



Wellfleet Selectboard

Note: Start Time of 7pm

The Wellfleet Selectboard will hold a public meeting on **Tuesday, September 14, 2021, at 7:00 p.m.** **This meeting will be held via Zoom Video Conference** in accordance with the temporary suspension and enhancement of the Open Meeting Law requirements by Governor Baker. Instructions for a Zoom video conference meeting which also allows phone dial-in are given below:

1. Join the meeting hosted in Zoom by using the following link:
<https://us02web.zoom.us/j/85689604806?pwd=blplVFFBZzViQ0xNWkZKMm9iMVdrdz09>
 2. Audio, video, chat, and screen sharing functions will be disabled during the public session. Request to participate by using the “raise hand” function. **Meeting ID: 856 8960 4806 | Passcode: 611877**
 - a. Raise hand in smartphone app – touch bottom of your screen and select “more” - hit “raise hand” button
 - b. Raise hand on computer – hit “participants” button on bottom of screen – hit “raise hand” button on bottom of participants panel
 - c. Please make sure you properly identify yourself before speaking, rename yourself by selecting the participants button and choosing “more” (or by holding down on your name on a smartphone app) and selecting “rename” - full, legal names only.
 - d. Please join the meeting on time.
 3. You may also listen to the meeting by calling in on a phone to +1 929 205 6099 and enter **Meeting ID: 856 8960 4806 | Passcode: 611877** Landline callers can participate by **dialing *9 to raise their hand.**
 4. You may submit questions and comments to the Town using the following email:
executive.assistant@wellfleet-ma.gov Comments made during the meeting via e-mail will be sent to Selectboard members AFTER the meeting.
 5. Meeting materials are attached to this agenda, available online at Wellfleet-ma.gov. It is recommended that phone participants access materials in advance of the meeting.
 6. **Please follow the following general instructions:**
 - a. Keep your phone muted at all times when not talking; no one is allowed to unmute themselves during the meeting.
 - i. Selectboard meetings are NOT interactive. If public comments are allowed that’s all, comments only, not questions.
 - ii. If the Chair is allowing comments during the meeting the number of comments will be limited and may be **no longer than one minute.**
 - b. Do not use speakerphone; do not use Bluetooth devices; mute all background noise.
 - c. Please do not speak until the Chair asks for public comments or questions and you have been recognized by the moderator and unmuted.
 - d. After the business section is complete no public comments are permitted. Future agenda items are from the Selectboard, no one else.
 7. 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.
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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. *COVID-19 Updates and Recommendations*

III. *Financial Management Workplan*

IV. *Staff Appreciation*

A. Nancy Civetta to receive Shellfish Constable of the Year award ~ Paul Bagnal 5-10

V. *Public Hearings*

A. Transfer of Shellfish Grant Licenses # 85-J and 85-J-A ~ Shellfish Constable ~ Nancy Civetta

B. Transfer of Shellfish Grant Licenses # 00-01 and 00-01-Ext ~ Shellfish Constable ~ Nancy Civetta

C. Transfer of Shellfish Grant License #01-01 Ext ~ Shellfish Constable ~ Nancy Civetta

D. Shellfish Regulation Changes Section 7.6.1 ~ Shellfish Constable ~ Nancy Civetta

E. Wellfleet SPAT ~ One Day Beer and Wine License ~ October 9, 2021

F. Use of Town Property Fee Schedule ~ Chair of the Selectboard ~ Ryan Curley

VI. *Update From Chair*

A. Briefing Board on Some Modifications to our Meetings ~ Ryan Curley

VII. *Use of Town Property*

A. Kat Williams ~ Bandstand at the Pier ~ September 26, 2021, ~ 4pm-6pm

VIII. *Board/Committee Appointments and Updates*

A. Personnel Board ~ Lori Rutter ~ Term of 3 years to end June 30, 2024

B. Board of Health ~ Deb Freeman ~ Term of 3 years to end June 30, 2024

C. Wellfleet Cultural Council Committee Size ~ Ryan Curley ~ Chair of the Selectboard

D. Cultural Council ~ Kevin McMahan ~ Term of 3 years to end June 30, 2024

E. TA Search Committee Charge ~ Ryan Curley ~ Chair of the Selectboard

IX. *Business*

A. Vote to remain a one precinct town for election purposes. ~ Jennifer Congel, town clerk

B. High Toss Rd ~ Carole Ridley

C. Harbor Dredging Contract Award ~ Harbormaster ~ Will Sullivan

D. Remote Participation Policy ~ Selectboard Chair ~ Ryan Curley

E. Town Media Policy ~ Selectboard Chair ~ Ryan Curley

F. Proclaim the month of September as Suicide awareness month for the Town of Wellfleet ~

X. *Selectboard Reports*

XI. *Town Administrator's and Assistant Town Administrator's Report*

A. Please see the packet for full report

XII. *Topics for Future Discussion*

XIII. *Correspondence and Vacancy Reports*

A. Please see packet for full report

XIV. *Minutes*

A. August 10, 2021

B. August 27, 2021

XV. *Adjournment*



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: September 14, 2021

I

ANNOUNCEMENTS, OPEN SESSION & PUBLIC COMMENTS

| | |
|-------------------------|---|
| REQUESTED BY: | Selectboard |
| DESIRED ACTION: | To allow the public or board members to speak openly to the Selectboard |
| PROPOSED MOTION: | NOTE: Public comments must be brief. The Board will not deliberate or vote on any matter raised solely during Announcements & Public Comments. |
| ACTION TAKEN: | Moved By: _____ Seconded By: _____ Condition(s): |
| VOTED: | Yea _____ Nay _____ Abstain _____ |



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: September 14, 2021

II

COVID-19 UPDATES AND RECOMMENDATIONS

| | |
|-------------------------|---|
| REQUESTED BY: | Chair Curley/Health Agent Lemos |
| DESIRED ACTION: | Discuss any new updates or information |
| PROPOSED MOTION: | TBD |
| ACTION TAKEN: | Moved By: _____ Seconded By: _____ Condition(s): |
| VOTED: | Yea _____ Nay _____ Abstain _____ |



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: September 14, 2021

III

FINANCIAL MANAGEMENT WORKPLAN

| | |
|-------------------------|---|
| REQUESTED BY: | Town Administrator, Town Accountants |
| DESIRED ACTION: | No read and discuss the memo brought to the Board by Mary McIsaac and Lisa Souve |
| PROPOSED MOTION: | To Be Determined if a motion is needed. |
| SUMMARY: | This is a bi-weekly report presented by Charlie and both Lisa Souve and Mary McIsaac |
| ACTION TAKEN: | Moved By: _____ Seconded By: _____ Condition(s): |
| VOTED: | Yea _____ Nay _____ Abstain _____ |

WELLFLEET

Town of Wellfleet
300 Main Street, Wellfleet, MA 02667
508-349-0303
Mary.Mclsaac@wellfleet-ma.gov
Wellfleet-ma.gov

Charles Sumner

Interim Town Administrator
300 Main Street
Wellfleet, MA 02667

Charlie,

In accordance with the workplan that was developed by our team and approved, our efforts encompass the forensic review of the accounts to reconcile to a year-end balance as of June 30, 2021. These reconciliations include, but are not limited to, a review of the BMSI documents that are currently available, Vadar transactional data and supporting documents, bank statements and departmental records. Two fiscal years at a minimum are being reviewed to confirm the June 30, 2021, balances. Lisa is tasked with the current operations, including but not limited to a comprehensive review of the Vadar setup and processing, the verification of reporting methods, and accuracy of accounts.

As a result of Lisa and I commencing our efforts in earnest we have expanded our scope to include one-on-one guidance to town officials and employees as our work progresses and to prepare the year-end reports required by the DOR for setting the tax rate and certifying Free Cash.

This report is a summary of our efforts as of September 9, 2021. We are happy to discuss the report in greater depth at your convenience.

Regards,

Mary Mclsaac & Lisa Souve

TOWN OF WELLFLEET

Summary Report September 9, 2021


Lisa and I have continued in our efforts with previously reported items. In this period we have shifted our efforts to prioritize the accounting, reporting and documentation required to set the FY22 Tax Rate, certify Free Cash as of June 30, 2021, and prepare for the FY21 audit of the Town's records. At the same time we continue to make ourselves available to town staff to assist them with their day-to-day efforts.

Team Efforts:

- We have implemented a schedule of Finance Team meetings to be held every other Tuesday. The primary purpose is to gather the departments together to educate and inform and generally, keep us all on track towards our shared goals. The first meetings have proven to have value and we expect to continue to meet.
- Lisa and I met with the Treasurer and the Town's Financial Advisor to confirm numbers and the details related to the BAN sale which occurred on 9/2/2021. Paydown amounts and the return of excess proceed were also confirmed.
- Lisa met with the Treasurer and the Community Service Director to review processes for handling receipts, generally and credit card processing. Emphasis was placed on "best practices" for handling credit card sales.

Workplan specifics:

- Cash Reconciliations- We are moving forward with our comprehensive analysis of Treasurer's Cash. The examination of transaction types has disclosed processes in need of updating and we have made the necessary recommendations for corrective action. Numerous account numbers have been corrected across all funds, Vadar links have been corrected to direct sources and uses of funds appropriately, and further, recommendations have been made to regulate timing and reporting of departmental receipts and reconciliations.
- Trust Funds- The Towns' Trust Funds have been reconciled for FY20 & FY21. Numerous adjustments were made by Lisa to correct errors and omissions. (Over 60 posting errors were identified during my audit.) Additionally, Vadar processing issues have been resolved. Reports are available for the auditors in connection with the FY21 audit.
- Escrow Funds- The Town's Escrow Funds have been reconciled for FY20 & FY21. Several errors were identified to be corrected by the Treasurer. Generally, the Escrow accounts were in good shape. Reports are available for the auditors in connection with the FY21 audit.
- Reserve for Abatements/Overlay- The comprehensive review of Overlay continues and has disclosed that certain charges to the Overlay are not appropriate as Taxation Aid is the appropriate funding source. The Department of Revenue will approve the corrective action,

- 
- and in the future, we expect a monthly reconciliation between departments will ensure that the account carries an accurate end of period balance.

Year-End balances and Reports:

- Debt Service- We have completed our review of Debt Service. System generated statements of outstanding debt for the periods have been reconciled to existing debt schedules. Further, Lisa created a chart of accounts for Long-Term Debt and after our review of all debt issues outstanding entered the numbers for July 1, 2020. Reports are available for the auditors in connection with the FY21 audit.
- Outstanding Receivables- Our review of the Collector's receivables is in process. Other Town receivables are being identified and reconciled to complete the Schedule of Outstanding Receivables for the auditors and the DOR.

Miscellaneous:

- Tax Lien Processing- We have assisted the Collector to process that most recent tax taking which is completed. Additionally, all subsequent taxes have been added to the Treasurer's Tax Title Accounts and these accounts are up to date. Important Note: These efforts by the Collector have produced an additional \$50,000 in overdue taxes, interest, and charges to date with others planning to pay the Town what they owe.



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: September 14, 2021

IV

STAFF APPRECIATION

| | |
|-------------------------|---|
| REQUESTED BY: | Paul Bagnall |
| DESIRED ACTION: | To present Nancy Civetta the Constable of the Year Award |
| PROPOSED MOTION: | No Action Desired |
| SUMMARY: | Nancy will be awarded the Shellfish Constable of the Year. |
| ACTION TAKEN: | Moved By: _____ Seconded By: _____ Condition(s): |
| VOTED: | Yea _____ Nay _____ Abstain _____ |

Rebekah Eldridge

From: LESLIE BAGNALL <plblrc@comcast.net>
Sent: Monday, March 29, 2021 8:43 AM
To: Board of Selectmen
Subject: Shellfish Award

To:
Wellfleet Selectboard.

I am pleased to announce that Nancy Civetta has been named 2021 Shellfish Constable of the Year Award. By the Massachusetts Shellfish Officers Association.

Ms. Civetta received the most nominations by far and was elected the 2021 Shellfish Constable of the Year award at our Board of Directors meeting

March 17, 2021 and announced at our annual meeting held via zoom on

March 18, 2021. This was in recognition of her outstanding work as your Towns' Shellfish Constable!

MSEA is a non-profit organization whose mission is to foster education and communication among the the States Shellfish Constables.

MSEA currently has about half of the States Coastal Communities as members.

Wellfleet has been a member since the organizations inception in the mid 1970's Thank You for your support.

We would like to honor Nancy Civetta at an upcoming Selectboard's meeting if you feel that is appropriate ?

Please contact me with any questions. Thank You for consideration in this matter.

Regards

Paul L. Bagnall

President.

Ma. Shellfish Officers Association.



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: September 14, 2021



PUBLIC HEARINGS

~ A ~

| | |
|-------------------------|---|
| REQUESTED BY: | Nancy Civetta ~ Shellfish Constable |
| DESIRED ACTION: | To add Jim Mulpeter to shellfish grant licenses #'s 85-J and 85-J-A |
| PROPOSED MOTION: | I move to approve the transfer of grant licenses 85-J and 85-J-A from James O'Connell to James O'Connell and James Mulpeter. |
| SUMMARY: | |
| ACTION TAKEN: | Moved By: _____ Seconded By: _____ Condition(s): |
| VOTED: | Yea _____ Nay _____ Abstain _____ |

TOWN OF WELLFLEET
PUBLIC HEARING

In accordance with MGL Chapter 130 Sections 52, 57, 58, 60, and 68 and all applicable Town Shellfish Regulations, notice is hereby given that the Wellfleet Board of Selectmen will hold a virtual public hearing on Tuesday, September 14, 2021 at 7:00 p.m. to consider the following:

- 1) Applications dated 8/10/2021 for the transfer of shellfish grant licenses # 85-J and 85J-A consisting of three acres total on Indian Neck from James O'Connell (Wellfleet, MA) to James O'Connell and James Mulpeter (Wellfleet, MA) and for the transfer of shellfish grant licenses # 00-01 and 00-01-Ext consisting of 2.1 acres total on Egg Island from James O'Connell and Nancy O'Connell (Wellfleet, MA) to James O'Connell, Nancy O'Connell and James Mulpeter (Wellfleet, MA).
- 2) Application dated 8/19/2021 for the transfer of shellfish grant license #01-01 Ext consisting of two acres on Lieutenant Island from Ralph Bassett (Wellfleet, MA), Rodney Avery (Wellfleet, MA) and George Pierce III (Wellfleet, MA) to Ralph Bassett and Rodney Avery.
- 3) Addition of intertidal abutter notification and revisions per Mass. Division of Marine Fisheries to Town of Wellfleet's Shellfishing Policy and Regulations Section 7.6.1 Application Procedure under Section 7.6 Process for Approval of Aquaculture Licenses.

Recommendation of the Shellfish Constable will be available in the 09/14/21 Selectmen's packet.

<https://us02web.zoom.us/j/85689604806?pwd=blplVFFBZzViQ0xNWkZKMm9iMVdrdz09>

WELLFLEET BOARD OF SELECTMEN



Wellfleet Shellfish Department



300 Main Street, Wellfleet, Massachusetts 02667

Date: August 31, 2021
To: Selectboard
Re: Grant Transfer Recommendations
From: Nancy Civetta, Shellfish Constable

Dear Selectboard members:

I received two applications on August 10, 2021, from Jim O'Connell and Jim Mulpeter.

One was for the transfer of shellfish grant license #s 85-J and 8J-A consisting of three acres total on Indian Neck from James O'Connell to James O'Connell and James Mulpeter.

The other was for the transfer of shellfish grant license #s 00-01 and 00-01-Ext consisting of 2.1 acres total on Egg Island from James O'Connell and Nancy O'Connell to James O'Connell, Nancy O'Connell and James Mulpeter.

Jim Mulpeter has been working for many years with Jim O'Connell on his grants. The Shellfish Department has seen the fruits of his labors turn into a deep experience in shellfish farming. For example, his contributions organizationally have helped us understand the layout of clam nets during our annual grant and overwintering inspections of these grant parcels, which makes inspections easier to do.

This transfer marks a wonderful example of mentorship and apprenticeship, bringing the next generation of shellfish farmer into our community. Many thanks to them both. I recommend that Jim Mulpeter be added to shellfish grant license #s 85-J and 8J-A and shellfish grant license #s 00-01 and 00-01-Ext.

Attached please find all related paperwork.

Respectfully submitted,


Nancy Civetta
Shellfish Constable

Phone (508) 349-0325

Fax (508) 349-0305

APPLICATION FOR TRANSFER OF SHELLFISH GRANT LICENSE

Date: 8/10/21

To: Town of Wellfleet Selectboard
300 Main Street
Wellfleet, MA 02667

I/We hereby request transfer of Shellfish Grant License # 85-J + 855-A

From JAMES O'CONNELL

To JAMES O'CONNELL AND JAMES MURPHY

Said grant license is located at INDIAN NECK, in Wellfleet, MA

and consisting of 2 + 1 = 3 acres, as shown on a plan prepared

by Albert V. Kerswell (855) and dated 10/1/1985
Thomas Murray (855-4)

James O'Connell James Murphy
Signature Signature Signature

James O'Connell James Murphy
Name Name Name

25 - Main St 25 - Main St 25 - Main St
Mailing Address Mailing Address Mailing Address

510006 510006 510006
Telephone Telephone Telephone

clanfan@comcast.net jmurphy@ymail.com
Email Email Email

JAMES MULPETER

TOWN OF WELFLEET SHELLFISH DEPARTMENT
CHECK LIST FOR AQUACULTURE LEASE APPLICANT

- Applicant is a domiciled resident of Wellfleet, as that is defined in Section 1 of our regulations.
- Applicant is 18 years of age or older.
- Approval of this application will not result in the applicant having more than 7 acres leased to them for aquaculture within the Town's waters.
- All other licensees named to the grant have given written approval for the applicant to be included on their lease. If a corporation is the current lease holder, all persons who are members of the corporation must submit their written approval.
- At this time, there are no more than three lease holders named to the lease.

N/A If applicant is applying for a lease on private property, permission from the owner has been obtained.

10/13 The applicant has held and been documented by the Shellfish Department using a Wellfleet commercial shellfishing permit during a period of at least three (3) of the four (4) calendar years preceding the date of application for this license. Applicant shall submit copies of state-filed catch reports, OR,

The applicant demonstrates experience in shellfish propagation and aquaculture, continuously, over at least three (3) years preceding the date of application, documented by the Shellfish Department.

This shall be supported by a letter from a license holder who employed the applicant describing the type of work performed and any other information which might be relevant.

The applicant shall present a detailed five-year business plan for how s/he intends to use the grant, including shellfish species, amounts and sizes, and gear to be used, access routes and any other information relevant to proposed operations.

N/A For any proposed new grants or extensions, approximate coordinates and a map should be reviewed by the Shellfish Constable, including a site visit, and provided in the documentation for the Selectboard.

The applicant has received and agreed in writing to comply with the current version of the Town's Shellfish Policy and Regulations.

The applicant acknowledges that s/he will also be held responsible to and will familiarize him/herself with [MGL Ch. 130](#) and [CMR 322](#), as well as the most recent [SEMAC Best Management Practices](#), [DMF's vibrio control plan](#), [National Shellfish Sanitation Program's Guide](#)

and [DPH's Regulations for Fish and Fishery Products](#), as they apply to the harvest of shellfish governing his/her business operations.

The applicant does not show a pattern of violations of Wellfleet's Shellfishing Policy and Regulations within the last three (3) years.

FROM WELLFLEET SHELLFISH POLICY AND REGULATIONS

SECTION 1: DEFINITIONS

Aquaculture License - An authorization, granted by a vote of the Board of Selectmen, to utilize a specific tract of land, under coastal waters (1) to plant and grow shellfish using in-bottom or off-bottom culture; (2) to place shellfish in or under protective devices affixed directly to the tidal flats or land under Wellfleet's coastal waters, such as boxes, pens, trays, bags or nets; (3) to harvest and take legal shellfish; (4) to plant cultch for the purpose of catching shellfish seed; and (5) to grow shellfish by means of racks, rafts or floats ([MGL Chapter 130; Section 57](#)).

Licensed Area (Grant) - a designated bottom area, certified by the Division of Marine Fisheries (DMF) and licensed by a vote of the Board of Selectmen, on which the licensee may plant, grow and harvest shellfish ([MGL Chapter 130; Sections 57 & 68](#)).

Resident - A declared resident of the Town of Wellfleet. Written proof that Wellfleet is the domicile as well as the legal residence of the applicant shall be required to the satisfaction of the Shellfish Constable and Board of Selectmen. Domicile will be established after one year of residency in Wellfleet is demonstrated. Proof of legal residence may include voter registration, automobile registration, driver's license, income tax filings, census data, or passport.

7.8. Issuance of Licenses for Aquaculture

7.8.1. Eligibility Requirements: Licenses shall only be issued to domiciled residents (See Sec.1 Definitions) of the Town, 18 years of age or older, who have the knowledge and experience to fulfill the responsibilities specified in the license, provided that the applicant has held and been documented by the Shellfish Department using a Wellfleet commercial shellfishing permit during a period of at least three (3) of the four (4) calendar years preceding the date of application for a license. Applicant shall submit copies of state-filed catch reports. OR, provided the applicant demonstrates experience in shellfish propagation and aquaculture, continuously, over at least three (3) years preceding the date of application, documented by the Shellfish Department. This shall be supported by a letter from a license holder who employed the applicant describing the type of work performed and any other information which might be relevant. The applicant shall present a detailed five-year business plan for how s/he intends to use the grant, including shellfish species, amounts and sizes, and gear to be used, access routes and any other information relevant to proposed operations. In addition, any applicant shall not show a pattern of violations of Wellfleet's Shellfishing Policy and Regulations within the last three (3) years.

At such time as a licensee ceases to be a domiciled resident of the Town that individual shall be removed from the license. The status of all other licensees will not change. If that licensee is the sole licensee then the license shall be revoked.

Town of Wellfleet
Shellfishing Department
255 Commercial Street
Wellfleet, Ma.
02667

July 29, 2021

To Whom it May Concern,

James Mulpeter has worked for me since 2015 on my shellfish farm. He worked summers while attending Union College from 2015-2016. In the summer of 2017 while earning a Master's Degree in Environmental Management at U.R.I. he worked at Walrus Carpenter Oyster Company. Since graduating from U.R.I. in 2017, James has worked full time with me on my Wellfleet farm. James demonstrates deep knowledge of and respect for the environment. He possesses a great understanding of the science related to aquaculture. His educational background and understanding of best practices in aquaculture farming are an asset to our farm and the environment where we work. James is highly organized, dedicated to the shellfishing industry and reliable. He is responsible for all aspects of the operation of our aquaculture farm. James has earned the opportunity to share the grant leases. I respectfully ask you to add his name to my grants.

Respectfully submitted,

A handwritten signature in blue ink that reads "Jim O'Connell". The signature is written in a cursive style with a large initial "J" and "O".

Jim O'Connell

To: Wellfleet Selectboard

From: James Mulpeter

Date: 7/28/21

I, *James Mulpeter*, agree to comply with the Town of Wellfleet's Shellfishing Policy and Regulations and assume full responsibility for understanding and adhering to all federal and state regulations as they apply to shellfish propagation, harvest and sales.

Sincerely, *James Mulpeter*



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: September 14, 2021



PUBLIC HEARINGS

~ B ~

| | |
|-------------------------|--|
| REQUESTED BY: | Nancy Civetta ~ Shellfish Constable |
| DESIRED ACTION: | To add Jim Mulpeter to sbellfishb grant license # 00-01 and 00-01-Ext |
| PROPOSED MOTION: | II move to approve tbe transfer of grant licenses # 00-01 and 00-01-Ext from James O'Connell and Nancy O'Connell to to James O'Connell, Nancy O'Connell and James Mulpeter. |
| SUMMARY: | |
| ACTION TAKEN: | Moved By: _____ Seconded By: _____ Condition(s): |
| VOTED: | Yea _____ Nay _____ Abstain _____ |

APPLICATION FOR TRANSFER OF SHELLFISH GRANT LICENSE

Date: 8/10/21

To: Town of Wellfleet Selectboard
300 Main Street
Wellfleet, MA 02667

I/We hereby request transfer of Shellfish Grant License # 00-01 + 00-01-est

From JAMES O'CONNELL AND NANCY O'CONNELL

To JAMES O'CONNELL AND JAMES MULPETER

Said grant license is located at EGG ISLAND, in Wellfleet, MA

and consisting of 1.5 + 0.6 = 2.1 acres, as shown on a plan prepared

by Slade Associates and dated 4-11-2000

James O'Connell Nancy O'Connell James Mulpetter
Signature Signature Signature

James O'Connell Nancy O'Connell James Mulpetter
Name Name Name

[Redacted] 11 20 10 1
Mailing Address Mailing Address Mailing Address

[Redacted] [Redacted] 01 917 2211
Telephone Telephone Telephone

[Redacted] [Redacted] [Redacted]@wellfleet.com
Email Email Email



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: September 14, 2021



PUBLIC HEARINGS

~ C ~

| | |
|-------------------------|--|
| REQUESTED BY: | Nancy Civetta ~ Shellfish Constable |
| DESIRED ACTION: | To approve the shellfish grant license #01-01 EXT |
| PROPOSED MOTION: | I move to approve the transfer of shellfish grant license #01-01 Ext. from Ralph Bassett, Rodney Avery, and George Pierce III to Ralph Bassett and Rodney Avery |
| SUMMARY: | |
| ACTION TAKEN: | Moved By: _____ Seconded By: _____ Condition(s): |
| VOTED: | Yea _____ Nay _____ Abstain _____ |



Wellfleet Shellfish Department



300 Main Street, Wellfleet, Massachusetts 02667

Date: August 31, 2021
To: Selectboard
Re: Grant Transfer Recommendations
From: Nancy Civetta, Shellfish Constable

Dear Selectboard members:

I received an application on August 19, 2021, from Ralph Bassett, Rodney Avery and George Pierce III for the transfer of shellfish grant license #01-01 Ext consisting of two acres on Lieutenant Island from Ralph Bassett, Rodney Avery and George Pierce III to Ralph Bassett and Rodney Avery.

I recommend that you vote to approve the above grant transfer. Attached please find the application for the transfer.

However, it is important to understand the situation of George Pierce III with this grant as of today, August 31, 2021. He has not paid his annual grant fees for 2021 to the Town. Therefore, he has forfeited his privilege to propagate shellfish on this parcel due to non-payment.

