Historical Commission	3 year term
Housing Authority	5 year term (ATM)
Local Housing Partnership	1 year term
Marina Advisory Committee	2 year term
Natural Resources Advisory Committee	3 year term
Open Space Committee	1 year term
Personnel Board	3 year term
Planning Board	5 year term
Recreation Committee	3 year term
Recycling Committee	3 year term
Shellfish Advisory Board	3 year term
* Social and Human Services Committee	3 year term
Zoning Board of Appeals	3 year term

VACANCIES IN BOLD

* *Appointed by Moderator*

10/01/18

8105 811



BOARD OF SELECTMEN

AGENDA ACTION REQUEST
November 27, 2018

V

USE OF TOWN OWNED PROPERTY – A. Wellfleet Chamber of Commerce

REQUESTED BY:	Lara Henry
DESIRED ACTION:	Approval of the use of Town owned property on Saturday, December 8 th from 4pm to 5:30pm
PROPOSED MOTION:	I move to approve the use of town property by the Wellfleet Chamber of Commerce at the Town Hall lawn on Saturday, December 8 th from 4:00pm to 5:30pm, subject to the conditions, if any, as listed on the Application. The fee for the non-profit is waived.
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____

At their meeting of April 10, 2018, the Wellfleet Board of Selectmen voted to approve the following Use of Town Property fees:

Application fee	\$50.00
Weddings/Family Functions/Private Events closed to the public	\$110.00 per day
Festivals/Functions/Events open to the public	\$110.00 per parcel * (\$500.00 maximum)
Professional Filming fee	\$110.00 per day, minimum
Surf Lessons (at White Crest only)	\$385.00 per season

Fees must be paid by certified check, money order or cash seven (7) days prior to event.

Events exempt from fees:

Town sponsored events, fundraisers for the Town, not-for-profit events and political gatherings or protests, provided that application is made to the Board of Selectmen at a Public Meeting at least 30 calendar days prior to the event.

*Copy of Assessor's map must be included with the application with all areas of the proposed use highlighted.

TOWN OF WELLFLEET
APPLICATION FOR PERMIT TO USE TOWN OWNED PROPERTY

18-34

Applicant Lara Henry Affiliation or Group Wellfleet Chamber of Commerce

Telephone Number 508-349-2510 Mailing Address Box 571, Wellfleet MA 02667

Email address info@wellfleetchamber.com

Town Property to be used (include specific area) Lawn area in front of Town Hall

Date(s) and hours of use: Saturday, December 8, 2018 – 4-5:30pm

Describe activity including purpose, number of persons involved, equipment to be used, parking arrangements, food/beverage service, etc. Also please indicate if fees will be charged by applicant.

The purpose of this gathering is WCC's annual Holiday Tree-Lighting and Sing Along. We expect about 30-50 people to attend the short tree-lighting ceremony, followed by a holiday themed sing-along. Equipment used will include a PA system for musicians, various instruments, spotlight, 10x10ft pop-up tent.

Describe any Town services requested (police details, DPW assistance, etc.)
Use of outside electrical outlet for extension cord for musicians to plug in their instruments, the PA system, spot-lights – and permission to "light" the trees (plug-in) in front of Town Hall.

NOTE TO APPLICANTS: All applications must be accompanied by a non refundable \$50.00 processing fee. Applications must be received at least 30 days prior to the first event date to insure that all reviews can be completed prior to the event. This application is only for permission to use Town property. Any additional licenses, such as food service permit, etc., may be required and it is the applicant's responsibility to secure the same.

Action by the Board of Selectmen:
Approved as submitted
Approved with the following condition(s):
Disapproved for following reason(s):

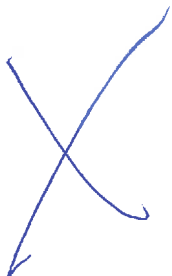
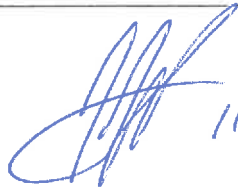
Date: _____ Processing Fee: \$50.00 *paid*


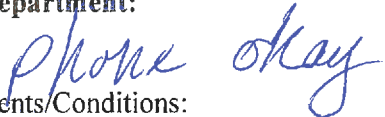
Fee: _____


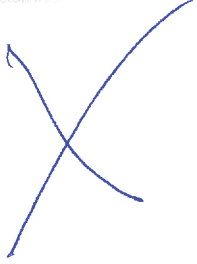
NOV 13 2018


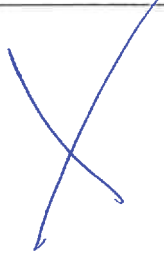
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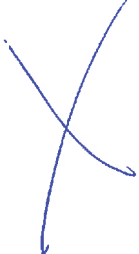

APPLICANT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND INSPECTIONS

Health/Conservation Agent: Comments/Conditions:  Permits/Inspections needed:	Inspector of Buildings: Comments/Conditions:  11-17-18 Permits/Inspections needed: 05
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Police Department: Comments/Conditions: 	Fire Department: Comments/Conditions: 
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DPW:  Comments/Conditions: 11/19/18 OK	Community Services Director: Comments/Conditions: 
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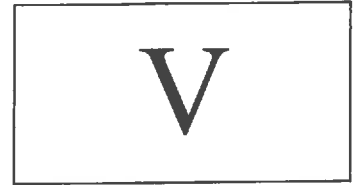
Harbormaster: Comments/Conditions: 	Shellfish: Comments/Conditions: 
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Recreation: Comments/Conditions: 	Town Administrator: Comments/Conditions: 
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BOARD OF SELECTMEN

AGENDA ACTION REQUEST
November 27, 2018



USE OF TOWN OWNED PROPERTY – B. Ragnar Relay

REQUESTED BY:	Amber Sadlier, Ragnar Events
DESIRED ACTION:	Approval of the use of Town owned property on Saturday, May 11, 2019 from 7:30am to 5:00pm
PROPOSED MOTION:	I move to approve the use of town property by Ragnar Events at the White Crest Beach parking lot on Saturday, May 11, 2019 from 7:30am to 5:00pm, subject to the conditions, if any, as listed on the Application for a fee of \$500.00.
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____

At their meeting of April 10, 2018, the Wellfleet Board of Selectmen voted to approve the following Use of Town Property fees:

Application fee	\$50.00
Weddings/Family Functions/Private Events closed to the public	\$110.00 per day
Festivals/Functions/Events open to the public	\$110.00 per parcel * (\$500.00 maximum)
Professional Filming fee	\$110.00 per day, minimum
Surf Lessons (at White Crest only)	\$385.00 per season

Fees must be paid by certified check, money order or cash seven (7) days prior to event.

Events exempt from fees:

Town sponsored events, fundraisers for the Town, not-for-profit events and political gatherings or protests, provided that application is made to the Board of Selectmen at a Public Meeting at least 30 calendar days prior to the event.

*Copy of Assessor's map must be included with the application with all areas of the proposed use highlighted.

APPLICATION FOR PERMIT TO USE TOWN OWNED PROPERTY

19-04

TOWN OF WELLFLEET
300 MAIN STREET
WELLFLEET, MA 02667

Applicant Amber Sadlier Affiliation or Group Ragnar Events, LLC.

Telephone Number 801-499-5024 ext 145 c. 435-630-1533
Mailing Address 12 South 400 West 2nd Floor, Salt Lake City, UT 84101

Email address amber.s@ragnarrelay.com

Town Property to be used (include specific area) White Crest Beach parking lot

Date(s) and hours of use: Saturday, May 11 2019, 7:30 am-5 pm

Describe activity including purpose, number of persons involved, equipment to be used, parking arrangements, food/beverage service, etc. Also, please indicate if fees will be charged by applicant.

Minor exchange point for Ragnar Relay. Support vehicles park in the lot and runners will exchange and continue on the course. See attached for event details.

