



Wellfleet Selectboard

Note: Start Time of 7pm

The Wellfleet Selectboard will hold a public meeting on **Tuesday, September 10, 2019, at 7:00 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 Comments**
Note: Public comments must be brief. The Board will not deliberate or vote on any matter raised solely during Announcements & Public Comments.
- II. Public Hearing**
 - A. Tax Classification Hearing [Nancy Vail, Assessor]
 - B. Application received August 27, 2019 from Wellfleet SPAT for a one Day Beer and Wine license on Saturday October 12, 2019 from 5 to 8 pm.
- III. Appointments/Reappointments**
 - A. Cape Cod Commission – Dick Elkin or Gerald Parent
 - B. Local Comprehensive Planning Committee – Suzanne Grout Thomas, Jennifer Wertkin, Jay Norton, Mac Hay, Janet Lesniak, Bonnie Shepard, Jay Horowitz, Janis Plaue
 - C. Board of Health – Jed Foley
- IV. Use of Town Property**
 - A. Mayo Beach – Wellfleet Conservation Trust on October 14, 2019
 - B. Marina and Town Hall parking lots – SPAT on October 12, 2019 from 3-10
 - C. Ponds – Benten Niggel from May – August 2020
- V. Business**
 - A. Approval of Assistant Town Administrator contract [TA]
 - B. Lower Cape Housing Institute Presentation [Community Development Partnership]
 - C. Selectboard Marijuana Policy Review [TA]
 - D. Marijuana Cultivation-Host Community Agreement - Patrick Kemple & Ennie MacDonald
 - E. Review of FY 2021 Budget Policy – draft, first reading [TA]
 - F. Review of FY 2021 Annual Budget & 2020 Annual Town Meeting schedule [TA]
 - G. Selectboard FY2020 Goals Update
- VI. Selectboard Reports**
- VII. Town Administrator's Report**
- VIII. Topics for Future Discussion**
- IX. Correspondence and Vacancy Report**
- X. Minutes**
 - A. August 27, 2019
- XI. Adjournment**



BOARD OF SELECTMEN

AGENDA ACTION REQUEST
Meeting Date: September 10, 2019

II

PUBLIC HEARING – A

REQUESTED BY:	Principle Clerk
DESIRED ACTION:	Tax Classification
PROPOSED MOTION:	Should the Selectboard wish to keep the same same motions as last year, please see the September 2018 motions listed below.
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____
	2019 Selectboard Motions:
Split tax rate between Commercial & Residential	I move to make the Residential Factor the numeral 1 for FY2019.
Option 1	I move to approve the adoption of a residential tax exemption of 20% for FY2019.
Option 2	Open Space exemption – No action taken
Option 3	Small Business exemption – No action taken

MEMORANDUM

To: Board of Selectmen, Town Administrator
From: Assessor
Subject: **Classification Hearing - Fiscal 2020**
Date: September 10, 2019

The Legislature has given local communities limited flexibility in allocating the tax burden among the various classes of property. The Selectmen have the opportunity to lower the tax rate of residential taxpayers and increase the tax rate of commercial and personal property taxpayers. The Town of Wellfleet has always employed one tax rate for all classes of property. At the Classification Hearing, the Board of Selectmen must reaffirm or change this position.

The Board of Assessors recommends retaining the unified tax rate for all classes of property. The current split between classes is 96% residential and 4% commercial & personal property. The shift would place an undue burden on 4% of the Wellfleet taxpayers. **To retain the single tax rate, a motion with a favorable vote to "make the Residential Factor the numeral 1 for Fiscal 2020" must be made.**

The Board of Assessors must also inform the Selectmen of other options involving the shifting of the tax burden. The following is for information only. **No action need be taken.**

Option One:

There is a Residential Exemption available to those domiciled in Wellfleet. An amount up to 35% of the average assessment of the entire residential class could be deducted from the total assessed value of domiciled taxpayers. The total amount of exempted value would then be allocated among all residential class taxpayers. The net effect is an increase in the tax rate for all residential taxpayers.

The Board of Assessors does not have a recommendation.

Option Two:

The "Open Space Exemption" allows up to 25% of the assessed value of land so designated to be exempt from taxation. The burden would be shifted to all other classes of property.

The Board of Assessors recommends no action. There is no need for an open space exemption at this time as several tax-friendly options are available for those interested in preserving all or part of their property as open space. Parcels that could qualify are currently involved in other programs that have satisfied any need to date.

Option Three:

Small Business Exemption - An amount up to 10% of the assessed value of a small business (less than 10 employees and an assessed value of less than \$1,000,000) may be deducted. The total deductions are then shifted to those businesses not classified as "small."

The Board of Assessors recommends no action. The majority of the town's businesses are "small." The additional burden would be shifted to a handful of taxpayers.



BOARD OF SELECTMEN

AGENDA ACTION REQUEST
Meeting Date: September 10, 2019

II

PUBLIC HEARING – B

REQUESTED BY:	Principle Clerk
DESIRED ACTION:	Approval of One Day Beer and Wine License
PROPOSED MOTION:	I move to approve a One Day Beer and Wine License on Saturday, October 12, 2019 from 5-8pm for SPAT.
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____

TOWN OF WELLFLEET
APPLICATION FOR SPECIAL EVENT LIQUOR LICENSE

1. Applicant Wellfleet SPAT, Shellfish Promotion and Tasting, Inc.

Address P.O. Box 2156, Wellfleet, MA, 02667 Telephone 508.349.3499

2. Affiliation/Group Art & Oyster Crawl For Profit Non Profit X

3. Type of License All Alcohol (\$100.00/day) Beer and Wine (\$50.00/day) X

4. Type of Activity Being Conducted For the second year, SPAT will host an event to celebrate two of Wellfleet's treasures: outstanding art galleries and exceptional shellfish! The event will allow the public to visit local art galleries and learn more about our shellfishing industry. The Art and Oyster Crawl will be held on Saturday, October 12th, 2019 from 5:00 - 8:00 pm.

5. Date October 12, 2019 Hours of Service 5:00-8:00 pm

6. Description of Premises Beer and wine will be served and consumed in the galleries only.


7. Name, Address, Telephone of Designated Manager (persons responsible for activity)

Nancy O'Connell, SPAT Board President, P.O. Box 2156, Wellfleet, MA, 02667

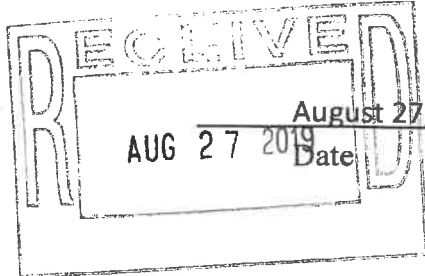
Michele Insley, SPAT Executive Director, P.O. Box 2156, Wellfleet, MA, 02667

8. If activity involves food service, please describe fully (i.e. raw shellfish, heated casseroles, bakery goods, etc.) Raw Shellfish, beer and wine will be served. Appropriate health permits will be obtained and food safety precautions will be taken to ensure public health. Food and beverage safety trained shellfisherman and volunteers (HACCP/ServeSafe/TIPS) will be present at each location.

000 7 S 714



Applicant's signature



Police Dept Signature *[Signature]*
Comments/Conditions 9/13/19

OK

Building Dept. Signature *[Signature]* 9/6
Comments/Conditions _____

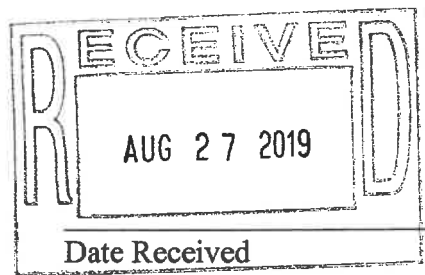
Fire Dept. Signature *[Signature]*
Comments/Conditions 8/28/19

OK

Health Dept. Signature *[Signature]*
Comments/Conditions _____

TEMPORARY FOOD SERVICE
PERMITS NEEDED

DPW Dept. Signature OK 9/6
Comments/Conditions _____



\$ 100.00
Fee

Date Issued



BOARD OF SELECTMEN

AGENDA ACTION REQUEST
Meeting Date: September 10, 2019

III

APPOINTMENTS – A

REQUESTED BY:	Principal Clerk
DESIRED ACTION:	Appointment to the Cape Cod Commission Applicants: Dick Elkin Gerald Parent
PROPOSED MOTION:	I move to appoint _____ as the Wellfleet Representative to the Cape Cod Commission to fill a term ending in 2021.
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 Richard Elkin Date 07/31/2019
Mailing Address [REDACTED]
S Wellfleet, MA
Phone (Home) [REDACTED] Phone (Cell) [REDACTED]
e-mail: dickelkin@gmail.com

Please describe briefly any work experience, including volunteer service, that you feel would be useful to the Town: Chair, Energy Committee; Wellfleet representative to Cape Light compact, CoFounder of Nauset Neighbors, Board of directors, Village-to-Village Network.

Please add any other information that you think may be useful, including education or other formal training, specialized courses, professional licenses or certifications, etc.: BS, Engineering, PhD Mathematics, Engineering Fellow – Raytheon company; Systems engineering manager, Raytheon

Committees/Boards of Interest: 1) Cape Cod Commission, Wellfleet representative
2) _____
3) _____



**TOWN OF WELLFLEET
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FILL OUT THE FORM BELOW and mail it to:

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

Name Gerald E. Parent Date 8-29-19

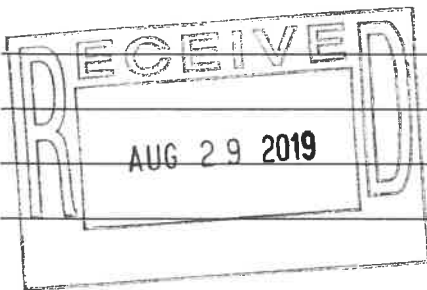
Mailing Address PO Box [redacted] Wellfleet, MA 02667

Phone (Home) [redacted] (cell) [redacted]

E-mail [redacted]@yahoo.com

Please describe briefly any work experience, including volunteer service, that you feel would be useful to the Town: Planning Board 27 years, Builder, Developer
Retail Owner 45 years

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



Committees/Boards of Interest: 1) Cape Cod Commission
2) _____
3) _____



CURRENT BOARD:

(as of July 2019)

REPRESENTING...

Barnstable	Fred Chirigotis
Bourne	Stephen Mealy
Brewster	Elizabeth Taylor (<i>Fiscal Year 2020 Secretary</i>)
Chatham	Tom Wilson
Dennis	Richard Roy
Eastham	Joy Brookshire
Falmouth	Charles McCaffrey
Harwich	Jacqueline Etsten
Mashpee	Ernie Virgilio
Orleans	Leonard Short
Provincetown	Cheryl Andrews
Sandwich	Harold Mitchell (<i>Fiscal Year 2020 Chair</i>)
Truro	Kevin Grunwald
Wellfleet	Vacant
Yarmouth	Jack H. McCormack Jr. (<i>Fiscal Year 2020 Vice Chair</i>)
Minorities	John D. Harris
Native Americans	David Weeden
County Commissioners	Ronald Bergstrom
Governor's Appointee	Michael Maxim



BOARD OF SELECTMEN

AGENDA ACTION REQUEST
Meeting Date: September 10, 2019

III

APPOINTMENTS – B

REQUESTED BY:	Town Administrator
DESIRED ACTION:	Appointment of Suzanne Grout Thomas, Jennifer Wertkin, Jay Norton, Mac Hay, Janet Lesniak, Bonnie Shepard, Jay Horowitz, and Janis Plaue to the Local Comprehensive Planning Committee
PROPOSED MOTION:	I move to appoint Suzanne Grout Thomas, Jennifer Wertkin, Jay Norton, Mac Hay, Janet Lesniak, Bonnie Shepard, Jay Horowitz, and Janis Plaue to the Local Comprehensive Planning Committee for a two-year term.
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s): _____
VOTED:	Yea _____ Nay _____ Abstain _____



TOWN OF WELLFLEET
APPLICATION FOR TOWN BOARDS & COMMITTEES MEMBERSHIP

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FILL OUT THE FORM BELOW and mail it to:
Wellfleet Selectmen's Office, Town Hall, 300 Main Street, Wellfleet, MA 02667

Name Suzanne Groot Thomas Date 8/28/19

Mailing Address P.O. Box [redacted]
[redacted]

Phone (Home) [redacted] (cell) [redacted]

E-mail Suzanne.Thomas@wellfleet-ma.gov

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

28 years with the Town of Wellfleet -
Directn of Comm. Services since 2012

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

CAR, AED, MPA, ICS-100, ICS-200, ICS-300
ICS-400, ServSafe

Committees/Boards of Interest: 1) Local Comprehensive Planning Committee
2) _____
3) _____



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

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FILL OUT THE FORM BELOW and mail it to:

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

Name Jennifer Wertkin Date 8/28/19

Mailing Address ^{Home} [REDACTED]

^{work} Wellfleet Public Library 55 W. Main St. Wellfleet 02667.

Phone (Home) ^{work} [REDACTED] (cell) _____

E-mail jennifer.wertkin@wellfleet-ma.gov

Please describe briefly any work experience, including volunteer service, that you feel would be useful to the Town: I have been on the committee since its

inception, and have been an active participant. I am also
the library director - the library being the hub of technology & free
community center in town.

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

I have worked in strategic planning before. Specifically
for the Wellfleet Public Library (as well as for CLANIS)

Committees/Boards of Interest: 1) Local Comprehensive Planning Committee

2) _____

3) _____



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

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FILL OUT THE FORM BELOW and mail it to:

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

Name Jay Norton Date 8/28/19

Mailing Address 220 West Main Street
Wellfleet, MA 02667

Phone (Home) 508-349-0315 (cell) _____

E-mail jay.norton@wellfleet-ma.gov

Please describe briefly any work experience, including volunteer service, that you feel would be useful to the Town: I work for the Town of Wellfleet as the Assistant Director of Public Works and possess a B.S. degree in engineering. I have over 14 years of civil engineering experience including 12 years on Cape Cod with extensive knowledge of environmental regulations from a Federal, State and Local level.

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

General Engineering degree with focus in civil/environmental engineering

Committees/Boards of Interest:1) Local Comprehensive Planning Committee

2) _____

3) _____



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

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FILL OUT THE FORM BELOW and mail it to:
Wellfleet Selectmen's Office, Town Hall, 300 Main Street, Wellfleet, MA 02667

Name Mac Hay Date 8/28/19

Mailing Address [REDACTED]

Phone (Home) [REDACTED] (cell) [REDACTED]

E-mail mac@macsseafood.com

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

18 Years of volunteer service for SPAT/Oysterfest (8 years as President, recently retired)
Have served on the Alternative Energy Committee, Finance Committee and owned a business in
Wellfleet for 25 years.