Per Mass. General Law Chapter 130, Section 64: Annual fee for license:

"Every such licensee or transferee shall pay to the city or town, on or before a date to be fixed by the aldermen, city council or selectmen, an annual fee of not less than five nor more than twenty-five dollars per acre, or part thereof. **If any such fee is not paid within six months after it becomes due the license shall thereupon be forfeited.**"

Per the Town of Wellfleet's Shellfishing Policy and Regulations, Section 7.3. Annual License Fee:

"The annual fee for an aquaculture license to be paid to the Town by each licensee shall be \$25.00 per acre (or portion thereof), as required by MGL Chapter 130: Section 64. **Annual fees are due each year by February 28,** when annual grant reports are due."

So again, as of August 28, 2021, George Pierce III has forfeited his license with the Town of Wellfleet for grant #01-01 Ext. making the above grant transfer application a moot point. Yet, since the application was received before Aug. 28, I thought I should present it to you and use this memo as an educational opportunity.

Respectfully submitted,

Nancy Civetta, Shellfish Constable

Phone (508) 349-0325

Fax (508) 349-0305

APPLICATION FOR TRANSFER OF SHELLFISH GRANT LICENSE

Date: 8.19.2021

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

I/We hereby request transfer of Shellfish Grant License # 0101 EXT

From Ralph Bassett Rodney AVERY George Pierce III

To Ralph Bassett Rodney Avery

Said grant license is located at Lieutenant Island in Wellfleet, MA

and consisting of 2 acres, as shown on a plan prepared

by Slade Associates and dated 8/4/2004

Ralph Bassett Wellfleet MA 02667

George Pierce III
Signature(s)

Name(s) George G Pierce III

Mailing Address Wellfleet MA 02667

Telephone Ralph Rodney AVERY

Email A 508-977-4729

RCVD
8.19.2021



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: September 14, 2021

V

PUBLIC HEARINGS

~ D ~

| | |
|--|---|
| REQUESTED BY: | Nancy Civetta ~ Shellfish Constable |
| DESIRED ACTION: | To approve the changes to the shellfish regulations |
| PROPOSED MOTION: SUMMARY: | I move to amend section 7.6.1 of the Wellfleet Shellfish Policy and Regulations as presented by the Shellfish Constable Nancy Civetta. |
| ACTION TAKEN: | Moved By: _____ Seconded By: _____ Condition(s): _____ |
| VOTED: | Yea _____ Nay _____ Abstain _____ |



Wellfleet Shellfish Department



300 Main Street, Wellfleet, Massachusetts 02667

Date: August 31, 2021
To: Town of Wellfleet Selectboard
From: Nancy Civetta, Shellfish Constable
Re: Mass. Division of Marine Fisheries Revisions to Grant License Application Procedure Section 7.6.1 in Wellfleet's Shellfishing Policy and Regulations

Dear Selectboard members,

Per Mass. General Law, Chapter 130, Section 52, I run all proposed changes and additions to Wellfleet's Shellfishing Policy and Regulations by the Mass. Division of Marine Fisheries in order to ensure that they are consistent with state regulations and statute. I ended up sending the Grant License Application Procedure Section 7.6.1 after the Selectboard's public hearing on April 27, 2021, when usually I do this before. Apologies.

I heard back from Chrissy Petitpas, PhD., of MADMF's Shellfish Sanitation and Management Program, and she had a two small changes, which I have highlighted below. I have included her comments as well for context.

In addition, an immediate grant holder abutter did not see the public hearing notices for Shea Murphy's grant extension requests and would have had input for your consideration. Therefore, I have added this as a necessary step as part of the Application Procedure. Helen Miranda Wilson and I worked on this together, and Helen also made a few other slight revisions in the procedure for clarity. I sent all of these revisions again to Chrissy Petitpas at MADMF for review and heard back that all was good.

Attached are the revisions with changes as ~~strike-throughs~~ and additions as **bold**. Thank you for re-voting to approve these simple changes, which will provide more clarity to applicants, advise intertidal abutters and respect state regulations and statute.

Sincerely,

Nancy Civetta
Shellfish Constable

wellfleet-ma.gov/shellfish-department
Phone (508) 349-0325  Fax (508) 349-0305

7.6. Process for Approval of Aquaculture Licenses

The ~~Board of Selectboardmen~~ shall accept and process applications for area licenses in accordance with [MGL Chapter 130: Section 57](#), and the application procedure of the Town.

7.6.1 Application Procedure

This procedure applies to new grant applications, applications for extensions to current grants and grant renewals and transfers. All potential new lease holders must meet the eligibility requirements in Section 7.8.1 Eligibility Requirements. In addition, current lease holders applying to be added to another grant or applying for extensions must have complied with all Town of Wellfleet Shellfishing Policy and Regulations for at least three (3) years preceding the application for each grant license to which ~~she~~ **the applicant** is named. These include but are not limited to: Section 7.3 Annual License Fee, 7.12 Evidence of Productivity: Use It or Lose It, 7.13 Annual Report, 7.14 Annual Inspection of Each Grant, 7.15.1 Required State Seed Propagation Permit and 7.19 Aquaculture Gear and Equipment. If applicant meets all criteria outlined above, then the following is required:

1. Fill out an aquaculture license application and get Shellfish Constable signature. Applications available at Shellfish Department offices.
2. Go over the Checklist for Aquaculture Lease Applicants with the Shellfish Constable, who shall provide any additional documentation required, such as a form for a Five-Year Business Plan and a template for a letter to the Selectboard.
3. For new grants and extensions:
 - a. Determine whether owner permission is needed, and if so, obtain written permission.
 - b. Schedule a site visit with Shellfish Constable to assess the area, ensure the shellfish growing area has an appropriate classification for aquaculture, review approximate coordinates for the new grant boundaries and discuss any potential conflicts. The applicant should include the proposed coordinates and map in the documentation provided to the Shellfish Constable for the Selectboard.
 - c. Have Harbormaster review proposal with regards to reasonable navigational and recreational interests in the areas concerned. (See 7.4 Location of Areas Licensed for Aquaculture (Grants).)
 - d. Set up a site visit with the Harbormaster and Shellfish Constable.
4. The Shellfish Constable shall request that **the public hearing be placed on an upcoming Selectboard meeting agenda and contact the Principal Clerk for advertisement and posting.**
5. The Shellfish Constable shall write a letter of recommendation or concern and shall provide all relevant grant **application** documents for the Selectboard hearing ~~meeting packet~~ by the **meeting packet** deadline.
6. **By or before the date of posting, the Shellfish Department shall make contact with and provide notification of the date of the hearing to the**

Commented [NC1]: I changed the order of this sentence for clarity – and added posting

Harbormaster and to intertidal abutters who share boundaries with the proposed site, or who are otherwise adjacent or substantially affected by the change in area, as determined by the Shellfish Department.

7. A public hearing shall be held within ~~60-90~~ days of when the Shellfish Constable receives the complete written application with all required documents, and the Selectboard shall determine the outcome of the application.
8. Upon approval by the Selectboard and after the Massachusetts Division of Marine Fisheries biological survey, **the applicant must simultaneously**
 - a. have the new site professionally surveyed and supply the Shellfish Department with all boundary coordinates in decimal-degrees, and ~~simultaneously~~
 - b. start the state and federal permitting process, including, but not limited to, **applications for MEPA (MA Environmental Policy Act)**, Notice of Intent (Wetlands Protection Act filing), Chapter 91 authorization, eligibility under the Army Corps General Permit, etc. For more details, visit: <https://www.massaquaculturepermitting.org/>
9. Before the applicant can begin to use the site, ~~she~~ **they** shall be required to clean up and remove all old and/or derelict aquaculture gear that may have accumulated on the site as **per Section 7.19.4 Removal of Damaged Gear or Equipment** and shall have a grant inspection by the Shellfish Department to ~~ascertain~~ **confirm** its readiness.

Commented [NC2]: From Chrissy Petitpas at MADMF
Your proposed 60-90 day timeline is inconsistent with Ch 130 Sec 57. However, that 60-day clock starts when your town-defined application process is complete.

Commented [NC3]: Changed position of this for clarity

Commented [NC4]: From Chrissy Petitpas at MADMF: DMF's site certification is not valid until applicants get a MEPA determination (Secretary's Certificate) if they trigger any MEPA thresholds. Right now, the threshold for MEPA review is 1/2 acre of wetlands impact or all projects within an ACEC. As you know all of Wellfleet Harbor has been designated an ACEC, so all aquaculture grant sites (new or expansions) will require MEPA review before our site certification becomes valid and we issue a propagation permit, or endorse an existing propagation permit for culture activities on new sites or expansions. We will perform the site surveys and issue provisional certification letters prior to MEPA review because MEPA likes to have our survey results for the review process, and it saves the applicant from unnecessarily applying for permits if DMF ends up denying the site license certification.



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: September 14, 2021



PUBLIC HEARINGS

~ E ~

| | |
|--|---|
| REQUESTED BY: | Wellfleet SPAT |
| DESIRED ACTION: | To approve the one-day Beer and Wine License for October 9, 2021 |
| PROPOSED MOTION: SUMMARY: | I move to approve the one-day license for Wellfleet SPAT on October 9, 2021. |
| ACTION TAKEN: | Moved By: _____ Seconded By: _____ Condition(s): |
| VOTED: | Yea _____ Nay _____ Abstain _____ |

TOWN OF WELLFLEET
PUBLIC HEARING

In accordance with M.G.L. Chapter 138, notice is hereby given that a virtual public hearing will be held on Tuesday, September 14, 2021 at 7:00 p.m. to consider the following:

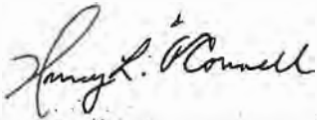
- Application received August 8, 2021 from Wellfleet SPAT for a one day beer and wine license on October 9, 2021. Beer and wine will be served and consumed in the galleries only.

WELLFLEET BOARD OF SELECTMEN

<https://us02web.zoom.us/j/85689604806?pwd=blpIVFFBZzViQ0xNWkZKMm9iMVdrdz09>

TOWN OF WELLFLEET
APPLICATION FOR SPECIAL EVENT LIQUOR LICENSE

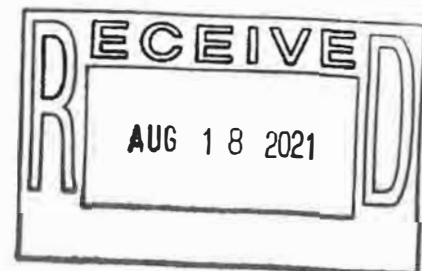
1. Applicant Wellfleet SPAT, Shellfish Promotion and Tasting, Inc.
Address P.O. Box 2156, Wellfleet, MA 02667 Telephone 508.349.3499
2. Affiliation/Group Art & Oyster Crawl For Profit Non Profit
3. Type of License All Alcohol (\$100.00/day) Beer and Wine (\$50.00/day)
4. Type of Activity Being Conducted S.P.A.T. 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 9th, 2021 from 5:00 - 7:30 pm.
5. Date October 9, 2021 Hours of Service 5:00-7:30 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
Katy Cushman, SPAT Event Coordinator, 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.



Applicant's signature

August 18, 2021

Date



Police Dept. Signature Michael Hurley

Building Dept. Signature _____

Comments/Conditions _____

Comments/Conditions _____

Fire Dept. Signature Rich Poutey

Health Dept. Signature Hillary Lemos

Comments/Conditions _____

Comments/Conditions _____

DPW Dept. Signature Say Norton

Comments/Conditions _____

8/18/21
Date Received

50.00
Fee

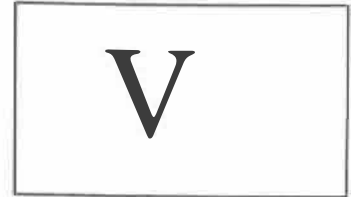
Date Issued





SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: September 14, 2021



PUBLIC HEARINGS ~ F ~

| | |
|-------------------------|---|
| REQUESTED BY: | Ryan Curley ~ Selectboard Chair |
| DESIRED ACTION: | To discuss and possibly vote for an official Wellfleet Use of Town Property Fee Schedule |
| PROPOSED MOTION: | I move to approve the use of town property fee schedule as printed in the packet. |
| SUMMARY: | |
| Project | Moved By: _____ Seconded By: _____ Condition(s): |
| VOTED: | Yea _____ Nay _____ Abstain _____ |

DRAFT

Proposed Fee Schedule for the Use of Town Property

\$500 per day Roadrace

\$300 for a swim event

\$800 for a swim and road race event

\$110 for single-day use at a single location

\$200 for the memorial garden if the Preservation hall is hosting the main event

\$110 for a wedding, reunion, or other personal events

\$110 for public art

\$110 For a single day class under 30 ppl, \$250 for 30 or greater. For Multi-Day Classes and for each date \$25 thereafter

\$600 for large events utilizing town parking or roads per day.

\$600 per location for Food Trucks or highest bid whichever is greater.

\$385 Surf lessons per landing used

\$385 Commercial Small Watercraft drop off per landing used. Not allowed at Gull Pond.

\$1000 minimum per parcel for commercial filming (this might be low but it was charged in the past)

\$800 for staging construction equipment or for traversing a town landing or town-owned property to affect work on seawalls or beach renourishment or anything of nature with additional bonding.

\$500 Fine for use town property without permission per day.

Long-term use of a location shall be charged by the sq ft and shall be non-exclusive unless otherwise specified. \$15/sq ft/yr is a recommended starting rate.

Total sq/ft x Price per Sq Ft. ÷ 12 (months) = Monthly Rent

From Policy on Use of Town Property & Fees:

- *No fee is required of Town departments, boards, commissions or committees.*
- *Not-for-profit organizations formed solely to support Town government operations, such as the PTA, Friends of Recreation, and Friends of the Library, would qualify for a reduced fee or no fee.*
- *For beach cleanups, the fee is waived.*
- *Not-for-profit organizations formed to support a specific segment of the community or region as opposed to directly supporting Town operations would pay a larger fee than not for profits which directly support Town government.*
- *Organizations with commercial or quasi-commercial purposes pay a larger fee. An example would be a commercial film crew.*

Bond or deposit: *As a condition of approving any application, the Town, in its sole discretion, may require the sponsoring organization to furnish a bond or security deposit to insure the payment of all costs and the restoration of the property to its original condition.*

Other conditions: *As a condition of approving any application, the Town, in its sole discretion, may impose such additional conditions as it determines are reasonably necessary to protect the interests of the Town.*



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: September 14, 2021

VI

UPDATE FROM THE CHAIR

| | |
|--|---|
| REQUESTED BY: | Ryan Curley ~ Selectboard Chair |
| DESIRED ACTION: | To update the Board and Public on some concerns of the chair |
| PROPOSED MOTION: Summary: | None |
| ACTION TAKEN: | Moved By: _____ Seconded By: _____ Condition(s): |
| VOTED: | Yea _____ Nay _____ Abstain _____ |

I have been thinking about how to get our meetings to move faster so that we can either cover more items per meeting or reduce our run time. Mike made the attempt as well. Suggestions are always welcome. One of the difficulties is that we have two standing agenda items, COVID_19 Updates and Recommendations, and the Financial Management Workplan. In order to manage our times I am planning on the following changes:

1. I am planning on introducing Consent Agendas (Consent Caladers) for non-controversial routine items. A consent agenda allows us to move routine and/or non-controversial items into a single schedule and cover them in a single motion. An item can be taken out of the consent agenda for discussion if any board member objects. The town moderator has been using consent agendas for some town meeting articles for instance all of the CPA articles were handled as part of the consent agenda at this year's annual town meeting. Many other municipalities use them as well. The information that would normally be included in the meeting packet will remain in the packet. Initially, I am planning on including the following in consent agendas:
 - a. Licenses (within reason)
 - b. Tax Bill Inserts
 - c. Grant Approvals for under \$10,000
 - d. Some Housekeeping.

I am checking if we could utilize a separate consent agenda for public hearings of routine Shellfish items (such as transfers).

2. Speaking time,
 - a. Please ask your question or questions before making a point/s and if a question is directed towards someone allow them time to respond before making a point. Please do not explain why you are asking a question before it is answered.
 - b. Each speaker should make their point or points succinctly.
 - c. I will go to anyone who has not spoken before allowing someone who has already spoken to speak again.
 - d. Excluding complicated topics, It is likely that I will start to limit speaking to 2 minutes per turn and may limit the number of times speaking especially for simpler agenda items.



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: September 14, 2021

VII

USE OF TOWN PROPERTY

~ A ~

| | |
|-------------------------|---|
| REQUESTED BY: | Principal Clerk |
| DESIRED ACTION: | To approve the use of the bandstand at the town pier to Kat Williams |
| PROPOSED MOTION: | I move to approve the use of the bandstand at the town pier on September 26, 2021, from 4pm-6pm to Kat Williams for a fee to be decided by the board at the time of the meeting. |
| SUMMARY: | |
| ACTION TAKEN: | Moved By: _____ Seconded By: _____ Condition(s): |
| VOTED: | Yea _____ Nay _____ Abstain _____ |

APPLICATION FOR PERMIT TO USE TOWN OWNED PROPERTY

TOWN OF WELLFLEET
300 MAIN STREET
WELLFLEET, MA 02667

Applicant. Kat Williams Affiliation or Group

Telephone Number 202 222 3333 Mailing Address

Email address williamskteacher@gmail.com

Town Property to be used (include specific area) Stage at the pier

Date(s) and hours of use: September 26, 2021 4-6?

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.

Outdoor dance party for locals - end of summer celebration!

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

Not sure! This is the first time TMac and I have talked about doing this. We'd like it to be family friendly, so thinking of an earlier time frame - it would be great if the food truck was still able to be there too!

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


Fee:

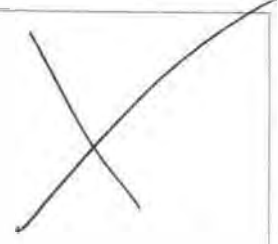
(over)

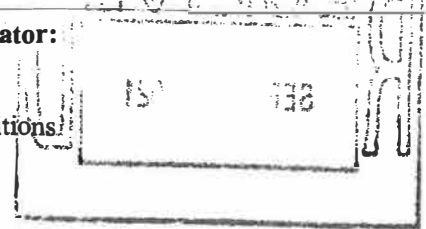
APPLICANT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND INSPECTIONS

| | |
|---|---|
| Health/Conservation Agent: 9/8/21 okay Comments/Conditions: Permits/Inspections needed: | Inspector of Buildings: Comments/Conditions: Permits/Inspections needed: |
|---|---|

| | |
|---|--|
| Police Department: 9/8/21 Comments/Conditions: No Alcohol allowed | Fire Department: 9/8/21 okay Comments/Conditions: |
|---|--|

| | |
|--|---|
| DPW: 9/8/21 Comments/Conditions: responsible for trash removal | Community Services Director: Comments/Conditions:  |
|--|---|

| | |
|---|--|
| Harbormaster: 9/8/21 Comments/Conditions: Bathrooms @ pier may not be available | Shellfish: Comments/Conditions:  |
|---|--|

| | |
|---|---|
| Recreation: 9/8/21 okay Comments/Conditions: | Town Administrator: Comments/Conditions:  |
|---|---|



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: September 14, 2021

VIII

BOARD/COMMITTEE APPOINTMENTS AND UPDATES

~ A ~

| | |
|--|---|
| REQUESTED BY: | Principal Clerk |
| DESIRED ACTION: | To appoint Lori Rutter to the Personnel Board |
| PROPOSED MOTION: SUMMARY: | I move to appoint Lori Rutter to the Personnel Board with a term of three years ending June 30, 2024. To be sworn in by the town clerk and to follow all rules and regulations to be on a town committee or board. |
| ACTION TAKEN: | Moved By: _____ Seconded By: _____ Condition(s): |
| VOTED: | Yea _____ Nay _____ Abstain _____ |

August 26, 2021

Wellfleet Select Board
Wellfleet, MA 02667

Dear Members of the Select Board:

I am writing to express my interest in serving as a volunteer on the Personnel Board. I would welcome the opportunity to make a meaningful contribution to our town. We bought our home in Wellfleet in 2012 and have lived here full-time for two years after selling our home in the greater Boston area.

Professionally, I have decades of experience working across the business, government, and nonprofit sectors where I have hired and managed senior executives, employees, and volunteers. I bring an entrepreneurial approach to change management, and I am quite comfortable dealing with challenging situations and difficult HR issues.

I know that there are schisms and thorny class issues in Wellfleet and there are some things about me that are not on my resume. Please don't lump me into the "another privileged Harvard person" category because you might be surprised.

A few personal things you might want to know:

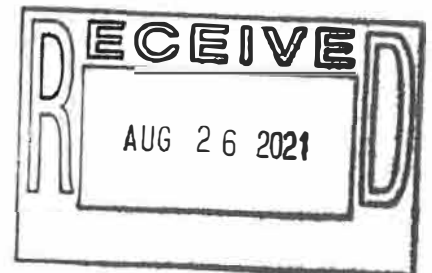
- Graduated of public high school in Queens, NY and the first person in my family to go to college and to own a home
- Interviewer and mentor for first generation college students
- Daughter of a fierce tenants rights/housing activist in the 1970s; attended all the rent strikes, court hearings, and protests
- Member of community supported agriculture farms since 2000

I've attached my application and a CV for your review. I look forward to speaking with you further to learn more about the Personnel Board and to answer any questions you might have about my background and interests.

Thank you for your consideration.

Sincerely,
Lori Rutter

617-
lori@adviza.com



Lori B. Rutter

West Knolls Drive, VT

PROFESSIONAL EXPERIENCE

President, Adviza Consulting, Newton, MA

2004-present

Provide management consulting services to CEOs and senior executives of mission-driven organizations for strategic and business planning, management team/board assessments, executive coaching, and leadership transitions.

Sample projects include:

- Governance restructuring, board training, and reputation re-building for a large social service agency after a highly publicized financial scandal
- Strategic planning and management team development for an education think tank undergoing leadership transition
- National evaluation and strategic planning for a literacy organization to re-design governance structures, develop a replicable board leadership model, and create a financial sustainability plan for continued expansion
- Strategic planning and implementation plan development for a large provider of residential, employment and support services for an agency serving adults with intellectual and development disabilities
- Sustainability planning and interim leadership for a multi-cultural visual and performing arts agency
- Strategic planning and executive coaching for an education reform partnership funded by the National Science Foundation across a large urban school district

Entrepreneur/Business Owner, The Telluride Group, Newton, MA

1996-2004

Built and managed a socially responsible 40-person consulting firm that provided strategic technology services to mid-sized organizations. Fostered a company culture committed to profitability, outstanding client service, and professional development. Key practice areas included: health care, education, and financial/legal services. Sold company to Fidelity venture-backed firm in 2003 and successfully managed corporate integration for a corporate roll-up in 2004. Firm was later sold to a publicly traded company.

Strategic Planning & Growth

- Created strong regional brand recognition as leading, innovative firm which ultimately led to acquisition
- Developed metrics, company dashboards, and motivational business games that resulted in consistent profitability
- Collaboratively devised unique models for annual and quarterly goal setting

Finance and Operations

- Managed significant corporate growth and increased profitability in a bootstrapped environment
- Hired and supervised finance team on budgeting, forecasting, cost-management, and contract negotiations
- Secured substantial bank financing to fund growth based on firm's financial strength

Marketing Strategy

- Grew client base to across New England; supported clients in 15 states and 4 countries
- Created and managed all media relations, marketing collateral, and electronic communications
- Institutionalized electronic client feedback systems that was adopted nationally post-acquisition

Talent Management

- Built a high-performance, entrepreneurial senior management team
- Created professional development and induction programs, coached management team on implementation
- Created board placement and corporate giving programs

Management Consultant, Technical Development Corporation, Boston, MA

1995-1996

Provided strategic consulting services to nonprofits and foundations on a range of issues related to organizational growth and change. Managed client relationships and oversaw project assistants. Areas of focus included: health care, human services, foundations, and community and economic development.

- **Strategic Planning:** Evaluated organizational strategies and operations to refine missions, services, and market niches. Facilitated group meetings to develop human resource, marketing, and business plans.

- **Organizational Assessment:** Recommended changes in management teams, positioning, fundraising, and community relations for organizations considering merging, partnering, adding new services, or making leadership changes.
- **Program Evaluation:** Created and conducted comprehensive plans that included interviews, focus groups, and surveys to develop recommendations and blueprints for ongoing measurement and organizational improvement.
- **Fundraising:** Developed and implemented strategies for approaching corporate and charitable foundations for support.

Senior Policy Analyst, Inspector General's Office, U.S. Dept. of Health & Human Services **1991-1995**

Designed and conducted national policy and program evaluations for Congress and Secretary of HHS on a range of youth, family, elderly, and public health issues to inform funding and policy decisions.

- Developed and administered evaluation tools, focus groups, qualitative interviews, site visits, and surveys.
- Interviewed senior government officials, advocacy groups, Congressional aides, and nonprofit executives.
- Analyzed data using a variety of quantitative and qualitative tools.
- Wrote and presented reports and policy recommendations to program managers and elected officials in Washington, DC

Medicaid Advocate, Elder Law Services, Boston, MA **1989-1990**

- Designed organizational growth strategy including the creation of new positions and the recruitment and supervision of new employees for a for-profit/nonprofit start-up organization.
- Managed all aspects of client Medicaid eligibility determination, application process, and appeals.
- Oversaw the financial management of over \$3 million in fiduciary funds.

EDUCATION

John F. Kennedy School of Government, Harvard University, Master of Public Policy **June 1995**

Harvard College, A.B. cum laude Sociology **June 1989**

COMMUNITY ENGAGEMENT

DeCordova Sculpture Park & Museum, Board of Overseers, 2007-2020

- Chair, Overseers Council; Member, Development, Finance, and Nominating Committees 2008-present

The Big Sister Association of Greater Boston, Board Member 2003-2008

- Chair of Development Committee; Member of Strategic Planning, Governance and Nominating Committees

Harvard Alumni Association, Alumni Leader, 1989-present

- Elected Class Marshal, 1989-present; Classes & Reunions Committee Chair, 2001-2004
- Reunion Co-Chair, 2003-2004, 2008-2009, 2013-2014, 2018-2019
- First Generation Mentor, 2012-present

Newton-Wellesley Hospital Patient Relations Council, Board Member, 2003-2007

Renaissance Health Care, Board Member, 2004-2006

Young Entrepreneurs Organization, Partner Forum Founder, 2000-2004

The City School, Program Evaluator, 1996-1997

Newton Human Services Advisory Committee, Board Member, 1995-1997

Radcliffe Alumnae Association, Board Member 1989-1994; Elected to Board of Management, 1990-1992

Committees/Boards of Interest: **Personnel Board**

Town of Wellfleet Boards and Committees

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

VACANCIES IN BOLD

* *Appointed by Moderator*

09/16/19



**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: LORI RUTTER

Date: 8/26/21

Mailing Address

Phone (cell) :

E-mail: lori@adviza.com

Please describe briefly any work experience, including volunteer service, that you feel would be useful to the Town: 30 years of professional experience across business, government and nonprofit sectors; built and sold a company and have hired hundreds of employees; consult to other organizations on CEO/Board/Community relations; assist clients in hiring senior executives; have overseen dozens of management team and board improvement projects.