Describe any Town services requested (police details, DPW assistance, etc.)

Police detail if requested by the city _____

NOTE TO APPLICANTS: All applications must be accompanied by a non refundable \$50.00 processing fee. Applications must be received at least 30 days prior to the first event date to ensure that all reviews can be completed prior to the event. This application is only for permission to use Town property. Any additional licenses, such as food service permit, etc., may be required and it is the applicant's responsibility to secure the same.

Action by the Board of Selectmen:

_____ Approved as submitted
_____ Approved with the following condition(s): _____

_____ Disapproved for following reason(s): _____

Date: _____

Processing Fee: \$50.00

Fee: (\$500)

OCT 24 2018

(over)

APPLICANT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND INSPECTIONS

Health/Conservation Agent: <i>[Signature]</i> Comments/Conditions: <i>OK 11/7/18</i> Permits/Inspections needed:	Inspector of Buildings: Comments/Conditions: <i>[X]</i> Permits/Inspections needed: <i>[X]</i>
--	---

Police Department: <i>[Signature]</i> <i>Will need Detail officers</i> Comments/Conditions: <i>Understand course will be: Bike path from Eastham - R onto Leconte Hollow - L onto OVD - Exchange / turn around at White Chest - Back to Eastham</i>	Fire Department: <i>[Signature]</i> Comments/Conditions: <i>OK</i> <i>12/1</i>
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DPW: <i>[Signature]</i> Comments/Conditions: <i>OK 11/6/18</i>	Community Services Director: Comments/Conditions:
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Harbormaster: Comments/Conditions: <i>[X]</i>	Shellfish: Comments/Conditions: <i>[X]</i>
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Recreation: Comments/Conditions: <i>[X]</i>	Town Administrator: Comments/Conditions: <i>[Signature: Daniel R. Hoort]</i>
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BOARD OF SELECTMEN

AGENDA ACTION REQUEST
November 27, 2018

VI

BUSINESS – A. Discussion of Shellfish Shack

REQUESTED BY:	Selectboard member Kathleen Bacon
DESIRED ACTION:	Discussion of Shellfish Shack building with Building Inspector Justin Post and DPW Director Mark Vincent.
PROPOSED MOTION:	T B D
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____



BOARD OF SELECTMEN

AGENDA ACTION REQUEST
November 27, 2018

VI

BUSINESS – B. **Discussion of Town Fees**

REQUESTED BY:	Town Administrator
DESIRED ACTION:	A discussion of the Town fees.
PROPOSED MOTION:	TBD
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____

Note:

The Town Administrator has received no recommendations for an increase in fees by any department.

At their meeting of April 10, 2018, the Wellfleet Board of Selectmen voted to approve the following Use of Town Property fees:

Application fee	\$50.00
Weddings/Family Functions/Private Events closed to the public	\$110.00 per day
Festivals/Functions/Events open to the public	\$110.00 per parcel * (\$500.00 maximum)
Professional Filming fee	\$110.00 per day, minimum
Surf Lessons (at White Crest only)	\$385.00 per season

Fees must be paid by certified check, money order or cash seven (7) days prior to event.

Events exempt from fees:

Town sponsored events, fundraisers for the Town, not-for-profit events and political gatherings or protests, provided that application is made to the Board of Selectmen at a Public Meeting at least 30 calendar days prior to the event.

*Copy of Assessor's map must be included with the application with all areas of the proposed use highlighted.



TOWN OF WELLFLEET

300 MAIN STREET WELLFLEET MASSACHUSETTS 02667

Tel (508) 349-0300 Fax (508) 349-0305

www.wellfleetma.org

MEMORANDUM

TO: BOARD OF SELECTMEN

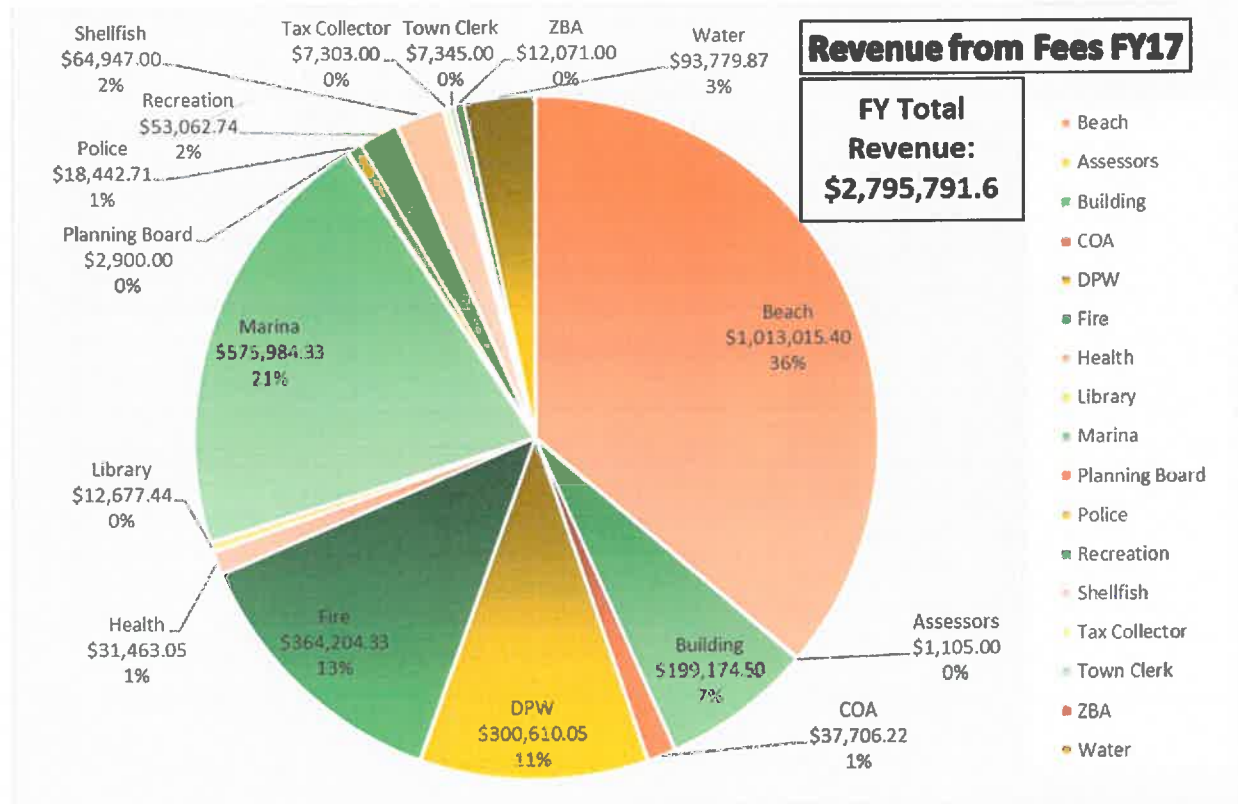
FROM: TOWN ADMINISTRATOR

SUBJECT: REVIEW OF TOWN FEES

DATE: NOVEMBER 2018

The following is an accounting of the current fees and revenue for the various departments. If you see any mis-information, please email me. Below is a pie chart showing the revenue centers for FY17.

The Board of Selectmen will be discussing possible fee increases at their meeting on April 10, 2018.