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

Committees/Boards of Interest: 1) Local Comprehensive Planning Committee



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

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FILL OUT THE FORM BELOW and mail it to:

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

Name Janet Lesniak Date August 29, 2019

Mailing Address [REDACTED]
Wellfleet, MA 02667

Phone (Home) [REDACTED] (cell) [REDACTED]

E-mail [REDACTED]@gmail.com

Please describe briefly any work experience, including volunteer service, that you feel would be useful to the Town: I am currently the Executive Director of Wellfleet Preservation Hall. (8+ years). I served on the Wellfleet Cultural Council. Prior to my move to Wellfleet, I was the General Manager of the Big Sur River Inn in Big Sur, California for over 20 years. I served on the Board and Executive Committees of the Monterey County Convention and Visitors Bureau (a destination marketing organization), the Monterey Jazz Festival, the Big Sur International Marathon.

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

Boston University, Bachelor of Science. Licensed Occupational Therapist. Multiple post-graduate courses at UC Berkeley and USC in Leadership, Management and Organizational Development.

Committees/Boards of Interest: 1) Local Comprehensive Planning Committee
2) _____
3) _____



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

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FILL OUT THE FORM BELOW and mail it to:

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

Name Bonnie Shepard Date August 29, 2019

Mailing Address [REDACTED] Wellfleet 02667

Phone (Home) [REDACTED] (cell) [REDACTED]

E-mail bonnie.shepard@gmail.com

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

I have been a consultant since 2000 specializing in program evaluation and strategic planning, with extensive experience in grant writing. I have been a member of the Planning Board since March 2019, and worked with Down Cape Downwinders for several years. I attended one LCPC meeting in June.

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

I have a Masters in Education from Boston University and a Masters in Public Administration from Harvard University. The field of program evaluation does not have professional certification. I have taken many specialized courses from the Evaluators Institute and the American Evaluation Association, whose conference I attend every year. I served on the Board of Our Bodies Ourselves for 8 years, 6 years from 2000-2006, and two years as Board Chair in 2016-2018.

Committees/Boards of Interest: 1) Local Comprehensive Planning Committee

2) Planning Board

Courtney Butler

From: bonnie.shepard@gmail.com
Sent: Thursday, August 29, 2019 2:11 PM
To: Courtney Butler
Cc: Suzanne Thomas
Subject: RE: LCPC Designation and Appointments

Dear Courtney, Yes, I will make it. When is the agenda posted?

Please put the following on the record regarding my availability.

I can make most meetings year-round except from 2nd week in July through 3rd week in August. Even there, I can make exceptions. When I was needed for a quorum on the Planning Board, for example, I came to the July 17th meeting.

Other than that, I imagine my availability is similar to other people who take family vacations or need to be out of town occasionally. Sometimes I travel for my consulting work, but that tends to be rare. This year, I will be travelling for work the 2nd week in October, and again the 2nd week in November. Before that, there were only two 2-day visits out of town for all of 2019.

Best wishes, Bonnie

From: Courtney Butler <Courtney.Butler@wellfleet-ma.gov>
Sent: Thursday, August 29, 2019 1:03 PM
To: bonnie.shepard@gmail.com
Cc: Suzanne Thomas <Suzanne.Thomas@wellfleet-ma.gov>
Subject: RE: LCPC Designation and Appointments

Thank you, Bonnie. If you could please attend the 9/10 meeting it would be very beneficial to your appointment. There have been some questions about your availability to attend meetings, and they would all like to meet you in person of course.

Thank you,
Courtney

Courtney Butler

Executive Assistant to the Town Administrator

Town of Wellfleet

300 Main Street

Wellfleet, MA 02667

Telephone: (508) 349-0300

Fax: (508) 349-0305

Office Hours: 8am-12pm, 1pm-4pm M-F

Courtney.Butler@wellfleet-ma.gov



TOWN OF WELLFLEET
APPLICATION FOR TOWN BOARDS & COMMITTEES MEMBERSHIP

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FILL OUT THE FORM BELOW and mail it to:

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

Name JAY HOROWITZ Date 8/28/19

Mailing Address P.O. Box [REDACTED]
WELLFLEET, MA 02667

Phone (Home) _____ (cell) [REDACTED]

E-mail [REDACTED]@com

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

Registered Architect in MA. Since 1985

ZBA Member in early 2000's

Building Needs & Assessment Committee since 2014

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

LCP Group since 2016

Committees/Boards of Interest: 1) Local Comprehensive Planning Committee

2) _____

3) _____



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

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FILL OUT THE FORM BELOW and mail it to:

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

Name Jan Plauc Date 8/28/19

Mailing Address PO Box [redacted]
S. Wellfleet, MA 02663

Phone (Home) [redacted] (cell) _____

E-mail [redacted]

Please describe briefly any work experience, including volunteer service, that you feel would be useful to the Town: My 19 years on the school Committee

is probably the most relevant. Under Brian
I was part of the LRPC. I am also a
member of CPC.

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

Committees/Boards of Interest: 1) Local Comprehensive Planning Committee

2) _____

3) _____



BOARD OF SELECTMEN

AGENDA ACTION REQUEST
Meeting Date: September 10, 2019

III

APPOINTMENTS – C

REQUESTED BY:	Town Administrator
DESIRED ACTION:	Appointment of Jed Foley to the Board of Health
PROPOSED MOTION:	I move to appoint Jed Foley to the Board of Health for a term to expire on June 30, 2022.
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____



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

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FILL OUT THE FORM BELOW and mail it to:

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

Name JED FOLEY Date 9/1/19

Mailing Address PO BOX 1719 WE
WELLFLEET MA 02667

Phone (Home) _____ (cell) 774-722-3604

E-mail wellfleetjed@gmail.com

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

Many years in the building and swimming pool industry working with the health department.

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



Committees/Boards of Interest: 1) BOARD OF HEALTH

2) _____

3) _____



BOARD OF SELECTMEN

AGENDA ACTION REQUEST
Meeting Date: September 10, 2019

IV

USE OF TOWN PROPERTY – A

REQUESTED BY:	Principal Clerk
DESIRED ACTION:	Approval of the use of Mayo Beach by Wellfleet Conservation Trust on October 14, 2019
PROPOSED MOTION:	I move to approve the use of Mayo Beach by Wellfleet Conservation Trust on October 14, 2019, per the conditions, if any, as listed on the application form for a fee of \$
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTE:	Yea _____ Nay _____ Abstain _____

APPLICATION FOR PERMIT TO USE TOWN OWNED PROPERTY

TOWN OF WELLFLEET
300 MAIN STREET
WELLFLEET, MA 02667

Applicant: *Dennis O'Connell*

Affiliation or Group: *Wellfleet Conservation Trust + **

Telephone Number: *508-349-2162*

Mailing Address; *PO Box 2121*

Email address; *dennyoc@comcast.net*

Wellfleet, MA 02667

Town Property to be used (include specific area); *Mayo Beach parking area, to provide base for coordination*

Date(s) and hours of use: *(holiday) Monday, October 14, 2019. Hours are 9:00AM to 12:00 noon*

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. *COASTSWEEP 2019 is a joint project* by WCT, the Recycling Committee, the Conservation Commission, the Open Space Committee, and Friends of Herring River and is part of the Statewide beach cleanup sponsored by the Massachusetts Office of Coastal Zone Management (CZM). Volunteers report to Mayo Beach at 9:00 AM to be assigned sections of Wellfleet Harbor for cleaning, collecting data, returning trash and reporting to Mayo Beach at the end of the "Sweep". This is the fifth year of doing this joint project. The sponsors will segregate and take the trash to the Transfer Station.*

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

None, except permission to dispose of segregated trash at the Transfer Station

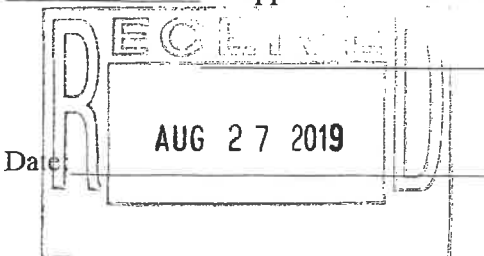
NOTE TO APPLICANTS: All applications must be accompanied by a non-refundable \$50.00 processing fee. Applications must be received at least 30 days prior to the first event date to ensure that all reviews can be completed prior to the event. This application is only for permission to use Town property. 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): _____






Processing Fee: \$50.00 Request waiver


Fee: Request waiver

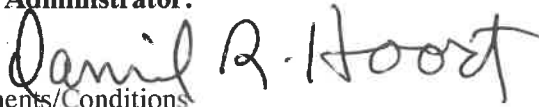
APPLICANT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND INSPECTIONS

Health/Conservation Agent:  Comments/Conditions: Permits/Inspections needed:	Inspector of Buildings: Comments/Conditions: Permits/Inspections needed:
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Police Department:  Comments/Conditions: OK 8/27/19	Fire Department:  Comments/Conditions: OK 8/27/19
--	--

DPW:  Comments/Conditions: OK 8/27/19	Community Services Director: Comments/Conditions:
---	---

Harbormaster: Comments/Conditions	Shellfish:  9.6.19 Comments/Conditions THANK YOU!
---	---

Recreation: Comments/Conditions	Town Administrator:  Comments/Conditions
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BOARD OF SELECTMEN

AGENDA ACTION REQUEST
Meeting Date: September 10, 2019

IV

USE OF TOWN PROPERTY – B

REQUESTED BY:	Principal Clerk
DESIRED ACTION:	Approval of the use of Marina and Town Hall Parking Lots by SPAT on October 12, 2019 from 3-10 PM
PROPOSED MOTION:	I move to approve the use of Marina and Town Hall Parking Lots by SPAT on October 12, 2019 from 3-10 PM, per the conditions, if any, as listed on the application form for a fee of \$
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTE:	Yea _____ Nay _____ Abstain _____

APPLICATION FOR PERMIT TO USE TOWN OWNED PROPERTY

TOWN OF WELLFLEET
300 MAIN STREET
WELLFLEET, MA 02667

Applicant: Wellfleet SPAT, 501(c)(3) Corporation **Affiliation or Group:** Art & Oyster Crawl
Wellfleet Shellfish Promotion and Tasting, Inc.

Telephone Number: 508-349-3499
michele@wellfleetspat.org

Mailing Address: Wellfleet SPAT
P.O. Box 2156
Wellfleet, MA, 02667

Purpose:

For the second year, SPAT will host an event to celebrate two of Wellfleet's treasures: outstanding art galleries and delicious shellfish. *The Art and Oyster Crawl* will be held on the Saturday, October 12 from 5:00 – 8:00pm

Guests will visit participating art galleries for a taste of fresh Wellfleet oysters and clams paired with fine wines and local beer. A shellfish farmer, a wine or beer representative and SPAT board member will be at each gallery to let people know about shellfishing, the fine wines and craft beer being served and about the hosting non-profit organization. Additional art galleries will be encouraged to participate by remaining open and coming up with their own unique offering. Maximum attendance is 100 people.

Town Property to be used (include specific area):

0103 7 5 00A

- Public parking at Marina and Town Hall Parking Lot
- Participants will be walking from gallery to gallery on sidewalks on Commercial Street
- Portable restrooms will be set up at the Left Bank or Cove Gallery (still to be determined)

Town property dates & hours of use *Possible tent @ Bank St.*

- Saturday, October 12 from 3:00 – 10:00 pm for set-up, execution and clean-up

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.

- Guests will gather at the Masonic Lodge at 5:00 pm for a welcome and overview, then proceed to the participating art galleries
- Five galleries will be participating in this year's event: The Cove, Left Bank, the Works, Harmon and Burdick Art Gallery.
- Other galleries and restaurants are invited to be open that evening although SPAT will not provide food or beverage.
- At each of the five participating galleries, attendees will be served fresh Wellfleet oysters and clams paired with fine wines and local beer.
- Shellfish will be opened by the shellfisherman that grew or harvested the product and talking about the process.
- A SPAT representative will serve the wine or beer.
- Food and beverage safety trained volunteers (HACCP/ServeSafe/TIPS) will be present at each location.
- The restrooms at each of the participating galleries will be reserved for the food serve staff to wash hands and equipment.
- Portable restrooms and hand sanitizer will be available for attendees.
- Ticket price will be \$35 per person, maximum number of attendees is 100.

Permits to be obtained:

- Town Use
- One-day Beer and Wine
- Temp Food Establishment

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

- No town services are requested

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.

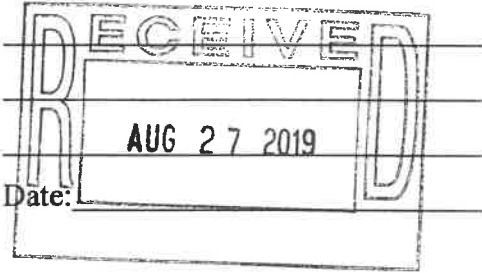
Action by the Board of Selectmen:

_____ Approved as submitted

_____ Approved with the following condition(s): _____

_____ Disapproved for following reason(s): _____

Signatures of the Board:



Processing Fee: 50.

Fee: 110.00

APPLICANT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND INSPECTIONS

<p>Health/Conservation Agent:</p> <p><i>[Signature]</i></p> <p>Comments/Conditions: OK</p> <p>Permits/Inspections needed:</p> <p>TFE Needed</p>	<p>Inspector of Buildings:</p> <p><i>Tent Permit</i></p> <p>Comments/Conditions:</p> <p>Permits/Inspections needed:</p> <p><i>[Large X]</i></p>
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<p>Police Department:</p> <p><i>9/3 okay</i></p> <p>Comments/Conditions:</p>	<p>Fire Department:</p> <p><i>[Signature]</i></p> <p>Comments/Conditions: <i>OK 8/28/19</i></p>
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DPW: *OK 9/6*
Comments/Conditions

Community Services Director: *8/30/19*
St James
Comments/Conditions:
(OK)

Harbormaster: *Michael Law*
Comments/Conditions *9/5/19*

Shellfish: *Nancy Luth*
Comments/Conditions
9.5.19
Keep up the good work!