Have served as board chair and committee chair at Harvard Alumni Association, Big Sister Association and DeCordova Sculpture Park and Museum. Have recruited new board members and volunteers for all boards (and fired volunteers and board members when necessary).

Please add any other information that you think may be useful, including education or other formal training, specialized courses, professional licenses or certifications, etc.: AB Harvard College; MPP Harvard Kennedy School of Government; more than 20 professional trainings completed in facilitation, interviewing, focus group/listening sessions, consensus-building



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: September 14, 2021

VIII

BOARD/COMMITTEE APPOINTMENTS AND UPDATES

~ B ~

| | |
|-------------------------|---|
| REQUESTED BY: | Principal Clerk |
| DESIRED ACTION: | To appoint Deborah Freeman to the Wellfleet Board of Health |
| PROPOSED MOTION: | I move to appoint Deborah Freeman to the Wellfleet Board of Health for a term of three years to end June 30, 2024. To be sworn in by the town clerk and to follow all the rules and regulations of the town to be on a board or committee. |
| SUMMARY: | |
| 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 Deborah S. Freeman Date 9/8/21

Mailing Address 300 Main Street, Wellfleet, MA 02667

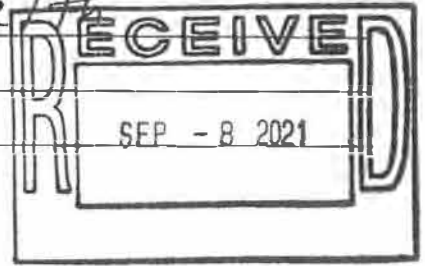
Phone (Home, _____ (cell) _____

E-mail _____

Please describe briefly any work experience, including volunteer service, that you feel would be useful to the Town: I have served on several Town Committees - the Herring River Executive Council; the Conservation Commission (chair); the Charter Review Committee (chair); the Personnel Board (chair); and the Personnel Task Force. I have served on the Board of the Friends of Herring River and as a Trustee for the Wellfleet Conservation Trust

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 worked as a lawyer practicing civil law for 35 years.

Committees/Boards of Interest: 1) Board of Health
2) _____
3) _____





SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: September 14, 2021

VIII

BOARD/COMMITTEE APPOINTMENTS AND UPDATES ~ C ~

| | |
|-------------------------|--|
| REQUESTED BY: | Ryan Curley ~ Selectboard Chair |
| DESIRED ACTION: | To reduce the size of the Wellfleet Cultural Council from 15 members to 11 members |
| PROPOSED MOTION: | I move to reduce the size of the Wellfleet Cultural Council from 15 members to 11 members. |
| SUMMARY: | There are currently 11 members on the Wellfleet Cultural Council, This would reduce the committee size from 15 to 11. |
| ACTION TAKEN: | Moved By: _____ Seconded By: _____ Condition(s): |
| VOTED: | Yea _____ Nay _____ Abstain _____ |

From: abiyoyo1@aol.com
To: BOS@wellfleet-ma.gov <BOS@wellfleet-ma.gov>
Sent: Thu, Aug 26, 2021 4:59 pm

Subject: First draft

Attention:

Ryan Curley
Michael DeVasto
Janet Reinhart
Helen Miranda Wilson
John A. Wolf

To the Select Board;

This is Yvonne Barocas, writing as co-chair of the Wellfleet Cultural Council. This is my 8th year of participation on this council and I am so proud of the the work we do to enhance the arts and culture of Wellfleet.

I would like to reach out to all of you to address the matter of the size of our board. It has come to my attention that you might be considering limiting us to 7 members. I'm hoping that my explanations will ward off this step.

The state of Massachusetts limits our board to 22 members, which is far more than we've ever had, and probably more than we will ever have. In recent years the Select board set a limit at 15 members which was fair and in keeping with our needs. Typically we have had between 10 and 13 members, so the limit was never reached. This is the size of our group that has worked well for all the years I've been on the board.

Unlike advisory boards, our work is quite active and involved. Every member on the board carries out at least one specific duty (e.g. co-chairing, secretary/ minutes-taking, treasurer, IT, publicity, event planning, fund raising, correspondence, etc.). In addition every board member participates in the application, processing, and awarding of grants; mentors at least 3 grantees; attends monthly council meetings; attends state webinars; monitors information on our website; and so much more. If we were to reduce the number of board members on our council, the workload would be way too much for a volunteer to take on.

Each member of the board feels a strong commitment to the cultural life of Wellfleet and takes great pride and pleasure in knowing that we are contributing to one of the many aspects of Wellfleet that makes us such a unique and special town.

Our council is made up of a cohesive, supportive and diverse group of people who have so much to contribute. We all chose to be on this committee because it taps our interests and talents.

I would like to dispell two misunderstandings that I heard were the impression we give and perhaps the reason for the Select board wanting to reduce our group size. I understand that the hope is that, if we have fewer members, there will be more volunteers for other committees that

need more members. Speaking for myself (and many other board members), I can tell you that if I was taken off our council, I would not join a different board because I don't have a talent to offer in other areas. Having an interest in the arts doesn't necessarily transfer to competence in another governing area of our town. Removed board members would most likely just not participate in the goings on of our town. I feel that this would be a big loss.

Another misunderstanding is that we are merely a social group. This perception is really incorrect and is, in fact, demeaning and, quite honestly, insulting. We work hard, we ensure both local and state cultural vitality, we grow, we flourish. Every year we reach out to artists, scientists, folks in the humanities and offer support for what they do. They, in turn, provide worthwhile programs and performances that are specific to Wellfleet, especially for our year-round population. This year, in addition to our many individual grants, we have been able to offer support to a few organizations with state-funded operating costs which was so necessary in this pandemic year. This aspect is expanding as the state of Massachusetts is recognizing the need for support of the arts, more and more. So while we are fun-loving and joyful, we are very serious about our mission and our tasks.

I am particularly proud of the work we did this year during the pandemic. As people remained at home and sought stimulating events, we were able to convert many programs to an accessible, online format.

Please re-consider taking the step of limiting our board to 7 members. We can assure you that we will use good judgment in the selection of members and the size and efficiency of our group on our own. As the old adage says, "If it ain't broke, don't fix it." We are a fabulous council.

I apologize for such a lengthy letter but I hope you will consider our need to remain just as we are.

Thank you so much,
Yvonne Barocas and all of the Cultural Council



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: September 14, 2021

VIII

BOARD/COMMITTEE APPOINTMENTS AND UPDATES ~ D ~

| | |
|-------------------------|---|
| REQUESTED BY: | Principal Clerk |
| DESIRED ACTION: | To appoint Kevin McMahon to the Cultural Council |
| PROPOSED MOTION: | I move to appoint Kevin McMahon to the Wellfleet Cultural Council for a term of three years to end June 30, 2024. To be sworn in by the town clerk and to follow all the rules and regulations of the town to be on a board or committee. |
| SUMMARY: | |
| ACTION TAKEN: | Moved By: _____ Seconded By: _____ Condition(s): |
| VOTED: | Yea _____ Nay _____ Abstain _____ |



**TOWN OF WELFLEET
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 Kevin McMahon Date 08/16/2021

Mailing Address: 125 Neck Rd

Phone (Home) _____ (cell) _____

E-mail kbmcmahonjr@me.com

Please describe briefly any work experience, including volunteer service, that you feel would be useful to the Town: 35 years as a professional actor and singer, 20 years on the governing body of a national arts labor union (51,000 members), teaching artist with the Music Center of Los Angeles County, former chair of two non-profit arts organizations, creator of three youth arts outreach programs,
faculty staff at CV Repertory Theatre.

Please add any other information that you think may be useful, including education or other formal training, specialized courses, professional licenses or certifications, etc.:
BFA Boston Conservatory. Graduate Grantsmanship Center with certification in Advanced Grant Proposal Writing. Arts marketing and PR experience. Chair of two major labor multi-employer negotiating teams.

Committees/Boards of Interest: 1) Cultural Council
 2) _____
 3) _____



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: September 14, 2021

VIII

BOARD/COMMITTEE APPOINTMENTS AND UPDATES

~ E ~

| | |
|--|---|
| REQUESTED BY: | Ryan Curley ~ Selectboard Chair |
| DESIRED ACTION: | To discuss and vote on the town administrator search committee |
| PROPOSED MOTION: SUMMARY: | 1. I move to establish the 2021 – 2022 Town Administrator Search Committee with the charge as appears in the packet. 2. I move to authorize the posting of public notice in the Provincetown Independent, The Cape Codder, and The Cape Cod Times newspapers advertising for committee members as printed in the packet. |
| ACTION TAKEN: | Moved By: _____ Seconded By: _____ Condition(s): _____ |
| VOTED: | Yea _____ Nay _____ Abstain _____ |

2021-2022 Wellfleet Town Administrator Screening Committee

Committee Charge

The Town Administrator Screen Committee is responsible for presenting the names of 3-5 individuals, who shall be considered finalists, to the Select Board for consideration as appointment as the Town Administrator of Wellfleet. The Screening Committee members shall use their best judgment and understanding of the criteria for selection of the Town Administrator that is outlined in the Position Profile that has been prepared by the Town's recruitment consultant with the input and information of the Select Board and other town officials and community members; and that will be utilized in conducting outreach to solicit candidates for the position. The Screening Committee shall work collaboratively with the Town's recruitment consultant and Interim Town Administrator in executing their responsibilities.

The Screening Committee's work shall include:

1. Meet to choose a committee Chairperson and Clerk
2. Work with the Town's Recruitment Consultant to conduct a Community Forum to obtain residents' ideas and opinions on the skills and attributes sought in the next Wellfleet Town Administrator.
3. Meet with the Town's Recruitment Consultant to review the Position Profile, Job description, review process of interviews, discuss questions as prepared by recruitment consultant and possible additional questions, and set interview dates.
4. Receive and review resumes of Semi-finalists as presented by the recruitment consultant.
5. Conduct interviews of selected candidates utilizing established questions.
6. Compare the experience, qualifications and interview performance of candidates to identify up to 5 finalists for reference and background check by the recruitment consultant.
7. Meet with the recruitment consultant to review the outcome of the reference and background checks and take a vote to present an unranked list of the chosen candidates to the Select Board.
8. Chairperson meets with the Select Board to present names and resumes of the Finalists **and the committee's votes regrading the finalists (Is this allowable?)**

The Committee shall function as a governmental body of the Town as defined in the Massachusetts Open Meeting Law, and utilize the provisions of said law pertaining to Executive Session in order to act in the best interests of the Town. To the extent permitted by law, the Screening Committee shall maintain the names and any information about the candidates in strict confidence until it votes its recommendations. Names and information pertaining to candidates not chosen as Finalists shall be retained as confidential. Upon the successful hiring of a Town Administrator the committee shall be disbanded

Membership:

The 2021-2022 Town Administrator Search Committee shall be composed of seven members; all members will be appointed by the Selectboard.

Public Notice

Town Administrator Search Committee

The Wellfleet Select Board is inviting applications and letters of interest from town residents to serve on a committee to assist the Board and its consultant in the search for a new town manager. Charges for this committee are listed below.

Charge: Town Administrator Search Committee

Overall Charge: To assist the Selectboard and consultant in the initial screening and selection of a new Town Manager for the Town of Wellfleet.

Specific Charges

1. Become familiar with the role, responsibility, and authority of the position of Town Administrator. Study the Home Rule Charter that established the form of government and in particular Chapter 3 Select Board and Chapter 5 Town Administrator.
2. Encourage town officials, employees, committees, and residents to offer views regarding issues facing the town government and the Administrator. Including to holding at least one Public Forum to receive input from citizenry, and a joint meeting with the Selectboard.
3. Make suggestions to the Selectboard and consultant concerning a profile of the Town of Wellfleet and the Town Administrator's position. The profile prepared by the consultant shall be reviewed and approved by the Select Board prior to publication.
4. With the assistance of the consultant consider, in confidence, applications and resumes submitted for the position; compare the experience and qualifications of candidates against the profile established by the Selectboard for the position; screen applications for further review and personal interviews by the consultant and search committee.
5. Recommend approximately three (3) to five (5) of the most qualified candidates to the Selectboard for the Board's further consideration.

6. Members of the search committee are to treat all applications in confidence; are not to divulge the identity or resume information on any applicants

Applications can be obtained online at www.wellfleet-ma.gov or at the Office of the Select Board, Town Hall, 300 Main St., Wellfleet, MA 02667 and should be submitted no later than Tuesday October 19th at 11:00 am to: Select Board, Town Hall, 300 Main St., Wellfleet, MA 02667 or emailed to rebekah.eldridge@wellfleet-ma.gov

Posted: <http://www.wellfleet-ma.gov>



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: September 14, 2021

IX

BUSINESS

~A~

| | |
|-------------------------|--|
| REQUESTED BY: | Town Clerk ~ Jennifer Congel |
| DESIRED ACTION: | To vote to have the Town of Wellfleet remain a one precinct town for election purposes. |
| PROPOSED MOTION: | I move to approve that the town of Wellfleet will remain a one precinct town for all election purposes, pursuant to M.G.L. c54 §6. |
| SUMMARY: | The Federal census data has been returned. Our total number of residents reported from the Census is 3,566. Pursuant to M.G.L. c 54 §6, since our number comes in under 6,200 inhabitants of the Town, we may remain a single precinct for elections. The Secretary of the Commonwealth requires the Selectboard to take a vote to remain one precinct. |
| ACTION TAKEN: | Moved By: _____ Seconded By: _____ Condition(s): |



Board of Selectmen

Request for Placement on Agenda

Name: Jennifer Congel- Town Clerk

Address: 300 Main St. _____

Company or Organization Representing: _____

Phone Number: 508-349-0301 _____

Email Address: Townclerk@wellfleet-ma.gov _____

Specific Request: Vote to remain a one precinct town for election purposes. Our Federal Census data has been returned. Our total number of residents reported from the Census is 3,566. Pursuant to M.G.L c 54 §6, since our number comes in under 6,200 inhabitants of the Town, we may remain a single precinct for elections. The Secretary of the Commonwealth requires the Selectboard to take a vote to remain one precinct.

To be Filed out by Dept.

Applicant Notified: _____ Date of Hearing: _____

Date Request Completed: _____



The Commonwealth of Massachusetts

William Francis Galvin

Secretary of the Commonwealth

One Ashburton Place, Boston, Massachusetts 02108-1512

SINGLE PRECINCT AUTHORIZATION FORM

Name of Town: **WELLFLEET**

US Census Bureau 2020 Population Actual: **3,566**

Authorization:

Pursuant to M. G. L. c. 54, § 6 our town wishes to stay one precinct and hereby request the Secretary of the Commonwealth to prepare a single precinct map on our behalf.

Massachusetts General Laws require towns to divide into convenient voting precincts after each federal census. See M. G. L. c. 54 § 6 (the board of selectmen of every town of less than six thousand, two hundred inhabitants may, on their own motion, or shall, when so directed by the town meeting, and the board of selectmen of every town having precincts or six thousand, two hundred or more inhabitants shall, divide the town into convenient voting precincts).

Approved and accepted,

Select Board: _____

Date: _____

Please mail signed form to:

Local Election Districts Review Commission
c/o Elections Division
One Ashburton Place, Room 1705
Boston, MA 02108



TOWN OF WELFLEET

300 MAIN STREET WELFLEET, MASSACHUSETTS 02667

Office of the Town Clerk

Townclerk@wellfleet-ma.gov

Tel (508) 349-0301 Fax (508) 349-0317

Wellfleet-ma.gov

September 14, 2021

Town of Wellfleet
Precinct 1

North boundary -

On the Northeast by Cape Cod Bay and the Truro line heading northeast on Bound Brook Island 250 feet more or less to a marker **WIT** thence heading northeast 5,280 feet more or less to a marker **WIT** thence heading northeast 3,000 feet more or less to a marker **WIT** on State Highway Route 6, thence northeast 2,000 feet more or less to a marker **WIT**, thence northeast 6,500 feet more or less to a marker **WIT**, thence 400 feet more or less to the Atlantic Ocean and the Truro line.

West Boundary -

On the north by Cape Cod Bay and the Truro line heading south 15,840 feet more or less to a mark with the Eastham line in Cape Cod Bay.

South Boundary -

On the Southeast by Cape Cod Bay and the Eastham Cape Cod Bay line heading northeast 15,200 feet more or less to a marker **WIE** on land owned by the Massachusetts Audubon just north of Hatches Creek, thence south to Hatches Creek, thence East by Hatches Creek to a marker **WIE** on the East side of State Highway Route 6, thence east 1,000 feet more or less to a marker **WIE** on Old King's Highway, thence Northeast 6,000 feet more or less to a marker **WIE**, thence 200 feet more or less to the Atlantic Ocean and the Eastham line.

East Boundary -

On the North by the Atlantic Ocean and the Truro Line heading south 15,800 feet more or less to a mark with the Eastham line in the Atlantic Ocean.



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: September 14, 2021

IX

BUSINESS

~B~

| | |
|-------------------------|--|
| REQUESTED BY: | Carole Ridley ~High Toss Road |
| DESIRED ACTION: | To discuss and vote on the document sent by town counsel regarding the taking of High Toss Road |
| PROPOSED MOTION: | Motion to be Determined at the Meeting |
| SUMMARY: | |
| ACTION TAKEN: | Moved By: _____ Seconded By: _____ Condition(s): |
| VOTED: | Yea _____ Nay _____ Abstain _____ |



TOWN OF WELLFLEET

300 MAIN STREET WELLFLEET, MASSACHUSETTS 02667

Office of the Town Clerk

Townclerk@wellfleet-ma.gov

Tel (508) 349-0301 Fax (508) 349-0317

Wellfleet-ma.gov

ARTICLE 35: Accept Layout of High Toss Road. To see if the Town will vote to accept as a Town way the road known as High Toss Road, between Pole Dike Road and Duck Harbor Road, as heretofore laid out by the Selectboard and shown on a plan entitled “Plan of Land High Toss Road, Wellfleet, MA Being a 40’ Public Way as Laid Out by the Town of Wellfleet,” dated April 6, 2020, prepared by Outermost Land Survey, Inc., and on file with the Town Clerk, and to authorize the Selectboard to acquire on behalf of the Town by gift, purchase, or eminent domain an easement to use High Toss Road, as herein described, for all purposes for which public ways are used in the Town of Wellfleet, and drainage, utility, access, and/or other easements related thereto, or do or act anything thereon.

Majority vote required

Selectboard: Recommends 5–0

Planning Board: Recommends 6-0

It was moved and seconded that the Town vote to accept as a town way the road known as High Toss Road, between Pole Dike Road and Duck Harbor Road, as heretofore laid out by the Selectboard and shown on a plan entitled “Plan of Land, High Toss Road,” dated April 6, 2020, prepared by Outermost Land Survey, Inc., and on file with the Town Clerk, and to authorize the Selectboard to acquire on behalf of the Town by gift, purchase, or eminent domain an easement to use High Toss Road, as herein described, for all purposes for which public ways are used in the Town of Wellfleet, and drainage, utility, access, and/or other easements related thereto, or do or act anything thereon.

The Moderator declared the motion carries on a unanimous vote.

A TRUE COPY ATTEST:

Jennifer M. Congel,

Town Clerk

Wellfleet, Ma

Dated: September 09,2021

COMMONWEALTH OF MASSACHUSETTS

BARNSTABLE, SS.

TOWN OF WELLFLEET

ORDER OF TAKING

At a regularly convened meeting of the Selectboard of the Town of Wellfleet (the "Town") held on this 14th day of September, 2021, it was voted and ordered as follows:

The Selectboard of the Town of Wellfleet, duly elected, qualified, and acting as such, on behalf of the Town and by virtue of and in accordance with the authority of the vote taken under Article 35 of the _____, 2021 Annual Town Meeting, a certified copy of which is attached hereto and incorporated herein, the provisions of Chapter 79 and Chapter 82, Sections 21-24 of the General Laws, and any and every other power and authority hereunto enabling it in any way, hereby takes a permanent easement, for any and all purposes for which public ways are used in the Town of Wellfleet, together with attendant customary uses, including, without limitation, for the purposes of constructing, inspecting, operating, maintaining, repairing, removing, replacing and relocating rights of way and any and all structures and facilities necessary or convenient to support the same, or related thereto, including, without limitation, rights of way, sidewalks, guardrails, support or retaining walls, signs, drains, utilities, and any related appurtenances, in, on and under the parcel of land shown as "High Ross Road" (the "Easement Premises") on a plan entitled "Plan of Land High Toss Road, Wellfleet MA Being a 40' Public Way as Laid Out by the Town of Wellfleet Selectboard Prepared for the Town of Wellfleet," dated April 6, 2000, as revised through _____, prepared by Outermost Land Survey, Inc., recorded with the Barnstable Registry of Deeds in Plan Book _____, Plan _____ (hereinafter the "Plan"). Any water, sewer, and drainage facilities located within the Easement Premises are included in this taking.

The Town shall have the right to enter upon and pass over the Easement Premises from time to time, by foot, vehicle, or heavy equipment, for all any and all purposes stated herein and uses necessary or incidental thereto, including, without limitation, using and temporarily storing, as needed, construction equipment, materials or other incidental items within the Easement Premises for the purposes set forth herein. No temporary or permanent buildings, structures or other objects shall be constructed, installed or placed upon the Easement Premises by any party other than the Town. The Town may assign such easements to or authorize use of such easement areas by any utility company.

The taking includes the right of the Town to remove any buildings, structures, objects, utilities and/or vegetation (including trees and shrubs) now or hereafter located within the Easement Premises whenever their removal shall be necessary or convenient to exercise the rights taken hereunder and/or for the purposes set forth herein. Utilities and related facilities located within the Easement Premises that are owned by private utility companies and easements held by private utility companies are not taken.

The parcels of land subject to said easement are owned or supposed to be owned and/or formerly owned by the parties listed in Exhibit A, which parties are hereinafter collectively referred to as Owners. If in any instance the name of any Owner is not correctly stated, the names of the supposed Owners being given as of this Order of Taking, it is understood that in such instance the land referred to is owned by an Owner or Owners unknown to us, and said easements are hereby taken.

We have determined that no persons will sustain damages in their property by reason of the herein taking, all in accordance with the provisions of G.L. c.79, §6, as amended, and accordingly award no damages for this taking. The purpose of this taking is to complete the layout and acceptance of High Toss Road between Pole Dike Road and Duck Harbor Road as a public way.

Betterments are not to be assessed under this taking.

[Signature Page Follows]

IN WITNESS WHEREOF, we, the duly elected and authorized members of the Wellfleet Selectboard have hereunto set our hands and seals on this 14th day of September, 2021.

TOWN OF WELLFLEET,
By its Selectboard

Ryan Curley, Chair

Michael DeVasto, Vice-Chair

Janet Reinhart

John A. Wolf

Helen Miranda Wilson

COMMONWEALTH OF MASSACHUSETTS

Barnstable, ss.

On this 14th day of September, 2021, before me, the undersigned notary public, personally appeared _____, member(s) of the Wellfleet Selectboard, as aforesaid, who proved to me through satisfactory evidence of identification, which was _____, to be the person whose name is signed on the preceding document, and acknowledged to me that he/she/they signed it voluntarily for its stated purpose on behalf of the Town of Wellfleet.

Notary Public
My Commission Expires:

EXHIBIT A

Owners

Owner: Barbara M. Anthony

Interests Acquired: Easement in High Toss Road (14,880 S.F.±)

Property Address: 125 High Toss Road , Wellfleet, Massachusetts

Mailing Address: P.O. Box 1464, Wellfleet, MA 02667

Deed Reference: Barnstable Registry District of the Land Court COT 183194, Lot 41 on Land Court Plan 32885B

Owner: Barbara M. Anthony

Interests Acquired: Easement in High Toss Road (3,133 S.F.±)

Property Address: 125 High Toss Road, Wellfleet, Massachusetts

Mailing Address: P.O. Box 1464, Wellfleet, MA 02667

Deed Reference: Barnstable Registry District of the Land Court COT 141055, Lot 42 on Land Court Plan 32885B

Owner: Barbara M. Anthony

Interests Acquired: Easement in High Toss Road (2,168 S.F.±)

Property Address: 224 Hopkins Drive, Wellfleet, Massachusetts

Mailing Address: P.O. Box 1464, Wellfleet, MA 02667

Deed Reference: Barnstable Registry District of the Land Court COT 141055, Lot 55 on Land Court Plan 32885B

Owner: Barbara M. Anthony and Fiduciary Trust Co., Trustees of the Stephen H. Anthony 1993 Trust, Under Declaration of Trust dated September 20, 1993

Interests Acquired: Easement in High Toss Road (2,168 S.F.±)

Property Address: 228 Hopkins Drive, Wellfleet, Massachusetts

Mailing Address: 175 Federal Street, Boston, MA 02110

Deed Reference: Barnstable Registry District of the Land Court COT 194804, Lot 61 on Land Court Plan 32885C

Owner: David B. Smith, Trustee of the Hopkins Drive Nominee Trust, Under Declaration of Trust dated June 27, 2018

Interests Acquired: Easement in High Toss Road (3,088 S.F.±)

Property Address: 230 Hopkins Drive, Wellfleet, Massachusetts

Mailing Address: 134 Boston Post Road, Apt. 215, Wayland, MA 01778

Deed Reference: Barnstable Registry District of the Land Court COT 217877, Lot 60 on Land Court Plan 32885C

Owner: David B. Smith, Trustee of the Hopkins Drive Nominee Trust, Under Declaration of Trust dated June 27, 2018
Interests Acquired: Easement in High Toss Road (7,143 S.F.±)
Property Address: 260 Hopkins Drive, Wellfleet, Massachusetts
Mailing Address: 134 Boston Post Road, Apt. 215, Wayland, MA 01778
Deed Reference: Barnstable Registry District of the Land Court COT 217877, Lot 59 on Land Court Plan 32885B

Owner: Cushman D. Anthony
Interests Acquired: Easement in High Toss Road (3,954 S.F.±)
Property Address: 10 Quail Run, Wellfleet, Massachusetts
Mailing Address: 19 Blueberry Cove, Yarmouth, MA 04096
Deed Reference: Barnstable Registry District of the Land Court COT 196673, Lot 3 on Land Court Plan 32885B

Owner: Robert W. Holmes and Norma L. Holmes, Trustees of the Holmes Family Trust dated February 20, 2020
Interests Acquired: Easement in High Toss Road (4,802 S.F.±)
Property Address: 20 Quail Run, Wellfleet, Massachusetts
Mailing Address: 20 Quail Run, Wellfleet, MA 02667
Deed Reference: Barnstable Registry District of the Land Court COT 221939, Lot 2 on Land Court Plan 32885B

Owner: Andrew J. Murray-Brown and Eugenie B. Murray-Brown
Interests Acquired: Easement in High Toss Road (4,391 S.F.±)
Property Address: 22 Quail Road, Wellfleet, Massachusetts
Mailing Address: 10 Mast Hill Road, Hingham, MA 02043
Deed Reference: Barnstable Registry District of the Land Court COT 219436, Lot 1 on Land Court Plan 32885B

Owner: Andrew J. Murray-Brown and Eugenie B. Murray-Brown
Interests Acquired: Easement in High Toss Road (3,049 S.F.±)
Property Address: 245 High Toss Road, Wellfleet, Massachusetts
Mailing Address: 10 Mast Hill Road, Hingham, MA 02043
Deed Reference: Barnstable Registry of Deeds, Book 32030, Page 146

Owner: Jonathan H. Hirsch and Robert P. Meek
Interests Acquired: Easement in High Toss Road (4,774 S.F.±)
Property Address: 25 Way #672, Wellfleet, Massachusetts
Mailing Address: 72 Warren Avenue, Unit 202, Boston, MA 02116
Deed Reference: Barnstable Registry of Deeds, Book 27725, Page 9



Plan Notes:
 1) This plan is based on a field run survey. Bearings are from the NAD83 Horizontal datum.
 2) Parcel Easement Areas are to the centerline of the Proposed 40 foot layout.
 3) Land Court Plan 32885, Plan Book 627, Page 37 Plan Book 368, Page 99, and Plan Book 536, Page 4 were held for location.
 4) The 40' Layout of High Toss Road falls within the AE Zone as shown on FEMA Panel # 25001C0233J Effective date 7/16/2014 and the Wellfleet Harbor ACEC zone.