ADMINISTRATION	Current 11/2018
Business License Filing Fee	\$50
Use of Town Property Filing Fee	\$50
Noise Bylaw Waiver	\$50
Registration	\$25
Taxi Cab	\$75
Taxi Operator/Driver	\$50
Auctioneers - year	\$40
Auctioneers - day	\$35
Automatic Amusement	\$30
Junk Collector	\$50
Entertainment - One Day	\$50
Entertainment - Sunday	\$50
Entertainment - Weekday	\$75
General Retail	\$75
Common Victualler	\$100
Innholder	\$100
Class II	\$125
Class IV	\$75
Flea Market	\$550
Charter Boat Booth	\$100
Liquor License Filing Fee	\$50
Annual - All Alcohol Restaurant	\$1,500
Annual - All Alcohol Package Store	\$1,500
Annual - Beer & Wine Restaurant	\$1,375
Annual - Beer & Wine Package Store	\$1,375
Seasonal - All Alcohol Restaurant	\$1,600
Seasonal - All Alcohol Innholder	\$1,600
Seasonal - All Alcohol Package Store	\$1,600
Seasonal - Beer & Wine Restaurant	\$1,450
Seasonal - Beer & Wine Package Store	\$1,450
Seasonal License Extension	\$125
One Day Beer & Wine	\$100
One Day All Alcohol	\$150

ASSESSOR	Current 11/2018
BOH, CONS, LIQ, Abutters List	\$15
ZBA Abutters list	\$35

BEACH	Current 11/2017
Visitor Stickers	
Three Day	\$55
One Week	\$90
Two Week	\$170
Seasonal	\$300
Resident/Taxpayer Stickers	
Resident/Taxpayer Beach	\$25
Combination Beach/Transfer 1st Vehicle*	\$50
Combination Beach/Transfer 2nd Vehicle*	\$35
First Vehicle Transfer Station*	\$25
Second Vehicle Transfer Station*	\$10
Third Vehicle Transfer Station*	\$35
Third Vehicle Combination Beach/Transfer sticker*	\$60
Beach Fire Permit	NA
*Requires BOH approval	

COA	Current 11/2018
Refundable Deposit	\$160
Building Use Fee (day)	
Great Pond (entire room)	\$310
Long Pond (1/2 big room with kitchen)	\$235
Duck (1/2 big room - no kitchen)	\$235
Health Room	\$185
Conference Room	\$185
Building Use Fee (hour-up to 4 hours)	
Great Pond (entire room-per hour)	\$55
Long Pond (1/2 big room with kitchen-per hour)	\$55
Duck (1/2 big room no kitchen-per hour)	\$55
Health Room (per hour)	\$35
Conference Room (per hour)	\$35
Building Monitor	\$35
Lost or Missing Key	\$55
Refundable Deposit	\$160

BUILDING	Current 11/2018
RESIDENTIAL BUILDING FEES	
New Construction (new structures & additions)	.65 per sq ft or \$55. minimum
Existing Structures (alterations & repairs)	.55 per sf or \$55. minimum
New & Existing Unconditioned Space, Porch	.40 per sf or 55. minimum
Decks	.25 per sf or 55. minimum
Garage, Barn, Accessory, Shed over 120 sf	.25 per sf or 55. minimum
Accessory, Shed 120 sf and under	\$55.00
Window/Door replacement, re-roofing, re-siding	55. +1% of construction
Chimney, Wood Stove, Fireplace	\$55.00
Fire Sprinkler	\$55.00
Pool - above ground	\$115.00
Pool - in ground	\$115.00 plus .25 per sf
Solar Panel	55. + 1% of construction value
Wind Generation	55. + 1% of construction value
Signs	50. + .25 per sf over 24 sf
Mechanical/Duct Work/Exhaust Hood	\$55.00
Retaining Wall, Foundation Wall, Trench	\$55.00
Awning, Tent, Temporary Construction Trailer	\$55.00
Demolition 300 sf and under	\$60.00
Demolition 301 sf and over	\$115.00
Moving Structures	.25 per sf or 55. minimum
Dock, Float, Pier	115. + 1.25 per sf
Certificate of Occupancy - each unit	\$55.00
Re-Inspection	\$55.00
Emergency, Off Hour, Weekend Inspection	\$115.00
COMMERCIAL BUILDING FEES	
New Construction (new structures & additions)	.65 per sf or 55 minimum
Existing Structures (alterations & repairs)	.55 per sf or 55. minimum
New & Existing Unconditioned Space, Porch	.40 per sf or 55. minimum
Decks	.25 per sf or 55. minimum
Garage, Barn, Accessory, Shed over 120 sf	.25 per sf or 55. minimum
Accessory, Shed 120 sf and under	\$75.00
Window/Door replacement, re-roofing, re-siding	.55 + 1% of construction costs

Chimney, Wood Stove, Fireplace	\$55.00
Fire Sprinkler	\$55.00
Pool - above ground	\$125.00
Pool - in ground	150 + .25 per sf
Solar Panel	55. + 1% of construction costs
Wind Generation	55. + 1% of construction costs
Cell Tower	250.+ .25 per linear foot
Signs	125 + .25 per sf over sf
Mechanical/Duct Work/Exhaust Hood	55. + 1% of construction costs
Retaining Wall, Foundation Wall, Trench	55. + 1% of construction costs
Awning, Tent, Temporary Construction Trailer	\$55.00
Demolition 300 sf and under	\$60.00
Demolition 301 sf and over	\$110.00
Moving Structures	.25 per sf or 55. minimum
Dock, Float, Pier	225. + 1.25 per sf
Certificate of Occupancy - each unit	\$55.00
Certificate of Occupancy - Hotels/Motels	55. + 5.00 per room
Re-Inspection	\$55.00
Emergency, Off Hour, Weekend Inspection	\$125.00
Commercial Annual Inspection	\$50.00
ELECTRICAL/WIRING PERMIT FEES	
Residential & Commercial	\$60.00
New & Temporary Service	\$60.00
Re-Inspection	\$50.00
Extra Inspection	\$50.00
Emergency, Off Hour, Weekend Inspection	\$100.00
All solar installations require 2 inspections	\$60.00 each

PLUMBING PERMIT FEES	
Residential & Commercial	\$60. plus \$10. per fixture
Re-Inspection	\$50.00
Emergency, Off Hour, Weekend Inspection	\$100.00
GAS PERMIT FEES	
Residential & Commercial	\$60. plus \$10. per fixture
Re-Inspection	\$50.00
Emergency, Off Hour, Weekend Inspection	\$100.00
ZBA APPLICATION FEES	
Change in Use Only (no construction)	\$85.00
Affordable Accessory Dwelling Unit	\$85.00
Residential Change in Use	\$85.00
Commercial/Business Change in Use	\$195.00
Construction of any sort:	
\$0 - \$1,000	\$90.00
\$1,001 - \$10,000	\$145.00
\$10,001 - \$50,000	\$195.00
\$50,001 - \$100,000	\$295.00
\$100,001 - \$250,000	\$395.00
\$250,001 - \$500,000	\$595.00
\$500,001 - \$1,000,000	\$1,045.00

SHELLFISH	Current 11/2018
Recreational	
Resident	\$60.00
Senior Resident	\$20.00
Seasonal Resident	\$40.00
Non-Resident	\$210.00
Seasonal Non-Resident	\$85.00
Commercial	
Adult	\$310.00
Junior	\$110.00
Senior	\$60.00
Replacement Fee	\$10.00
Eel Permit	\$3.00
Filing Fee (per grant, transfer)	\$5.00
Grant Fee (per acre or portion)	\$25.00

TOWN CLERK	Current 11/2018
Marriage License	\$50
Burial Permit	\$10
Professional Registration	\$50
Voter/Resident Extracts (resident)	\$10
Voter/Resident Extracts (non)	\$15
Street Listing/Resident Book (resident)	\$15
Street Listing/Resident Book (non)	\$25
Vital Records Correction (non-clerical)	\$25
Entering Amendment/illegitimate/legitimized	\$25
Entering Delayed Record of Birth	\$25
Certificate of Marriage/married outside Commonwealth	\$20
Abstract Copy or Record of Birth	
Abstract Copy or Record of Marriage	
Abstract Copy or Record of Death	
Document Certification (True Copy Attest - First Page)	\$10
Document Certification (each subsequent page)	\$2
Pole Locations, etc	\$50
Written Instrument or Declaration of Trust	\$25
Certified Vital Records	\$15
Certified Copy of Business Certificate	\$10
Raffle Permit (local)	\$10
Raffle Permit (out of town)	\$15
Flammable Storage Permit	\$25
Dog License (spayed/neutered)	\$10
Dog License (intact)	\$15
Personal Kennel License (4-5 dogs)	\$100
Personal Kennel License (6-10 dogs)	\$125
Personal Kennel License (>10 dogs)	\$150
Replacement Dog Tag	\$5
Commercial Boarding or Training Kennel	\$300
Commercial Breeder Kennel	\$300
Veterinary Kennel	\$150
Dog License Late Fee	\$50