Recreation:
Comments/Conditions *X*

Town Administrator:
Daniel B. Hoost
Comments/Conditions



BOARD OF SELECTMEN

AGENDA ACTION REQUEST
Meeting Date: September 10, 2019

IV

USE OF TOWN PROPERTY – C

REQUESTED BY:	Principal Clerk
DESIRED ACTION:	Approval of the use of Wellfleet Ponds by Benten Niggel from May – August 2020
PROPOSED MOTION:	I move to approve the use of Wellfleet Ponds by Benten Niggel from May – August 2020, per the conditions, if any, as listed on the application form for a fee of \$350
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTE:	Yea _____ Nay _____ Abstain _____

APPLICANT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND INSPECTIONS

Health/Conservation Agent: Comments/Conditions: Permits/Inspections needed:	Inspector of Buildings: Comments/Conditions: Permits/Inspections needed:
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Police Department: 8/26/19 Comments/Conditions: O.K.	Fire Department: 8/28/19 Comments/Conditions: OK
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DPW: Comments/Conditions: OK 8/24/19	Community Services Director: 8/30/19 St Thomas Comments/Conditions: Insurance for \$1,000,000 covering the Town as also insured. Not at Gull Pond. <u>St Thomas</u>
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Harbormaster: Comments/Conditions: OK	Shellfish: Comments/Conditions:
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Recreation: Comments/Conditions:	Town Administrator: Daniel R. Hoort Comments/Conditions:
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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: Permits/Inspections needed:
--	---

Police Department: <i>[Signature]</i> 8/20/19 Comments/Conditions: OK.	Fire Department: 8/28/19 Comments/Conditions: <i>[Signature]</i>
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DPW: <i>[Signature]</i> Comments/Conditions <i>[Signature]</i> 8/24/19	Community Services Director: <i>[Signature]</i> 8/30/19 Comments/Conditions: Insurance for \$1,000,000 covering the Town as also insured. Not at Gull Pmd. <i>[Signature]</i>
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Harbormaster: <i>[Signature]</i> Comments/Conditions OK	Shellfish: Comments/Conditions
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Recreation: Comments/Conditions	Town Administrator: <i>[Signature]</i> Comments/Conditions
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BOARD OF SELECTMEN

AGENDA ACTION REQUEST
Meeting Date: September 10, 2019

V

BUSINESS – A

REQUESTED BY:	Town Administrator
DESIRED ACTION:	Approval of Assistant Town Administrator Contract
PROPOSED MOTION:	I move to approve the contract for the Assistant Town Administrator and authorize the Town Administrator to sign the contract.
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTE:	Yea _____ Nay _____ Abstain _____

EMPLOYMENT AGREEMENT
between
The TOWN OF WELLFLEET
and
MICHAEL TROVATO

THIS AGREEMENT, made and entered into this 3rd day of September 2019, by and between the Town of Wellfleet, Commonwealth of Massachusetts, a municipal corporation, hereinafter called the "Town", acting by and through its Town Administrator and Board of Selectmen, hereinafter called "Board" and MICHAEL TROVATO, hereinafter called the "Employee."

WITNESSETH:

WHEREAS, the Town desires to employ the services of said Employee as Assistant Town Administrator of the Town of Wellfleet;

WHEREAS, it is the desire of the Board to contract for the salary and benefits of said Employee;

WHEREAS, it is the desire of the Board to retain the services of the Employee, and to provide inducement for him to remain in such employment; and

WHEREAS, MICHAEL TROVATO, agrees to employment as the Assistant Town Administrator of said Town.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the parties agree as follows:

Section I – Function and Duties of the "position".

The Town hereby offers to employ said Employee as Assistant Town Administrator of said Town, and the Employee accepts said offer. The Assistant Town Administrator shall perform the duties specified in the Assistant Town Administrator job description and with such additional duties as are imposed upon the position by law and other such duties as the Town Administrator shall from time to time legally assign to him.

Section II – Term.

This Agreement shall become effective as of September 3, 2019 and shall be in full force and effect until September 2, 2022, subject to Sections III and XIV of the Agreement and subject to sufficient appropriation of funds.

Section III – Termination and Severance Pay

- A. The Town Administrator may terminate the employee for cause during the term of the Agreement.
- B. In the event the Employee voluntarily terminates his position with the Town before expiration of the term of this Agreement, the Employee shall give the Town one month written notice in advance, unless the parties agree otherwise. A copy of the resignation shall be filed with the Town Clerk and Town Administrator.

Section IV – Salary

- A. The Town agrees to pay the Employee for services rendered under this Agreement, an annual base salary of \$95,000. Salary shall be payable in regular installments at the same time as other employees of the Town are paid.

- B. All base salary figures stated under this Section shall be adjusted by the cost of living increases given to other Executive Group employees (Department Heads) and such other adjustments as shall be agreed to by the Town and the Employee.

Section V – Performance Evaluation

The Town Administrator shall review and evaluate the performance of the Employee every year from the date of appointment, during the month of August. Said review and evaluation shall be in accordance with the goals and objectives developed jointly by the Town Administrator and the employee. Further, the Town Administrator shall provide the employee with a summary written statement of the findings of the Town Administrator and provide an adequate opportunity for the employee to discuss his evaluation with the Town Administrator.

Section VI – Benefits

- A. The Employee shall receive all benefits that are currently extended to Executive Group employees (Department Heads) of the Town of Wellfleet in addition to those outlined below. Benefits shall include but not be limited to: Health Insurance (65% paid by Town), Life Insurance, Vacation, Sick Leave, Holiday Leave, Bereavement Leave, Personal Leave and Jury Duty. Effective with this contract the Employee shall receive accrue twenty (20) vacation days per year. The Employee shall accrue 1 ¼ sick days per month. The Employee shall receive two (2) personal days per calendar year. Expenses – such as meals, mileage, tolls, parking, disability and retirement as provided for under the Town Contributory Retirement System. All benefits shall cease upon termination of employment with the Town, excepting only such benefits as survive by operation of law.
- B. In the event of the death occurring in the immediate family of an employee, he/she shall be granted bereavement leave without loss of pay up to a maximum of four (4) regular workdays. For the purpose of this section, immediate family shall be defined as the employee's spouse, parents, stepparents, grandparents, children, stepchildren, grandchildren, brothers, sisters, mother-in-law, father-in-law, and other actual members of the employee's household. One (1) day of bereavement leave will be allowed for the employee to attend the funeral or memorial service of an aunt, uncle, niece, nephew, brother-in-law, or sister-in-law. Leave time permitted may, at the sole discretion of the Town Administrator, be adjusted owing to special and unusual circumstances.
- C. Up to one week of unused vacation and all sick days may be carried over from one year to another. When departing Town service, The Employee shall be allowed to cash out at their departure rate of pay all previously accrued, but unused vacation days.
- D. Subject to the sufficiency of appropriation, the Town Administrator may extend additional benefits to the employee as he determines appropriate.

Section VII – Professional Development

- A. The Town shall pay the Employee's registration fee(s), travel and reasonable subsistence expenses to attend conferences such as the American Planning Association Conference and the Mass Municipal Association Conference and other educational opportunities as may be approved by the Town Administrator.
- B. The Town agrees to pay for the registration, travel and reasonable subsistence expenses of the employee for educational courses, institutes and seminars that are necessary for his professional development and for the good of the Town, subject to the prior approval of the Town Administrator.
- C. Should the employee attend approved professional conferences, time spent at such conferences shall not be deducted from his vacation or other personal leave.

Section VII – Dues and Subscriptions

- A. The Town agrees to budget and pay for the professional dues and subscriptions of the Employee necessary for his membership in any organizations deemed necessary and desirable for his continued professional participation, and for the good of the Town provided that the Town Administrator will first review and approve such additional dues and subscriptions.

Section IX – Indemnification

- A. The Town shall defend, save harmless and indemnify the employee against any tort, professional liability, claim or demand, or other legal action, whether groundless or otherwise arising out of an alleged act or omission occurring in the performance of his duties as Assistant Town Administrator, provided that the employee has acted in good faith, without gross negligence or misconduct and within the authority of his position as Assistant Town Administrator, even if said claim has been made following his termination from employment. The Employee shall be indemnified in accordance with the provisions of Section 13 of Chapter 258 of the General Laws. The employee agrees to promptly notify the Town of any such claim and to cooperate fully with Counsel designated by the Town to handle such claim. The Town may obtain such insurance to cover its obligations hereunder as it deems appropriate.
- B. The Town shall reimburse the employee for reasonable attorney's fees and costs incurred by the employee in connection with such claims or suits involving the employee in his professional capacity.
- C. This Indemnification Section IX shall survive the termination of this Agreement in perpetuity.

Section X – Bonding

This position does not require bonding.

Section XI – Non-Renewal of Contract

If the Town decides not to renew this Agreement, the Board shall give the Employee three (3) months notice of its intent not to renew this Agreement. If the Town fails to give such notice, this Agreement shall be extended subject to the provisions of Section II.

Section XII – Other Terms and Conditions of Employment

- A. All provisions of the laws of the Commonwealth of Massachusetts relating to retirement, health insurance and other fringe benefits and working conditions, as they now exist or hereafter may be amended, shall apply to the employee as they apply to other employees of the Town, in addition to said benefits enumerated herein specifically for the benefit of the employee, except as otherwise provided in this Agreement.
- B. To the extent that a specific provision of this Agreement relates to a given situation, then it shall apply and prevail over the provisions of the Town's Personnel Bylaws and Regulations; to the extent that this Agreement is silent with respect to a given situation, then the Town's Personnel Bylaws and Regulations shall apply.

Section XIII – No Reduction in Benefits

The Town shall not at any time during the term of the Agreement reduce the salary, compensation or other benefits of the employee.

Section XIV – Notices

Notices pursuant to this Agreement shall be given by deposit in the custody of the United States Postal Service, postage prepaid, addressed as follows:

1. Town: Daniel Hoort, Town Administrator
Town of Wellfleet
300 Main Street
Wellfleet, MA 02667
2. Employee: Michael Trovato
287 Ocean Street
Hyannis, MA 02601

Alternatively, notices required pursuant to this Agreement may be personally served. Notice shall be deemed as given as of the date of personal service or as of the date of such written notice in the course of transmission in the United States Postal Service.

Section XV – General Provisions

- A. The text herein shall constitute the entire Agreement between the parties.
- B. This Agreement shall be binding upon and inure to the benefit of the heirs at law and executors of the employee.
- C. If any provision, or any portion thereof, contained in this Agreement is held unconstitutional, invalid or unenforceable, the remainder of this Agreement, or portion thereof, shall be deemed severable, shall not be affected, and shall remain in full force and effect.

IN WITNESS WHEREOF, the Town of Wellfleet, Massachusetts, has caused this Agreement to be signed and executed on its behalf by its Town Administrator, duly authorized by its Board of Selectmen, and the Employee has signed and executed this Agreement, both in duplicate, the day and first above written.

TOWN OF WELLFLEET

Daniel Hoort
Town Administrator

Michael Trovato



BOARD OF SELECTMEN

AGENDA ACTION REQUEST
Meeting Date: September 10, 2019

V

BUSINESS – B

REQUESTED BY:	Lower Cape Housing Institute
DESIRED ACTION:	Discussion
PROPOSED MOTION:	
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTE:	Yea _____ Nay _____ Abstain _____

LOWER CAPE COMMUNITY HOUSING PARTNERSHIP



2019
LOWER CAPE HOUSING INSTITUTE

EASTHAM PUBLIC LIBRARY
190 SAMOSET ROAD

WEDNESDAYS
OCT 2ND - NOV 6TH
6:00 PM - 8:30 PM

communitydevelopmentpartnership

LOWER CAPE COMMUNITY HOUSING PARTNERSHIP

GOAL

Increase the capacity of towns to meet the housing needs of their residents.

communitydevelopmentpartnership

LOWER CAPE COMMUNITY HOUSING PARTNERSHIP

A 3 - Part Community Based Strategy To:

- Build public support for affordable housing.
- Equip elected and appointed officials, business & community leaders and low income residents with the knowledge and skills to support the creation of more affordable housing.
- Train housing advocates to develop leadership, organizing and public speaking skills to effectively engage in public hearings and town meetings.


community development partnership

LOWER CAPE COMMUNITY HOUSING PARTNERSHIP

OUTCOMES

- **Broad public support will exist for the development of affordable housing units**
- **Towns will implement changes in zoning by-laws that support affordable housing development**
- **There will be an increase in the number of affordable units to each town's Subsidized Housing Inventory**
- **Towns will utilize Community Preservation Act funding for affordable housing**


community development partnership

LOWER CAPE COMMUNITY HOUSING PARTNERSHIP

1 LOWER CAPE HOUSING INSTITUTE

2 ADVOCACY TRAINING

3 PUBLIC EDUCATION CAMPAIGN

community development partnership



LOWER CAPE HOUSING INSTITUTE

WHO:

- Select Board, Planning & Zoning Board, Finance Committee, Community Preservation Committee, Housing Trust, Housing Committee, Housing Authority, Town Staff
- Architectural Review Board, Chatham 365 Task Force (if still active), Conservation Commission, Conservation Trust, Eastham Strategic Planning Committee, Historical Commission, Historic Business District Commission (mixed use), Open Space Committee Real Estate Committee



WHEN:
Wednesdays
Oct 2nd - Nov 6th
6:30 pm - 8:30 pm

WHERE:
Eastham Public Library
190 Samoset Road


community development partnership

LOWER CAPE HOUSING INSTITUTE

What's New?

- Name:** Lower Cape Housing Institute
- Location:** we will provide one Lower Cape Housing Institute in one location. This year's event will be held in the Eastham Public Library.
- Choose your session:** sessions will be available a la carte, sign up for 1 session, or all six!
- Curriculum:** redesigned to address the historical tension between housing and open space and the fact that all towns are engaged in development.
- New eligible groups:** Open Space Committee, Conservation Commission & Trust, Chatham 365 Task Force, Architectural Review Board.


community development partnership

LOWER CAPE HOUSING INSTITUTE

Sessions

- October 2nd: The Lower Cape Housing Landscape
- October 9th: Municipal Planning for a Shared Community Vision
- October 16th: Setting Your Town Up for Success
- October 23rd: Zoning for Housing to Protect Open Space
- October 30th: Analyzing Optimal Locations
- November 6th: Crossing the Finish Line


community development partnership

LOWER CAPE HOUSING INSTITUTE

REGISTER

1. Visit the Community Development Partnership at www.capecdp.org.
2. Click on Upcoming Events.
3. Choose a session.
4. Click on the Register Button or call Pelinda Deegan.