**Plan of Land
 High Toss Road, Wellfleet, MA
 being a 40' Public Way as laid out
 by the Town of Wellfleet Selectboard
 prepared for
 The Town of Wellfleet
 Scale 1" = 100' April 6, 2020
 ols #794002**



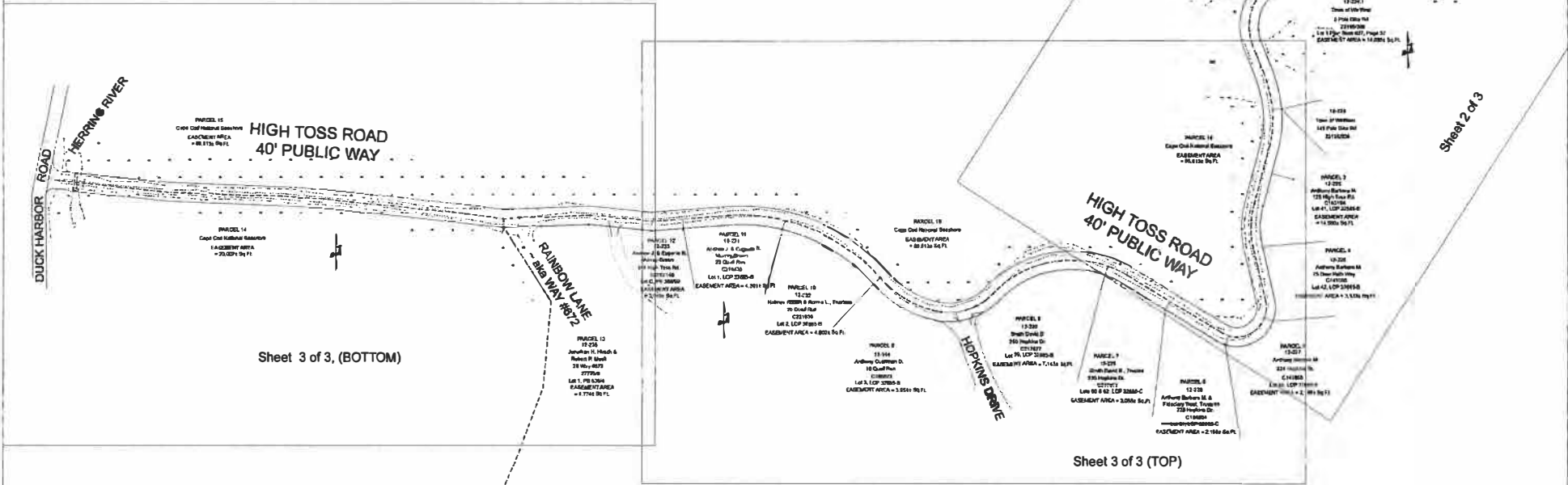
This layout is Approved by the Town of Wellfleet Selectboard
 Date _____

This layout was accepted at Town Meeting
 Held _____

Town Clerk _____

I hereby certify that this plan was prepared in accordance with the Registry of Deeds regulations effective Jan. 1, 1979 and revised Jan. 9, 1988.

Garret T. Poble P.L.S. 952652
 Date _____



Sheet 3 of 3, (BOTTOM)

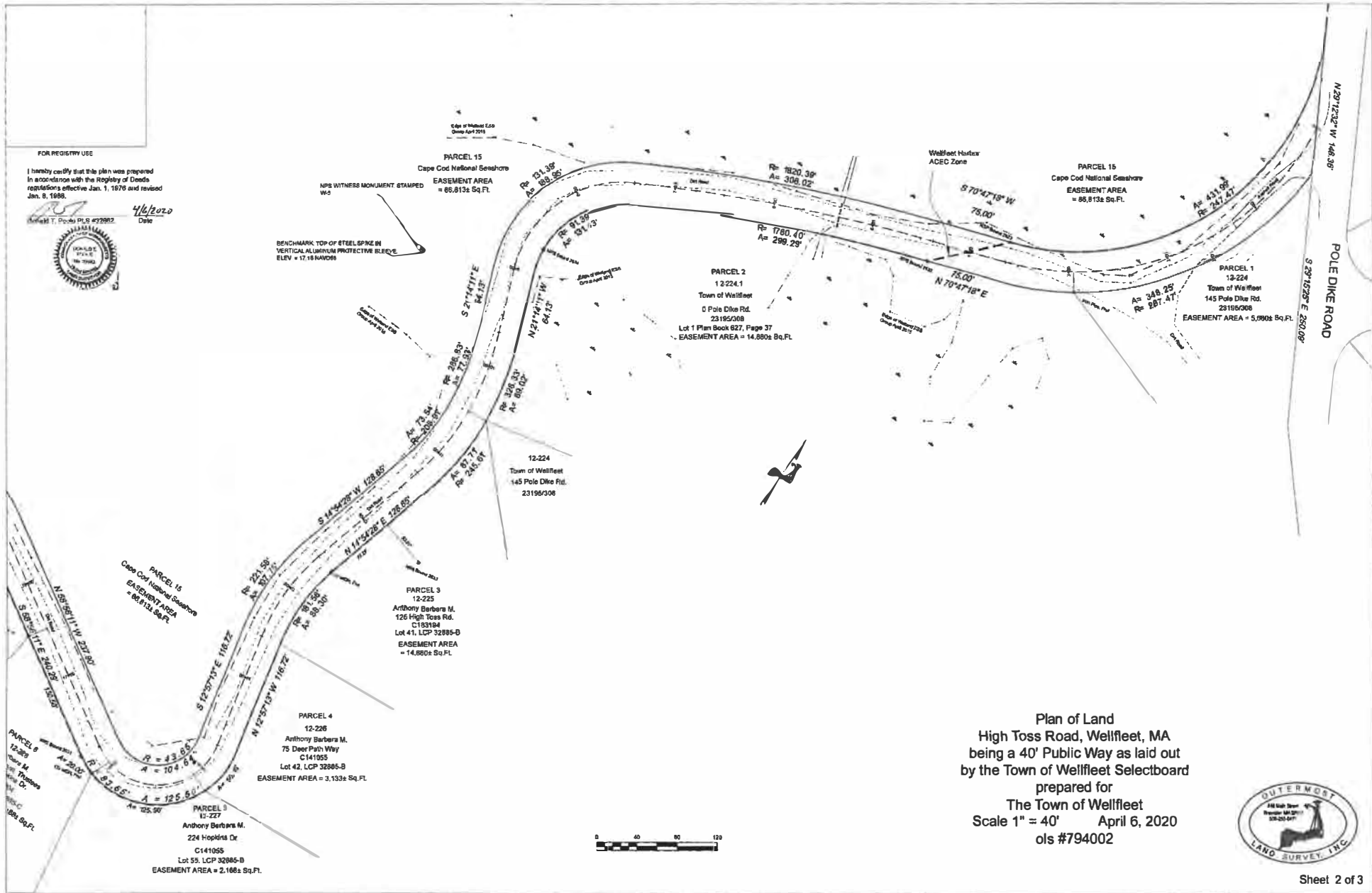
Sheet 3 of 3 (TOP)



FOR REGISTRY USE

I hereby certify that this plan was prepared in accordance with the Registry of Deeds regulations effective Jan. 1, 1976 and revised Jan. 9, 1999.

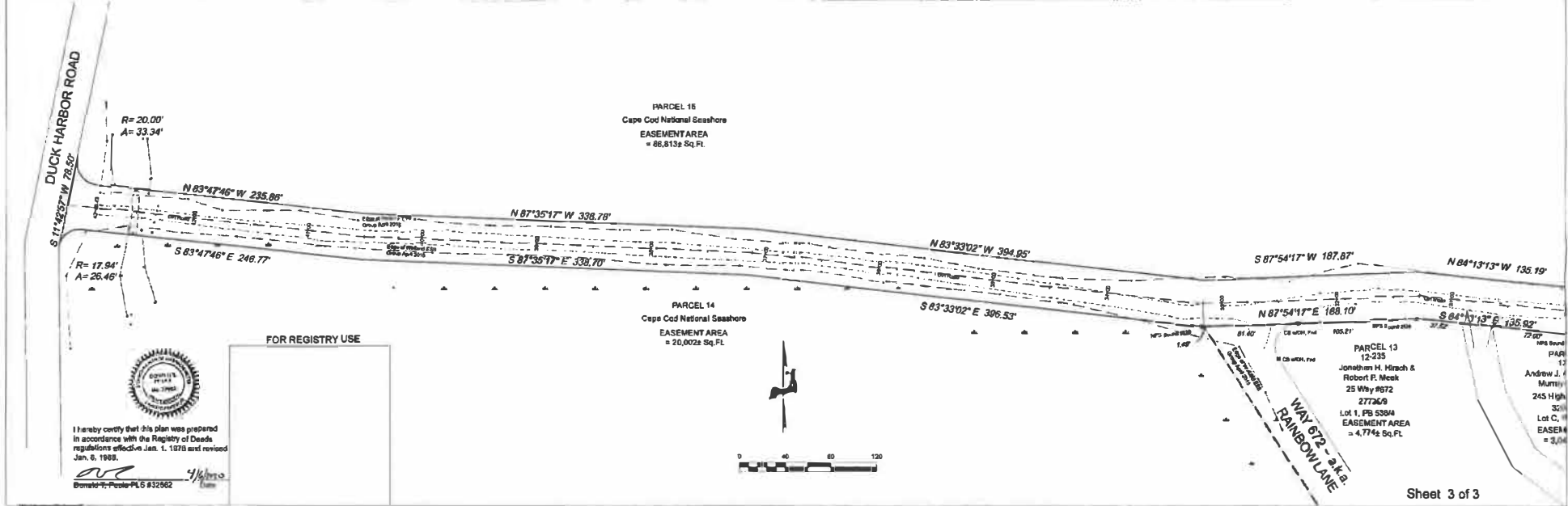
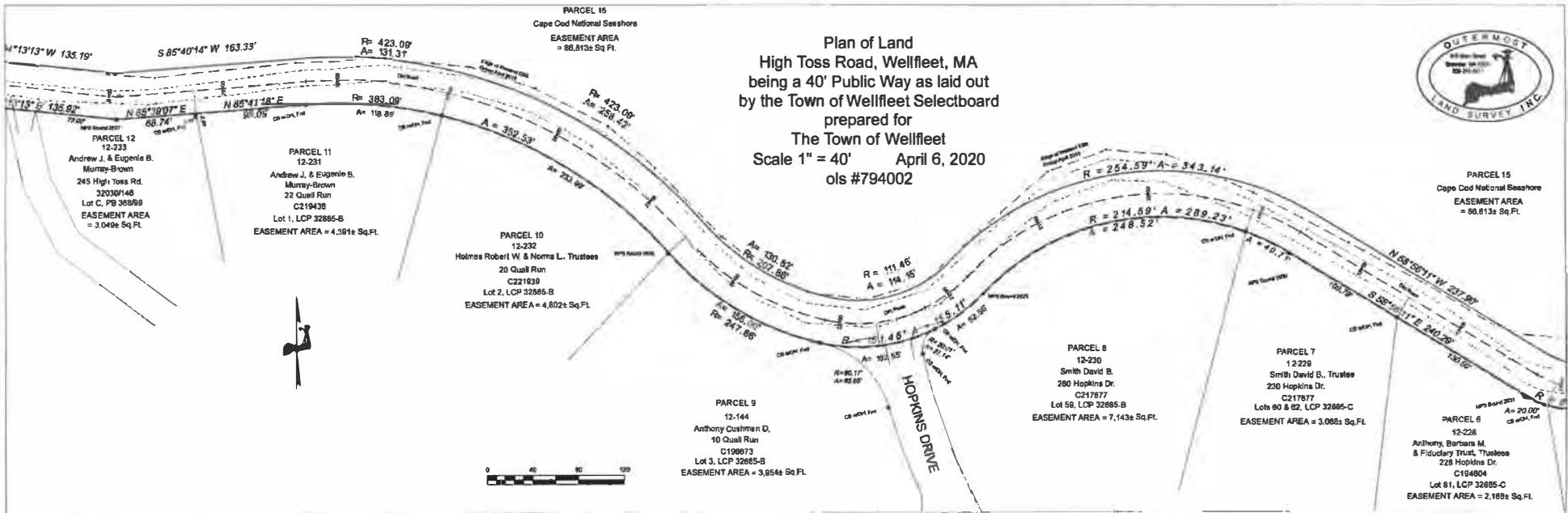
Notary T. Podes PLS #72982 Date 4/6/2020



Plan of Land
High Toss Road, Wellfleet, MA
being a 40' Public Way as laid out
by the Town of Wellfleet Selectboard
prepared for
The Town of Wellfleet
Scale 1" = 40' April 6, 2020
ols #794002



Plan of Land
 High Toss Road, Wellfleet, MA
 being a 40' Public Way as laid out
 by the Town of Wellfleet Selectboard
 prepared for
 The Town of Wellfleet
 Scale 1" = 40' April 6, 2020
 ols #794002



FOR REGISTRY USE



I hereby certify that this plan was prepared in accordance with the Registry of Deeds regulations effective Jan. 1, 1978 and revised Jan. 6, 1988.

Bronfeldt, Peck, PLLC #32962



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: September 14, 2021

IX

BUSINESS

~C~

| | |
|-------------------------|--|
| REQUESTED BY: | Harbormaster ~ Will Sullivan |
| DESIRED ACTION: | To inform the board of the Wellfleet harbor dredging contract award |
| PROPOSED MOTION: | A Motion will be determined at the meeting. |
| SUMMARY: | |
| ACTION TAKEN: | Moved By: _____ Seconded By: _____ Condition(s): |
| VOTED: | Yea _____ Nay _____ Abstain _____ |

SECTION 00 30 00
BID FORM

The undersigned hereby declares to have carefully examined the annexed form of Contract, Specifications, and Drawings therein referred to and also the site upon which the projected work is to be performed. Also, included in the Bid Form is a table requiring information on the Bidder's qualifications.

- A. The undersigned proposes to furnish all labor and materials required for the "Wellfleet Harbor Dredging – Area I" in accordance with the Drawings and Specifications prepared by GEI Consultants, Inc., 124 Grove Street, Franklin, Massachusetts 02038, for the Contract Price specified below, subject to additions and deductions according to the terms of the Specifications.

Accompanying this Proposal is a bid deposit in the amount of 5% of the value of the Base Bid and Add Alternatives, which shall become the property of the Town of Wellfleet, MA (Owner) if, in case this Proposal shall be accepted by the said Owner, the undersigned shall fail to comply with the statutes as herein before specified, if it is a foreign corporation, or in any event fails to execute the Contract with, and give a bond to, said Owner, according to the requirements of the Notice to Contractor in the form annexed to said form of Contract, within the time hereinafter specified.

The undersigned also hereby declares to be the only person interested in this Proposal; that it is made without any connection with any other person making any bid for the same work; that no person acting for, or employed by the Owner is directly or indirectly interested in this Proposal, or in any Contract which may be made under it, or in expected profits to arise therefrom; and it is made without directly or indirectly influencing or attempting to influence any other person or corporation to bid or to refrain from bidding or to influence the amount of the bid of any other person or corporation; and that this Proposal is made in good faith, without collusion or connection with any other person bidding for the same work; and that this Proposal is made with distinct reference and relation to the Bid Documents prepared for this case, and herein mentioned.

- B. This bid will include any Addenda issued during the bid period.
- C. The bid prices are presented in the following schedule. The Bidder shall provide Total Prices for the project as follows.

THE OWNER SOLICITS THE FOLLOWING BIDS:

A. BASE BID

The Bidder agrees to perform all the Work described in the Contract Documents for the following prices:

B. BASE BID SCHEDULE

| Brief Description of Item | Est. Quant. | Unit | Unit Price in Words | Unit Price in Figures | Total Amount in Figures |
|-----------------------------------|-------------|------|---|-----------------------|-------------------------|
| 1. Mobilization (Item 1) | 1 | LS | Six Hundred FIFTY Six Thousand Eight Hundred Twenty dollars and <u>Eleven</u> cents | ---- | \$ 656,820.11 |
| 2. Dredging and Disposal (Item 2) | 126,000 | CY | <u>Thirty Four</u> dollars and <u>Forty Six</u> cents | \$ 34.46 | \$ 4,341,960.00 |
| 3. Debris (Item 3) | 500 | Tons | <u>One hundred Sixty Nine</u> dollars and <u>Fourteen</u> cents | \$ 169.14 | \$ 84,570.00 |
| 4. Turbidity Curtain (Item 4) | 2,000 | LF | <u>Thirty Eight</u> dollars and <u>Fifteen</u> cents | \$ 38.15 | \$ 76,300.00 |
| TOTAL BASE BID PRICE: | | | | | \$ 5,159,650.11 |

TOTAL BASE BID PRICE WRITTEN IN WORDS:

Five Million One hundred Fifty Nine Thousand Six hundred FIFTY DOLLARS
Eleven CENTS

C. ADD ALTERNATIVE 1

The Bidder agrees to perform all the Work described in the Contract Documents for Add Alternative 1 for the following prices:

D. ADD ALTERNATIVE 1 SCHEDULE

| Brief Description of Item | Est. Quant. | Unit | Unit Price in Words | Unit Price in Figures | Total Amount in Figures |
|--|-------------|------|---|-----------------------|-----------------------------|
| 1. Dredging and Disposal (Add Alt Item 1) | 4,100 | CY | <u>Thirty Three</u> dollars and <u>Fifty One</u> cents | \$ <u>33.51</u> | \$ <u>137,391.00</u> |
| 2. Debris (Add Alt Item 2) | 10 | Tons | <u>Two hundred Nineteen</u> dollars and <u>one</u> cents | \$ <u>219.01</u> | \$ <u>2,190.10</u> |
| TOTAL ADD ALT 1 PRICE: | | | | | \$ <u>139,581.10</u> |

TOTAL ADD ALTERNATIVE 1 PRICE WRITTEN IN WORDS:

One hundred Thirty Nine Thousand Five hundred Eighty One DOLLARS
Ten CENTS

BID PROPOSAL INCLUDES ADDENDA NUMBER(S) 1

DESCRIPTION OF PAY ITEMS

Refer to Technical Specifications Section 01 20 00 – Price and Payment Procedures for descriptions of the work involved for each pay item

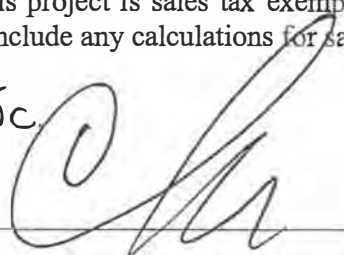
BASIS OF CONTRACT AWARD:

The Town of Wellfleet, MA, Basis of Award will be determined by the available funding for the project and regulatory approvals. All Bidders will be first evaluated for award on the Base Bid to confirm the project is within the available funding. All Bidders will be then be evaluated for award on the Base Bid and Add Alternative 1 to confirm the project is within the available funding. Add Altnative 1 shall be executed by the Awarding Authority no later than December 10, 2021.

The Town of Wellfleet, MA reserves the right to add additional funding to the project should it be in its best interest for maximizing the construction for the available funding.

- A. The undersigned agrees that, if he/she is selected as Contractor, he/she will within five (5) calendar days, after presentation thereof by the Owner, execute the Contract in accordance with the terms of this bid and furnish a performance bond and a payment bond for the full amount of the Contract Price, each with a Surety company qualified to do business under the laws of the Commonwealth and satisfactory to the Owner, the premiums for which are to be paid by the Contractor and are included in the Contract Price.
- B. The bidder hereby certifies that in the event he/she is awarded the Contract he/she shall comply with the minority manpower ratio and all specific action steps contained in the State of Massachusetts Equal Employment Opportunity Anti-Discrimination and Affirmative Action Programs.
- C. The undersigned hereby certifies that he/she is able to furnish labor that can work in harmony with all other elements of labor employed or to be employed on this work.
- D. The undersigned further certifies under penalties of perjury that this bid is in all respects bona fide, fair, and made without collusion or fraud with any other person. As used in this subsection, the word "person" shall mean any natural person, joint venture, partnership, corporation, or other business or legal entity.
- E. I hereby certify that I have been informed that this project is sales tax exempt. I further certify that the bid prices contained herein do not include any calculations for sales tax.

Date: 9-1-21 Robert B Our Co, Inc.
(Name of General Bidder)

By  _____

Christopher W. Our
(Print Name as Signed Above)

President
(Title)

24 Great Western Rd, Harwich, MA
(Business Address)

Note: If the bidder is a corporation, indicate State of incorporation; if a partnership, give full names and addresses of all partners; and if an individual, give residential address if different from business address. Incorporated in what State: Massachusetts

President:

Christopher W. Our

Treasurer:

Joan A. Our

Secretary

Joan A. Our

If a Partnership: (Name all Partners)

Name of Partner:

Residence:

Name of Partner:

Residence:

If an Individual:

Name:

Residence:

If an Individual doing business under a firm name:

Name of Firm:

Name of Individual:

Business Address:

Residence:

The bidder will give below the name and address of the Surety Company who will sign the bonds.