DPW	Current 11/2018
Residential Waste Disposal - 1st vehicle	\$25
- 2nd vehicle	\$10
- 3rd vehicle	\$35
Pay As You Throw Bags	
Large 33 gal Rolls of 5	\$7
Medium 15 gal Rolls of 5	\$5
Small 8 gal Rolls of 5	\$2
User Fee for non-PAYT Bags	\$5
Construction & Demo Waste/per ton	\$270
Commercial Waste - up to & including one ton	\$65
- trucks over one ton	\$95
Fee per ton for Commercial Waste using PAYT bags	\$0
Fee per ton for Commercial Waste not in PAYT bags	\$80
Appliances	\$10
Bulk metal, auto parts, motors & engines per ton	\$40
Carpets	\$10
50 gallon drums	\$5
Mattresses & Box springs - each	\$20
Petroleum tanks, 300 gal	\$30
Propane tanks - 20lb cap.	\$3
- more than 20lb cap.	\$20
Sofas & Chairs	\$10
Sleeper Sofa	\$20
Televisions & computer monitors	\$10
Tires (car only) each	\$2
Pick Up Truck Tires	\$5
Water Tanks	\$5
Toilets	\$5
Fire Extinguishers	\$6
Other Bulky Items	\$10

FIRE	Current 11/2018
Smoke & CO Alarm (single family)	\$45
Smoke & CO Alarm (multi family-per unit)	\$45
Fire Alarm System Type 1 (per dwelling)	\$160
Fire Alarm System Type 2 (per dwelling)	\$110
Annual Fire Alarm Testing Certificate	\$45
Above/Below Ground Fuel Storage >660 gallons	\$310
Black Powder Permit	\$45
Smokeless Powder Permit	\$45
Blasting Permit (per day/site)	\$45
Cannon/Mortar Firing (per day/site)	\$45
Underground Tank Removal (per tank)	\$85
LPG Comp Gas; Propane (tank < 2000 gallons)	\$45

LPG Comp Gas; Propane (tank > 2000 gallons)	\$85
Oil Burner (per burner)	\$45
Fuel Oil (up to 660 gallons storage per tank)	\$45
Fix Chemical Gas Existing System (per system)	\$45
Sprinkler System (per system, less than 21 heads)	\$45
Sprinkler System (per system, 21-50 heads)	\$85
Sprinkler System (per system, 51 or more heads)	\$160
Standpipe System (per system)	\$45
Flammable Storage (per site)	\$45
Flammable Decorations Certificate (per sample)	\$45
Tank Truck Inspection (per truck)	\$45
Re-Inspection Fee (per inspection)	\$45
Copy of Reports	
Public Records Search (1 hour minimum)	
Fireworks Display (per day, display)	\$85
Theatrical Special Effects (per day, display)	\$85
Brush Burning Annual Permit (1/15 - 5/1)	\$25
Smoke & CO Alarm (property transfer, per dwelling)	\$45
Open Air Fires other than Brush Burning	\$45
Waste Oil Tanks (per tank)	\$45
Miscellaneous Inspection (per inspection)	\$45
Miscellaneous Permit	\$45
Self Service Gas Station Plan (per site)	\$160
Work Performed Without Permit (double permit fee) +	
Permit Replacement Fee (no photo)	\$20
Dumpster or Rubbish Container > 6 cubic yards	\$35
Double Wall Oil Tank Waiver Permit	\$110

LIBRARY	Current 11/2018
Overdue Fines - Book, per day	\$0.10
- Video/DVD, per day	\$1.00
Photocopy & Printouts, per page	\$0.10
double-sided	\$0.15
color	\$0.30
11x17 single	\$0.20
11x17 double	\$0.30
Fax - Send, per page	\$1.00
- Received, per page	\$1.00

HEALTH/CONS DEPARTMENT	Current 11/2018
Commercial Septic Const. Permit - New Construction	\$150
- Varianced	\$250
- Upgrade	\$100
- Simple Repair	\$75
Residential Septic Const. Permit - New Construction	\$125
- Varianced	\$200
- Upgrade	\$75
- Simple Repair	\$50
Re-Inspection	\$50
Well Construction/Replacement Permit	\$50
Soil Evaluation (Perc Test)	\$100
Housing Inspection - Per unit	\$60
Food Service Permit (0 - 50 seats)	\$100
(51 -100 seats)	\$150
(Over 100 seats)	\$200
Temporary Food Permit - per calendar day	\$50
Frozen Dessert Manufacturer	\$50
Mobil Food Service Vendor (Prepared Foods)	\$100
Mobil Food Service Vendor (Packaged Foods)	\$75
Retail Food	\$100
Retail Food/Food Service Establishment	\$150
Camps, Cabin Motel	\$50
Septic Installers	\$100
Septage Haulers	\$100
Refuse Haulers	\$100
Commercial Refuse Haulers	\$95
Recreational Camp for Children	\$50
Commercial Pool Permit	\$100
Residential Pool Installation Permit	\$50
Tobacco	\$100
Funeral Director	\$100
Animal Permit, Per animal or per 3 fowl	\$3
Stable Permit	\$25
Tanning Facility	\$200
Body Art Establishment	\$600
Body Art Practitioner - per person	\$400
Notice of Intent	\$100
Request for Determination of Applicability	\$30
Coastal Engineered Structure, per linear foot	\$2.00/linear ft.
Docks, per linear foot	\$2.00/linear ft.
Certificate of Compliance	\$15
Amended Order of Conditions	\$50
After the Fact Filing	\$1000.00
Reissuance of Orders of Conditions, Certificates of Compliance, Extensions of Orders of Conditions	\$20.00

	\$5.00/additional hearing
Continuance after Two Hearings	
Jurisdictional Opinion	\$15.00

MARINA		Current 11/2018
DESCRIPTION	TAXPAYER	NON-TAXPAYER
Concrete floats		
	A \$1,672.00	\$2,295.00
	B \$1,839.00	\$2,463.00
	C \$1,672.00	\$2,295.00
	D \$2,006.00	\$2,631.00
	E \$2,173.00	\$2,790.00
Outboard slips	\$1,184.00	\$1,672.00
Skiff tie up	\$350.00	\$450.00
Finger pier/south bulkhead	\$2,006.00	\$2,631.00
L-pier/mosquito dock commercial	\$40/ft	\$50/ft
Ace mooring tags	\$219.00	\$263.00
Waterways mooring tags	\$72.00	\$98.00
Dinghy tie up	\$328.00	\$328.00
Transient dockage	55./NIGHT + 2./FT>30'	
	\$2/night or \$11/week	for electricity
Transient mooring	39.00/DAY + \$2./FT>30FT	
Off season dockage	\$22.00/NT \$131/WK	
Off season mooring	\$6.00/NT \$33/WK	
F/v, floats & rafts dockage	\$40/Night	\$40/Night
Daily launch ramp fee	\$10.00/DAY	
Seasonal launch ramp fee	\$200.00/SEASON	
Commercial launch (seasonal)	\$820.00/Commercial Operation	
Slip waiting list	\$11.00	
Mooring waiting list	\$11.00	
Overnight / event parking	\$20.00 /Overnight/Event Parking	\$1,500.00/SEASONAL
F/v unloading	\$55.00	
Off season (comm f/v>25')	\$250.00	
Off season (comm f/v<25')	\$150.00	
Winter storage	\$1,500.00	
Escrow	\$1,500.00	