CONTACT

Andrea Aldana, Director of Housing Advocacy
Community Development Partnership
Phone: (508) 240-7873 x10
Email: andrea@capecdp.org

Pelinda Deegan, Housing Advocacy
Program Manager
Community Development Partnership
Phone: (508) 240-7873 x15
Email: pelinda@capecdp.org


community development partnership



BOARD OF SELECTMEN

AGENDA ACTION REQUEST
Meeting Date: September 10, 2019

V

BUSINESS – C

REQUESTED BY:	Town Administrator
DESIRED ACTION:	Selectboard Marijuana Policy Review
PROPOSED MOTION:	Discussion
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTE:	Yea _____ Nay _____ Abstain _____

Town of Wellfleet Marijuana Host Community Agreement Policy

The applicant shall appear before the Selectboard and present their plans for operations. All materials must be received in the Town Administrator's office no later than noon on the Thursday preceding the Selectboard's ~~Tuesday~~ meeting **during which the application shall be considered**. The applicant ~~should~~ **must** provide the following:

Eight copies of the presentation to be given to the Selectboard
Eight copies of a site map of the property
Eight copies of a business summary of the proposed business (not to exceed four pages)

Should the Selectboard wish to proceed, the Town Administrator will be directed to negotiate a Host Community Agreement with the applicant, **the text of which** ~~finalized Host Community Agreement~~ will be brought back to the Selectboard at a subsequent meeting for **consideration**. ~~approval and signature~~. **Sb might not!**

The Selectboard will ~~consider~~ **take into account** the following when making a decision **on a** ~~as to approving a~~ Host Community Agreement:

Local Preference – The Town will give priority to ~~local~~ proprietors **and backers?** ~~from the Outer Cape~~ **First priority to Wellfleet residents with second priority to those on Outer Cape (Provincetown, Truro and Eastham).**

Year-round Business – The Town will give priority to those who commit to be open a minimum of ten months of the year.

Economic Vitality – The opportunity for jobs for local residents and the use of local residents and businesses for construction and other business needs.

Medical vs Recreational Dispensary – The Selectboard will give preference to those applicants who will dispense both medical and recreational marijuana.

- The number of Host Community Agreements that have already been entered into by the Selectboard: As of the September 24, 2018 Special Town Meeting's approval of Article 9, the Selectboard can limit the number of these commitments in the town, at their discretion. Does this apply to both Medical and recreational establishments?

- The number of other such establishments already in existence in the town and/or in the surrounding area.

Host Community Agreement Decision: The Selectboard may sign a Host Community Agreement with the applicant ~~marijuana establishments~~ at the conclusion of this process. However, once commitments to the minimum number of Host Community Agreements with marijuana establishments assigned to the Town by the State, have already been made, the decision to sign a Host Community Agreement is solely at the discretion of the Selectboard. This was established at the September 24, 2018 Special Town Meeting when the voters approved a new General Bylaw in accordance with MGL XXXX: Article VII, Section 46. If the applicant's business plan does not sufficiently meet the priorities established by the Selectboard to some degree or if the materials submitted are not considered sufficient by the, the Board may decline to enter into a Host Community Agreement.

Can we say no at all if we have less than 3 CHAs? If, say, we've signed three or more and some drop out, leaving only two?

Once the Selectboard has signed a Host Community Agreement, permitting marijuana establishments in accordance with the Town's Zoning Bylaws is under the jurisdiction of the Zoning Board of Appeals and will require the submission of an application, fees and additional materials

Premises and uses regulated by the **Board of Health**, such as "Medical Product Manufacturer", will also require the submission of an application, fees and additional materials to be submitted to the Health Department? and? or? the Board of Health. Both?

~~**Zoning Board of Appeals** – The Board of Appeals shall be the Special Permit Granting Authority (SPGA) with the authority to hear and decide all applications for special permits, except for those special permits where the~~

~~Planning Board is expressly designated as the SPGA. Registered Marijuana Dispensaries (medical) and Recreational Marijuana Dispensaries require a Special Permit to operate in the Town of Wellfleet. Section 8.4.2 of the Town's zoning bylaws (on Town's web site) describe the conditions the Board of Appeals will consider when making a decision on a Special Permit.~~

Update or Renewal – annual, simple form (JR)



BOARD OF SELECTMEN

AGENDA ACTION REQUEST
Meeting Date: September 10, 2019

V

BUSINESS – D

REQUESTED BY:	Town Administrator
DESIRED ACTION:	Approval of Marijuana Cultivation – HCA – Patrick Kemple & Annie MacDonald
PROPOSED MOTION:	I move to approve the Marijuana Cultivation Host Community Agreement with Patrick Kemple and Annie MacDonald, doing business as SunDog Cannabis Cape Cod, LLC, located at 165 Paine Hollow Road.
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTE:	Yea _____ Nay _____ Abstain _____

Note:

The plans for this business were presented to the Selectboard during their February 12, 2019 meeting.

Host Community Agreement
Between
Town of Wellfleet, Massachusetts
And
SunDog Cannabis Cape Cod, LLC

This Host Community Agreement (“HCA”) is made by and between the Town of Wellfleet, a Massachusetts municipal corporation with an address of 300 Main St., Wellfleet, MA 02667, (“the Town”), and SunDog Cannabis Cape Cod, LLC, a Massachusetts limited liability company with a principal place of business of 165 Paine Hollow Rd., Wellfleet, MA 02667 (“SDCCC”) and which is a member of the High Dune Craft Cooperative (“HDCC”). The Town and SDCCC collectively are referred to as the “Parties”.

WHEREAS, SDCCC intends to cultivate 515 square feet of cannabis canopy located at 165 Paine Hollow Rd. for the purposes of operating as a member of a “Craft Cultivator Cooperative” as that term is defined by 935 CMR 500.000, et seq.

WHEREAS, HDCC has submitted an application for a Craft Marijuana Cooperative License from the Cannabis Control Commission (“CCC”) to cultivate and/or manufacture recreational marijuana at the premises of SDCCC.

WHEREAS, the Town wishes to ensure that all proposed activities at the premises comply with existing statutes, regulations, bylaws or ordinances, and certify that the premises is not within 500 feet of a pre-existing public or private school providing education in kindergarten or grades 1 through 12.

WHEREAS, in consideration for providing a Letter of Support from the Town to the CCC for a Craft Marijuana Cooperative for recreational cultivation and/or product manufacturing at the Premises, and providing a Commission Certification to the CCC within 60 days of a request from the CCC, and subject to the terms provided in this HCA, the Parties agree as follows:

1. The Town agrees to provide a Letter of Support to SDCCC for recreational marijuana and product manufacturing at the premises within seven (7) calendar days of execution of this HCA, and, if necessary, to re-issue said Letter of Support and provide such additional information as may be requested by the CCC.
2. The Town agrees to provide a Commission Certification to the CCC within 60 days of a request from the CCC and to provide such other information as may be requested by the CCC in connection with SDCCC application for license at the Premises, in a manner reasonably calculated not to adversely affect the CCC's determination on such application, and to participate and cooperate in good faith in the CCC license process.
3. SDCCC shall make annual community impact payments, pursuant to 935 CMR 500, to the Town in the amount not to exceed one percent (1%) of net sales proceeds of marijuana and marijuana products by SDCCC from the Premises. At all times, SDCCC shall retain documentation of all sales and costs, which will be available by the Town upon request. The Parties agree and acknowledge that the one percent (1%) fee reasonably relates costs imposed on the Town. Community impact payments subject to the terms in Paragraph 3 shall be paid by SDCCC no later than three (3) months following each fiscal year.

4. SDCC shall give hiring preferences to residents of the Town who otherwise meet the qualifications for employment at the Premises.
5. Neither the Town nor SDCC shall assign or transfer any interest in this Agreement without the written consent of the other, such agreement not to be unreasonably withheld.
6. SDCC agrees to promptly comply with all state and local laws, rules, regulations and orders applicable to the Premises.
7. Any and all notices, or other communications required or permitted under this Agreement, shall be in writing and delivered by hand or mailed postage prepaid, return receipt requested, by registered or certified mail or by other reputable delivery service, to the Parties at the addresses set forth on Page 1 or furnished from time to time in writing hereafter by one party to the other party, and in case of SDCC to:

SunDog Cannabis Cape Cod, LLC.
Erin McDonald
165 Paine Hollow Rd.
Wellfleet, MA 02667

with copy to:

Michael C. Fee, Esq.
Pierce & Mandell, P.C.
11 Beacon Street, Suite 800
Boston, MA 02108

In the case of the Town to:

Town Manager
286 Main St.
Wellfleet, MA 02667

Any such notice or correspondence shall be deemed given when so delivered by hand, if so mailed, when deposited with the U.S. Postal Service or, if sent by private overnight or other delivery service, when deposited with such service.

8. The Parties shall execute all such further and additional documents as shall be reasonable or necessary to carry out the provisions of this Agreement.
9. The failure of any Party to enforce any provision of this Agreement shall not be deemed a waiver of that Party's right to enforce the Agreement with respect to any future breach.
10. Should any part of this Agreement be held illegal or invalid, the validity of the remaining parts, terms and conditions shall not be affected thereby and said illegal or invalid part, term or condition shall be deemed not to be a part of this Agreement.
11. This Agreement, and those documents executed simultaneously with the execution of this Agreement, contain the entire agreement between the Parties with regard to the matters set forth herein and they shall be binding and inure to the benefit of the successors and assigns of each. The Parties represent and acknowledge that in executing this Agreement they have not relied upon any other representation or statement made by any person or entity with regard to the subject matter, basis or effect of this Agreement.
12. This Agreement is entered into in the Commonwealth of Massachusetts and all Parties hereto agree that it shall be governed and construed under the laws of Massachusetts, without reference to conflicts of laws principles. The language of all parts of this Agreement shall in all cases be construed as a whole, according to its fair

meaning, and not strictly for or against any party. This Agreement cannot be modified except by a writing signed by all the Parties hereto.

13. This Agreement may be executed in counterparts, and when each Party has signed and delivered one such counterpart, each counterpart shall be deemed to be an original, and when taken together with other signed counterparts, shall constitute one Agreement, which shall be binding upon and effective as to all Parties. Each Party's delivery of the signed counterparts to this Agreement by facsimile transmission or PDF/Adobe format shall comply with the requirements of this Paragraph.
14. All Parties to the Agreement acknowledge that they have had the opportunity to seek and receive the advice of counsel of their choosing and have executed the Agreement as their own free act and deed.
15. Each Party or responsible officer thereof has read this Agreement and understands the contents hereof. Each Party represents and warrants that (a) the person executing this Agreement on its behalf retains authority to bind the party purporting to be bound thereby; (b) each party has or intends to undertake any and all corporate or other formalities and approvals required to authorize the entry into and performance of this Agreement, and (c) that the entry into and the performance of this Agreement is not barred, prohibited or impaired by any law, rule, regulation, contract, judgment or decree that binds such Party.
16. Each Party, individual or entity owns all of the claims released herein by that party, individual or entity and has not heretofore assigned, transferred, or granted, or purported to assign, transfer, or grant, any of the claims, demands, and cause or causes of action disposed of by this Agreement. Each Party, individual or entity

agrees that it will indemnify, defend and hold each other Party, individual or entity harmless from any and all claims so assigned or transferred.

17. This Agreement shall terminate three (3) years after initial execution.

IN WITNESS WHEREOF, signed under seal the Parties hereto have executed this Agreement as of the date first above written.

SunDog Cannabis Cape Cod, LLC.

By:

Its:

Hereunto duly authorized by a vote
of the Board of Managers

**Approved by the WELLFLEET SELECTBOARD
on September 10, 2019**

Janet Reinhart

Helen Miranda Wilson

Justina Carlson

Kathleen Bacon

Michael DeVasto



BOARD OF SELECTMEN

AGENDA ACTION REQUEST
Meeting Date: September 10, 2019

V

BUSINESS – E

REQUESTED BY:	Town Administrator
DESIRED ACTION:	Review of FY 2021 Budget Policy
PROPOSED MOTION:	Initial Review and Discussion. Policy will be brought forward to Selectboard on September 24th for approval.
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTE:	Yea _____ Nay _____ Abstain _____

**TOWN OF WELLFLEET
BUDGET POLICY
FISCAL YEAR 2021**

It shall be the policy of the Town of Wellfleet that this Budget Policy articulates the Town's priorities and goals and provides an overview of the issues to be addressed during the Town of Wellfleet's budget process. This policy is adopted pursuant to Town Charter section 7-2-1 and Board of Selectmen's Policy 2013-02, Budget and Fiscal Management Policy.

BUDGET COMPLIANCE: The Budget will be estimated in accordance with all applicable laws.

BUDGET COMPONENTS: The Budget shall be composed of the General Fund Operating Budget, the Marina Enterprise Fund Budget, the Water System Enterprise Fund Budget, the Capital Budget, the ten-year Capital Improvement Plan and any budget Articles proposed for the Annual Town Meeting Warrant. The Capital Budget shall consist of capital requests to be funded from available funds including the tax levy; capital requests to be funded by borrowing shall be set forth in separate articles. The Budget should include financial results for the previous year and the current year to date. Object codes and summaries should be consistent across all organizational units. The Budget shall also include detailed revenue estimates and projections which will be created with the input of the Department Heads and the Town Accountant.

ENTERPRISE FUNDS: The Town of Wellfleet shall propose budgets for the Enterprise Funds that are self-supporting without a property tax transfer and which shall also reasonably and accurately allocate indirect costs.

CAPITAL BUDGET: The Capital Budget is important because regular replacement of worn out or obsolete equipment and prompt maintenance of facilities are important steps to avoid larger future expenditures which can result from delayed replacement or maintenance. The Town of Wellfleet shall propose a Capital Budget for the upcoming Fiscal Year that will include all capital projects and items with an overall expenditure of at least \$5,000 and a life expectancy of greater than one year. Replacement of vehicles will be reviewed in accordance with the Board of Selectmen's Vehicle Rollover Policy.

Certain capital budget items may be funded by borrowing. When presenting any capital item whose funding source is borrowing to town meeting voters the warrant shall include the projected debt service cost in the first year and the total projected debt service costs (principal and interest) for the entire borrowing term.

CAPITAL IMPROVEMENT PLAN:¹ The Town of Wellfleet shall propose a five-year Capital Improvement Plan that will encompass any capital project or item with an overall expenditure of at least \$5,000 and a life expectancy of at least one year. Inclusive within the Capital Improvement Plan shall be a breakdown of the possible additional operational costs associated with the capital project or item, including whether additional personnel may be required. (The FY 2020 Capital Improvement Plan has been previously approved and can be found on the town web site.

¹ See Town Charter section 7-5.
Budget Policy FY 2021.doc

The Town Administrator will review and present the recommended FY 2021 Capital Improvement Plan with Department Heads during the fall budget planning process. The Finance Committee report on the FY 2021 Capital Improvement Plan shall be delivered by November 30th.