Fidelity and Deposit Company of Maryland
100 High Street, Suite 1400, Boston, MA 02110

| YEAR | JOB CODE | PROJECT NAME | ORIGINAL CONTRACT VALUE | FINAL CONTRACT VALUE | CLASS OF WORK | P.M. | GC OR SUB | OWNER / CUSTOMER | ENGINEER OR OWNER'S REP | DATE OF COMPLETION | PROJECT DESCRIPTION |
|---------------|----------|--|-------------------------|----------------------|--|----------|-----------|--|--|--------------------|--|
| MARINE | | | | | | | | | | | |
| 2020 | | STAGE HARBOR YACHT CLUB PIER SUPERSTRUCTURE CHATHAM | \$723,597 | | MARINE / PIER RECONSTRUCTION | KT | GC | STAGE HARBOR ENTERPRISES 19 Champlain Rd. Chatham, MA 02833 508-945-1542 | SIEMASKO & VERBRIDGE, LLC, SV DESIGN 683 Main St Chatham, MA 02833 508-348-5485 | TBD | Reconstruction of the existing timber pier and bulkhead with site improvements including: Demolition of existing pier, F&I vinyl sheet wall, F&I CCA SYP structural & fender piles w/caps, build new timber pier, wood handrails, stairs and stainless steel rails, place shell & stone surfacing at lot. |
| 2020 | | HYANNIS TERMINAL - DESIGN/BUILD BULKHEAD RECONSTRUCTION HYANNIS | \$1,566,558 | | MARINE / BULKHEAD | KT | GC | HY-LINE CRUISES, INC 22 Chanel Point Rd. Hyannis, MA 02801 | FOTH INFRASTRUCTURE & ENVIRONMENTAL 15 Creek Rd. Marion, MA 02738 | TBD | Replacement of existing, deteriorated bulkhead. The Design/Build Bulkhead Reconstruction includes: selective demolition of the existing bulkhead; installation of new steel sheet piling; installation of grouted-screw anchor tiebacks and wale; installation of new steel cap and timber capping; re-installation of existing fender piles; and associated site work. |
| 2020 | | 520 SHORE ROAD REVETMENT CHATHAM | \$497,291 | | MARINE / REVETMENT | KT | GC | | CAPE COD ENGINEERING, INC. | Mar-21 | Removal and Transport of Select Toe & Armor Stone, Install Erosion Controls, Clear & Grub, Install Geotextile Fabric, Place Stone & Armor Stone. |
| 2020 | | ROUND COVE BOAT RAMP HARWICH | \$219,483 | | MARINE | KT | GC | TOWN OF HARWICH, MA 732 Main St Harwich, MA 02845 | GEI CONSULTANTS, INC. 124 Grove St Franklin, MA 02038 774-277-8001 | TBD | Site work for the reconstruction of the Round Cove Boat Ramp at 6 Cove Landing Road, Harwich, Massachusetts |
| 2020 | LP | EMBANKMENT REPAIRS AT LILY POND (PO # MP67-1) SANDWICH | \$1,174,879 | \$1,284,285 | MARINE | CT | GC | MASS COASTAL RAILROAD 12 Harding St. Lakeville, MA 02347 | JACOBS ENGINEERING 120 St. James Ave. Boston, MA 02116 617-242-9222 | Dec-20 | Emergency embankment repair: Rock fill placed for the zone of the embankment from the base of the current grade in the area of the embankment up to elevation 31.5 feet, 0.5 feet above the normal pond elevation of 31 feet. Fill was placed and compacted on a layer of Mirafl BXG120 Geogrid, followed by a cushion layer of 1.5" Crushed Stone, then large rip-rap boulders and gradually transitioning to smaller stones at the surface of the rock fill; the use of the smaller size stones on top of the larger rip rap and rock stakes helps to fill in the areas between the larger stones and provide a stable base. |
| 2019 | | OYSTER CREEK DREDGE HARWICH | \$186,451 | \$183,042 | MARINE DREDGING | KT | GC | OYSTER CREEK PRESERVATION 75 Cliff Rd Weston, MA 02493 | BRAMAN SURVEYING & ASSOCIATES | Jun-20 | Mechanical dredging of 900 CY of material, hauling & unloading of usable material. Removal & legal disposal of 420 CY of unusable material. |
| 2019 | NTP | NANTUCKET TOWN PIER DREDGING | \$372,507 | \$395,602 | MARINE DREDGING | KT | GC | TOWN OF NANTUCKET 37 Washington St Nantucket, MA | FOTH / CLE ENGINEERING | May-20 | Improvement dredging of an estimated ±920 cubic yards (CY) at the Town Pier located at 34 Washington St., Nantucket, MA 02554. Dredging shall be performed using mechanical methods and sediments will be beneficially reused as daily cover at the Town Landfill located at 188 Madaket Road |
| 2019 | YAR | YARMOUTH ILL ARTIFICIAL REEF PROJECT | \$246,318 | \$246,277 | MARINE / REEF CONSTRUCTION | KT | GC | MA DEPARTMENT OF FISH AND GAME DIVISION OF MARINE FISHERIES 251 Cabotway St Boston, MA Mark Rousseau mark.rousseau@mass.gov | MA DEPARTMENT OF FISH AND GAME DIVISION OF MARINE FISHERIES 251 Cabotway St Boston, MA Mark Rousseau mark.rousseau@mass.gov | Dec-19 | Transport by barge, and deploy 2000 cubic yards or more of approved artificial materials to a one-acre area within a permitted artificial reef site in Nantucket Sound, approximately 2 nautical miles off the coast of Yarmouth. Approved artificial reef materials include rock, demolition concrete: Robert B. Our utilized unused precast concrete structures and granite pieces for reef construction material. |
| 2019 | RH | EASTHAM ROCK HARBOR DOCK AND FLOAT REPLACEMENT PROJECT EASTHAM | \$392,000 | \$411,033 | MARINE FLOATS | KT | GC | TOWN OF EASTHAM 2500 State Highway Eastham, MA 02842 | COASTAL ENGINEERING CO, INC. 280 Cranberry Highway Oleans, MA 02853 | Nov-19 | Construction of docks, gang ways, floats, setting of and replacement of pilings, and associated work. |
| 2019 | | PROPOSED PUBLIC ACCESS FACILITY IMPROVEMENTS, PILE RE-INSTALLATION, PLYMOUTH HARBOR PLYMOUTH | \$70,948 | \$70,948 | MARINE PILES | KT | GC | TOWN OF PLYMOUTH Purchasing - Pamela Hegler Pamela Hegler PHegler@townofplymouth.ma.us | COMMONWEALTH OF MASSACHUSETTS DEPARTMENT OF FISH & GAME | Sep-19 | Removal & Re-Installation of Piles and Miscellaneous Work. |
| 2019 | | BASS RIVER MARINA IMPROVEMENTS WEST DENNIS | \$1,225,941 | \$2,552,899 | MARINE PILES | KT | | CHARLES WHITE MANAGEMENT, INC. 330 COMMONWEALTH AVE. BOSTON, MA 02115 | FOTH / CLE ENGINEERING Alex Mora 508-478-0937 | Jun-20 | Project generally consists of the installation of a 140 linear foot AZ 26-700 steel sheet pile bulkhead, installation of an 8'x342" ADA timber boardwalk, installation of an 8'x54" ADA timber ramp, installation of two staircases, removal of existing timber ramps and floats, and the removal and replacement of an existing 36'x15'-4" timber deck. |
| 2019 | OH | ONSET PIER PILINGS, FLOATS & GANGWAY REPLC. WAREHAM | \$339,373 | \$339,373 | MARINE PIER REPAIRS / FLOATS / GANGWAY | MLT / HB | GC | TOWN OF WAREHAM, MA HARBORMASTERS OFFICE 48 Merion Rd Wareham, MA 02571 | G.A.F. ENGINEERING, INC. 288 Main St Wareham, MA 02571 | Jul-19 | The project consists of the removal and in-kind replacement / reconstruction of the existing pilings, floats, gangway, and utilities conduits on the west side of Onset Pier located at 184 Onset Avenue in Onset. |

| Project/Amount | Description | Contact | Completion Date |
|-----------------------|--------------------|----------------|------------------------|
| 4. | | | |
| 5. | | | |

--- END OF SECTION ---

SECTION 00 55 00
CERTIFICATION OF BIDDER REGARDING EQUAL EMPLOYMENT OPPORTUNITY

MUST BE SUBMITTED WITH BID FORM

Instructions

This certificate is required pursuant to Executive Order 11246 (30 F.R. 12319-25). The implementing rules and regulations provide that any bidder or prospective CONTRACTOR, or any of their proposed SUBCONTRACTORS, shall state as an initial part of the bid or negotiations of the contract whether it has participated in any previous contract or subcontract subject to the equal opportunity clause, and if so, whether it has filed all compliance report within seven calendar days after bid opening. No contract shall be awarded unless such report is submitted.

Certification by Bidder

Name and Address of Bidder (include zip code)

*Robert B. Our Co., Inc.
24 Great Western Road
HARWICH MA 02645*

1. Bidder has participated in a previous contract or subcontract subject to the Equal Opportunity Clause. Yes No
2. Compliance reports were required to be filed in connection with such contract or subcontract. Yes No
3. Bidder has filed all compliance reports due under applicable instructions, including Monthly Employment Utilization Report (257). Yes No
4. Have you ever been or are you being considered for sanction due to violation of Executive Order 11246, as amended? Yes No

Name and Title of Signer (please type)

Signature

Christopher W. Our - President
-- END OF SECTION --

Date

9-1-21

**SECTION 00 58 00
CORPORATE SIGNATORY AUTHORIZATION**

IF APPLICABLE, SUBMIT WITH BID FORM

If the Bidder is a corporation, complete the following certification: At a
duly authorized meeting of the Board of Directors of the

Robert B. Our Co., Inc. held on May 6, 2020
(Name of Corporation) (Date)

at which all the Directors were present or waived notice, it was

VOTED that, Christopher W. Our President
(Name) (Officer)

of this company is authorized to execute contracts and bonds in the name and
behalf of said company, and affix its corporate seal thereto, and such
execution of any contract or obligation in this company's name on its behalf

by such President of the
(Officer)
company, shall be valid and binding upon this company.

I hereby certify that I am the Clerk of the Robert B Our Co. Inc.
that Christopher W. Our is the duly elected President
(Officer)

of said company, and that the above vote has not been amended or rescinded and remains in full
force and effect as of the date of the Contract.

A true copy,

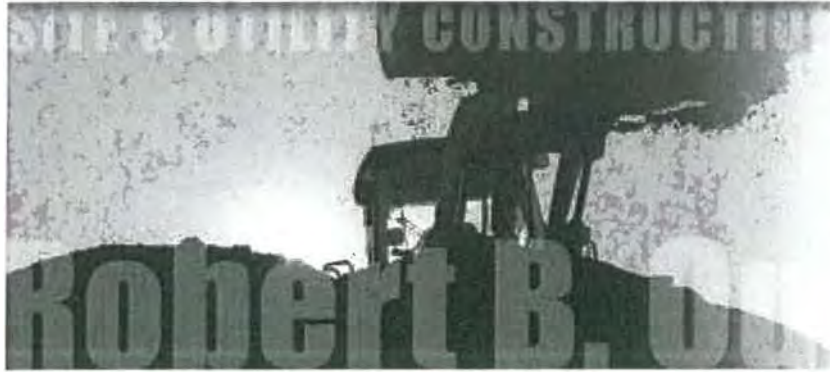
Attest Joan A. Our
(Clerk)

Place of Business 24 Great Western Rd
Harwich MA 02645

(Corporate Seal)

--- END OF SECTION ---

**CORPORATE SIGNATORY AUTHORIZATION
00 58 00-1**



Project: WELLFLEET HARBOR DREDGE – AREA 1, WELLFLEET, MA

Date: 1 SEPT 2021

Document: Equipment List

Spec Section: 22 REQUIREMENTS

TYRONE BARGE:

- Inland Barge. Raked both ends
- 120'x35'x6'
- Light draft 1' Loaded draft 2.5'
- 3 spud wells, 1 aft, 2 forward
- Equipped with (2) 28"x50' spuds. Max working depth 42' of water
- Electric service 1-200KW Diesel Generator.
- 2-H-25 Pullmaster hydraulic rapid reverse spud winches. 50K line pull 2 part.
- M-11 Cummins diesel power plant.
- 300 amp DC welding machine.
- Air compressor

Capacities:

- 1400 gallons Fuel
- 400 gallons hydraulic oil
- 100 gallons lube oil
- 18,000 gallons ballast water
- 150,000 deck load capacity @ 2-1/2' of draft
- Full deck lighting and heated connex box for crew. VHF, DQM for crane.
- Capable of working 24/7

JMC BARGE:

- Spud barge
- 140'x48'x9'
- Light draft 2' Loaded draft 6.5'
- 2 spud wells, 1 aft, 1 forward
- Equipped with (2) 28"x50' spuds. Max working depth 42' of water
- Electric service 1-200KW Diesel Generator.
- 2-H-25 Pullmaster hydraulic rapid reverse spud winches. 50K line pull 2 part.
- M-11 Cummins diesel power plant.
- 300 amp DC welding machine.
- Air compressor

Capacities:

- 1400 gallons Fuel
- 400 gallons hydraulic oil
- 100 gallons lube oil
- 18,000 gallons ballast water
- 150,000 deck load capacity @ 2-1/2' of draft
- Full deck lighting and heated connex box for crew. VHF, DQM for crane.
- Capable of working 24/7
-

MANITOWOC 4000WV SERIES 2 VICON

- S/N 40662
- 175 ton crawler crane
- Up to 200' of #9 boom
- 2 winches
- Operating weight 398,000 lbs

CAT 385C MH EXCAVATOR W/ ENVIRO BUCKET (5CY)

- Operating weight 204,184 lbs
- 55 foot reach from C.P.

ROBERT B TUG

- 95'X30'X14'
- ABD towing, Coastwise unrestricted.'
- 6000HP in kort nozzles with backing rudders.
- Elevated pilot house, boarding ladder, fuel as a 2nd cargo endorsement on COI, 4 flanking rudders.
- Single drum tow winch with Capstan.

Capacities:

- 25,000 gallons fuel
- 7,000 gallons fresh water
- 5,000 gallons lube oil
- 1,200 gallons hydraulic oil
-

LUCINDA SMITH TUG

- 81'X28'X10.5'
- ABD towing, Coastwise unrestricted.'
- 3000HP
- Elevated pilot house, boarding ladder, fuel as a 2nd cargo endorsement on COI, 4 flanking rudders.
- Single drum tow winch with Capstan.

Capacities:

- 32,000 gallons fuel
- 6,000 gallons fresh water
- 2,400 gallons lube oil
- 1,200 gallons hydraulic oil

Pushboat "Mr. Magoo"

- 24'x8-1/2' light
- 250 Hp Honda outboard
- Push knees
- Up to 6 crew
- VHF (2), GSP, Chart plotter, radar

Pushboat "Mr. Bojangles"

- 24'x8' light
- 300 Hp Yamaha
- Push Knees, Holds 2-3 crew
- VHF, Chart Plotter

Work skiff "Sherm"

- 20'x8' light
- 150 Hp Honda open skiff

BARGE # 15 – DUMP SCOW

- 132' x 40' x 10'
- 700 cy

BARGE # 17 – DUMP SCOW

- 132' x 40' x 10'
- 700 cy

PEQUOT – DUMP SCOW

- 150' x 40' x 9'
- 700 cy



Charles D. Baker, Governor
 Karyn E. Polito, Lieutenant Governor
 Stephanie Pollack, Secretary & CEO
 Jonathan L. Gulliver, Highway Administrator



ROBERT B OUR CO INC
 GREAT WESTERN RD/PO BOX 1539
 NORTH HARWICH, MA 026450000

January 20, 2021
 Prequalification Certificate No O021-39

Dear Contractor:

In accordance with the Regulations Governing Prequalification of Contractors, as approved by the Massachusetts Department of Transportation Prequalification Committee, you are hereby notified that the following class(es) of work and Single Contract Limits (if applicable) have been assigned to you as of the date of this letter. If in the opinion of the Committee you failed to submit proper documentation or have not demonstrated the ability to perform all classes of work requested then you were denied Prequalification Status for that class(es) of work.

| Qualified Class of Work | Limit Amount | Qualified Class of Work | Limit Amount |
|-------------------------------------|-----------------|-------------------------|----------------|
| Bridge - Construction | \$500,000.00 | Demolition | \$500,000.00 |
| Drainage | \$29,000,000.00 | Dredging | \$8,000,000.00 |
| Highway - Bike Paths | \$5,000,000.00 | Highway - Construction | \$5,000,000.00 |
| Highway - Sidewalk And Curbing | \$5,000,000.00 | Marine Construction | \$4,200,000.00 |
| Pavement - Milling And Cold Planing | \$300,000.00 | Pavement - Reclamation | \$617,000.00 |
| Pump Stations | \$6,150,000.00 | Recreation Facilities | \$363,000.00 |
| Sewer and Water | \$29,000,000.00 | Waterways | \$3,000,000.00 |

Bonding Capacity \$85,000,000.00 **Bond Single Limit** \$40,000,000.00 **Expiration Date** 1/31/2022

The class(es) of work, Single Contract Limits and Aggregate Bonding Capacity set forth will continue in effect until January 31, 2022 unless previously modified or rescinded in accordance with the Regulations, or by law. In order to be continuously eligible to bid on projects to be undertaken for this Department, your next Prequalification Statement should be submitted at least 30 days prior to expiration of this Certificate. If there are any questions or concerns, contact the Prequalification Department at (857) 368-8660 or email to prequal.r109@state.ma.us.

Very truly yours,
 THE PREQUALIFICATION COMMITTEE

By: **Theresa Ward**
 FOR

Digitally signed by Theresa Ward
 Date: 2021.01.20 14:11:58 -05'00'

Isidoro DeJesus Perez
 Director - Office of Construction
 Prequalification / Records & Procedures

AIA Document 310 - 2010 Bid Bond

CONTRACTOR (Name, legal status and address):

Robert B. Our Co., Inc.

24 Great Western Road

Harwich, MA 02645

SURETY (Name, legal status and principal place of business):

Fidelity and Deposit Company of Maryland

100 High Street, Suite 1400

Boston, MA 02110

OWNER (Name, legal status and address):

Town of Wellfleet, MA

300 Main Street

Wellfleet, MA 02667

Bond Amount: **Five Percent of Enclosed Bid (5%)**

PROJECT : (Name, location or address, and Project number, if any):

Wellfleet Harbor Dredging - Area 1

The Contractor and Surety are bound to the Owner in the amount set forth above, for the payment of which the Contractor and Surety bind themselves, their heirs, executors, administrators, successors and assigns, jointly and severally, as provided herein. The conditions of this Bond are such that if the Owner accepts the bid of the Contractor within the time specified in the bid documents, or within such time period as may be agreed to by the Owner and Contractor, and the Contractor either (1) enters in to a contract with the Owner in accordance with the terms of such bid, and gives such bond or bonds as may be specified in the bidding or Contract Documents, with a surety admitted in the jurisdiction of the Project and otherwise acceptable to the Owner, for the faithful performance of such Contract and for the prompt payment of labor and material furnished in the prosecution thereof; or (2) pays to the Owner the difference, not to exceed the amount of this Bond, between the amount specified in said bid and such larger amount for which the Owner may in good faith contract with another party to perform the work covered by said bid, then this obligation shall be null and void, otherwise to remain in full force and effect. The Surety hereby waives any notice of an agreement between the Owner and Contractor to extend the time in which the Owner may accept the bid. Waiver of notice by the Surety shall not apply to any extension exceeding sixty (60) days in the aggregate beyond the time for acceptance of bids specified in the bid documents, and the Owner and Contractor shall obtain the Surety's consent for an extension beyond sixty (60) days.

If this Bond is issued in connection with a subcontractor's bid to a Contractor, the term Contractor in this Bond shall be deemed to be Subcontractor and the term Owner shall be deemed by the Contractor.

When this Bond has been furnished to comply with a statutory or other legal requirement in the location of the Project, any provision in this Bond conflicting with said statutory or legal requirement shall be deemed deleted herefrom and provisions conforming to such statutory or other legal requirement shall be deemed incorporated herein. When so furnished, the intent is that this Bond shall be construed as a statutory bond and not as a common law bond.

Signed and sealed this **1st** day of **September, 2021**

Robert B. Our Co., Inc.

(Principal)

(Seal)

(Title) **CHRISTOPHER W. OUR, President**

Fidelity and Deposit Company of Maryland

(Surety)

(Title) **Anne M. Higginbottom, Attorney-in-Fact**



**ZURICH AMERICAN INSURANCE COMPANY
COLONIAL AMERICAN CASUALTY AND SURETY COMPANY
FIDELITY AND DEPOSIT COMPANY OF MARYLAND
POWER OF ATTORNEY**

KNOW ALL MEN BY THESE PRESENTS: That the ZURICH AMERICAN INSURANCE COMPANY, a corporation of the State of New York, the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, a corporation of the State of Illinois, and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND a corporation of the State of Illinois (herein collectively called the "Companies"), by **Robert D. Murray, Vice President**, in pursuance of authority granted by Article V, Section 8, of the By-Laws of said Companies, which are set forth on the reverse side hereof and are hereby certified to be in full force and effect on the date hereof, do hereby nominate, constitute, and appoint **William L. LABBE, Alyssa Richelle MICHAEL, Anne M. HIGGINBOTTOM, Catherine H. LAWRENCE and John J. FEITELBERG, all of Fall River, Massachusetts**, EACH, its true and lawful agent and Attorney-in-Fact, to make, execute, seal and deliver, for, and on its behalf as surety, and as its act and deed: any and all bonds and undertakings, and the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon said Companies, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the ZURICH AMERICAN INSURANCE COMPANY at its office in New York, New York., the regularly elected officers of the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY at its office in Owings Mills, Maryland, and the regularly elected officers of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at its office in Owings Mills, Maryland, in their own proper persons.

The said Vice President does hereby certify that the extract set forth on the reverse side hereof is a true copy of Article V, Section 8, of the By-Laws of said Companies and is now in force.

IN WITNESS WHEREOF, the said Vice-President has hereunto subscribed his/her names and affixed the Corporate Seals of the said ZURICH AMERICAN INSURANCE COMPANY, COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, and FIDELITY AND DEPOSIT COMPANY OF MARYLAND, this 21st day of February, A.D. 2020.



ATTEST:
ZURICH AMERICAN INSURANCE COMPANY
COLONIAL AMERICAN CASUALTY AND SURETY COMPANY
FIDELITY AND DEPOSIT COMPANY OF MARYLAND

By: *Robert D. Murray*
Vice President

By: *Dawn E. Brown*
Secretary

**State of Maryland
County of Baltimore**

On this 21st day of February, A.D. 2020, before the subscriber, a Notary Public of the State of Maryland, duly commissioned and qualified, **Robert D. Murray, Vice President and Dawn E. Brown, Secretary** of the Companies, to me personally known to be the individuals and officers described in and who executed the preceding instrument, and acknowledged the execution of same, and being by me duly sworn, depose and saith, that he/she is the said officer of the Company aforesaid, and that the seals affixed to the preceding instrument are the Corporate Seals of said Companies, and that the said Corporate Seals and the signature as such officer were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporations.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal the day and year first above written.



Constance A. Dunn, Notary Public
My Commission Expires: July 9, 2023

EXTRACT FROM BY-LAWS OF THE COMPANIES

"Article V, Section 8, Attorneys-in-Fact. The Chief Executive Officer, the President, or any Executive Vice President or Vice President may, by written instrument under the attested corporate seal, appoint attorneys-in-fact with authority to execute bonds, policies, recognizances, stipulations, undertakings, or other like instruments on behalf of the Company, and may authorize any officer or any such attorney-in-fact to affix the corporate seal thereto; and may with or without cause modify or revoke any such appointment or authority at any time."

CERTIFICATE

I, the undersigned, Vice President of the ZURICH AMERICAN INSURANCE COMPANY, the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, do hereby certify that the foregoing Power of Attorney is still in full force and effect on the date of this certificate; and I do further certify that Article V, Section 8, of the By- Laws of the Companies is still in force.

This Power of Attorney and Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the ZURICH AMERICAN INSURANCE COMPANY at a meeting duly called and held on the 15th day of December 1998.

RESOLVED: "That the signature of the President or a Vice President and the attesting signature of a Secretary or an Assistant Secretary and the Seal of the Company may be affixed by facsimile on any Power of Attorney...Any such Power or any certificate thereof bearing such facsimile signature and seal shall be valid and binding on the Company."

This Power of Attorney and Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY at a meeting duly called and held on the 5th day of May, 1994, and the following resolution of the Board of Directors of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at a meeting duly called and held on the 10th day of May, 1990.

RESOLVED: "That the facsimile or mechanically reproduced seal of the company and facsimile or mechanically reproduced signature of any Vice-President, Secretary, or Assistant Secretary of the Company, whether made heretofore or hereafter, wherever appearing upon a certified copy of any power of attorney issued by the Company, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seals of the said Companies, this 1st day of September 2021.



Brian M. Hodges

By: Brian M. Hodges
Vice President

TO REPORT A CLAIM WITH REGARD TO A SURETY BOND, PLEASE SUBMIT A COMPLETE DESCRIPTION OF THE CLAIM INCLUDING THE PRINCIPAL ON THE BOND, THE BOND NUMBER, AND YOUR CONTACT INFORMATION TO:

Zurich Surety Claims
1299 Zurich Way
Schaumburg, IL 60196-1056
www.reportsfclaims@zurichna.com
800-626-4577



ADDENDUM
Electronic Seals Approved for Surety Bonds

To ensure business continuity during the COVID-19 pandemic, Zurich American Insurance Company and its related companies authorize their Attorneys-in-Fact within all 50 U.S. States, territories and possessions, to affix an electronic seal to all bond documents as if it were a raised corporate seal.

Effective this 2nd day of April, 2020.

Zurich American Insurance Company
Fidelity and Deposit Company of Maryland
Colonial American Insurance Company

A handwritten signature in black ink, appearing to be 'R. Murray', written over a horizontal line.

Robert D. Murray
Executive Vice President
Head of Surety



**ZURICH AMERICAN INSURANCE COMPANY
COLONIAL AMERICAN CASUALTY AND SURETY COMPANY
FIDELITY AND DEPOSIT COMPANY OF MARYLAND
POWER OF ATTORNEY**

KNOW ALL MEN BY THESE PRESENTS: That the ZURICH AMERICAN INSURANCE COMPANY, a corporation of the State of New York, the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, a corporation of the State of Illinois, and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND a corporation of the State of Illinois (herein collectively called the "Companies"), by **Robert D. Murray, Vice President**, in pursuance of authority granted by Article V, Section 8, of the By-Laws of said Companies, which are set forth on the reverse side hereof and are hereby certified to be in full force and effect on the date hereof, do hereby nominate, constitute, and appoint **William L. LABBE, Alyssa Richelle MICHAEL, Anne M. HIGGINBOTTOM, Catherine H. LAWRENCE and John J. FEITELBERG, all of Fall River, Massachusetts**, EACH, its true and lawful agent and Attorney-in-Fact, to make, execute, seal and deliver, for, and on its behalf as surety, and as its act and deed: any and all bonds and undertakings, and the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon said Companies, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the ZURICH AMERICAN INSURANCE COMPANY at its office in New York, New York., the regularly elected officers of the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY at its office in Owings Mills, Maryland, and the regularly elected officers of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at its office in Owings Mills, Maryland, in their own proper persons.

The said Vice President does hereby certify that the extract set forth on the reverse side hereof is a true copy of Article V, Section 8, of the By-Laws of said Companies and is now in force.

IN WITNESS WHEREOF, the said Vice-President has hereunto subscribed his/her names and affixed the Corporate Seals of the said ZURICH AMERICAN INSURANCE COMPANY, COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, and FIDELITY AND DEPOSIT COMPANY OF MARYLAND, this 21st day of February, A.D. 2020.



**ATTEST:
ZURICH AMERICAN INSURANCE COMPANY
COLONIAL AMERICAN CASUALTY AND SURETY COMPANY
FIDELITY AND DEPOSIT COMPANY OF MARYLAND**

By: *Robert D. Murray*
Vice President

By: *Dawn E. Brown*
Secretary

**State of Maryland
County of Baltimore**

On this 21st day of February, A.D. 2020, before the subscriber, a Notary Public of the State of Maryland, duly commissioned and qualified, **Robert D. Murray, Vice President and Dawn E. Brown, Secretary** of the Companies, to me personally known to be the individuals and officers described in and who executed the preceding instrument, and acknowledged the execution of same, and being by me duly sworn, deposeth and saith, that he/she is the said officer of the Company aforesaid, and that the seals affixed to the preceding instrument are the Corporate Seals of said Companies, and that the said Corporate Seals and the signature as such officer were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporations.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal the day and year first above written.



Constance A. Dunn, Notary Public
My Commission Expires: July 9, 2023



JAY CASHMAN, INC.

549 South Street | Quincy, MA 02169
info@jaycashman.com | 617.890.0600

Date: September 1, 2021

To: Town Administrator
Town of Wellfleet
Wellfleet Town Hall
300 Main Street, Wellfleet, MA 02667

Re: BID FOR WELLFLEET HARBOR DREDGING AREA -1

Town Administrator,

In response to the Town of Wellfleet. Request for bid on the Wellfleet Harbor Dredging Area -1, Jay Cashman, Inc. ("Cashman") is pleased to offer the following Bid Submission, including the following documents.