POLICE	Current 11/2018
License to Carry	\$100.00
BB Gun Permit to a minor	\$0.00
Beach Party Permit	\$0.00
Yard Sale Permit	\$0.00
False Alarm Fee, within 12 months - less than 4	\$0.00
4th false alarm	\$50.00
each offense after, increases by...	\$25.00
Private Duty	10%
Report Request	\$5.00

RECREATION	Current 11/2018
Bakers Field Morning Recreation	
Resident Registration - First Child	\$100.00
Each Additional Sibling	\$55.00
Non-Resident Registration - First Child	\$200.00
Each Additional Sibling	\$100.00
Extended Recreation 12-3PM Program	
7 weeks	\$220.00
Per week	\$60.00
Per day	\$25.00
Gull Pond Swimming Program	
Resident Registration - First Child	\$100.00
Each Additional Sibling	\$55.00
Non-Resident Fee - per week	\$225.00
Non-Resident Sibling	\$100.00
Weekly Rate	\$75.00
8-9 AM lessons for Morning Rec. participants	\$15.00
Wellfleet Road Race July	
Adult 5 Mile – Pre-Registration	\$25.00
Adult Day of Race Registration	\$30.00
Children's 1.2 Mile Fun Run Pre-Registration	\$20.00
Children's Day of Race Registration	\$25.00
Oyster Fest Road Race October	
Adult 5K Mile Race Pre-Reg	\$25.00
Adult 5 Mile Race	\$30.00
Tennis Court Fees	
- Singles, per hour	\$12.00
- Doubles	\$15.00
Billingsgate Basketball Fees	
5/6 Grade Teams (per team)	\$120.00
Adult Teams (per team)	\$225.00
Off-Season Sports Programs	
Per child, per sport	\$15.00
(Soccer, Basketball, Baseball/Softball)	

TOWN COLLECTOR	Current 11/2018
Unimproved Land greater than one acre	\$50.00
Residence of four or more families	\$100.00
Commercial, industrial or public utility structure	\$150.00
Municipal liens - all other properties*	\$25.00
*Subject to Statute	

PLANNING BOARD	Current 11/2018
Approval Not Required (ANR)	\$275.00
Preliminary Subdivision	\$275.00
Definitive Subdivision	\$300.00
Covenant/Bond Release	\$100.00
Subdivision Modification/Rescission	\$125.00
Road Name Change	\$200.00
Road Inspection Fee	\$400.00
Lot Release	\$100.00
Site Plan Review	\$250.00
Special Permit	\$200.00

ZONING BOARD	Current 11/2018
Change in Use only	\$85
Amendment to active Special Permit	\$90
Affordable Accessory Dwelling Unit	\$85
Residential change in use	\$85
Request for Extension to Special Permit	\$95
Commercial/Business Change in Use	\$195
Appeal as Person Aggrieved	\$95
Construction of any sort:	
\$0-\$1,000	\$90
\$1,001-\$10,000	\$145
\$10,001-\$50,000	\$195
\$50,001-\$100,000	\$295
\$100,001-\$250,000	\$395
\$250,001-\$500,000	\$595
\$500,001-\$500,000	\$1,045
\$1,000,001-\$1,500,000	\$1,545
\$1,500,001 – and above	\$2,045



BOARD OF SELECTMEN

AGENDA ACTION REQUEST
November 27, 2018

VI

BUSINESS – C.

Approval of legal counsel representation for Herring River Restoration project.

REQUESTED BY:	Town Administrator
DESIRED ACTION:	Approval of legal counsel representation for the Herring River Restoration project and authorization for Chair to sign the contract.
PROPOSED MOTION:	<ol style="list-style-type: none">1. Move to designate attorney Gregor McGregor and staff of McGregor & Legare as special municipal employees.2. Move to approve the contract with McGregor & Legare as legal representatives for the Town of Wellfleet on the Herring River Restoration project and authorize the Selectboard Chair to sign said contract.
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____

McGREGOR & LEGERE

ATTORNEYS AT LAW, P.C.

15 COURT SQUARE – SUITE 500
BOSTON, MASSACHUSETTS 02108
(617) 338-6464
FAX (617) 338-0737

GREGOR I. McGREGOR
E-mail: gimcg@mcgregorlaw.com
(617) 338-6464 ext. 123

November 15, 2018

CONFIDENTIAL COMMUNICATION SUBJECT TO ATTORNEY-CLIENT PRIVILEGE

Daniel R. Hoort, Town Administrator
Town of Wellfleet
300 Main Street
Wellfleet, MA 02667

NOV 19 2018

RE: Herring River Restoration Project /Our File No. 2838

Dear Mr. Hoort:

We very much appreciate your retaining us to advise and represent the Town of Wellfleet. Here are two copies of our usual Fee Agreement to confirm the client and liaison, authorization, scope of work, billing and payment arrangements, and subject and nature of our undertaking. Please have the officials sign both copies and return one if you approve.

We look forward to serving the Town under your direction. If you have any questions about our work, the status of your matter, or desired changes in our services, or if this letter is not in accordance with your understanding of our engagement in any way, please feel free to contact me.

Our web site www.mcgregorlaw.com describes our firm and how we help clients on all aspects of environmental law, real estate, and related litigation, plus strategic analysis. We would be pleased to help you now or in the future, on any environmental or real estate question, problem or opportunity.

Thank you for your trust.

Sincerely,



Gregor I. McGregor

McGREGOR & LEGERE

ATTORNEYS AT LAW, P.C.

15 COURT – SUITE 500
BOSTON, MASSACHUSETTS 02108
(617) 338-6464
FAX (617) 338-0737

GREGOR I. McGREGOR
E-mail: gimcg@mcgregorlaw.com
(617) 338-6464 ext. 123

FEE AGREEMENT FOR MUNICIPAL LEGAL SERVICES

The Town of Wellfleet hereby retains the Firm of McGregor & Legere, P.C. as Special Counsel for advice and representation in the matter of the Herring River Restoration Project. Thank you for hiring us. We are honored to serve your community.

Please execute this agreement by having Town officials sign where indicated below and return one signed copy to us.

Kindly arrange to have the Board of Selectmen designate us as a Special Municipal Employee, forwarding to us that written designation.

Let us know the correct address to submit our bills for services, any submittal or copy requirements, and the payment schedule we may expect from you.

We will bill at these hourly rates:

Principals	\$160/hour	Junior Associates	\$160/hour
Junior Principals	\$160/hour	Contract Associates	\$160/hour
Senior Associates	\$160/hour	Law Clerks	No Charge

We are charging you reduced rates for our services in view of the referral from KPLaw and our strong desire to perform municipal work of this sort for you.

Our bills are payable within 30 days from your receipt. Please make checks payable to McGregor & Legere, P.C. We appreciate your interest in prompt, effective legal services and you understand our interest in prompt payment for those services.

Please alert us immediately with any problems or questions about our invoices, if you wish them directed or copied to someone else, or whether we may experience delay in receiving payments.

We do not guarantee budgets or fees for legal services or expenses for negotiations, agency hearings, administrative appeals, environmental reviews, or court litigation, as the work and costs depend on the demands placed on us by the number of parties, requests of the tribunal, complexity of the issues, submittals by the parties, and the dynamics of advocacy. This means we ordinarily do not do work on “fixed fee” or “firm budget” arrangements. Any estimates of legal fees or expenses are not predictions but merely rough expectations based on the circumstances then known.

We will bill expenses at these rates:

A. Mileage: Current IRS Standard Mileage Rates

McGREGOR & LEGERE

- B. Copying: \$.15/copy
- C. Facsimile: \$ 1.00/page
- D. Parking: Actual Cost
- E. Toll Phone Calls and Conference Calls Actual Cost
- F. Other Expenses: Actual Cost (postage, exhibits, witnesses fees, investigations, stenographers, transcripts, travel, filing fees, service fees, courier expenses.)