BUDGET DEVELOPMENT: Department Heads shall make appropriate and well-reasoned budget submittals to the Town Administrator by November 1, 2019. The Town Administrator shall submit his proposed budget to the Board of Selectmen and the Finance Committee on December 2, 2019.

Where personnel costs are unknown due to pending contract negotiations department budgets shall include personnel costs based on FY 2020 costs. Required salary adjustments will be proposed in a separate article or articles. For the FY 2021 budget this is Wellfleet Employee Association is the only collective bargaining up for renewal.

PUBLIC MEETINGS ON THE PROPOSED BUDGET AND BUDGET APPROVALS: The Town Board of Selectmen and the Finance Committee shall hold joint budget workshops at 7:00 p.m. on Tuesdays or Wednesdays in December and in January. Department Heads will only need to be present at budget workshops if requested by the Board of Selectmen, the Finance Committee or the Town Administrator. The Board of Selectmen shall approve its proposed budget by the end of January. The Board of Selectmen's proposed budget may be subject to modifications if subsequent additional or unexpected budget or revenue information, including regional school district assessments or adjustments to state revenue or charges, becomes available prior to the Annual Town Meeting. Any modifications to the budget will be dated and consolidated where possible. The Finance Committee shall hold at least one Public Hearing on the proposed budget and shall make its recommendations on the proposed budget by February 29, 2020.

ADDITIONAL REQUESTED BUDGET AMOUNTS: Additional requested budget amounts above the previous year's budget request are not encouraged but will be considered if justification for such additional amounts is included with the budget materials. Justification and any supporting documents shall be submitted by department heads as a separate submission. Priority will be given for requests that place a minimum reliance upon the property tax to fund these endeavors and for requests required to meet legal obligations of the Town of Wellfleet.

Requests for new or expanded programs or services or substantial increases in ongoing expenditures, programs and services shall be detailed on the FY 2021 Additional Budget Request form (attached) and included with the proposed budget.

NON-PROPERTY TAX REVENUE SOURCES: The Town of Wellfleet shall continue supporting the concept that user fees, reasonable sponsorships and other non-property tax revenues be utilized to help offset the property tax and, to the fullest extent practical, be devised to recoup the costs of supplying a particular service. The Town Administrator in preparation of the budget shall review current department fee structures and charges for services and propose modifications as deemed necessary and appropriate.

BUDGET TIMETABLE: Due dates and deadlines are specified in the "Fiscal 2021 Budget and 2020 Annual Town Meeting and Annual Town Election Schedule" to be adopted by the Board.

THE BOARD OF SELECTMEN ADOPTS THE FOLLOWING FISCAL MANAGEMENT GOALS FOR FISCAL YEAR 2021:

- To work towards presenting a balanced budget, within the constraints of Proposition 2 ½, without requesting an override.
 1. To limit the overall increase in the budgets recommended for the Wellfleet Elementary School and the Nauset Regional School District to 2.5% or less while acknowledging the actual Town of Wellfleet assessment for the Nauset Regional School District and the Cape Cod Regional Technical High School may be above or below that amount due to variances in student enrollment numbers.
 2. To limit the increase in the unclassified accounts budget to 8% or less while acknowledging that the increase in health insurance and the retirement assessment is not controlled by the Town of Wellfleet.
 3. To limit the Fiscal 2021 operating budget for expenditures other than education and unclassified accounts to 2.5% or less.
- The Selectmen's Budget and Financial Management Policy specifies annual capital expenditures (exclusive of items financed by borrowing) of between three and seven percent of the operating budget. The Fiscal 2021 capital budget, based on the same set of operating budget assumptions, should therefore be between \$571,195 and \$1,332,789.
- Not to authorize any new significant program without an identified financing source to pay for said program.
- Not to authorize any new full-time personnel beyond current authorized levels. However, if any such new personnel are funded the positions shall be valued at a cost that includes both salary and benefits.
- Any open positions will be evaluated and if needed, replaced with part-time or full-time employees as appropriate for the position.
- The maximum utilization of funds from all revenue sources to fund programs.
- Whenever possible and reasonable staff will cultivate productivity improvements that could lead to realized savings.
- Whenever possible and reasonable staff will investigate regional opportunities that could lead to realized savings.
- The Town Administrator shall review regularly the methods of operation, program service delivery and expenditure of resources in the various Town departments to ensure maximum efficiency for the Town of Wellfleet.
- The town will continue to provide for an annual Other Post-Employment Benefits ("OPEB") contribution.

- The Town has reached its policy goal of a Stabilization Fund balance equal to approximately 5.0% of the annual operating budget. The Town will continue to fund the Stabilization Fund to meet the 5% goal. Each year a transfer equal to 5% of the budget growth will be requested.
- To maintain the Finance Committee Reserve Fund at an amount equal to 0.5% of the operating budget. Because the unexpended Reserve Fund balance reverts to free cash at the end of each fiscal year it must be appropriated in full each budget cycle. The estimated appropriation required to meet this goal for FY 2021 is \$97,580.
- To maintain a free cash balance equal to approximately 4.5% of the operating budget. The estimated free cash balance required to meet this goal for FY 2021 is \$878,213.

210 Police Department FY 2021 Additional Budget Request

Additional Amount Requested

\$

Budget Line Number

Line # Account Description:

One Time Only or Ongoing Expense?

Description of Program, Product or Service

Cost/Benefit Analysis



BOARD OF SELECTMEN

AGENDA ACTION REQUEST
Meeting Date: September 10, 2019

V

BUSINESS – F

REQUESTED BY:	Town Administrator
DESIRED ACTION:	Review of FY 2021 Annual Budget & 2020 ATM Schedule
PROPOSED MOTION:	Initial Review and Discussion. Schedule will be brought forward to Selectboard on September 24th for approval.
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTE:	Yea _____ Nay _____ Abstain _____

FY 2021 Annual Budget, 2020 Annual Town Meeting and Town Election Schedule

SEPTEMBER			
DATE	ACTION	WHO	Status
September 6, 2019	TA: Prepare draft for Selectboard of 1.) Budget & Annual Town Meeting Calendar; 2.) FY 2020 Budget Policy Statement; 3.) Five-year financial forecast for submission to BOS	TA	
September 24, 2019	BOS MEETING: Adoption of 1.) Annual Town Meeting Calendar and 2.) Budget Policy Statement. 2nd Review of 5 Year Financial Forecast	BOS	
September 30, 2019	Certify Free Cash	Accountant	
OCTOBER			
DATE	ACTION	WHO	Status
October 1, 2019	Distribute budget materials to department heads	Accountant	DONE
October 1, 2019	Distribute Capital Improvement Plan to Finance Committee (Charter 7-5-2)	TA	
October 7, 2019	BOS MEETING: Issue FY2021 Budget Policy Statement (Charter Sec. 7-2-1 'On or before the 31st of October of each year, the BOS shall prepare and issue a policy statement relating to the budget for the ensuing Fiscal Year.')	BOS/TA/ATA	
October 7, 2019	BOS MEETING: Set date for budget submission and distribute Budget Message per Budget Policy Statement (see above Charter Sec 7-2-2)	BOS/TA	
October 22, 2019	BOS MEETING	BOS	
October 23, 2019	FINCOM MEETING: Review draft Annual Town Meeting calendar	FinCom	
October 31, 2019	FINAL deadline date for BOS Budget Policy Statement and BOS/FinCom to set date for budget submission (see above Charter Sec 7-2-2)	FinCom	
NOVEMBER			
DATE	ACTION	WHO	Status
November 1, 2019	DEADLINE for submission of Operating Budget to TA	Dept Heads	
November 11-19, 2019	Individual Dept Head Meetings with TA. Alert FinCom liaison to Departments of specific meeting date	TA/EA/Dept Heads/FinCom	
November 26, 2019	BOS MEETING: Schedule joint FinCom BIG 5 Budget Review on December 18, 2018	TA/EA	
November 27, 2019	FINCOM MEETING:	FinCom	
November 30, 2019	Finance Committee submits their report on the Capital Improvement Plan to the Selectboard and Town Administrator (Charter 7.5.2)	FinCom	
November 30, 2019	Finance Committee summary of the Capital Improvement Plan is published in local newspaper (Charter 7.5.3)	Staff	
DECEMBER			
DATE	ACTION	WHO	STATUS
December 2, 2019	Request Annual Reports from officers, boards & committees	EA	
December 2, 2019	Submission of budget documents and budget message to BOS + FinCom. Include FY20 budget documents + message in BOS Packets	TA/ATA	
December 2, 2019	Budget materials made available to public	EA	
December 10, 2019	BOS MEETING: Distribute budget packets of the Big 5 Budgets	TA/EA	
December 10, 2019	Send memo requesting proposed ATM Articles + Transfer Requests to Dept + Committee Heads. Deadline for submission Jan 31, 2019	EA	
December 17, 2019	SPECIAL JOINT BOS/FINCOM MEETING: Joint BOS/FinCom Budget Review meeting of five largest Department Budgets	BOS/Dept Heads/FinCom	

December 27, 2019	2018 ANNUAL REPORT SUBMISSIONS DUE	All Depts/Bds/Committees	
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JANUARY

DATE	ACTION	WHO	STATUS
January 6, 2020	Develop 1st draft ATM Article Index	ATA/EA	
January 6, 2020	Update revenue estimates based on first 6 months of the current fiscal year	Accountant	
January 6, 2020	First day to obtain nomination papers for Town Election (last year 01/07/19)	Clerk	
January 14, 2020	BOS MEETING: Submit FY21 Regional School Budget Development Schedule to BOS with January 14, 2020 packets	TA	
January 14, 2020	BOS MEETING: Submit draft ATM Article Index to BOS	ATA/EA	
January 22, 2020	FINCOM MEETING: Dept Heads may be invited to attend to answer budget questions	Dept Heads	
January 31, 2020	Deadline to receive proposed ATM Articles + Transfer Requests from Department Heads + Committee Chairs	Dept + Committee Heads	

FEBRUARY

DATE	ACTION	WHO	STATUS
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February 5, 2020 <i>[tentative date - confirm with School Committee]</i>	School Committee Meeting - Final budget review + vote to approve FY2019 regional school budget	School Committee	
February 11, 2020	BOS MEETING: Review Elementary School, Tech School + NRSB Budget w FinCom at joint meeting	BOS/FinCom/School Reps	
February 11, 2020	TENTATIVE - Receive approved regional school budget	NRSB Business Manager	
February 12, 2020	Distribute placed Articles to Boards/Committees	EA	
February 25, 2020	BOS MEETING: Review draft of warrant, no action required	BOS	
February 26, 2020	FINCOM MEETING: Dept Heads may be invited to attend to answer budget questions	Dept Heads	
February 26, 2020	FINCOM to submit final budget recommendations to TA	FinCom	
February 28, 2020	Deadline for petitioned articles (" Prior to March 1 " - Charter 2-4-2)	Registered Voters	

MARCH

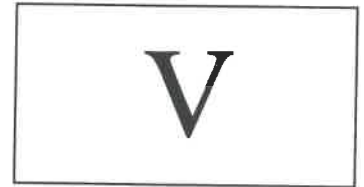
DATE	ACTION	WHO	STATUS
March 2, 2020	Submit Articles other than budget Articles to FinCom	BOS through TA/ATA	
March 2, 2020	Submit Annual Town Report TO PRINTER	EA	
March 6, 2020	Last day to obtain nomination papers for Town Election (MGL c. 53, s. 9A)	Clerk	
March 13, 2020	FINAL Board/Committee recommendations due to TA's office in order to be printed in the ATM Warrant	Boards and Ctes	
March 13, 2020	Deadline for certification to Town of NRSB and Cape Tech assessments (45 days before the earliest town meeting of a member town?)	Regional School Committees	

March 12, 2018	Last day to submit nomination papers to the Board of Registrars (MGL c. 53, s.7)	Clerk	
March 10, 2020	BOS MEETING: Final Article recommendations and vote on Warrant.	BOS	
March 3, 2020	Planning Board Public Hearing on Any Citizen Petition Zoning Changes	ATA	
March 16, 2020	Final Review of Warrant	TA/ATA/EA	
March 20, 2020	Constable to Sign Warrant (5 copies). Constable to post.	EA	
March 24, 2020	Regular BOS Meeting - BOS Sign Warrant (5 copies).	BOS	
March 25, 2020	FINCOM MEETING	FinCom	
March 27, 2020	Submit Warrant to printer	EA	
March 30, 2020	Last day to file nomination papers with the Town Clerk (MGL c. 53, s. 10)	Clerk	
April 1, 2020	Last day to object to or withdraw nomination papers (MGL c. 53, s. 11)	Clerk	
APRIL			
DATE	ACTION	WHO	STATUS
April 2, 2019	Last day to register to vote at ATM and Annual Town Election (MGL c. 51, ss 26, 28)	Town Clerk	
April 13, 2020	Deadline for posting and mailing Warrants ("14 days prior to ATM" Charter 2-6-3)	Printer	
April 14, 2020	BOS MEETING	BOS	
April 14, 2020	Finalize Article Motions	TA/ATA/EA	
April 15, 2020	Moderator's conference call with Town Counsel to review and finalize Motions	Town Counsel	
April 15-17, 2020	Create Power Point Presentation with Articles and Motions for ATM	EA	
April 27, 2020	FINCOM MEETING: Special meeting immediately preceding ATM	FinCom	
April 27, 2020	BOS MEETING: Special meeting immediately preceding ATM	BOS	
April 27, 2020	ATM ("4th Monday in April" - Charter 2-6-1)	ALL	
April 28, 2020	RESERVED FOR SECOND DAY OF ATM	ALL	
MAY			
DATE	ACTION	WHO	STATUS
May 4, 2020	Annual Town Election ("First Monday after the 4th Monday in April" Charter 2-6-1)	Town Clerk	



BOARD OF SELECTMEN

AGENDA ACTION REQUEST
Meeting Date: September 10, 2019



BUSINESS – G

REQUESTED BY:	Town Administrator
DESIRED ACTION:	Selectboard FY 2020 Goals Update
PROPOSED MOTION:	Discussion
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTE:	Yea _____ Nay _____ Abstain _____

Summary of FY20 Selectboard Goals

Property and Buildings

- Harbor dredging and maintenance (JR) (HMW) (MD)
- Shellfish Shack (HMW) (KB)
- Plans for improvement (JR)
- Bike trails and lanes/path (JR) (MD)
- Parking (JR)
- Assessment of all infrastructure and buildings – maintenance plan (MD)
- Town Hall Lawn (MD)

Housing

- 95 Lawrence Road development (JR) (KB)
- Attainable housing - increase inventory for year-round market rate and affordable rentals. Also increase assistance to working domiciled residents to purchase homes. (MD)

Economic Development

- Fiber Optics/Cell Tower/Utilities (JR) (KB)

Environment

- Climate mitigation (JR) (HMW) (KB) (MD)
- Flood mitigation (KB)
- Land use (HMW)
- Wastewater/Water (JR) (KB)

General

- Board and Committee memberships (HMW)
- Improve ongoing communication and process for compliance with Boards and Committees (HMW)
- Recreation - Work with the national seashore to increase recreational opportunities
- including bike trails and parking areas. (MD)

JR – Goals suggested by Select person Janet Reinhart

KB – Goals suggested by Select person Kathleen Bacon

MD – Goals suggested by Select person Michael DeVasto

JC – Goals suggested by Select person Justina Carlson

HMW – Goals suggested by Select person Helen Miranda-Wilson



BOARD OF SELECTMEN

AGENDA ACTION REQUEST
Meeting Date: September 10, 2019

VI

SELECTBOARD REPORTS



BOARD OF SELECTMEN

AGENDA ACTION REQUEST
Meeting Date: September 10, 2019

VII

TOWN ADMINISTRATOR'S REPORT

To: Board of Selectmen
From: Dan Hoort, Town Administrator
Subject: Town Administrator's Report
Date: September 6, 2019

This report is for the period August 24, 2019 through September 6, 2019.