- Cover letter & Acknowledgement of Addenda
- Bid Forms
 - Base Bid (Revised via Addendum #1)
 - Alternative 1 Price (Revised via Addendum #1)
 - Basis of Contract Award
 - Bidder Qualification
 - Bid Bond
- Certificate of Bidder Regarding Equal Opportunity Employment Opportunity
- Certificate of Compliance with Tax Laws
- Certificate of Non-Collusion
- Massachusetts DOT Pre-Qualification
- Dredging Sequence Plan
- Detail Equipment List
- Full Projects Spreadsheet

Cashman acknowledges receipt of addendum #1, received August 27, 2021, and has included the revised bid form accordingly. Should you have any questions or comments on our bid submission, please do not hesitate to contact the undersigned.

Sincerely,

Michael R. Empey

Michael R. Empey
Sr. Vice President – Business Development & Strategy



SECTION 00 30 00
BID FORM

The undersigned hereby declares to have carefully examined the annexed form of Contract, Specifications, and Drawings therein referred to and also the site upon which the projected work is to be performed. Also, included in the Bid Form is a table requiring information on the Bidder's qualifications.

- A. The undersigned proposes to furnish all labor and materials required for the "Wellfleet Harbor Dredging – Area I" in accordance with the Drawings and Specifications prepared by GEI Consultants, Inc., 124 Grove Street, Franklin, Massachusetts 02038, for the Contract Price specified below, subject to additions and deductions according to the terms of the Specifications.

Accompanying this Proposal is a bid deposit in the amount of 5% of the value of the Base Bid and Add Alternatives, which shall become the property of the Town of Wellfleet, MA (Owner) if, in case this Proposal shall be accepted by the said Owner, the undersigned shall fail to comply with the statutes as herein before specified, if it is a foreign corporation, or in any event fails to execute the Contract with, and give a bond to, said Owner, according to the requirements of the Notice to Contractor in the form annexed to said form of Contract, within the time hereinafter specified.

The undersigned also hereby declares to be the only person interested in this Proposal; that it is made without any connection with any other person making any bid for the same work; that no person acting for, or employed by the Owner is directly or indirectly interested in this Proposal, or in any Contract which may be made under it, or in expected profits to arise therefrom; and it is made without directly or indirectly influencing or attempting to influence any other person or corporation to bid or to refrain from bidding or to influence the amount of the bid of any other person or corporation; and that this Proposal is made in good faith, without collusion or connection with any other person bidding for the same work; and that this Proposal is made with distinct reference and relation to the Bid Documents prepared for this case, and herein mentioned.

- B. This bid will include any Addenda issued during the bid period.
- C. The bid prices are presented in the following schedule. The Bidder shall provide Total Prices for the project as follows.

THE OWNER SOLICITS THE FOLLOWING BIDS:

A. BASE BID

The Bidder agrees to perform all the Work described in the Contract Documents for the following prices:

B. BASE BID SCHEDULE

| Brief Description of Item | Est. Quant. | Unit | Unit Price in Words | Unit Price in Figures | Total Amount in Figures |
|-----------------------------------|-------------|------|--|-----------------------|-------------------------|
| 1. Mobilization (Item 1) | 1 | LS | Seven Hundred and Fifty Thousand dollars and zero cents | --- | \$ 750,000.00 |
| 2. Dredging and Disposal (Item 2) | 126,000 | CY | Fifty Three dollars and zero cents | \$ 53.00 | \$ 6,678,000.00 |
| 3. Debris (Item 3) | 500 | Tons | Two Hundred and Seven dollars and zero cents | \$ 207.00 | \$ 103,500.00 |
| 4. Turbidity Curtain (Item 4) | 2,000 | LF | Twenty Seven dollars and zero cents | \$ 27.00 | \$ 54,000.00 |
| TOTAL BASE BID PRICE: | | | | | \$7,585,500.00 |

TOTAL BASE BID PRICE WRITTEN IN WORDS:

Seven million Five Hundred and Eighty Five Thousand and Five Hundred DOLLARS
and zero CENTS

C. ADD ALTERNATIVE 1

The Bidder agrees to perform all the Work described in the Contract Documents for Add Alternative 1 for the following prices:

D. ADD ALTERNATIVE 1 SCHEDULE

| Brief Description of Item | Est. Quant. | Unit | Unit Price in Words | Unit Price in Figures | Total Amount in Figures |
|--|-------------|------|---|-----------------------|-------------------------|
| 1. Dredging and Disposal (Add Alt Item 1) | 4,100 | CY | Seventy Four dollars and Zero cents | \$ 74.00 | \$ 303,400.00 |
| 2. Debris (Add Alt 1 Item 2) | 10 | Tons | Two Hundred and fifteen dollars and Zero cents | \$ 215.00 | \$ 2,150.00 |
| TOTAL ADD ALT 1 PRICE: | | | | | \$ 305,550.00 |

TOTAL ADD ALTERNATIVE 1 PRICE WRITTEN IN WORDS:

Three Hundred and Five Thousand Five Hundred and Fifty DOLLARS
Zero CENTS

BID PROPOSAL INCLUDES ADDENDA NUMBER(S) 001

DESCRIPTION OF PAY ITEMS

Refer to Technical Specifications Section 01 20 00 – Price and Payment Procedures for descriptions of the work involved for each pay item

BASIS OF CONTRACT AWARD:

The Town of Wellfleet, MA, Basis of Award will be determined by the available funding for the project and regulatory approvals. All Bidders will be first evaluated for award on the Base Bid to confirm the project is within the available funding. All Bidders will be then be evaluated for award on the Base Bid and Add Alternative 1 to confirm the project is within the available funding. Add Altnative 1 shall be executed by the Awarding Authority no later than December 10, 2021.

The Town of Wellfleet, MA reserves the right to add additional funding to the project should it be in its best interest for maximizing the construction for the available funding.

- A. The undersigned agrees that, if he/she is selected as Contractor, he/she will within five (5) calendar days, after presentation thereof by the Owner, execute the Contract in accordance with the terms of this bid and furnish a performance bond and a payment bond for the full amount of the Contract Price, each with a Surety company qualified to do business under the laws of the Commonwealth and satisfactory to the Owner, the premiums for which are to be paid by the Contractor and are included in the Contract Price.
- B. The bidder hereby certifies that in the event he/she is awarded the Contract he/she shall comply with the minority manpower ratio and all specific action steps contained in the State of Massachusetts Equal Employment Opportunity Anti-Discrimination and Affirmative Action Programs.
- C. The undersigned hereby certifies that he/she is able to furnish labor that can work in harmony with all other elements of labor employed or to be employed on this work.
- D. The undersigned further certifies under penalties of perjury that this bid is in all respects bona fide, fair, and made without collusion or fraud with any other person. As used in this subsection, the word "person" shall mean any natural person, joint venture, partnership, corporation, or other business or legal entity.
- E. I hereby certify that I have been informed that this project is sales tax exempt. I further certify that the bid prices contained herein do not include any calculations for sales tax.

Date: 9/1/2021 Jay Cashman, Inc.
 (Name of General Bidder)

By  _____

Dale Pyatt
 (Print Name as Signed Above)

President & CEO
 (Title)

549 South Street, Quincy, MA 02169
 (Business Address)

Note: If the bidder is a corporation, indicate State of incorporation; if a partnership, give full names and addresses of all partners; and if an individual, give residential address if different from business address. Incorporated in what State: Massachusetts

President: Dale H. Pyatt
Treasurer: _____
Secretary: Jay M. Cashman

If a Partnership: (Name all Partners)

Name of Partner: _____
Residence: _____
Name of Partner: _____
Residence: _____

If an Individual:

Name: _____
Residence: _____

If an Individual doing business under a firm name:

Name of Firm: _____
Name of Individual: _____
Business Address: _____
Residence: _____

The bidder will give below the name and address of the Surety Company who will sign the bonds.

Travelers Casualty and Surety Co. Of America
1 Tower Square, Hartford, CT 06183

BIDDER'S QUALIFICATION

The Bidder is required to state below work he/she has done of a character similar to that of the work included in the proposed contract and to give references that will enable the Owner to judge his/her experience and skills to successfully undertake this project.

| Project/Amount | Description | Contact | Completion Date |
|---|--|---|------------------------|
| 1. Wellfleet Harbor Dredging Town of Wellfleet, MA Amount: \$1,757,482 | Wellfleet Harbor Maintenance Dredging Mechanical with Offshore Disposal | Will Sullivan 300 Main Street Wellfleet, MA 02667 (774) 722-5076 | 2020 |
| 2. Maintenance Dredging Wellfleet Harbor USACE, New England District Amount: \$3,701,075 | Mechanical Maintenance Dredging with Offshore Disposal | Tim Rezendes 696 Virginia Road, Concord, MA 01742 (508) 294-9858 | 2020 |
| 3. Hingham Harbor Maintenance Dredging, Town of Hingham, MA Amount: \$2,910,346 | Mechanical Maintenance Dredging with Offshore Disposal | Christine Player 210 Central Street Hingham, MA, 02043 (508) 762 - 0766 | 2019 |

| Project/Amount | Description | Contact | Completion Date |
|---|---|--|-----------------|
| <p>4. Construction Services for Improvement Dredging, Boston Harbor</p> <p>Amount: \$136,618,488</p> | <p>Mechanical improvement dredging with offshore disposal USACE, New England District</p> | <p>Sean Dolan 696 Virginia Road, Concord, MA 10742</p> <p>(978) 505-9015</p> | <p>2020</p> |
| <p>5. Dredging Projects, Quonset Business Park, Quonset West Channel & Port of Davisville</p> <p>Amount: \$10,975,848</p> | <p>Mechanical and Drilling/Blasting improvement dredging with offshore disposal</p> | <p>Edward Spinard 95 Cripe Street N. Kingstown, RI 02667</p> | <p>2021</p> |

--- END OF SECTION ---

BID FORM
00 30 00-7



AIA[®] Document A310[™] – 2010

Bid Bond

CONTRACTOR:

(Name, legal status and address)

JAY CASHMAN, INC.
549 South Street
Quincy, MA 02169

SURETY:

(Name, legal status and principal place of business)

TRAVELERS CASUALTY AND SURETY
COMPANY OF AMERICA
One Tower Square
Hartford, CT 06183

This document has important legal consequences. Consultation with an attorney is encouraged with respect to its completion or modification.

Any singular reference to Contractor, Surety, Owner or other party shall be considered plural where applicable.

OWNER:

(Name, legal status and address)

TOWN OF WELLFLEET
300 Main Street, Wellfleet, MA 02667

BOND AMOUNT: Five Percent of Amount bid
(5% of Amount Bid)

PROJECT:

(Name, location or address, and Project number, if any)

Wellfleet Harbor Dredging – Area 1

Project Number, if any:

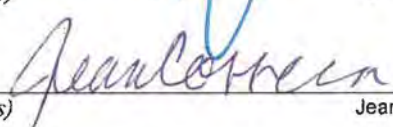
The Contractor and Surety are bound to the Owner in the amount set forth above, for the payment of which the Contractor and Surety bind themselves, their heirs, executors, administrators, successors and assigns, jointly and severally, as provided herein. The conditions of this Bond are such that if the Owner accepts the bid of the Contractor within the time specified in the bid documents, or within such time period as may be agreed to by the Owner and Contractor, and the Contractor either (1) enters into a contract with the Owner in accordance with the terms of such bid, and gives such bond or bonds as may be specified in the bidding or Contract Documents, with a surety admitted in the jurisdiction of the Project and otherwise acceptable to the Owner, for the faithful performance of such Contract and for the prompt payment of labor and material furnished in the prosecution thereof; or (2) pays to the Owner the difference, not to exceed the amount of this Bond, between the amount specified in said bid and such larger amount for which the Owner may in good faith contract with another party to perform the work covered by said bid, then this obligation shall be null and void, otherwise to remain in full force and effect. The Surety hereby waives any notice of an agreement between the Owner and Contractor to extend the time in which the Owner may accept the bid. Waiver of notice by the Surety shall not apply to any extension exceeding sixty (60) days in the aggregate beyond the time for acceptance of bids specified in the bid documents, and the Owner and Contractor shall obtain the Surety's consent for an extension beyond sixty (60) days.


If this Bond is issued in connection with a subcontractor's bid to a Contractor, the term Contractor in this Bond shall be deemed to be Subcontractor and the term Owner shall be deemed to be Contractor.


When this Bond has been furnished to comply with a statutory or other legal requirement in the location of the Project, any provision in this Bond conflicting with said statutory or legal requirement shall be deemed deleted herefrom and provisions conforming to such statutory or other legal requirement shall be deemed incorporated herein. When so furnished, the intent is that this Bond shall be construed as a statutory bond and not as a common law bond.

Signed and sealed this 25th day of August, 2021


(Witness)


(Witness) Jean Correia

JAY CASHMAN, INC. 
(Principal) *(Seal)*
Dale Rapp - President
(Title)

TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA
(Surety) *(Seal)*

(Title) Jane Gilson, Attorney in Fact



**Travelers Casualty and Surety Company of America
Travelers Casualty and Surety Company
St. Paul Fire and Marine Insurance Company**

POWER OF ATTORNEY

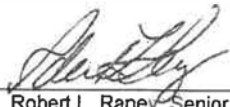
KNOW ALL MEN BY THESE PRESENTS: That Travelers Casualty and Surety Company of America, Travelers Casualty and Surety Company, and St. Paul Fire and Marine Insurance Company are corporations duly organized under the laws of the State of Connecticut (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint **Jane Gilson** of **BOSTON** **Massachusetts**, their true and lawful Attorney-in-Fact to sign, execute, seal and acknowledge any and all bonds, recognizances, conditional undertakings and other writings obligatory in the nature thereof on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed, and their corporate seals to be hereto affixed, this **17th** day of **January**, 2019.



State of Connecticut

City of Hartford ss.

By: 
Robert L. Raney, Senior Vice President

On this the **17th** day of **January**, 2019, before me personally appeared **Robert L. Raney**, who acknowledged himself to be the Senior Vice President of Travelers Casualty and Surety Company of America, Travelers Casualty and Surety Company, and St. Paul Fire and Marine Insurance Company, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of said Companies by himself as a duly authorized officer.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

My Commission expires the **30th** day of **June**, 2021




Anna P. Nowik, Notary Public

This Power of Attorney is granted under and by the authority of the following resolutions adopted by the Boards of Directors of Travelers Casualty and Surety Company of America, Travelers Casualty and Surety Company, and St. Paul Fire and Marine Insurance Company, which resolutions are now in full force and effect, reading as follows:

RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President, any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary may appoint Attorneys-in-Fact and Agents to act for and on behalf of the Company and may give such appointee such authority as his or her certificate of authority may prescribe to sign with the Company's name and seal with the Company's seal bonds, recognizances, contracts of indemnity, and other writings obligatory in the nature of a bond, recognizance, or conditional undertaking, and any of said officers or the Board of Directors at any time may remove any such appointee and revoke the power given him or her; and it is

FURTHER RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President may delegate all or any part of the foregoing authority to one or more officers or employees of this Company, provided that each such delegation is in writing and a copy thereof is filed in the office of the Secretary; and it is

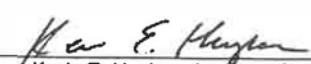
FURTHER RESOLVED, that any bond, recognizance, contract of indemnity, or writing obligatory in the nature of a bond, recognizance, or conditional undertaking shall be valid and binding upon the Company when (a) signed by the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary and duly attested and sealed with the Company's seal by a Secretary or Assistant Secretary; or (b) duly executed (under seal, if required) by one or more Attorneys-in-Fact and Agents pursuant to the power prescribed in his or her certificate or their certificates of authority or by one or more Company officers pursuant to a written delegation of authority; and it is

FURTHER RESOLVED, that the signature of each of the following officers: President, any Executive Vice President, any Senior Vice President, any Vice President, any Assistant Vice President, any Secretary, any Assistant Secretary, and the seal of the Company may be affixed by facsimile to any Power of Attorney or to any certificate relating thereto appointing Resident Vice Presidents, Resident Assistant Secretaries or Attorneys-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and any such Power of Attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding on the Company in the future with respect to any bond or understanding to which it is attached.

I, **Kevin E. Hughes**, the undersigned, Assistant Secretary of Travelers Casualty and Surety Company of America, Travelers Casualty and Surety Company, and St. Paul Fire and Marine Insurance Company, do hereby certify that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which remains in full force and effect.

Dated this **25th** day of **August**, 2021




Kevin E. Hughes, Assistant Secretary

**To verify the authenticity of this Power of Attorney, please call us at 1-800-421-3880.
Please refer to the above-named Attorney-in-Fact and the details of the bond to which this Power of Attorney is attached.**

SECTION 00 55 00
CERTIFICATION OF BIDDER REGARDING EQUAL EMPLOYMENT OPPORTUNITY

MUST BE SUBMITTED WITH BID FORM

Instructions

This certificate is required pursuant to Executive Order 11246 (30 F.R. 12319-25). The implementing rules and regulations provide that any bidder or prospective CONTRACTOR, or any of their proposed SUBCONTRACTORS, shall state as an initial part of the bid or negotiations of the contract whether it has participated in any previous contract or subcontract subject to the equal opportunity clause, and if so, whether it has filed all compliance report within seven calendar days after bid opening. No contract shall be awarded unless such report is submitted.

Certification by Bidder

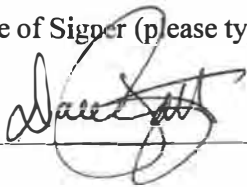
Name and Address of Bidder (include zip code)

Jay Cashman, Inc.
549 South Street, Quincy MA

1. Bidder has participated in a previous contract or subcontract subject to the Equal Opportunity Clause. Yes No
2. Compliance reports were required to be filed in connection with such contract or subcontract. Yes No
3. Bidder has filed all compliance reports due under applicable instructions, including Monthly Employment Utilization Report (257). Yes No
4. Have you ever been or are you being considered for sanction due to violation of Executive Order 11246, as amended? Yes No

Name and Title of Signer (please type)

Signature



Date 9/1/2021

--- END OF SECTION ---

**SECTION 00 56 00
CERTIFICATE OF COMPLIANCE WITH TAX LAWS**

MUST BE SUBMITTED WITH BID FORM

I, Dale Pyatt of Jay Cashman, Inc., certify under
(principal) (corporation)
pains and penalties of perjury that said corporation has complied with all the laws of the
Commonwealth of Massachusetts relating to taxes.

9/1/2021
(date)


(signature)

President & CEO
(title)

04-3242954
Federal Tax Identification Number

--- END OF SECTION ---

**SECTION 00 57 00
CERTIFICATE OF NON-COLLUSION**

MUST BE SUBMITTED WITH BID FORM

The undersigned certifies under penalties of perjury that this bid or proposal has been made and submitted in good faith and without collusion or fraud with any other person. As used in this certification, the word "person" shall mean any natural person, business, partnership, corporation, union, committee, club, or other organization, entity, or group of individuals.

By:  Duly
Authorized Individual

Jay Cashman, Inc.
Name of Business

549 South Street, Quincy, MA 02169
Address

September 1, 2021
Date

--- END OF SECTION ---

**CERTIFICATE OF NON-COLLUSION
00 57 00-1**



Charles D. Baker, Governor
 Karyn E. Polito, Lieutenant Governor
 Jamey Tesler, Acting Secretary & CEO
 Jonathan L. Gulliver, Highway Administrator



JAY CASHMAN INC DBA 549 SOUTH ST
 PO BOX 692396
 QUINCY, MA 02269

March 17, 2021
 Prequalification Certificate No C210-27

Dear Contractor:

In accordance with the Regulations Governing Prequalification of Contractors, as approved by the Massachusetts Department of Transportation Prequalification Committee, you are hereby notified that the following class(es) of work and Single Contract Limits (if applicable) have been assigned to you as of the date of this letter. If in the opinion of the Committee you failed to submit proper documentation or have not demonstrated the ability to perform all classes of work requested then you were denied Prequalification Status for that class(es) of work.

| Qualified Class of Work | Limit Amount | Qualified Class of Work | Limit Amount |
|-------------------------|------------------|-------------------------|------------------|
| Bridge - Construction | \$250,000,000.00 | Demolition | \$67,000,000.00 |
| Dredging | \$250,000,000.00 | Highway - Construction | \$250,000,000.00 |
| Marine Construction | \$250,000,000.00 | Recreation Facilities | \$250,000,000.00 |
| Waterways | \$17,000,000.00 | | |

Bonding Capacity \$500,000,000.00 **Bond Single Limit** \$250,000,000.00 **Expiration Date** 3/31/2022

The class(es) of work, Single Contract Limits and Aggregate Bonding Capacity set forth will continue in effect until March 31, 2022 unless previously modified or rescinded in accordance with the Regulations, or by law. In order to be continuously eligible to bid on projects to be undertaken for this Department, your next Prequalification Statement should be submitted at least 30 days prior to expiration of this Certificate. If there are any questions or concerns, contact the Prequalification Department at (857) 368-8660 or email to prequal.r109@state.ma.us.

Very truly yours,
 THE PREQUALIFICATION COMMITTEE

By:
 Isidoro DeJesus Perez
 Director - Office of Construction Prequalification /
 Records & Procedures

Isidoro
 DeJesus
 Perez

Digitally signed by
 Isidoro DeJesus
 Perez
 Date: 2021.03.17
 13:17:12 -04'00'

September 1st, 2021

Town Administrator
Wellfleet Town Hall
300 Main Street
Wellfleet, MA 02667

ATTENTION: Town Administrator

SUBJECT: BID FOR WELLFLEET HARBOR DREDGING-AREA 1
CONTRACTOR'S DREDGE PHASE PLAN & EQUIPMENT LIST

CONTRACTOR'S DREDGE PHASE PLAN

Cashman intends to bring 3-4 hopper barges in order to allow loading of barges by the dredge in the project's shallow tidal conditions throughout the majority of the tidal cycle. The hopper barges will then be transloaded by a barge mounted excavator located in the North Anchorage Phase I Dredge Area into a dump scow for offshore disposal. Once the dump scow is fully loaded it will then be towed out of the harbor by the towing tug boat to the Cape Cod Bay Disposal site for offshore disposal.

Due to the depths and tidal constraints of the project, Cashman will need to sequence dredging starting in the South Access Channel Phase I Area first digging our way into the dredge areas creating floatation for our equipment as we progress forward. The dredge will then target the Phase II Dredge Area, followed by the Phase III Dredge Area, and Phase IV Dredge Area. Once the South Access Channel and the North Access Channel are complete Cashman will then focus on the Phase I Dredge Area work between 0+00 to 7+50 located in the North Anchorage. Lastly, the dredge will target the Additional Alternative Area 1 also located in the North Anchorage (See Figure 1).

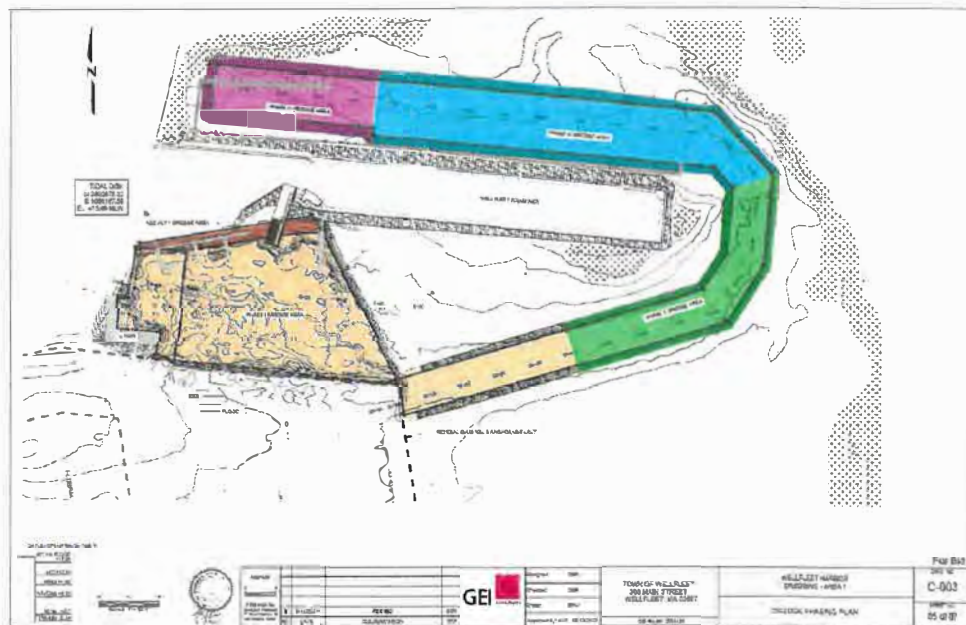


Figure 1. Bid Drawing Sheet C-003 - Dredge Phasing Plan.