The bills for our legal services are "line item" bills generated by computer. Each bill indicates the date and work performed on that date, who did the work, the hours worked for the billing period, and the value of that work. The amount due for our recent services plus expenses and advances is shown as Total Current Work. If there is a balance owed for recent work (or from a previous bill), it will be added to the Total Current Work and reflected in the Balance Due shown. If there is previous amount paid still on your account, sufficient for more work, there will be no Balance Due shown.

In the event that our bills are not timely paid, the Firm reserves the right to suspend services until satisfactory payment arrangements are made. If our bills remain unpaid, the Firm reserves the right to terminate our services. The Client may terminate our services at any time, of course, with certain limitations that apply to matters in litigation.

The Client is responsible for the payment of any legal fees and expenses incurred by the Firm in the collection of amounts due under this agreement. Any bounced check is subject to a \$50 fee in addition to actual handling fee assessed by the Firm's financial institution.

The Client and the Firm agree that any dispute regarding the amount of compensation or expenses to which the Firm is entitled shall be resolved by reference to the Massachusetts Bar Association's Fee Arbitration Board, the results of which arbitration will be final and binding upon both the Client and the Firm. Any costs of the Firm in collecting the amount awarded by the Arbitration Board to the Firm shall be paid by the Client.

We will try to keep you informed of developments in your matter and our progress. For example, we will send you copies of significant documents prepared by us or received. You agree to send us promptly anything you obtain or discover relevant to your matter. For example, please contact us immediately if you learn of new or changed information and locate any significant documents.


The designated client liaison is Daniel R. Hoort. We will take our information, instructions and authorizations from this liaison who has signed below.

If you approve of all the above, please sign where indicated.

APPROVED:
TOWN OF WELLFLEET

McGregor & Legere, PC

Janet Reinhart Date
Chair, Selectboard



Gregor I. McGregor Date

McGREGOR & LEGERE

Town Counsel Date

Comptroller/Controller/Treasurer Date

Daniel R. Hoort Date
Town Administrator/Liaison

Fed. I.D. No.



BOARD OF SELECTMEN

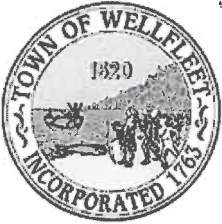
AGENDA ACTION REQUEST
November 27, 2018

VI

BUSINESS – D.

**Approval of signatures on landfill lease
and power purchase agreement**

REQUESTED BY:	Town Administrator
DESIRED ACTION:	Approval of signatures on landfill lease and power purchase agreement.
PROPOSED MOTION:	I move to approve and sign the landfill lease and power purchase agreement with AMERESCO, Inc as attached.
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____



BOARD OF SELECTMEN

AGENDA ACTION REQUEST
November 27, 2018

VII

TOWN ADMINISTRATOR'S REPORT

To: Board of Selectmen
From: Dan Hoort, Town Administrator
Subject: Town Administrator's Report
Date: November 20, 2018

This report is for the period November 10, 2018 through November 23, 2018.

1. General

- Charging stations have been installed, next step is for Eversource to install the Transformer.

2. Fiscal Matters

- FY 2020 budget being finalized for 12/01/18 delivery to Selectboard and Finance Committee

3. Meetings

- November 12 – Veteran's Day Holiday
- November 13 – Selectboard meeting
- November 15 – Meeting with Community Development Partnership staff
- November 15 – Meeting with Board of Water Commissioners Chair
- November 16 – Planning meeting with Harbormaster Office staff
- November 16 – Economic Vitality meeting at Preservation Hall
- November 20 – Meeting with Verizon regarding beach cell reception
- November 21 – Vacation day
- November 22 & 23 – Thanksgiving Holiday

4. Complaints.

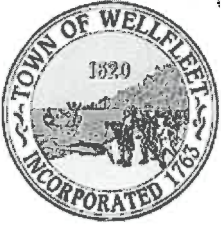
- none.

5. Miscellaneous.

- Open Meeting Law training being planned for November after election

6. Personnel Matters:

- Open Position: DPW Assistant Director
- Open Position: Executive Assistant to Town Administrator
- Open Position: Assistant Town Clerk



BOARD OF SELECTMEN

AGENDA ACTION REQUEST
November 27, 2018

IX

CORRESPONDENCE AND VACANCY REPORT

Date: November 20, 2018
To: Board of Selectmen
From: Jeanne Maclauchlan
Re: Vacancies on Town Boards

Building and Needs Assessment Committee (5 Members)

Vacant Positions	Appointing Authority	Length of Term
2 Positions	Board of Selectmen	3 years

Requesting Appointment: No applications on file

Commission on Disabilities (up to 7 Members)

Vacant Positions	Appointing Authority	Length of Term
6 Positions	Board of Selectmen	3 years

Requesting Appointment: No applications on file

Comprehensive Wastewater Management Planning Committee (7 Members)

Vacant Position	Appointing Authority	Length of Term
1 Position	Board of Selectmen	3 years

Requesting Appointment: No applications on file

Conservation Commission (7 Members)

Vacant Positions	Appointing Authority	Length of Term
1 Positions	Board of Selectmen	3 years

Requesting Appointment: No applications on file

Council on Aging Committee (At least 11 Members)

Vacant Positions	Appointing Authority	Length of Term
1 Position	Board of Selectmen	3 years

Requesting Appointment: No applications on file Date: July 5, 2018

Cultural Council (no more than 15 members)

Vacant Positions	Appointing Authority	Length of Term
2 positions	Board of Selectmen	3 years

Requesting Appointment: One application on file



BOARD OF SELECTMEN

AGENDA ACTION REQUEST

November 27, 2018

Energy Committee (11 members total)

Vacant Positions	Appointing Authority	Length of Term
1 position	Board of Selectmen	1 year to complete term
1 BOS Rep	Board of Selectmen	BOS Term

Requesting Appointment: No applications on file

Finance Committee (9 members, 2 alternate)

Vacant Positions	Appointing Authority	Length of Term
1 Position	Town Moderator	3 years
2 Alternate Positions		3 years

Requesting Appointment: No applications on file

Herring Warden (1 Warden, 1 Assistant Warden)

Vacant Positions	Appointing Authority	Length of Term
1 Assistant Position	Board of Selectmen	3 years

Requesting Appointment: No applications on file

Historical Commission (7 members)

Vacant Positions	Appointing Authority	Length of Term
1 Position	Board of Selectmen	1 year to complete term

Requesting Appointment: No applications on file

Human Rights Commission (1 Representative)

Vacant Positions	Appointing Authority	Length of Term
1 Position	Board of Selectmen	3 years

Requesting Appointment: No applications on file

Local Housing Partnership (7 Members 2 Alternates)

Vacant Positions	Appointing Authority	Length of Term
1 Position	Board of Selectmen	1 year

Requesting Appointment: One application on file

Marina Advisory Committee (5 Community Members)

Vacant Positions	Appointing Authority	Length of Term
2 Community Position	Board of Selectmen	2 years

Requesting Appointment: No applications on file

Personnel Board (4 members + TA + FinCom Rep)

Vacant Positions	Appointing Authority	Length of Term
1 Position	Board of Selectmen	3 years

Requesting Appointment: No applications on file

Planning Board (7 members)

Vacant Positions	Appointing Authority	Length of Term
2 Positions	Board of Selectmen	5 years

Requesting Appointment: No applications on file

CORRESPONDENCE to the SELECTBOARD
November 14, 2018 through November 20, 2018

Letters/Emails

11/09/18	Russell Swart	Notice of intent to close restaurant November to late winter 2019
11/09/18	Ginny Parker	Request to postpone agenda item on town hall benches
11/09/18	Charles Buchanan	Regarding property tax increase
11/10/18	Dan Hoort	Update on dredging from Craig Martin, Army Corp of Engineers
11/13/18	Dan Hoort	Update on dredging
11/13/18	Dan Hoort	Six month action plan
11/19/18	Dan Hoort	Clarification of county procurement