1. General
 - Applications for FY 2020 Affordable Housing Tax exemption are now closed.
2. Fiscal Matters
 - FY 2021 CIP in progress
 - FY 2021 Budget in progress
 - Hired outside CPA firm to assist until we have Town Accountant
3. Meetings
 - August 27 – Meeting w resident regarding zoning issue
 - August 27 - Selectboard meeting
 - August 28 – Meeting w resident regarding COMCAST coverage
 - August 29 & 30 – vacation days
 - September 3 – Meeting with seasonal employee
 - September 5 – Opening ceremony at Wellfleet Elementary School
 - September 5 - Meeting w resident and building inspector regarding zoning issue
4. Complaints.
 - none
5. Personnel Matters:
 - Town Accountant to start on September 23rd
 - Assistant Town Administrator started working on September 3rd



BOARD OF SELECTMEN

AGENDA ACTION REQUEST
Meeting Date: September 10, 2019

IX

CORRESPONDENCE AND VACANCY REPORT

Board of Health (5 Members)

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

Requesting Appointment: **One application on file**

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

Bylaw Committee (3 Members)

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

Requesting Appointment: No applications on file

Cable Advisory Committee (5 members)

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

Requesting Appointment: No applications on file

Cape Cod Commission (1 Representative)

Vacant Positions	Appointing Authority	Length of Term
1 Position	Board of Selectmen	2 years to complete term

Requesting Appointment: **Two 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

Conservation Commission (7 Members)

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

Requesting Appointment: No applications on file

Council on Aging (11 Members)

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

Requesting Appointment: No applications on file

Cultural Council (no more than 15 Members)

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

Requesting Appointment: No applications on file



BOARD OF SELECTMEN

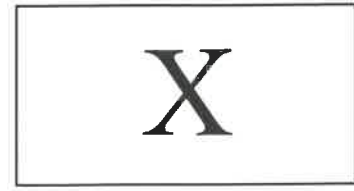
AGENDA ACTION REQUEST
Meeting Date: September 10, 2019

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		
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		
Marina Advisory Committee (7 Members, 2 Alternates)		
Vacant Positions	Appointing Authority	Length of Term
1 Alternate Position	Board of Selectmen	2 years
Requesting Appointment: No applications on file		
Natural Resources Advisory Board (At least 3 Members)		
Vacant Positions	Appointing Authority	Length of Term
1 Position	Board of Selectmen	3 years
Requesting Appointment: No applications on file		
Open Space Committee (7 Members)		
Vacant Positions	Appointing Authority	Length of Term
1 Position	Board of Selectmen	1 year
Requesting Appointment: One application 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
1 Position	Board of Selectmen	2 years to complete term
Requesting Appointment: No applications on file		
Recycling Committee (7 members)		
Vacant Positions	Appointing Authority	Length of Term
1 Alternate Position	Board of Selectmen	1 year to complete term
Requesting Appointment: No applications on file		
Shellfish Advisory Board (7 members + 2 Alternates)		
Vacant Positions	Appointing Authority	Length of Term
2 Alternate Positions	Board of Selectmen	3 years
Requesting Appointment: No applications on file		
Zoning Board of Appeals (5 members + 4 Alternates)		
Vacant Positions	Appointing Authority	Length of Term
1 Alternate Position	Board of Selectmen	3 years
Requesting Appointment: No applications on file		



BOARD OF SELECTMEN

AGENDA ACTION REQUEST
Meeting Date: September 10, 2019



MINUTES – A

REQUESTED BY:	Executive Assistant
DESIRED ACTION:	Approval of August 27, 2019 minutes
PROPOSED MOTION:	I move to approve the minutes of the August 27, 2019 meeting as amended.
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____

DRAFT
Amendments in red

Wellfleet Selectboard Meeting
Tuesday, August 27, 2019 at 7pm
Wellfleet Senior Center

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

Also Present: Town Administrator Dan Hoort; Executive Assistant Courtney Butler; Shellfish Constable Nancy Civetta; Community Services Director Suzanne Grout Thomas; Harbormaster Mike Flanagan

Chair Reinhart called the meeting to order at 7:00 p.m.

ANNOUNCEMENTS, OPEN SESSION AND PUBLIC COMMENTS

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

- Bacon made a correction from the July 23, 2019 meeting. She noted that she did not recuse herself from the meeting, as the Chair stated, but that she was absent due to a work obligation.

PUBLIC HEARINGS

Request from Winslow's Tavern to Extend Seasonal Liquor License to January 1, 2020

Bacon recused herself and left the room.

Tracey Barry Hunt, Owner of Winslow's Tavern, was present for the request.

Carlson thanked Hunt for staying open that late in the season.

- Carlson moved to approve the extension of a Seasonal Liquor Licenses for Winslow's Tavern to January 1, 2020.
- Wilson seconded, and the motion carried 4-0, with Bacon recused.

Application received from Richard Goldberg to Transfer Shellfish Grant License #2001-08

DeVasto recused himself and left the room.

Civetta said this was a great collaboration.

- Wilson moved to transfer Shellfish Grant License #2001-08 from Richard Goldberg to Richard Goldberg and Dave Seitler, as recommended by the Shellfish Constable.
- Bacon seconded, and the motion carried 4-0, with DeVasto recused.

Changes to Shellfish Regulation 7.19.5. Overwintering of Equipment on Grants

DeVasto recused himself and left the room.

Wilson said she conferred with the Civetta and Shellfish Advisory Board (SAB) about **these proposed amendments**. She said she attended the last meeting where the SAB vetted this change in regulations. **She clarified that there were two versions of the amended regulation in the Selectboard**

DRAFT
Amendments in red

packet: one was the result of that SAB meeting and the other was a subsequent draft, done by the Constable which includes changes to Appendix D.

Reinhart asked that, due to the number of shellfishermen in the room **who had shown up for this, that the Selectboard hear from them now.**

Wilson recommended that the Selectboard wait until September 24, after the SAB has had time to review the Constable's language. Civetta asked to hear what the public had to say. Bacon said she had read about the changes and is ready to vote on it but is willing to allow the time for comments.

Reinhart told the audience that the Board would hear their comments but not deliberate on them. Civetta said she appreciated hearing the opinions of the community who came out tonight.

Civetta said the Center for Coastal Studies will work with the Town to **locate** the harbor of any gear **that has been lost in the harbor's waters** via a sonar study. She said this would be done before December **and that this year grant money will pay for it.**

Audience member Alfred Pickard asked if the Board had a recommendation from the Marina Advisory Committee or the Harbormaster.

Flanagan recommended that all shellfishing gear be removed for two months in the winter, January and February.

Civetta said the Marina Advisory Committee sent the Board a recommendation but it did not get included in the packet for this meeting.

Audience member Joe Aberdale said the Marina Advisory Committee supported the Harbormaster's suggestion to remove all shellfish gear **for the months of January and February** at their July 24th meeting.

Wilson noted that the recommended changes are in the packet for this meeting, located on the Town website. Civetta noted that every shellfishermen was emailed the information.

Civetta said that the SAB did not come up with any further recommendations. She said she is willing to wait to vote on the changes but wants to be respectful of the time frame and allowing people to adapt to the changes. There was discussion about when a good time to vote on this in the future would be.

Bacon said **that as she will not be at the September 24 meeting, that she wanted to wigh in on this now:** she is 100% in agreement with the Harbormaster and the Constable. She said she sees the impact the gear has on the marine life and is interested to see what the sonar study shows. Bacon said she would like every piece of equipment to have name tags identifying the owner. She asked the community to be responsible and respectful to the environment and the industry.

- Wilson moved to continue the hearing to amend section 7.19.5 of the Wellfleet Shellfish Regulations and Appendix D on September 24.
- Bacon seconded, and the motion carried 4-0, with DeVasto recused.

DRAFT
Amendments in red

APPOINTMENTS/REAPPOINTMENTS

Building Needs and Assessment Committee – Reappointment, Harry Terkanian

Terkanian was present and said he requested a one-year appointment to finish the Police Station project. He said there is a small punch-list of items that need to be completed, along with filing their evaluation.

Bacon thanked Terkanian for his service on many Town committees.

Terkanian asked for Peter Williams to be appointed as the DPW alternate for the committee.

- Wilson moved to reappoint Harry Terkanian to the Building Needs and Assessment Committee for a one-year term.
- DeVasto seconded, and the motion carried 5-0.

Cape Cod Commission – Richard Elkin

Reinhart said that Gerry Parent has asked to be considered for the appointment as well. She asked the Board if they would like to consider both applicants before appointing a representative.

Carlson agreed and said that due to the prominence of the position, it would be good to consider more than one candidate.

Wilson said Elkin already serves on four committees and his knowledge are comparable to Parent. She said that Elkin had already attended a Commission meeting and has considered any potential conflicts of interest that may come up, such as the Herring River Restoration Project. She suggested appointing Elkin and noted the amount of time it has been vacant, over a month.

Reinhart agreed that both candidates would be good. She asked Elkin how long the term was. Elkin was unsure but thought that it was to fill Roger Putnam's term, which runs through 2021. Carlson agreed that waiting to hear both candidates would be best. DeVasto agreed with Carlson and said it would be due diligence for the Board to consider both candidates.

Reinhart asked Elkin his take on the Herring River Restoration Project. Elkin said he has made donations to the Friends of Herring River and has followed the project. Reinhart asked his opinion of the Commission's role. Elkin said the Commission is the planning agency for Cape Cod and became interested when the Commission said that coastal resiliency was a topic of focus.

Reinhart also noted Elkin's work with the Town Solar project. Reinhart said she felt comfortable moving on this matter, even without Parent present. Wilson said she would prefer not to have a member of the Planning Board as the Commission representative, to ensure checks and balances.

Wilson said she is well aware of Parent's qualifications and did not feel the need to meet with him in person.

- Carlson moved to postpone the appointment of the Wellfleet Representative to the Cape Cod Commission.

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Amendments in red

- Bacon seconded, and the motion carried 4-1, with Wilson opposed.

Local Comprehensive Planning Committee – Bonnie Shepard, Planning Board Rep.

Shepard was not present. Wilson said she spoke with Shepard today and that Shepard was planning on being here but had a family medical matter to attend to. Wilson said Shepard is able to attend every meeting and asked her if she had been chosen by the Planning Board to be on the Planning Committee. Shepard said the Planning Board did not vote on the appointment, but the consensus was that Shepard would be the representative.

Grout Thomas said her concern is not with who is appointed from the Planning Board but that a representative actually attends meetings from the Board.

Reinhart noted that Shepard does not live in Town and this is the second meeting she could not attend. Bacon noted that she is reluctant to appoint Shepard to a committee. **Wilson noted that she has been attending Planning Board meetings.**

- Bacon moved to postpone the appointment of Bonnie Shepard as the Planning Board representative to the Local Comprehensive Planning Committee until Shepard can be present.
- Carlson seconded, and the motion carried 4-1, with Wilson opposed.

USE OF TOWN PROPERTY

Mayo Beach from June 29 to September 10, 2020 – Della Spring

Spring was present for the request.

Reinhart asked Spring if she taught seven days a week, weather permitting. Spring said she only taught Tuesday and Thursday. Reinhart asked Hoort when the Board addressed fees. Hoort said in the fall.

Bacon said she felt the Board could move to approve the application on the condition that the fee could increase. Spring said she understood that there could be an increase.

Carlson asked what time of day she taught. Spring said 8:30 to 9:35 AM. Wilson thanked Spring for her early application.

- Bacon moved to approve the use of Mayo Beach from June 29 to September 10, 2020 by Della Spring, per the conditions, if any, as listed on the application form for a fee that will be determined at a later date.
- DeVasto seconded, and the motion carried 5-0.

Memorial Garden on September 1 from 4-6PM – Trudy Vermehren

Vermehren was not present for the request.

- Reinhart moved to approve the use of the Memorial Garden by Trudy Vermehren, per the conditions, if any, as listed on the application form.
- Bacon seconded, and the motion carried 5-0.

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Amendments in red

Great Pond on September 7 from 6-10 AM – Jay Critchley/Provincetown Swim for Life
Critchley was present for the request. Wilson noted the use of the COA for parking and transportation.

Reinhart had concern for the delicacy of the ponds at this point in time.

Critchley thanked the Town for its support of the Swim for Life event. He said he is sensitive to the ponds and plans to limit the event to 50 swimmers. Reinhart asked about the kayakers listed on the application. Critchley said he did not see the need for twelve, that perhaps six would be enough. He noted that the swim is around the perimeter of the pond, close to shore.

Reinhart asked how Swim for Life supported Wellfleet. Critchley said the proceeds go towards Outer Cape Health Services, PorchFest, the Aids Support Group of Cape Cod, and many other community organizations.

DeVasto said 50 people in the pond at one time is pretty common.

Audience member Tim Sayre said he lives on Great Pond and has no problem with the event. He echoed DeVasto's comment. He asked the Board to waive the fee, because Swim for Life is a nonprofit. Grout Thomas agreed with DeVasto and Sayre's comments.

Reinhart asked about the monitoring of the beach that day, with concern for erosion and the outer shore habitat. Critchley said no one will be on shore and swimmers will be monitored on the water.