Main Data:

| | |
|-----------------------------|--------------------|
| Gross Tonnage | 681 |
| Length | 135 ft. |
| Breadth | 50 ft. |
| Depth | 11 ft. |
| Freeboard | 6 ft. |
| Draft | 5 ft. |
| Type of Crane | Lima 2400 B |
| Mud Bucket Capacity | 14 yd ³ |
| Medium Duty Bucket Capacity | 8 yd ³ |
| Heavy Duty Bucket Capacity | 6 yd ³ |
| Max. Dredging Depth | 100 ft. |
| Total Installed Power | 1,400 hp |
| Crane Engine Power | 700 hp |
| Positioning Equipment | Dredgepack® System |

Construction/Classification:

| | |
|---------------|--------|
| Year Built | 1943 |
| Certification | Inland |

Applications:

- Maintenance Dredging
- Pier & Dock Excavation





Main Data:

| | |
|-------------------------------------|--|
| Gross Tonnage | 412 |
| Length | 140 ft. |
| Breadth | 39 ft. |
| Depth | 9 ft. |
| Freeboard | 4 ft. |
| Draft | 5 ft. |
| Type of Excavator | Komatsu PC 1250 Backhoe |
| Conventional Bucket Capacity | 8.8 yd ³ |
| Hydraulic Clamshell Bucket Capacity | 5 yd ³ |
| Compartments | 9 |
| Bulkheads | 6 Transverse, 1 Full Longitudinal |
| Spud Wells | 3- 25" Square |
| Spuds | 2- 60 ft. x 24" Square, 1- 60 ft. x 24" Walking |
| Max. Dredging Depth | 40 ft. |
| Total Installed Power | 672 hp |
| Positioning Equipment | Dredgepack® System |

Construction/Classification:

| | |
|---------------|--------------|
| Year Built | 2011 |
| Certification | ABS Loadline |

Applications:

- Maintenance Dredging
- Channel Excavation
- Harbor Excavation
- Pier & Dock Excavation
- Pipeline Excavation
- Hard Rock Excavation
- Ripping

Additional Features:

- Vessel is fitted with bow rake and square stern



CONSTRUCTION / CLASSIFICATION

| | |
|-------|--|
| Class | ABS Classed All Oceans ABS International Loadline |
|-------|--|

MAIN DATA

| | |
|---------------|---|
| Gross tonnage | 1,899 |
| Capacity | 3,300 yd ³ |
| Length | 260 ft. |
| Breadth | 55 ft. |
| Depth | 16 ft. |
| Compartments | 14 |
| Bulkheads | 2 Longitudinal, 6 Transverse |
| Spud Wells | None |
| Spuds | None |
| Other | Barge is a split-hull dumpscow and is operated via remote control. Vessel is fitted with bow and stern rake. |



CONSTRUCTION / CLASSIFICATION

Class ABS Classed All Oceans
ABS International Loadline

MAIN DATA

| | |
|---------------|---|
| Gross tonnage | 2,338 |
| Capacity | 4,000 yd ³ |
| Length | 240 ft. |
| Breadth | 54 ft. |
| Depth | 22 ft. |
| Compartments | 12 |
| Bulkheads | 2 Longitudinal, 4 Transverse |
| Spud Wells | None |
| Spuds | None |
| Other | Barge is a split-hull dumpscow and is operated via remote control. Vessel is fitted with bow and stern rake. |

Sonny



| | |
|----------------------|---|
| TYPE: | Spud Barge |
| CLASS: | Inland |
| STERLING #: | 09-287 |
| LENGTH | 90' |
| BEAM | 30' |
| DEPTH | 8' |
| GROSS TONAGE: | 181 |
| LIGHT DRAFT: | 1' |
| COMPARTMENTS: | 6 |
| BULK HEADS: | (1) Longitudinal (3) Transverse |
| SPUD WELLS: | (2) 13" Square |
| SPUDS: | (2) 12" Square x 40' |
| CAPACITY: | 300 Tons |
| OTHER: | Barge is fitted with Bow and Stern Rake. 6' High steel coamings on deck perimeter. |





Main Data:

| | |
|-----------|------------|
| Length | 26 ft. |
| Breadth | 9 ft. |
| Draft | 1.5 ft. |
| Weight | 8,358 lbs. |
| Freeboard | 9.25 ft. |

Features:

| | |
|-------------------------------------|---|
| Positioning System | POSMV WaveMaster/RTK GPS |
| Quality Control Position | Leica PowerBox RTK GPS |
| Multi-Beam Sounder | Reson SeaBat 7101/240kHz/ 150° swath |
| Software Acquisition/ Processing | Hypack Survey/Hysweep |
| Tide Gauge | eTrac Engineering TideTrac System |
| Power Generator | Honda EU3000is |

Application:

The Survey 5, shown, is one of several company-owned, multi-beam hydrographic survey vessels, with aluminum hull construction, approximately 26' long, and equipped with twin Yamaha, 90 HP outboard engines. The boat has a cabin that encloses the survey staff and computer equipment. The survey vessel will be equipped with a combination of the following electronic equipment (depending on application) for swath bathymetry data acquisition/processing:

- Navigation/Data Acquisition/Data Processing - Computer Workstation with HYPACK® HYSWEEP or GS+
- IMU - Applanix PosMV Wavemaster Heave, Pitch and Roll Sensor
- TRK?DGPS Receiver - Applanix PosMV Wavemaster RTK enabled, and Leica PowerBox RTK enabled
- Speed of Sound Sensor - Odom Digibar Pro/Reson SCP71/aleport mSVS

Cashman Dredging and Affiliated Companies (Jay Cashman Inc.) - Completed Work and Current Work on Hand as of 08/03/2021

| Company (Jay Cashman Inc. or affiliated Company) | Project Name / Description | Location | Year Completed / % Complete | Contract Price | Discovered Quantity | Project Type | Dredge Type | Disposal Type | Client | Client Address | Client Contact | Contact Phone or Email |
|--|---|--|-----------------------------|----------------|----------------------------|--|-----------------------|---------------------|---|--|-------------------------------------|------------------------|
| Cashman Dredging & Marine Company, LLC | FY21 Baltimore Harbor & Channels | Hillsborough County, Tampa, FL | 77% | \$ 20,727,362 | 17,400,000 yd ³ | Maintenance Dredging | Mechanical | Offshore | USACE, Baltimore District | 2 Hopkins Plaza, Baltimore, MD 21201 | Laura Arnold | 410-785-2022 |
| Cashman Dredging & Marine Company, LLC | Gowanus Canal Environmental Remediation - RI/AS | Brooklyn, NY | 15% | Confidential | 70,000 yd ³ | Environmental Dredging/Marine Construction/Maritime Caping | Mechanical | Upland | Gowanus Canal Environmental Remediation Team R2 | 450 Montross Lane, Knoxville, TN 37919 | Steve Raymond | 603-494-4389 |
| Cashman Dredging & Marine Company, LLC | Tampa Harbor, Maintenance Dredging, 43-Ft & 44-Ft Project, Channels, Cuts A-K, Golden Point Cut, Hillsborough Bay | Hillsborough County, Tampa, FL | 100% | \$ 11,022,545 | 694,856 yd ³ | Maintenance Dredging | Hopper | Upland | USACE, Jacksonville District | 701 San Marco Blvd, Jacksonville, FL 32207 | Erin Duffy | 904-610-6595 |
| Jay Cashman, Inc. | Woods Hole Ferry Terminal Reconstruction, Phase 2-4 | Woods Hole, MA | 90% | \$ 50,501,937 | NA | Heavy Civil / Marine Construction | NA | NA | Martha's Vineyard and Nantucket Steamship Authority | New Bedford, MA 02740 | Bill Cloutier | 508-869-8324 |
| Jay Cashman, Inc. | MPP 994.679 Maintenance Dredging Port Newark / Elizabeth Marine Terminal, and Port Jersey Marine Terminal | Newark Bay, NJ | 95% | \$ 11,745,500 | 169,000 yd ³ | Maintenance Dredging | Mechanical | Upland | Port Authority of NY/NJ | Two Montgomery Street - 1st Floor, Jersey City, NJ 07302 | Clint Bransky | 973-578-4841 |
| Cashman Dredging & Marine Company, LLC | Dredging Project, Cleanport Business Park, Connect West Channel and Port of Pawtucket | North Kingstown, RI | 2021 | \$ 10,975,848 | 245,000 yd ³ | Improvement Dredging | Mechanical | Offshore | Connecticut Department of Transportation | 95 Grape Street, North Kingstown RI | Edward Spilard | 401-955-0044 |
| Cashman Dredging & Marine Company, LLC | Wellfleet Harbor Dredging Town of Wellfleet, MA | Wellfleet Harbor, MA | 2020 | \$ 1,757,442 | 56,039 yd ³ | Maintenance Dredging | Mechanical | Offshore | Town of Wellfleet, MA | 300 Main St, Wellfleet, MA 02667 | Will Sullivan | 774-722-5076 |
| Cashman Dredging & Marine Company, LLC | Maintenance Dredging, Beth Iron Works Sliding Basin | Beth, ME | 2020 | \$ 2,064,990 | 44,444 yd ³ | Maintenance Dredging | Mechanical | In-Water | Beth Iron Works | 700 Washington Street, Beth, ME 04530 | Nathan Power | 207-487-6507 |
| Cashman/Dutra, JV | Construction Services for Improvement Dredging, Boston Harbor | Boston, MA | 2020 | \$ 136,618,488 | 11,488,749 yd ³ | Improvement Dredging | Mechanical | Offshore | USACE, New England District | 696 Virginia Road, Concord, MA 01742 | Sean Dolan | MA 01745-9015 |
| Cashman Dredging & Marine Company, LLC | Maintenance Dredging, Wellfleet Harbor | Wellfleet Harbor, MA | 2020 | \$ 3,701,075 | 160,988 yd ³ | Maintenance Dredging | Mechanical | Offshore | USACE, New England District | 696 Virginia Road, Concord, MA 01742 | Tiro Ramonides | 508-294-8836 |
| Cashman Dredging & Marine Company, LLC | New Bedford CAD and Construction & Harbor Dredging, Contract# NBPA-FY20-003 | New Bedford, MA | 2020 | \$ 17,131,144 | 485,000 yd ³ | Improvement Dredging | Mechanical | CAD Call / Offshore | New Bedford Port Authority & Town of Fairhaven | 53 Fisherman's Wharf, New Bedford, MA 02740 | Edward Asthes - Washburn | 508-961-3000 |
| Cashman Dredging & Marine Company, LLC | Palm Beach Harbor Maintenance Dredging 83-Foot Project, Entrance Channel and Settling Basin | Palm Beach, FL | 1010 | \$ 3,212,000 | 167,495 yd ³ | Maintenance Dredging | Hopper | Nearshore | USACE, Jacksonville District | 701 San Marco Blvd, Jacksonville, FL 32207 | Jim DiStanno | 562-386-6580 |
| Cashman Dredging & Marine Company, LLC | Rio Puerto Nuevo Flood Control Project, San Juan, Puerto Rico | San Juan, PR | 2020 | \$ 9,773,772 | 284,444 yd ³ | Maintenance Dredging | Mechanical | Offshore | USACE, Jacksonville District | 701 San Marco Blvd, Jacksonville, FL 32207 | Wilmet Varela | 787-430-5483 |
| Cashman Dredging & Marine Company, LLC | Maintenance Dredging, Bath Iron Works Sliding Basin & Program Basin, Bath, ME | Bath, ME | 2020 | \$ 1,534,550 | 35,987 yd ³ | Maintenance Dredging | Hopper | Offshore | USACE, New England District | 696 Virginia Road, Concord, MA 01742 | Nicholas Skanes | 978-318-8260 |
| Cashman Dredging & Marine Company, LLC | Palm Beach Harbor Maintenance Dredging, 33 Foot Project, Entrance Channel, Palm Beach County, FL | Palm Beach, FL | 2019 | \$ 3,956,644 | 100,892 yd ³ | Maintenance Dredging | Hopper | Beach | USACE, Jacksonville District | 701 San Marco Blvd, Jacksonville, FL 32207 | Stephen Montjoy | 239-907-9362 |
| Cashman Dredging & Marine Company, LLC | Jacksonville Harbor, Maintenance Dredging, 38 and 42 Foot Projects, Cuts 42-48, Cut-95, and the Lower Terminal Channel | Jacksonville, FL | 2019 | \$ 7,213,213 | 441,564 yd ³ | Maintenance Dredging | Hopper | Upland | USACE, Jacksonville District | 701 San Marco Blvd, Jacksonville, FL 32207 | Garvin Jackson | 904-923-3808 |
| Cashman Dredging & Marine Company, LLC | Hingham Harbor Maintenance Dredging Project, Town of Hingham, MA | Hingham, MA | 2019 | \$ 2,910,346 | 62,952 yd ³ | Maintenance Dredging | Mechanical | Offshore | Town of Hingham, MA | 210 Central Street, Hingham, MA 02043 | Christina Player | 508-762-0766 |
| Cashman Dredging & Marine Company, LLC | Flushing Bay Dredging / Contract DNG-18 | Flushing Bay, Corona Park, NY | 2019 | \$ 36,800,000 | 91,000 yd ³ | Environmental Dredging | Mechanical | Upland | NY Department of Environmental Protection | 59027 Japheth Blvd, 11th Floor, Flushing, NY 11373 | Nayan Shah | 347-585-4285 |
| Jay Cashman, Inc. | MPP 924.663 Maintenance Dredging Port Newark / Elizabeth Marine Terminal, and Port Jersey Marine Terminal | Newark Bay, NJ | 2019 | \$ 12,813,726 | 141,033 yd ³ | Maintenance Dredging | Mechanical | Upland | Port Authority of NY/NJ | Two Montgomery Street - 1st Floor, Jersey City, NJ 07302 | Clint Bransky | 973-578-4841 |
| Cashman Dredging & Marine Company, LLC | New North Cruise Berth 7, Miami, FL | Miami, FL | 2018 | \$ 5,964,869 | 137,000 yd ³ | Improvement Dredging | Mechanical | Upland | Beary Foundation Company | 2133 NW North River Dr, Miami, FL 33125 | Saquet Aftab | 305-986-8700 |
| Cashman Dredging & Marine Company, LLC | Maintenance Dredging Plymouth Harbor, Plymouth MA | Plymouth, MA | 2018 | \$ 2,767,500 | 120,683 yd ³ | Maintenance Dredging | Mechanical | Offshore | USACE, New England District | 696 Virginia Road, Concord, MA 01742 | Tim Reedman | 508-294-9858 |
| Cashman Dredging & Marine Company, LLC | Palm Beach Harbor Emergency Maintenance, Palm Beach County, FL | Palm Beach, FL | 2018 | \$ 592,021 | 13,183 yd ³ | Maintenance Dredging | Hopper | Nearshore | USACE, Jacksonville District | 701 San Marco Blvd, Jacksonville, FL 32207 | Andrew Duhl | 581-472-8328 |
| Cashman Dredging & Marine Company, LLC | Jacksonville Harbor Maintenance Dredging, 40-Foot Project, Bar Cut-7 Through Cut-4, SCut-5, Cut G, and the Lower Terminal Channel | Jacksonville, FL | 2018 | \$ 10,382,387 | 585,950 yd ³ | Maintenance Dredging | Hopper | Upland | USACE, Jacksonville District | 701 San Marco Blvd, Jacksonville, FL 32207 | Garvin Jackson | 904-232-3808 |
| Cashman Dredging & Marine Company, LLC | New Bedford Lower Harbor Dredging | New Bedford, MA | 2018 | \$ 21,043,905 | 176,665 yd ³ | Environmental Dredging | Mechanical | CAD Call | USACE, New England District | 696 Virginia Road, Concord, MA 01742 | Tiro Ramonides | 508-294-8858 |
| Cashman Dredging & Marine Company, LLC | Housatonic River Federal Project Maintenance Dredging, Housatonic River, Stratford & Milford, Connecticut | Housatonic River, CT & Hammonasset Beach, Madison CT | 2018 | \$ 9,434,245 | 278,881 yd ³ | Maintenance Dredging | Mechanical and Hopper | Beach | USACE, New England District | 696 Virginia Road, Concord, MA 01742 | Fred Pike | 978-318-8392 |
| Cashman Dredging & Marine Company, LLC | Yabucoa Harbor, Puerto Rico - Maintenance Dredging | Yabucoa, Puerto Rico | 2018 | \$ 7,151,321 | 110,597 yd ³ | Maintenance Dredging | Mechanical | Upland | Bohayo Caribbean Terminal, LLC | One Greenway Plaza, Suite 600, Houston, TX 77046 | Chinghar Malik | 832-241-6607 |
| Jay Cashman, Inc. | MPP 924.658 Maintenance Dredging Port Newark / Elizabeth Marine Terminal, and Port Jersey Marine Terminal | Newark Bay, NJ | 2017 | \$ 16,929,844 | 267,000 yd ³ | Maintenance Dredging | Mechanical | Upland | Port Authority of NY/NJ | Two Montgomery Street - 1st Floor, Jersey City, NJ 07302 | Clint Bransky | 973-578-4841 |
| Jay Cashman, Inc. | MPP 945.538 Port Newark / Elizabeth Marine Terminal and Port Jersey Marine Terminal | Newark Bay, NJ | 2017 | \$ 816,485 | 10,700 yd ³ | Maintenance Dredging / Deepening | Mechanical | Upland | Port Authority of NY/NJ | Two Montgomery Street - 1st Floor, Jersey City, NJ 07302 | Clint Bransky | 973-578-4841 |
| Jay Cashman, Inc. | Design/Build Construction Services for Structural Repairs to USS Constitution Bath | Charlestown, MA | 2017 | \$ 15,507,500 | NA | Marine Construction | NA | NA | NAVAC Mid-Atlantic | 9742 Maryland Avenue, Norfolk, VA 23511 | Nathan Libby | 207-438-1074 |
| Jay Cashman, Inc. | Astoria Dredge Closure and Post Opening Project | Everett, WA | 2017 | \$ 7,016,700 | NA | Marine Construction | NA | NA | Geoslon | 178 Alford Street, Charlestown, MA 02629 | Tad Mittle | 617-293-8866 |
| Cashman Dredging & Marine Company, LLC | San Juan Harbor Maintenance Dredging, 30-Foot Project, San Juan, Puerto Rico | San Juan, Puerto Rico | 2017 | \$ 6,013,393 | 485,000 yd ³ | Maintenance Dredging | Mechanical | Offshore | USACE, Jacksonville District | 701 San Marco Blvd, Jacksonville, FL 32207 | Janice Rivers | 787-729-6961 |
| Cashman Dredging & Marine Company, LLC | Virginia Marine Resource Commission Shell Project | Chesapeake Bay, VA | 2017 | \$ 2,163,008 | 30,006 yd ³ | Oyster Shell Harvesting and Recycling | Hydraulic | Shallow Water | Virginia Marine Resources Commission | 2600 Washington Avenue, 3rd Floor, Newport News, VA 23607 | Andrew Dutton | 757-247-3123 |
| Cashman Dredging & Marine Company, LLC | Jacksonville Harbor Maintenance Dredging, 40-Foot Project, Bar Cut-3 Through Cut-9 | Duval County, Jacksonville, FL | 2017 | \$ 5,164,000 | 303,645 yd ³ | Maintenance Dredging | Hopper | Upland | USACE, Jacksonville District | 201 San Marco Blvd, Jacksonville, FL 32207 | Garvin Jackson | 904-232-3808 |
| Cashman Dredging & Marine Company, LLC | Maintenance Dredging, Pile and Jet and Bath Harbor | Bath, ME | 2017 | \$ 3,400,000 | 100,000 yd ³ | Maintenance Dredging | Mechanical | Offshore | USACE, New England District | 696 Virginia Road, Concord, MA 01742 | Bob Garahan | 978-318-8834 |
| Cashman Dredging & Marine Company, LLC | Carteret Waterfront Marina, Phase 1 | Borough of Carteret, NJ | 2017 | \$ 18,500,000 | 118,000 yd ³ | Improvement & Environmental Dredging / Marine Construction | Mechanical | Upland | Mayor and Borough Council, Borough of Carteret | 61 Cooke Avenue, Carteret, NJ 07008 | Mayor's Office | 732-541-3801 |
| Cashman Dredging & Marine Company, LLC | Maintenance Dredging, Cuts 42-48, Cut-95, and the Lower Terminal Channel | Hillsborough County, Tampa, FL | 2017 | \$ 7,970,886 | 650,393 yd ³ | Maintenance Dredging | Mechanical and Hopper | Upland | USACE, Jacksonville District | 701 San Marco Blvd, Jacksonville, FL 32207 | Erin Duffy | 904-610-6595 |
| Cashman Dredging & Marine Company, LLC | Las Maras Entrance Channel Dredging | Las Maras, Puerto Rico | 2017 | \$ 7,486,140 | 94,450 yd ³ | Maintenance Dredging | Mechanical | Upland | AES Puerto Rico LP | Carretera #3, KM 142.0, Bo. Pto. Jobs Guayama, Puerto Rico 00784 | Cuba Liffle | 787-466-8117 Ext. 2216 |
| Cashman Dredging & Marine Company, LLC | Maintenance Dredging, Beth Iron Works Sliding Basin | Beth, ME | 2017 | \$ 2,059,818 | 47,586 yd ³ | Maintenance Dredging | Mechanical | In-Water | Beth Iron Works | 700 Washington Street, Beth, ME 04530 | Pamela Everett | 207-442-1088 |
| Jay Cashman, Inc. | Pappas Way Improvement Project | Boston, MA | 2016 | \$ 7,185,216 | NA | Heavy Civil / Marine Construction | NA | NA | Pappas Enterprises, Inc. | 655 Summer Street, Boston MA 02210 | Timothy Pappas | 617-330-9797 |
| Jay Cashman, Inc. | Gowanus Pilot Test Program | Brooklyn, NY | 2016 | \$ 1,300,000 | NA | Heavy Civil / Marine Construction | NA | NA | National Grid | One Metcalf Center, 1000 Power, Brooklyn, NY 11201 | Andrew Proffeta | 718-663-6042 |
| Jay Cashman, Inc. | Phase 1 - Upland and Wall Fill; Charleston Naval Base Container Terminal | Charleston, SC | 2016 | \$ 42,745,150 | 677,333 yd ³ | Heavy Civil / Marine Construction | NA | NA | South Carolina State Ports Authority | PO Box 22287, Charleston, SC 29413 | Butch Webber | 843-856-7048 |
| Cashman Dredging & Marine Company, LLC | Maintenance Dredging, Myrtle River | Groton and Stonington, CT | 2016 | \$ 8,208,892 | 229,000 yd ³ | Maintenance Dredging | Mechanical | Offshore | USACE, New England District | 696 Virginia Road, Concord, MA 01742 | Tiro Ramonides | 508-294-8836 |
| Cashman Dredging & Marine Company, LLC | Lower Harbor CAD Call 2 - Phase 2 | New Bedford, MA | 2016 | \$ 11,849,195 | 400,000 yd ³ | Environmental Dredging | Mechanical | Offshore & CAD Call | New Bedford Harbor Development Commission | 53 Fisherman's Wharf, New Bedford, MA 02740 | Edward Asthes - Washburn | 508-353-5202 |
| Cashman Dredging & Marine Company, LLC | Hudson River Sediment Remediation - 2015 | PL Edwards, NY | 2016 | Confidential | 238,000 yd ³ | Environmental Dredging | Mechanical | Upland | General Electric | Fort Edwards, NY 12828 USA | Tim Kruppbecher | 518-991-9080 |
| Cashman Dredging & Marine Company, LLC | South Basin Land Reclamation, Royal Dockyard, Ireland Island, Bermuda | Royal Dockyard, Sandy's Parish, Bermuda | 2016 | \$ 22,700,052 | 306,000 yd ³ | Maintenance & Improvement Dredging | Mechanical | Upland | BCM McAlpine Ltd. | 48 St. John's Road, Pembroke HM07, Bermuda | Alan Burland | 441-292-2288 |
| Cashman Dredging & Marine Company, LLC | Tampa Harbor, Maintenance Dredging, 43-Ft & 44-Ft Project, Channels, Cuts A-K and the Settling Basin | Hillsborough County, Tampa, FL | 2016 | \$ 7,767,746 | 182,749 yd ³ | Maintenance Dredging | Hopper | Upland | USACE, Jacksonville District | 701 San Marco Blvd, Jacksonville, FL 32207 | Erin Duffy | 904-610-6595 |
| Cashman Dredging & Marine Company, LLC | Bird Island Ecosystem Restoration, Buzzards Bay | Marion, MA | 2016 | \$ 5,842,600 | NA | Marine Construction | NA | NA | USACE New England District, MA Fish & Game | 696 Virginia Road, Concord, MA 01742 | Adam Burnett, USACE Project Manager | 978-318-8547 |
| Cashman Dredging & Marine Company, LLC | RHD Intracoastal Waterway Deepening Project | Broward County, FL | 2016 | \$ 19,871,810 | 180,000 yd ³ | Improvement Dredging | Mechanical | Upland | Florida Inland Navigation District | 1314 Westchase Road, Jupiter, FL 33477-5887 | Michael Ward, Construction Director | 561-627-4-3866 |
| Cashman Dredging & Marine Company, LLC | Virginia Marine Resource Commission Shell Project | Chesapeake Bay, VA | 2016 | \$ 1,995,000 | 31,000 yd ³ | Oyster Shell Harvesting and Recycling | Hydraulic | Shallow Water | Virginia Marine Resources Commission | 2600 Washington Avenue, 3rd Floor, Newport News, VA 23607 | Trinity Battelle | 757-247-3260 |
| Cashman Dredging & Marine Company, LLC | Maintenance Dredging, Duxbury Harbor | Duxbury, MA | 2016 | \$ 3,969,477 | 198,000 yd ³ | Maintenance Dredging | Mechanical | Offshore | USACE, New England District | 696 Virginia Road, Concord, MA 01742 | Bob Garahan | 508-294-8836 |
| Jay Cashman, Inc. | Pawtucket Water Treatment Facility Sludge Removal | Pawtucket, RI | 2015 | \$ 2,665,538 | NA | Environmental | NA | NA | Suez Water (Suez North America) | 10 High Street, Suite K, Wakefield, RI 02879 | Chris Jacobs | 401-31-82201 |

SECTION 00 30 00
BID FORM

The undersigned hereby declares to have carefully examined the annexed form of Contract, Specifications, and Drawings therein referred to and also the site upon which the projected work is to be performed. Also, included in the Bid Form is a table requiring information on the Bidder's qualifications.

- A. The undersigned proposes to furnish all labor and materials required for the "Wellfleet Harbor Dredging – Area I" in accordance with the Drawings and Specifications prepared by GEI Consultants, Inc., 124 Grove Street, Franklin, Massachusetts 02038, for the Contract Price specified below, subject to additions and deductions according to the terms of the Specifications.

Accompanying this Proposal is a bid deposit in the amount of 5% of the value of the Base Bid and Add Alternatives, which shall become the property of the Town of Wellfleet, MA (Owner) if, in case this Proposal shall be accepted by the said Owner, the undersigned shall fail to comply with the statutes as herein before specified, if it is a foreign corporation, or in any event fails to execute the Contract with, and give a bond to, said Owner, according to the requirements of the Notice to Contractor in the form annexed to said form of Contract, within the time hereinafter specified.

The undersigned also hereby declares to be the only person interested in this Proposal; that it is made without any connection with any other person making any bid for the same work; that no person acting for, or employed by the Owner is directly or indirectly interested in this Proposal, or in any Contract which may be made under it, or in expected profits to arise therefrom; and it is made without directly or indirectly influencing or attempting to influence any other person or corporation to bid or to refrain from bidding or to influence the amount of the bid of any other person or corporation; and that this Proposal is made in good faith, without collusion or connection with any other person bidding for the same work; and that this Proposal is made with distinct reference and relation to the Bid Documents prepared for this case, and herein mentioned.

- B. This bid will include any Addenda issued during the bid period.
- C. The bid prices are presented in the following schedule. The Bidder shall provide Total Prices for the project as follows.