Legal:

11/19/18	KP-Law	FY 2018 Audit memo
11/20/18	KP-Law	Pleasant Point Revetment Deeds

Internal Memos:

Minutes:

11/08/18	Housing Authority	Minutes of 09/13/18
11/19/18	Recycling Committee	Minutes of 10/02/18
11/19/18	Recycling Committee	Minutes of 11/07/18
11/19/18	Recycling Committee	Minutes of 11/16/18

Federal/State/Local:

None

Notices:

11/08/18	MASS Dept of Public Utilities	Approval of Eversource three-year energy efficiency plan
11/09/18	MASS Dept of Public Utilities	Notice of Filing and Public Hearing – Green Communities
11/19/18	LEC Environmental Consultants	Notice of Intent – Cape Cod Rail Trail Extension
11/19/18	COMCAST	Notice of price increases

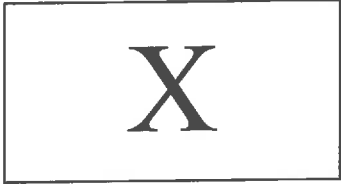
Applications:

11/19/18	Susan Spear	Local Housing Partnership
11/20/18	David Mead-Fox	Planning Board



BOARD OF SELECTMEN

AGENDA ACTION REQUEST
November 27, 2018



MINUTES

REQUESTED BY:	Executive Assistant
DESIRED ACTION:	Approval of meeting minutes of 11/13/18
PROPOSED MOTION:	<ul style="list-style-type: none">I move to approve the minutes of November 13, 2018 as printed/amended.
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____

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**Wellfleet Select Board Meeting
Tuesday, November 13th, 2018, at 7 p.m.
Wellfleet Senior Center, 715 Old Kings Highway, Wellfleet MA 02667**

Select Board Members Present: Janet Reinhart – Chair, Helen Miranda Wilson – Vice Chair, Justina Carlson – Clerk, Kathleen Bacon, Jerry Houk.

Also Present: Dan Hoort - Town Administrator, Radu Luca – Executive Assistant to the Town Administrator.

I. Announcements, Open Session and Public Comment

Note: Public comments must be brief. The Board will not deliberate or vote on any matter raised solely during Announcements & Public Comment.

Wilson, Houk and Bacon thanked Gary Joseph for his service to the Town and his work on the Herring River Restoration Project Committee. Houk would like to send Joseph a “Thank You” letter.

Carlson said that EforAll Cape Cod would hold a “Shark Tank” type of event at Preservation Hall in Wellfleet on December 6, 2018. The event is meant to help Cape Codders start a business.

Houk thanked Radu Luca for his work for the Town and said that Luca would be joining the Chamber of Commerce in Provincetown as its Executive Director.

Chief Fisette said that Wellfleet PD once again, will be allowing Officers to have Winter Beards for a Charity through February 2019. This is a fundraiser for a local charity. Also, Wellfleet PD will be joining other public safety agencies and collecting toys for tots. He said that drop off boxes would be placed throughout town and at the police station. Fisette added that Wellfleet PD would be a drop off spot for a Pet Food Drive through January 15, 2019. They will be collecting dry and canned foods. The Chief informed the Selectboard of his intent to retire in sometime between November 2019 and February 2020.

Tarkanian said that the Building and Needs Assessment Committee needs more members.

II. Appointments/Reappointments

A. Wellfleet Cultural Council

- 1) Patrick M. Finn (3-year appointment)
- 2) Autumn H. Edwards (3-year appointment)

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Patrick Finn was present, and he introduced himself to the board and to the audience. Wilson encouraged Finn to apply for other boards and committees as well and Finn said he would take that into consideration.

No action was taken on the Edwards appointment as she was not present.

I move to appoint Patrick Finn to the Wellfleet Cultural Council for three-year terms expiring June 30, 2021.

Motion: Bacon Second: Wilson 5-0-0. Motion carries.

Reinhart said that Diane Roehm from the Cultural Council had said that the Cultural Council is fully staffed for the time being.

B. Marina Advisory Committee – Appoint David Stamatis to full member (through 06/30/20)

Joe Aberdale, Chair of the MAC, was present to speak on Stamatis' application and he said that Stamatis would change from an alternate member to a full member.

I move to appoint David Stamatis as a full member of the Marina Advisory Committee for a term expiring June 30, 2020.

Motion: Bacon Second: Wilson 5-0-0. Motion carries.

C. Wellfleet Police Department – Robert Pimentel (Full Time Police Officer from Feb 1, 2019 through Jan 31, 2020)

Chief Fisetta introduced Robert Pimentel to the Board. Wilson asked whether his employment would be conditioned on Pimentel completing all the courses and qualifications. Wilson said she would put the condition in the motion. Bacon and Carlson said she had observed Pimentel in town and his interactions with the public.

I move to appoint Robert Pimentel as a full-time Wellfleet Police Officer from February 1, 2019 through January 31, 2020 on the condition that he achieves all the required accreditations and tests, as listed in Chief Fisetta's letter of November 1st, 2018.

Motion: Wilson Second: Bacon 5-0-0. Motion carries.

D. Local Housing Partnership - Autumn H. Edwards (3-year appointment)

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Bacon said that Edwards was not present due to child care, but she supports her application and she said that Edwards would make a good addition to the LHP.

Wilson suggested that the board take no action on this agenda item until Edwards was able to come before the board so that that the board would get the chance to meet her.

E. Recreation Committee - Autumn H. Edwards (3-year appointment)

There is no vacancy on this committee at this time.

III. Business

A. Town Hall benches [Ginny Parker]

This agenda item was postponed.

B. Approval of signatures on landfill lease and power purchase agreement [TA]

This agenda item was postponed because the attorneys on both sides have not yet finalized the agreement.

C. Discussion of 3 Kendrick Avenue [TA]

Hoort presented an update on this agenda item. He said that the purchaser of the property has approached the Town about selling the property to the Town under the conditions they would be granted access to the picnic tables and the siting of their dumpsters, possibly through an easement. The current owner is also looking at a possible easement for a future septic system on the property. Hoort said that septic would need to be approved by the Conservation Commission. Hoort suggested to the board that they met in executive session and discussed this issue. Hoort said that Hay, the purchaser, would like to work with the Town on this issue and make it a win-win situation. Hay said that, for Mac's on the Pier to do repairs and maintenance to the septic, the entire deck needs to be removed every time. He instead suggested moving the septic under the current brick area to the north of his property. Hay also recommended that the Town postpone the Special Town Election. Hoort said any Town election must be called within 90 days of the town meeting vote and it is entirely up to the board to vote on a special town election now or wait until Spring 2019. Bacon commended Hay on his initiative and she said that if we called for a special town meeting now would not give us a good turnout and she is in favor of waiting until the April of 2019 town meeting and working on a plan. Wilson said that this issue should be resolved sooner rather than later and that we don't know how the ZBA and ConsCom would vote on the septic and easement issues. Wilson asked Hoort when the 90 day-deadline was up. Hoort responded and said around December 24, 2018. Hoort also said that there must be 35 days to call for a Special Town Election within the 90-day deadline. Hay said that rushing this issue would jeopardize its passing. Wilson doesn't agree with Hay that this issue has

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been rushed and that we should act while it's still fresh. From the audience, Jude Ahern asked what the property 3 Kendrick Ave was zoned for. The answer came from Sam Bradford, one of the parties in Belvernon LLC, the buyer of the property at 3 Kendrick Ave, who said that the property is zoned for a single-family, residential, with a Title V septic. The abutting property, Mac's on the Pier, also has a Title V septic. Wilson said that even if the Town voted to acquire the property and approved the appropriation, the Town was not required to purchase the property. Michal Ceraldi asked the Selectboard about plans for the property at 3 Kendrick Ave and the open space. Reinhart responded and said that her choice would be wait until Spring Town Meeting and present a plan then. Houk would like to postpone this issue until Spring 2019 Town Meeting. Carlson said that the voters would like to see a plan and wouldn't vote for the authorization of funds if there is no concrete plan. Bacon said that the property is in a flood plain and that FEMA rules and regulations should be followed.