Bacon said she was not originally supportive of the application, due to concern for the ecosystem of the ponds. She said she was willing to support the event so long as it does not become a spectator event that could lead to erosion **and destruction to vegetation** around the pond. Critchley agreed.

The Board agreed to waive the \$110 fee for this event.

- Carlson moved to approve the use of Great Pond on September 7, 2019 from 6-10 AM by Jay Critchley, per the conditions, if any, as listed on the application form.
- Wilson seconded, and the motion carried 5-0.

BUSINESS

Local Comprehensive Planning Committee Designation

Grout Thomas, Chair of the Committee, presented the request. She said she would like to make the group an official committee. She noted that it was designated as a working group when formed under Assistant Town Administrator Brian Carlson. Grout Thomas said that the group is subject to Open Meeting Law and therefore should be a designated committee.

Wilson noted there was no charge for the committee. She asked if the members of the groups named in the packet material attend the meetings. Grout Thomas said yes, when available, noting the busy schedules of members in the summer. Wilson noted that the quorum would then be five for the committee, if membership was 9.

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Amendments in red

- Bacon moved to designate the Local Comprehensive Plan Working Group as the Local Comprehensive Planning Committee with a membership of 9 members, including 1 representative from the DPW, Community Services, Library, Housing Authority, Planning Board, School Committee, and the Building Needs and Assessment Committee.

Further discussion: DeVasto asked what the charge would be now, since one was never set originally. Carlson asked why there were no representatives with extensive knowledge of shellfishing, wastewater, or the 208 Plan and or dedicated to such concerns. Grout Thomas said there were four community meetings in the early stages of the committee where those groups were represented. **There was one on shellfishing, housing, what was generally needed to be included in the plan and wastewater.** She also noted that the plan is going to be developed with regard for different areas in Town and what is happening in those places, rather than defining **the needs of specific groups, in keeping with the Cape Cod Commission's plan.** Grout Thomas said she would like to thank those members who have been on the Committee for over two years and to help them finish the project. She said the group was working on its mission statement. The charge would be to get the plan completed and ready for the April 2020 Town Meeting.

Wilson noted there were seven representatives listed for groups. Grout Thomas said there were 2 at-large members, including Mac Hay and Janet Lesniak, she suggested amending the request to include 2 at-large members. She also noted that Butler takes minutes and provides structure and resources but does not vote. Wilson suggested having 9 regular members and no at-large members.

Carlson asked Hay's purpose for being in the group. Grout Thomas said he has been on the working group since its conception and was asked to be on the Committee by former Assistant Town Administrator Brian Carlson. Reinhart discussed the membership and asked Grout Thomas if there were too many members. Grout Thomas said she asked for 9 members because the quorum is only 5.

Carlson asked if Hay had filed an Appearance of Conflict of Interest form, citing that he is a prominent business owner. Butler noted that Hay asked to clarify his role as well and the group decided that he represents a large group of business owners, industry, commerce and shellfishermen, all of which are individual areas that must be covered in the LCP per Commission guidelines; he also provides good input to the group. Carlson said when one is a business owner in town, there is always a conflict of interest if a business owner is on the Committee. Butler retorted saying that any business owner would then present a conflict of interest under this premise and noted that no other business owner has stepped up to be on the Committee, leaving these areas of the Plan – industry, commerce, and shellfish – unrepresented on the group. There was further discussion.

DeVasto said he was concerned that this was not originally formed as a Committee and felt members should be appointed after a charge is designated. He noted it is important to follow a process. Wilson said anyone who wants to be on the Committee **must apply to be on it** now that it will be an official committee. She also said the charge comes from the Cape Cod Commission's requirements and this group already has a sense of what their charge is. Wilson asked that a charge be provided to the Board.

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Amendments in red

Reinhart agreed that shellfish and wastewater/water should be represented. Grout Thomas said if the Board felt more comfortable, then they could appoint 9 regular members instead of 2 at-large and ask representatives of shellfish and water to be appointed. She noted that it would be a lot, however, for any new members to come on and have to be caught up on all the work that has been done already.

Bacon said she felt the Board was overthinking this. In response to DeVasto's concern for a charge, she noted there is a mission statement that is comparable and dovetails nicely into a charge. She noted the amount of time that has elapsed between the forming of the group and that it is important to complete the plan. Bacon noted that no one from shellfish or water has stepped up and reminded the Board of the meetings held for the public in previous years.

Carlson said this was an important and meaningful plan. She said that Carlson never reached out to the Water Commissioners when she was a member and asked to postpone this until a clearer definition and representation is made. Reinhart said this was already pushed down the line enough and asked that the motion be made to establish the group and a charge come later.

Bacon reread her motion:

- Bacon moved to designate the Local Comprehensive Plan Working Group as the Local Comprehensive Planning Committee with a membership of 9 members, including 1 representative from the DPW, Community Services, Library, Housing Authority, Planning Board, School Committee, and the Building Needs and Assessment Committee.

Wilson noted that this motion was for 9 regular members, no at-large members. Wilson noted there was no one with a strong environmental background. Butler noted that Jay Norton from DPW has the environmental and water background, Martha Hevenor has great insight as well, and that all issues – housing, water, and shellfish – are being covered. Butler respectfully invited the Board and all members of the public to attend meetings, read the minutes, and watch previously recorded meetings to understand fully the work the Committee is doing and the representation of all areas of concern discussed this evening.

DeVasto asked the members of the committee to be officially appointed. Carlson said she did not feel the motion was clear in terms of DeVasto's point and would like a point of process included in the motion. Reinhart said the motion on the table is just to change the group from a working group to a Committee.

- Wilson seconded, and the motion carried 3-2, with Carlson and DeVasto opposed.

Wilson noted that members who wanted to be on the Committee would need to apply and be appointed at the following meeting.

Arthur Medici Memorial

Grout Thomas presented the request. Medici lost his life in a shark attack last year at Newcomb Hollow beach. Grout Thomas said she communicated with Medici's aunt who contacted his parents in Brazil to get their thoughts on the memorial. She said the parents requested a Bible verse, which led her to speak with Town Counsel. Counsel said the recommended language passed necessary 1st

DRAFT
Amendments in red

amendment tests regarding a government body using religious language. Grout Thomas noted that she would like a boulder but there was concern about erosion and that the memorial would roll into the ocean. She also recommended a bench and asked the Board's opinion.

Bacon said this was a sad day for the Town one year ago but was also a reminder of the hazards of the ocean. She expressed concerns about the maintenance of the memorial and also asked if there would be a memorial for every future fatality that could occur in the future. Bacon suggested the DPW would have to remove the memorial, whether it was a boulder or a bench, each winter.

Grout Thomas said she did not want to anticipate that there would be more fatalities and considered this comparable to the ghost bikes along Route 6. She said the bench would make more sense as far as removal in the winter goes.

Reinhart said she liked the boulder idea but also recognized that benches are used frequently and are a nice place to sit and reflect. Bacon said she worried there could be a lot of benches in the future and suggested one rock with a large plaque that could include any future names.

Wilson said recognition of the events is good and also preferred a small boulder, if anything. She said she has respect of others' religions but did not any religious affiliation in a public place. Wilson suggested doing nothing instead, given that there was already significant knowledge and awareness of the tragic event.

DeVasto said he agreed with Wilson that less was more, but that he would rather an individual or outside group would pay for the memorial. He felt that it was not the Town's place to expend the resources for the memorial and would prefer it came from the community who wishes it to be there.

Carlson said she felt Medici's favorite Bible verse was appropriate and asked how much the benches cost. Butler noted that they cost \$1,200. Carlson noted the impact Medici's death had on the community and that this was a bench for the whole community. She felt the Town could afford to pay for it.

Audience member Heather Doyle noted that the Medici family comes to visit the Cape each summer. She suggested looking forward and that the community would be happy to have a memorial for Medici. She said the public has created their own **temporary** memorials **at the site** and would like to see a permanent one. Doyle said her group, Cape Cod Ocean Community, would be willing to commit funds for the memorial. She asked if any benches in Town currently contain a Bible verse, noting she would respect any provisions for that inclusion. Doyle also noted how much it would mean to the family.

Audience member Maggie Flanagan said the idea of a memorial touches her deeply as it was a place where she could watch her son, a surfer, when he is in the water. Flanagan said that if this was a child from Wellfleet there would be a different discussion taking place.

Audience member Gail Ferguson said it did not matter that the verse come from the Bible, but it is important that the verse is important to Medici and his family.

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Amendments in red

Audience member Larry Horowitz suggested having a memorial that would save lives from sharks. He suggested a flagpole with the shark flag flying constantly. Grout Thomas said she looked at flagpoles and that the removable ones are problematic and that a permanent one set up high enough on the beach to avoid erosion would be out of view of those on the beach. She said she is looking into bigger flagpoles for the lifeguard stands for next year.

Audience member Drew Taylor, who is close with the Medici family, said the discussion tonight was good and noted that the Medici family is deeply religious, and their religion has gotten them through their loss. He asked that the Bible verse be included.

Bacon said it may not be lawful for a municipality to install a memorial with a Bible verse on it, per Town Counsel's recommendation. She noted that a privately donated memorial could include such a verse. Bacon noted that the Board seemed to be leaning towards installing a memorial and would prefer a bench over a boulder.

Reinhart noted the Lemon Law Test, regarding a municipality installing a memorial with a Bible verse on it. Bacon noted that Counsel said they did not see a problem with the verse but had not seen the actual verse yet.

Wilson said there needs to be a sentence stating why there is a memorial, stating the cause of the death. Bacon noted Wilson's earlier comment that the event was highly publicized.

DeVasto said he is in favor of the memorial but would prefer that it come from the loving community. He said he feared that it would set a precedence that the Town should be memorializing people, noting he was not insensitive to the issue.

Reinhart asked the Board if they preferred a bench or a rock. The consensus was a bench, Wilson preferred a rock.

An audience member, a surfer from Truro, said it would be nice way for the surfing community to recognize one of their own. He suggested both a rock and a bench if the Board could not decide.

Hoort suggested the community would raise the funds for the purchase of the memorial.

- Bacon moved to authorize installation of a memorial bench for Arthur Medici at Newcomb Hollow Beach.
- Wilson seconded, and the motion carried 5-0.

Suicide Awareness Prevention Week Proclamation

Reinhart noted that this was done every year.

Bacon read the Proclamation as follows:

WHEREAS, in the United States, one person dies by suicide every 12 minutes and 121 people die by suicide each day; and

WHEREAS, 20 veterans die by suicide each day; and

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Amendments in red

WHEREAS, suicide is the second leading cause of death for Massachusetts residents ages 15-44 and the suicide rate on the Cape and Islands is 1.4 times higher than the State average; and

WHEREAS, suicide is a tragic and disruptive event for families and communities ~ it is estimated that annually, there are 6.3 million suicide loss survivors who have lost a loved one to suicide; and

WHEREAS, suicide is a public health issue and a community concern, and through increased education and awareness of the issue a great number of suicides can be prevented;

THEREFORE, we do hereby officially designate the week of September 08 - 14, 2019 as “**SUICIDE PREVENTION WEEK**” in the Town of Orleans MA, Barnstable County.

- Bacon moved to sign the Proclamation declaring the week of September 8th to 15th, 2019 as Suicide Prevention Awareness Week.
- Wilson seconded, and the motion carried 5-0.

Approval of Tax Inserts – Housing, Tax Assistance, & Cemetery Commission

Reinhart noted that the first insert is for the Wellfleet Buydown Program which is funded through CPC fund; the second insert is for the Wellfleet Taxation Aid Fund; and the third insert is to restore and maintain Wellfleet cemeteries.

- Wilson moved to approve the Housing Authority 2019 tax bill insert, the Taxation Aid Committee 2019 tax bill insert, and the Cemetery Commission 2019 tax bill insert.
- Carlson seconded, and the motion carried 5-0.

It was confirmed that with the approval of these three inserts, the inclusion limit has been reached.

Approval of Pilot Agreement – Coles Neck Solar

Hoort noted that this was already approved as part of the lease agreement, this simply allows a standalone pilot agreement. Reinhart noted this was for the solar array at the landfill.

Bacon asked Hoort if this officially completed this process. Hoort said an easement from Eversource will have to be approved but otherwise, yes.

Wilson asked Richard Elkin, Chair of the Energy and Climate Action Committee, for his thoughts on the agreement. Elkin said he had seen the agreement and noted that the fee is based on a formula used statewide. He said this was a good deal for Wellfleet.

The TA confirmed that this was approved by Counsel.

- Bacon moved to approve the agreement and authorize the Town Administrator to sign it.
- Carlson seconded, and the motion carried 5-0.

HDYLTA Discussion

Wilson apologized for any concerns and difficulties that have come up around this matter due to her actions. She said she will be able to address this at a later date, if needed.

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Amendments in red

DeVasto reminded the audience that the HDYLTA purchase was made before he became a Selectman.

Wilson and DeVasto recused themselves and left the room.

Reinhart read a prepared statement:

“As Chair of the Selectboard, I respectfully acknowledge concerns of the public. It took time talking with people and Town Counsel.

In hindsight, this could have been handled differently. The process was rushed and may have seemed chaotic, but to me, it wasn't. There was a lot of work, time and consideration on everyone's part, that went into presenting this to Town Meeting.

It is very important for the Town to own this property. Protection of the shellfish industry, protection of a beach and the environment and access rights. New pressures from outside money became a consideration.

There is an appraisal and a survey being worked on presently.

The Town Administrator and myself have consulted with Town Counsel at length regarding The Conflict of Interest Law. I was surprised to learn that Helen Miranda Wilson was the beneficent donor. I don't believe there was any mal intention. She should have known to recuse herself. She should have filed a disclosure. Ms. Wilson did consult a lawyer twice, and they did not tell her it was necessary to recuse. There was no financial benefit. Tax deductions, etc. do not equal the donation. According to Town Counsel, there was a technical violation, not a finding of violation. In no way is there a financial gain. An Ethics Commission would most likely find that the benefit to the Town outweighs the issue that arose.

Town voters approved the purchase at Town Meeting and at the voter's box by a strong majority.

At Selectboard's July meeting I asked the public to send in questions. We did not receive any additional concerns.

As to Justina Carlson's recusing herself-she simply did not want to give the slightest appearance of conflict. She did not have to, as MA does not recognize Common Law Marriage. When she voted on the P&S, it was as a "Rule of Necessity," meaning that the Board needed her vote.

I thank you for your patience and now let's move on and appreciate the gift of nature to our town.”

Audience member Horowitz, who just learned of the purchase as a part-time resident, asked if the deal was done. Reinhart said the Purchase and Sale Agreement was signed and that the Town was awaiting the results of the appraisal and the survey. Hoort said that the survey will be completed September 21 and then the deal will be final. Horowitz said he did not agree with the purchase and felt it only benefited a small group of people. Reinhart said that this benefited the majority and reminded Horowitz that all the meetings about the purchase were available online.

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Amendments in red

Carlson told Horowitz that it was too late to ask for reconsideration of the issue.

Audience member Jan Morrissey noted that the State has a process regarding enacting the Rule of Necessity. Carlson said she never had a legal conflict of interest but has her own sense of morality and she recused herself so there would be no muddying of the waters and acting toward her own ethics. She said she did not need a Rule of Necessity to sign the Purchase and Sale Agreement and as an elected official it was her duty to serve.

Audience member Ed Miller asked Reinhart what the “outside pressures of new money” were. Reinhart noted the possible buying of shellfish licenses by outside entities.

Audience member Bob Arosa asked if the Purchase and Sale Agreement was amended to include an appraisal. Hoort said no. Reinhart said the Board was getting an appraisal to appease some members of the public.

Selectboard FY 2020 Goals Update

Wilson asked for the Board to wait until each member has submitted their goals. Bacon noted that there was a due date of when the Board was to submit their goals to Butler by. She also noted that she will not be at the next meeting and would like to be present when discussing them.

Open Meeting Law Complaints (2) filed by Jude Ahern

Discuss, deliberate, and take appropriate action to respond.

Hoort noted the complaints, dated August 14 and August 16. He provided the Board with responses written by Town Counsel and asked the Board if they were okay with these responses.

Wilson asked that a note of the website posting that is available for the 208 Plan meeting held on July 16, 2019 be added to the letter with a correct link. Hoort said he would amend the response as such.

Wilson noted there was a lot of conjecture in the complaints and accusations based on opinions and not facts. She noted the complainant wanted to know who should have been responsible for posting the 208 meeting. Wilson said this was answered publicly in the past but readdressed the matter, saying **that once the mix-up as to who should have posted the meeting was recognized**, the Administration office posted the meeting, even though it was not 48 hours prior. **She added that as soon as it became clear that the meeting hadn't been posted, word was sent out to various list serves and by word of mouth. And there was good attendance at that meeting.**

Bacon said she takes the complaints seriously, as does the Board. She said that, while Jude Ahern publicly made this complaint, four other individuals also approached her with the same complaint. She noted that Ahern is often argumentative and does herself a disservice by being so, because she is so intelligent. Bacon noted that this was handled sloppily and should have been posted in a timely manner, and those who felt left out have the right to complain about it.

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Amendments in red

Carlson agreed with Bacon that it is the Board's job to make the public aware of meetings. DeVasto said he was under the impression that the Health Department organized the meeting and noted that it was not intentional that the meeting was not posted.

Reinhart noted that it was coordinated to be an informational meeting, not a Selectboard meeting. She noted that the Board did not discuss who was going, which would have established that a quorum would be present. She said the Board did not discuss anything or confer, they simply asked questions of the representatives from the State.

Wilson reiterated that it was not intentional for the meeting to not be posted. She said the 208 meeting was similar to a seminar, rather than being a discussion.

DeVasto noted that the Board was informed that they could not deliberate, since the meeting was not posted accordingly.

- Wilson moved to approve the letters to the Division of Open Government with regard to the Open Meeting Law Complaint from Ms. Ahern dated August 14 as amended and the August 16 complaint from Ms. Ahern and authorize the Town Administrator to sign them as amended.
- DeVasto seconded, and the motion carried 5-0.

Support for ZBA decision on Old Kings Hwy special permit for Habitat for Humanity

Bacon noted the Board received three letters with regard to this – one from Sharon Inger, Chair of the ZBA, one from Board member Bruce Drucker, and one from Elaine McIlroy from the Housing Authority. Bacon noted that this is the third go-around with these abutters and that if the Board does not support the ZBA's decision, the abutters will drag this project out even further. Bacon noted the Town has the right to complete this project and that Habitat has addressed prior concerns. She said she hoped the Board would not only support the ZBA's decision on this but will also tell legal counsel that they need to push this as well.

Reinhart noted the motion is to support the issue and urge the Town to authorize the expenditure required to have Town Counsel actively participate in the defense of the Comprehensive Permit.

Audience member Sharon Inger, Chair of the Zoning Board of Appeals, noted this is the third time around for the issue, citing an easily appealed decision in the second turn. She said the Town is being charged with a procedural account and authorizing Counsel to go to discovery will help their case.

Audience member Horowitz noted the narrowness of the road and the difficulty of getting rescue vehicles to the residents. He suggested that abutters would be amendable to the entrance being from **Old** Long Pond Road. Reinhart noted that Long Pond Road runs through National Seashore land and also that the Fire and Police Departments have approved on the access. Bacon noted that Habitat has mitigated the egress. Horowitz asked why the currently suggested spot was so important, where it would meet an abutter's driveway. Inger noted there were two possible entrances to the property – Old Long Pond Road has a 90-degree angle which is not possible for the fire engines to navigate.

DeVasto noted that this would not be an issue if there was a private home development. He said it was a matter of precedent that the Board does not back down on these types of issues.

DRAFT
Amendments in red

- Bacon moved to support the ZBA's decision to grant a Comprehensive Permit under Chapter 40B to Habitat for Humanity to build four affordable housing units at the property on Old Kings Highway.
- Wilson seconded, and the motion carried 5-0.

Selectboard Input on Comcast License Agreement Negotiations

Wilson said the Board received a lot of letters, over 18, from residents on Lt. Island who do not have cable service.

Bacon noted the issue was due to an easement and that a resident, Sandy Rose, is refusing to give the easement. Bacon asked Hoort what overture needed to be made to Rose to gain the easement. Hoort said he would be writing the resident a letter in an attempt to appeal to his better nature, noting that this would benefit the majority of residents on Lt. Island.

Reinhart said the Board has discussed that getting fiber optics and high-speed internet to not only Lt. Island, but other parts of Wellfleet and the Outer Cape was a priority. She noted a possible regional proposal for the State. Reinhart said after putting pressure on Comcast it would be good to get quotes from providers and giving those to the State to determine funding. She also noted a cell tower at the Transfer Station.

Wilson noted that in subdivisions, everyone who owns property in it has access to the subdivision ways. She agreed that contacting Rose would be good. Bacon said she did not believe Lt. Island was a subdivision, after the bridge. Wilson disagreed.

DeVasto said there were probably power lines and other utility easements already in place and asked if Comcast could use any existing utility easements.

Reinhart noted this would benefit residents who do not live on Lt. Island as well, citing that an Outer Cape agreement could be reached to benefit many people who live in remote areas without these services. Wilson said her desire to have this on the agenda was to bring more awareness to the concerns of many residents.

Audience member Sayre said he could not get Comcast where he lives, off of Long Pond Road, either. He noted that WiFi is considered to be infrastructure and necessity in most states.

SELECTBOARD REPORTS

Reinhart discussed establishing a Maintenance Dredging Plan, saying she met with the Harbormaster and GEI. Hoort said due to the federal funding process, the money may not be released until the fall of FY 2021 to the Army Corps. Reinhart said the Town is working with the County to get the proper equipment. Carlson asked if this was appropriate to be placed as a future agenda item. Reinhart said yes.

Bacon said the Wellfleet Nonresident Taxpayer Association (WNRTA) annual meeting was held and that she, along with Wilson and Carlson, attended. She said they showed strength and solidarity when it came to the community and the issues the Town is facing.

Bacon said the 95 Lawrence Road Task Force developed an RFP for developers at the site. She noted that the Task Force has been doing very thoughtful and critical thinking and that she was grateful to be a part of the process.

DRAFT
Amendments in red

Wilson said she attended the Gull Pond Area Conservation Association (GUPACA) meeting and noted that Andrew Gottlieb, of the Association to Preserve Cape Cod, gave a lot of good information about the necessity of the 208 Plan **and the need to protect water quality around the ponds.**

DeVasto noted that the Citizens for a Sensible Wellfleet Bikeway have collected over 1,100 signatures in opposition to the bikeway along Route 6, past the curb cuts and toward the center of Town (between Bay Sails Marina and the Main St./Route 6 intersection). He said 550 signatures were from Wellfleet residents and 730 were from neighboring Towns. DeVasto noted there was not a plan yet, but there was already opposition to the plan proposed by DCR and the DOT.

Carlson echoed Bacon's comments on the WNRTA meeting. She said she has ideas for next year and she learned a lot. Reinhart asked what the concerns of attendees were. Bacon said the topics ranged from recycling and the municipal bottle ban, to marijuana dispensaries, and a shark detection and awareness program. She noted the support of the bottle ban and due diligence of the Town in regard to sharks. Bacon said the group was full of savvy individuals who care deeply about the Town.

Hoort asked if this meeting was posted as a meeting of the Board of Selectmen, since there was a quorum of members in attendance. Bacon said it was not posted. Carlson asked what the process was. Butler said if she was aware that 3 or more members would be in attendance, for any meeting the Board is invited to attend, she would post the meeting as required. She asked the Board members to inform her when they plan to attend a meeting in quorum so it can be posted appropriately. There was further discussion.

TOWN ADMINISTRATOR'S REPORT

This report is for the period July 20, 2019 through August 23, 2019.

1. General
 - Continue educating residents on FY 2020 Affordable Housing Tax exemption
2. Fiscal Matters
 - Started FY 2021 CIP process
 - Started FY 2021 Budget process
 - Hired outside CPA firm to assist until we have a Town Accountant
3. Meetings
 - July 23 – Conference call re: new accounting software
 - July 23 - Selectboard meeting
 - July 26 – Town Accountant interview
 - July 29 – One Cape
 - July 30 – One Cape
 - August 2 – Town Accountant interview
 - August 5 – COMCAST license renewal meeting
 - August 5 – 7 – Auditors in town hall
 - August 6 – Meeting regarding Energy Committee grants
 - August 6 – Meeting with Friends of Herring River
 - August 12 – Meeting regarding COMCAST on Lt. Island

DRAFT
Amendments in red

- August 13 – Meeting with FinCom Chair
 - August 13 – Cable Advisory Committee meeting
 - August 19 – Herring River update meeting with Seashore Superintendent
 - August 19 – Meeting with DOT and Stantec
 - August 20 - Public Hearing regarding COMCAST renewal
4. Complaints.
- Complaint from visitor because they were told they can't park on the side of the road.
 - Complaint regarding shellfish activity at Chipman's Cove Town Landing and its effect on the beach. Referred to Conservation Commission.
 - Open Meeting Law complaint from Jude Ahern
5. Personnel Matters:
- Open position: Town Accountant

Wilson asked for an update on a meeting with the DOT and Stantec on August 19. Hoort said Stantec developed a plan to have one bike lane on each side of the road, rather than 1 two-way bike lane on one side of the road. He noted that a sidewalk will need to be on both sides of the road, to comply with federal laws. He said the DOT will meet with property owners to discuss the matter and will have a public meeting in late October. Wilson asked that DCR representatives be present too.

Hoort said the DOT indicated they are getting ready to do a repaving project from the Wellfleet town line in Eastham to the Wellfleet town line in Truro sometime in 2021. He said this is unrelated to the other projects, but they will not be doing any work that would need to be taken up again during the bike path and Main St./Route 6 intersection projects.

Wilson asked who was at the meeting on August 19. Hoort said Pam, Andy, and two additional staff from DOT, Jill from Stantec, and Town DPW and Public Safety staff.

Reinhart said she had lunch at the One Cape meeting with Seashore Superintendent Brian Carlstrom and Park Planner Lauren McKean, who would be open to discussing a joint power line cooperation between the Seashore and the Town.

TOPICS FOR FUTURE DISCUSSION

- Reinhart asked for an update on dredging.
- Reinhart asked for the Board to submit their suggestions for a marijuana policy to Hoort.
- Reinhart asked for the Board to submit their suggestions for a long-term use of Town property to Hoort. DeVasto suggested a working meeting.
- Reinhart asked for a meeting to discuss the tax rate.
- Wilson asked to discuss the planning of meetings, or cancelling meetings, on a future agenda.
- Wilson asked to discuss meeting postings.
- Wilson asked to discuss digitizing all Selectboard materials, starting from many years ago.
- Bacon asked to keep the September 24th meeting on the light side due to her absence.

CORRESPONDENCE AND VACANCY REPORT

Bacon noted that the Board received a letter from Frank and Catharie Naas in regard to an issue happening on their road, dated August 19. The letter is in regard to a storage container on King

DRAFT
Amendments in red

Phillip Road, but the property is located on Indian Neck Road – meaning the property owner created a new egress on King Phillip Road. Bacon noted that the Building Inspector is aware of the issue. Carlson noted that there is landscaping around the shed and noted that the property looked nice. Bacon noted that having a temporary structure is against the Zoning Bylaws. Hoort said he met with Nass today and asked her to setup a meeting with the Building Inspector.

Wilson **noted that the Town had been asked to submit** a report to Comcast **by July 16. She asked if that had been done. No one knew.**

MINUTES

July 17, 2019 – Work Meeting

July 23, 2019 – Regular Meeting

- Wilson moved to approve the minutes of the July 17, 2019 work meeting and the July 23, 2019 regular meeting as amended.
- Bacon seconded, and the motion carried 5-0.

ADJOURNMENT

- Bacon moved to adjourn.
- Wilson seconded, and the meeting adjourned at 10:30 pm.

Respectfully submitted,

Courtney Butler,
Secretary

Public Records Material as of 8/22/19

1. Public Hearing Papers – Request from Winslow’s Tavern; Shellfish Grant Transfer request for license #2001-08; Change to Shellfish Regulations 7.19.5
2. Use of Town Property Applications from Della Spring, Trudy Vermehren, and Jay Critchley
3. Local Comprehensive Planning Committee Designation documents
4. Arthur Medici Memorial documents
5. Suicide Awareness Prevention Week Proclamation
6. Tax Inserts – Housing, Tax Assistance, Cemetery Commission
7. Pilot Agreement – Coles Neck Solar
8. Selectboard Goals – Reinhart, Bacon, Wilson
9. Open Meeting Law Complaints – 2 from Jude Ahern
10. Support for ZBA decision documents
11. Town Administrator’s Report
12. Correspondence and Vacancy Report
13. Draft minutes for July 17, 2019 and July 23, 2019



BOARD OF SELECTMEN

AGENDA ACTION REQUEST
Meeting Date: September 10, 2019

XI

ADJOURNMENT

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