E. Call for 12/18/18 Special Town Election [TA]

This item was taken out of order and voted on before agenda item D.

I move to call for a Special Town Election on December 18, 2018.

Motion: Wilson Second: Houk 1-4-0. Motion does not carry.
Wilson voted in favor.

Wilson said that, even if the Town votes on the authorization, the Town does not need to spend the funds and purchase the property. Houk said that December is an inopportune time for a special election.

D. Herring River Restoration Project counsel agreement and briefing [HMW]

Hoort said that he didn't have an update from counsel on this agreement and that it would be brought before the board on November 27th. Wilson asked whether both counsels would be briefed at the same time when they were both present in the room. Hoort responded and said yes.

Wilson presented a short synopsis of the HRRP background.

The board went into recess at 7:55 pm.

The board reconvened at 8:05 pm.

F. Town Administrator's Review [Reinhart]

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Reinhart said that Hoort scored very well and that the overall average score was 3.66. Wilson commented on the language in the evaluation form, which can be confusing. Carlson thanked Hoort for his service to the Town and for some of his initiative, such as the split tax rate. Hoort said that he appreciates it when board members sit down and speak with him to ask for information or offer suggestions and comments. Wilson commended Hoort on his neutrality on Town-related matters. Houk thinks that Hoort is doing a good job overall, but he also thinks he needs to get out of his office more and go talk more with his Department Heads. Houk also thinks Hoort should have a staff meeting, preferably at least every six months. Reinhart thinks that board and committee chairs and department heads should stop in and talk to Hoort more often.

I move to accept the results of the Town Administrator's review as presented by Selectboard Chair Reinhart.

Motion: Wilson

Second: Bacon

5-0-0. Motion carries.

A. Dates of Selectboard meetings for 2019 [TA]

Bacon said that the Community is used to the Selectboard meeting on the second and fourth Tuesday of every month. Wilson said that the community is used to the day itself, Tuesday. Houk believes that if one board members objects to the first and third Tuesday, we should keep the same schedule. Houk also said that he could make 6 pm meetings moving forward. Hoort suggested that an option for the board would be to meet at 6 pm outside of daylight savings time.

I move to approve the Selectboard meetings calendar for 2019 as presented, to meet on the first and third Tuesday of the month to start on January 8, 2019.

Motion: Wilson

Second: Reinhart

2-2-1. Motion does not carry.

(Carlson, Houk opposed, Bacon abstained)

Meetings will continue to be on second and fourth Tuesday of each month.

I move that the Selectboard start meeting at 6 pm until daylight savings time begins next Spring.

Motion: Wilson

Second: Carlson

5-0-0. Motion carries.

B. Authorization to close Town Office on December 13th from 3-5 pm for the Holiday Party [TA]

Hoort thanked Daren Davis for organizing this party in the years past. Bacon said that the party would be at the Well at their events venue and that a cash bar would be available.

I move to authorize the closing of Town Offices from 3-5 pm on Thursday, December 13th, 2018 for the Holiday Party.

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Motion: Wilson

Second: Bacon

5-0-0. Motion carries.

II. Town Administrator's Report

Wilson asked for a short briefing on the WEA contract negotiations at one of the board's future executive sessions. Hoort said there is no need for executive session, the discussions centered on a final resolution to the town hall finance department reorganization. Wilson would like the Town to address the possibility to have remote meetings.

Bacon asked about the date for an open meeting law training. Hoort said he would follow up with Town Counsel and Joe Powers.

III. Topics for Future Discussion

Some of the future topics were addressed during the TA Report agenda item.

Wilson said that marina fuel tanks need to be replaced. She also said that the Town should notify restaurant owners to respect the dates mentioned in their business license application form for their opening and closing dates.

Bacon asked about the survey to be conducted by the Masonic Lodge as it relates to the Town owned lot at Bank and Commercial Streets. Hoort responded and said he would follow up with the Masonic Lodge. She also asked about the yield sign at the Bank and Commercial Street. Hoort said this item had been advertised and it would be on the agenda for Nov 27. Bacon would like to bring in Justin Post and Mark Vincent to give an update on the shellfish shack and see what it would cost to revamp the building. Bacon would like to invite the Housing Authority and have them come in and give an update on 95 Lawrence Rd. Hoort responded and said he would follow up with the Housing Authority.

Wilson said that, since this is a transition year for the residential tax exemption program, the Assessor's Office should look at and accept other forms of proof of residency.

Houk would like to address the blocking of the Bank Street parking lot for bicycles only during the two days of Oysterfest. Also, we need to get an Assistant DPW Director onboard before Paul Lindberg retired. Houk would also like to address contracts and particularly the MA Frazier contract. Houk also suggested drafting an article to go before Town Meeting to propose subsidizing people to go to paramedic school with the caveat that they would have to put in at least three years and reimburse the Town within the 3-year time.

Reinhart said the we should look into having a bench in honor of Arthur Medici at Newcomb Hollow Beach. Reinhart would also like to schedule another meeting with the

DRAFT

board and committee chairs and the department heads. We should also schedule a meeting to address the property at 3 Kendrick Ave and the shellfish shack. Another future agenda item should be to address Hoort's contract renewal. Reinhart would also like to address allowing remote participation at meeting, but also to get more meeting to be televised, including the FinCom.

Carlson addressed the concerns with regard to the bike trail extension. Hoort said that he had responded to each of the e-mails and informed the sender that this is a State issue on state owned property and their concerns should be addressed with the State.

IV. Correspondence and Vacancy Report

Carlson brought up some of the correspondence pertaining to the increase in property taxes related to the residential exemption.

V. Minutes (Draft minutes from 10.23.18)

Wilson presented her edits and amendments to the minutes.

Houk excused himself and left the meeting before the vote because he was not present at the previous meeting.

I move to approve the minutes of October 23, 2018 as amended.

Motion: Wilson

Second: Bacon

4-0-0. Motion carries.

Houk was absent for this vote.

VI. Adjournment

I move to adjourn.

Motion: Bacon

Second: Wilson

4-0-0. Motion carries. Houk

was absent for this vote.

The meeting was adjourned at 9:15 pm.

Respectfully submitted,

Radu D. Luca,

Executive Assistant to the Town Administrator

Link to video here: TBD

Public Records Materials of 11/13/18

1. Application – Patrick Finn to the Cultural Council (Sep 26)
2. Application – Autumn Edwards to the Cultural Council and the Local Housing Partnership (Nov 5)
3. Resignation Letter – Stephen Cooney from the Marina Advisory Committee (Nov 5)

Town of Wellfleet

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BOS Agenda

Meeting materials are available on the Town of Wellfleet web site: <http://www.wellfleet-ma.gov>. Motions may be offered, and votes may be taken by the Board on any agenda item except for Announcements & Public Comment

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4. Employment Application – Robert Pimentel to the WPD
5. Memo – TA Report (Nov 9)
6. Memo – Principal Clerk Vacancy Report (Nov 8)
7. Memo – Executive Assistant Correspondence report (Nov 13)
8. Minutes – Selectboard meeting October 23, 2018

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BOARD OF SELECTMEN

AGENDA ACTION REQUEST
November 27, 2018

XI

ADJOURNMENT

REQUESTED BY:	BOS
DESIRED ACTION:	Adjournment
PROPOSED MOTION:	I move to adjourn.
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____