THE OWNER SOLICITS THE FOLLOWING BIDS:

A. BASE BID

The Bidder agrees to perform all the Work described in the Contract Documents for the following prices:

B. BASE BID SCHEDULE

| Brief Description of Item | Est. Quant. | Unit | Unit Price in Words | Unit Price in Figures | Total Amount in Figures |
|-----------------------------------|-------------|------|--|-----------------------|-------------------------|
| 1. Mobilization (Item 1) | 1 | LS | <u>Seven Hundred Twenty Six Thousand</u> dollars and <u>Four Hundred & 90/100</u> cents | ---- | \$ 726,400 |
| 2. Dredging and Disposal (Item 2) | 126,000 | CY | <u>Twenty Seven</u> dollars and <u>Twenty Four</u> cents | \$ 27.24 | \$ 3,432,240 |
| 3. Debris (Item 3) | 500 | Tons | <u>Five Hundred Sixty Seven</u> dollars and <u>Fifty</u> cents | \$ 567.50 | \$ 283,750 |
| 4. Turbidity Curtain (Item 4) | 2,000 | LF | <u>Forty</u> dollars and <u>Eighty Six</u> cents | \$ 40.86 | \$ 81,720 |
| TOTAL BASE BID PRICE: | | | | | \$ 4,524,110 |

TOTAL BASE BID PRICE WRITTEN IN WORDS:

Four Million, Five Hundred Twenty Four Thousand, One Hundred Ten DOLLARS
Zero CENTS

C. ADD ALTERNATIVE 1

The Bidder agrees to perform all the Work described in the Contract Documents for Add Alternative 1 for the following prices:

D. ADD ALTERNATIVE 1 SCHEDULE

| Brief Description of Item | Est. Quant. | Unit | Unit Price in Words | Unit Price in Figures | Total Amount in Figures |
|--|-------------|------|---|-----------------------|-------------------------|
| 1. Dredging and Disposal (Add Alt Item 1) | 4,100 | CY | <u>Twenty Seven</u> dollars and <u>Twenty Four</u> cents | \$ <u>27.24</u> | \$ <u>111,684</u> |
| 2. Debris (Add Alt 1 Item 2) | 10 | Tons | <u>Five Hundred Sixty Seven</u> dollars and <u>Fifty</u> cents | \$ <u>567.50</u> | \$ <u>5,675</u> |
| TOTAL ADD ALT 1 PRICE: | | | | | \$ <u>117,359</u> |

TOTAL ADD ALTERNATIVE 1 PRICE WRITTEN IN WORDS:

One Hundred Seventeen Thousand, Three Hundred Fifty Nine DOLLARS
Zero CENTS

BID PROPOSAL INCLUDES ADDENDA NUMBER(S) 1

DESCRIPTION OF PAY ITEMS

Refer to Technical Specifications Section 01 20 00 – Price and Payment Procedures for descriptions of the work involved for each pay item

BASIS OF CONTRACT AWARD:

The Town of Wellfleet, MA, Basis of Award will be determined by the available funding for the project and regulatory approvals. All Bidders will be first evaluated for award on the Base Bid to confirm the project is within the available funding. All Bidders will be then be evaluated for award on the Base Bid and Add Alternative 1 to confirm the project is within the available funding. Add Altnative 1 shall be executed by the Awarding Authority no later than December 10, 2021.

The Town of Wellfleet, MA reserves the right to add additional funding to the project should it be in its best interest for maximizing the construction for the available funding.

- A. The undersigned agrees that, if he/she is selected as Contractor, he/she will within five (5) calendar days, after presentation thereof by the Owner, execute the Contract in accordance with the terms of this bid and furnish a performance bond and a payment bond for the full amount of the Contract Price, each with a Surety company qualified to do business under the laws of the Commonwealth and satisfactory to the Owner, the premiums for which are to be paid by the Contractor and are included in the Contract Price.
- B. The bidder hereby certifies that in the event he/she is awarded the Contract he/she shall comply with the minority manpower ratio and all specific action steps contained in the State of Massachusetts Equal Employment Opportunity Anti-Discrimination and Affirmative Action Programs.
- C. The undersigned hereby certifies that he/she is able to furnish labor that can work in harmony with all other elements of labor employed or to be employed on this work.
- D. The undersigned further certifies under penalties of perjury that this bid is in all respects bona fide, fair, and made without collusion or fraud with any other person. As used in this subsection, the word "person" shall mean any natural person, joint venture, partnership, corporation, or other business or legal entity.
- E. I hereby certify that I have been informed that this project is sales tax exempt. I further certify that the bid prices contained herein do not include any calculations for sales tax.

Date: 8/31/21 Coastline Consulting & Development, LLC
(Name of General Bidder)

By Mark Jackson

Mark Jackson
(Print Name as Signed Above)

President
(Title)

57-B East Industrial Road, Brewster, CT 06405
(Business Address)

Note: If the bidder is a corporation, indicate State of incorporation; if a partnership, give full names and addresses of all partners; and if an individual, give residential address if different from business address. Incorporated in what State: Connecticut / Limited Liability Company

President: Martha Jackson, 170 Beecher Hill Drive, Guilford, CT 06430
Treasurer: N/A
Secretary: N/A

If a Partnership: (Name all Partners)

Name of Partner: _____
Residence: _____
Name of Partner: _____
Residence: _____

If an Individual:

Name: _____
Residence: _____

If an Individual doing business under a firm name:

Name of Firm: _____
Name of Individual: _____
Business Address: _____
Residence: _____

The bidder will give below the name and address of the Surety Company who will sign the bonds.

Travelers Casualty and Surety Company of America, One Tower Square, Hartford, CT 06183

BIDDER'S QUALIFICATION

The Bidder is required to state below work he/she has done of a character similar to that of the work included in the proposed contract and to give references that will enable the Owner to judge his/her experience and skills to successfully undertake this project.

| Project/Amount | Description | Contact | Completion Date |
|--|---|--|-----------------|
| 1. <u>ACOE Annisquam</u> \$7,122,139 | Dredging of ACOE Federal Channel + Anchorage in Annisquam River, Gloucester, Massachusetts. Approximately 130,000 cy of material with nearshore ocean disposal. | Steve Umbell, ACOE Project Mgr. 978-501-3716 | 2021 |
| 2. <u>US Navy Portsmouth Shipyard</u> \$6,062,516 | Dredge maintenance material and new drilled Stone material from Berth 6 submarine berthing with upland dewatering and disposal. | Tom Harris, Navy Project Manager 978-732-3979 | 2020 |
| 3. <u>ACOE Wood Island</u> \$1,677,294 | Dredging of approximately 50,000 cy from the ACOE Federal Anchorage + channel in Biddeford, Maine with offshore disposal. | Nick Skianes, ACOE Project Mgr. 978-732-3979 | 2020 |

| Project/Amount | Description | Contact | Completion Date |
|---|--|--|-----------------|
| 4. <u>Sesuit Harbor</u> \$3,392,629 | Dredging of approximately 80,000 cy from the Sesuit Harbor Channel & Town marina basin in Dennis, Massachusetts with disposal at the Cape Cod Bay Disposal Site. | Dawson Farber, Harbor Master 508-385-5555 | 2019 |
| 5. <u>Saugus Harbor</u> \$1,638,459 | Dredging of approximately 20,000 cy from the Town of Haverhill, Massachusetts Marina Basin with disposal at the Rhode Island Ocean Disposal Site. | Kevin Buruchian, GEI Project Mgr. 774-277-6006 | 2018 |

--- END OF SECTION ---

SECTION 00 55 00
CERTIFICATION OF BIDDER REGARDING EQUAL EMPLOYMENT OPPORTUNITY

MUST BE SUBMITTED WITH BID FORM

Instructions

This certificate is required pursuant to Executive Order 11246 (30 F.R. 12319-25). The implementing rules and regulations provide that any bidder or prospective CONTRACTOR, or any of their proposed SUBCONTRACTORS, shall state as an initial part of the bid or negotiations of the contract whether it has participated in any previous contract or subcontract subject to the equal opportunity clause, and if so, whether it has filed all compliance report within seven calendar days after bid opening. No contract shall be awarded unless such report is submitted.

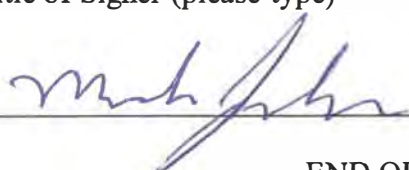
Certification by Bidder

Name and Address of Bidder (include zip code)

1. Bidder has participated in a previous contract or subcontract subject to the Equal Opportunity Clause. Yes No
2. Compliance reports were required to be filed in connection with such contract or subcontract. Yes No
3. Bidder has filed all compliance reports due under applicable instructions, including Monthly Employment Utilization Report (257). Yes No
4. Have you ever been or are you being considered for sanction due to violation of Executive Order 11246, as amended? Yes No

Name and Title of Signer (please type)

Signature



Date

8/31/21

--- END OF SECTION ---

SECTION 00 56 00
CERTIFICATE OF COMPLIANCE WITH TAX LAWS

MUST BE SUBMITTED WITH BID FORM

I, Mark Jackson of Castline Consulting + Development, LLC, certify under
(principal) pains and penalties of perjury that said corporation has complied with all the laws of the
Commonwealth of Massachusetts relating to taxes.

8/31/21
(date)

Mark Jackson
(signature)

President
(title)

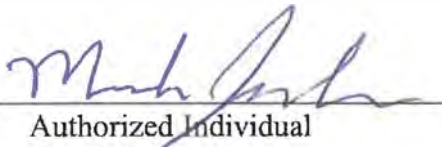
06-1528354
Federal Tax Identification Number

--- END OF SECTION ---

**SECTION 00 57 00
CERTIFICATE OF NON-COLLUSION**

MUST BE SUBMITTED WITH BID FORM

The undersigned certifies under penalties of perjury that this bid or proposal has been made and submitted in good faith and without collusion or fraud with any other person. As used in this certification, the word "person" shall mean any natural person, business, partnership, corporation, union, committee, club, or other organization, entity, or group of individuals.

By:  Duly
Authorized Individual

Coastline Consulting & Development, LLC
Name of Business

57-B East Industrial Road, Branford, CT 06405
Address

8/31/21
Date

--- END OF SECTION ---

N/A for
a LLC

**SECTION 00 58 00
CORPORATE SIGNATORY AUTHORIZATION**

IF APPLICABLE, SUBMIT WITH BID FORM

If the Bidder is a corporation, complete the following certification: At a
duly authorized meeting of the Board of Directors of the

_____ held on _____
(Name of Corporation) (Date)

at which all the Directors were present or waived notice, it was

VOTED that, _____
(Name) (Officer)

of this company is authorized to execute contracts and bonds in the name and
behalf of said company, and affix its corporate seal thereto, and such
execution of any contract or obligation in this company's name on its behalf

by such _____ of the
(Officer)

company, shall be valid and binding upon this company.

I hereby certify that I am the Clerk of the _____

that _____ is the duly elected _____
(Officer)

of said company, and that the above vote has not been amended or rescinded and remains in full
force and effect as of the date of the Contract.

A true copy,

Attest _____
(Clerk)

Place of Business _____ (Corporate Seal)

**SECTION 00 65 00
CERTIFICATE OF INSURANCE**

This is to certify that the AD Segura, Inc. (Company) has issued the policies listed below, that these policies are written in accordance with the Company's standard policies and endorsements, except as indicated below or as noted in the attachments hereto, which policies and endorsements will be made available to OWNER upon request, that they provide coverage and limits of liability shown with respect to the insurance indicated, that they are in force on this date, that all deductible amounts are indicated below, and that this Certificate is furnished in accordance with and for the purpose of satisfying the requirements of OWNER in connection with the award and performance of a contract or agreement between the Town of Wellfleet, MA (OWNER) and

1. Name of Insured Coastline Consulting & Development, LLC
2. Address of Insured 57-B East Industrial Road, Bradford, CT 06405
3. Location and Description of Work Wellfleet Harbor, MA

Project Contract No.

N/A

Coverage and Limits of Liability
(at least as shown below)

\$1 Million
Bodily Injury
Liability

\$1 Million
Property Damage
Liability

| Policy No. | Effective Date | Expiration Date | Each Occurrence | Aggregate |
|------------|----------------|-----------------|--------------------|--------------------|
| | <u>8/15/21</u> | <u>8/15/22</u> | <u>\$1 Million</u> | <u>\$2 Million</u> |

INSURANCE REQUIREMENTS

- A. The General Contractor shall purchase and maintain such insurance as will protect him from claims under worker's compensation acts and from claims for damages because of bodily injury, including death, and property damage which might arise from and during operations under this contract, whether such operations be by himself or by a Subcontractor or anyone directly or indirectly employed by either of them.
- B. Contractor shall not commence work under this Contract until he has obtained all insurance required herein nor until such insurance has been approved by the Owner. Contractor shall not allow any Subcontractor to commence work until the insurance required of the Subcontractor has been obtained and approved.

- C. Subcontracts: Contractor shall either (1) require each Subcontractor to procure and to maintain during the life of his Subcontract, Subcontractor General Liability and Property Damage Insurance of same type and in such manner as specified herein, or (2) Insure activities of his Subcontractors on his own policy.
- D. All insurance required by this Document shall be provided by a Best "A+ VIII" rated company, or companies, authorized to do business in the Commonwealth of Massachusetts and satisfactory to the owner and shall be written for not less than any limits of liability specified herein, or required by law, whichever is greater.
- E. Certificates: Certificates of Insurance acceptable to the Owner shall be submitted in triplicate to the Owner simultaneously with the execution of the Contract. Certificates shall indicate that broad form Contractual Liability coverage is in force, as well as deletions of the XCU exclusions. Certificates shall contain a provision that the insurance company will notify the Owner by registered mail at least (60) calendar days in advance of any cancellation, non-renewal, change or expiration of the policies. Certificates shall include description of coverage, effective dates and expiration dates of policies and shall clearly indicate all exclusions (other than standard policy form exclusions contained in the basic policy) which will be added to the policies provided.
- F. Deductibles: In the event of paid claims, Contractor shall bear costs of any amounts deductible.
- G. The Owner shall be named as additional insured under all policies.
- H. Before any blasting is done, Contractor shall present evidence that blasting damage is included in his insurance coverage.

COVERAGE AND LIMITS

A. Workers' Compensation Insurance:

The Contractor shall maintain and cause all subcontractors and lower tier contractors to maintain Workers Compensation and Employers Liability Insurance in accordance with the law and regulations of the Commonwealth of Massachusetts. The limits of liability provided shall be as follows:

| | |
|-------------|-------------------------------|
| Coverage A: | Statutory |
| Coverage B: | \$500,000/\$500,000/\$500,000 |

REQUIREMENTS

22.1 Sequencing Plan

The Contractor's proposed sequence is generally as shown on the bid drawings, starting with Phase I (North Anchorage & L-Pier), Phase II (South Access Channel) and then Phases III and IV (North Access Channel). Due to the depth conditions, it is generally proposed for the operations to dredge their way in, creating a deep water behind them for scows and other dredge equipment to float.

22.2 Equipment List

The Contractor proposes to utilize the following equipment for this project:

- Dredge Spud Barge #410
- Dredge Excavator CAT 385 with a 4 cy clamshell bucket
- Three (3) 500 cy bottom dump scows
- Two (2) Push Boats
- One (1) 2,000 HP Tug

22.3 Massachusetts DOT Prequalification

Upon issuance and review of the Town of Wellfleet bid, the Contractor immediately submitted the required application materials to the Massachusetts DOT for Prequalification Certification. It is expected that our application will be on the DOT final review agenda for the morning of 9/1/21 and will be approved prior to the Town of Wellfleet bid opening. Coastline Consulting & Development, LLC is a financially strong company with bonding ability of \$15 to \$30 Million. We also have 100% success track record dredging numerous Army Corps of Engineers, US Coast Guard, US Navy, and various Massachusetts Municipalities over the past twenty years. As a result, I do not anticipate any concerns with the completion of the DOT prequalification process.

BID BOND

CONTRACTOR:

(Name, legal status and address)

Coastline Consulting & Development LLC
57 B East Industrial Road
Branford, CT 06405

SURETY:

(Name, legal status and principal place of business)

Travelers Casualty and Surety Company of America
One Tower Square
Hartford, CT 06183

OWNER:

(Name, legal status and address)

Town of Wellfleet
300 Main Street
Wellfleet, MA 02667

BOND AMOUNT: Five Percent of Amount Bid (5%)

PROJECT:

(Name, location or address, and Project number, if any)

Wellfleet Harbor Dredging - Area 1

The Contractor and Surety are bound to the Owner in the amount set forth above, for the payment of which the Contractor and Surety bind themselves, their heirs, executors, administrators, successors and assigns, jointly and severally, as provided herein. The conditions of this Bond are such that if the Owner accepts the bid of the Contractor within the time specified in the bid documents, or within such time period as may be agreed to by the Owner and Contractor, and the Contractor either (1) enters into a contract with the Owner in accordance with the terms of such bid, and gives such bond or bonds as may be specified in the bidding or Contract Documents, with a surety admitted in the jurisdiction of the Project and otherwise acceptable to the Owner, for the faithful performance of such Contract and for the prompt payment of labor and material furnished in the prosecution thereof; or (2) pays to the Owner the difference, not to exceed the amount of this Bond, between the amount specified in said bid and such larger amount for which the Owner may in good faith contract with another party to perform the work covered by said bid, then this obligation shall be null and void, otherwise to remain in full force and effect. The Surety hereby waives any notice of an agreement between the Owner and Contractor to extend the time in which the Owner may accept the bid. Waiver of notice by the Surety shall not apply to any extension exceeding sixty (60) days in the aggregate beyond the time for acceptance of bids specified in the bid documents, and the Owner and Contractor shall obtain the Surety's consent for an extension beyond sixty (60) days.

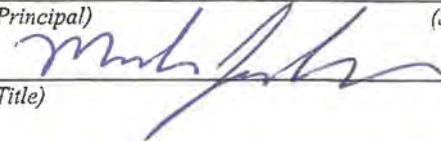
If this Bond is issued in connection with a subcontractor's bid to a Contractor, the term Contractor in this Bond shall be deemed to be Subcontractor and the term Owner shall be deemed to be Contractor.

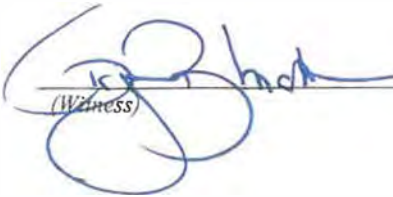
When this Bond has been furnished to comply with a statutory or other legal requirement in the location of the Project, any provision in this Bond conflicting with said statutory or legal requirement shall be deemed deleted herefrom and provisions conforming to such statutory or other legal requirement shall be deemed incorporated herein. When so furnished, the intent is that this Bond shall be construed as a statutory bond and not as a common law bond.

Signed and sealed this 1st day of September, 2021.

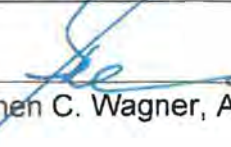

(Witness)

Coastline Consulting & Development LLC

(Principal)  (Seal)
(Title)


(Witness)

Travelers Casualty and Surety Company of America

(Surety)  (Seal)
(Title) Stephen C. Wagner, Attorney-in -Fact



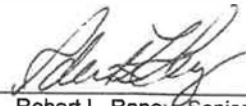
**Travelers Casualty and Surety Company of America
Travelers Casualty and Surety Company
St. Paul Fire and Marine Insurance Company**

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That Travelers Casualty and Surety Company of America, Travelers Casualty and Surety Company, and St. Paul Fire and Marine Insurance Company are corporations duly organized under the laws of the State of Connecticut (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint **STEPHEN C WAGNER** of **FARMINGTON Connecticut**, their true and lawful Attorney-in-Fact to sign, execute, seal and acknowledge any and all bonds, recognizances, conditional undertakings and other writings obligatory in the nature thereof on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.
IN WITNESS WHEREOF, the Companies have caused this instrument to be signed, and their corporate seals to be hereto affixed, this 17th day of **January**, 2019.



State of Connecticut
City of Hartford ss.

By: 
Robert L. Raney, Senior Vice President

On this the **17th** day of **January**, 2019, before me personally appeared **Robert L. Raney**, who acknowledged himself to be the Senior Vice President of Travelers Casualty and Surety Company of America, Travelers Casualty and Surety Company, and St. Paul Fire and Marine Insurance Company, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of said Companies by himself as a duly authorized officer.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.
My Commission expires the **30th** day of **June**, 2021




Anna P. Nowik, Notary Public

This Power of Attorney is granted under and by the authority of the following resolutions adopted by the Boards of Directors of Travelers Casualty and Surety Company of America, Travelers Casualty and Surety Company, and St. Paul Fire and Marine Insurance Company, which resolutions are now in full force and effect, reading as follows:

RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President, any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary may appoint Attorneys-in-Fact and Agents to act for and on behalf of the Company and may give such appointee such authority as his or her certificate of authority may prescribe to sign with the Company's name and seal with the Company's seal bonds, recognizances, contracts of indemnity, and other writings obligatory in the nature of a bond, recognizance, or conditional undertaking, and any of said officers or the Board of Directors at any time may remove any such appointee and revoke the power given him or her; and it is

FURTHER RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President may delegate all or any part of the foregoing authority to one or more officers or employees of this Company, provided that each such delegation is in writing and a copy thereof is filed in the office of the Secretary; and it is

FURTHER RESOLVED, that any bond, recognizance, contract of indemnity, or writing obligatory in the nature of a bond, recognizance, or conditional undertaking shall be valid and binding upon the Company when (a) signed by the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary and duly attested and sealed with the Company's seal by a Secretary or Assistant Secretary; or (b) duly executed (under seal, if required) by one or more Attorneys-in-Fact and Agents pursuant to the power prescribed in his or her certificate or their certificates of authority or by one or more Company officers pursuant to a written delegation of authority; and it is

FURTHER RESOLVED, that the signature of each of the following officers: President, any Executive Vice President, any Senior Vice President, any Vice President, any Assistant Vice President, any Secretary, any Assistant Secretary, and the seal of the Company may be affixed by facsimile to any Power of Attorney or to any certificate relating thereto appointing Resident Vice Presidents, Resident Assistant Secretaries or Attorneys-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and any such Power of Attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding on the Company in the future with respect to any bond or understanding to which it is attached.

I, **Kevin E. Hughes**, the undersigned, Assistant Secretary of Travelers Casualty and Surety Company of America, Travelers Casualty and Surety Company, and St. Paul Fire and Marine Insurance Company, do hereby certify that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which remains in full force and effect.

Dated this 1st day of September 2021




Kevin E. Hughes, Assistant Secretary

**To verify the authenticity of this Power of Attorney, please call us at 1-800-421-3880.
Please refer to the above-named Attorney-in-Fact and the details of the bond to which this Power of Attorney is attached.**

SECTION 00 30 00
BID FORM

The undersigned hereby declares to have carefully examined the annexed form of Contract, Specifications, and Drawings therein referred to and also the site upon which the projected work is to be performed. Also, included in the Bid Form is a table requiring information on the Bidder's qualifications.

- A. The undersigned proposes to furnish all labor and materials required for the "Wellfleet Harbor Dredging – Area I" in accordance with the Drawings and Specifications prepared by GEI Consultants, Inc., 124 Grove Street, Franklin, Massachusetts 02038, for the Contract Price specified below, subject to additions and deductions according to the terms of the Specifications.

Accompanying this Proposal is a bid deposit in the amount of 5% of the value of the Base Bid and Add Alternatives, which shall become the property of the Town of Wellfleet, MA (Owner) if, in case this Proposal shall be accepted by the said Owner, the undersigned shall fail to comply with the statutes as herein before specified, if it is a foreign corporation, or in any event fails to execute the Contract with, and give a bond to, said Owner, according to the requirements of the Notice to Contractor in the form annexed to said form of Contract, within the time hereinafter specified.

The undersigned also hereby declares to be the only person interested in this Proposal; that it is made without any connection with any other person making any bid for the same work; that no person acting for, or employed by the Owner is directly or indirectly interested in this Proposal, or in any Contract which may be made under it, or in expected profits to arise therefrom; and it is made without directly or indirectly influencing or attempting to influence any other person or corporation to bid or to refrain from bidding or to influence the amount of the bid of any other person or corporation; and that this Proposal is made in good faith, without collusion or connection with any other person bidding for the same work; and that this Proposal is made with distinct reference and relation to the Bid Documents prepared for this case, and herein mentioned.

- B. This bid will include any Addenda issued during the bid period.
- C. The bid prices are presented in the following schedule. The Bidder shall provide Total Prices for the project as follows.

Burnham

THE OWNER SOLICITS THE FOLLOWING BIDS:

A. BASE BID

The Bidder agrees to perform all the Work described in the Contract Documents for the following prices:

B. BASE BID SCHEDULE

| Brief Description of Item | Est. Quant. | Unit | Unit Price in Words | Unit Price in Figures | Total Amount in Figures |
|-----------------------------------|-------------|------|---|-----------------------|-------------------------|
| 1. Mobilization (Item 1) | 1 | LS | Seven hundred and five thousand dollars and zero cents | ---- | \$705,000.00 |
| 2. Dredging and Disposal (Item 2) | 126,000 | CY | Twenty-Nine dollars and Seventy-Five cents | \$29.75 | \$3,748,500.00 |
| 3. Debris (Item 3) | 500 | Tons | One Hundred dollars and Zero cents | \$100.00 | \$50,000.00 |
| 4. Turbidity Curtain (Item 4) | 2,000 | LF | One Hundred dollars and Zero cents | \$100.00 | \$200,000.00 |
| TOTAL BASE BID PRICE: | | | | | \$4,703,500.00 |

TOTAL BASE BID PRICE WRITTEN IN WORDS:

Four Million, Seven Hundred & Three Thousand, Five Hundred _____ DOLLARS

Zero _____ CENTS

C. ADD ALTERNATIVE 1

The Bidder agrees to perform all the Work described in the Contract Documents for Add Alternative 1 for the following prices:

D. ADD ALTERNATIVE 1 SCHEDULE

| Brief Description of Item | Est. Quant. | Unit | Unit Price in Words | Unit Price in Figures | Total Amount in Figures |
|--|-------------|------|---|-----------------------|-------------------------|
| 1. Dredging and Disposal (Add Alt Item 1) | 4,100 | CY | Twenty-Nine dollars and Seventy-Five cents | \$29.75 | \$121,975.00 |
| 2. Debris (Add Alt 1 Item 2) | 10 | Tons | One Hundred dollars and Zero cents | \$100.00 | \$1,000.00 |
| TOTAL ADD ALT 1 PRICE: | | | | | \$122,975.00 |

TOTAL ADD ALTERNATIVE 1 PRICE WRITTEN IN WORDS:

One Hundred Twenty-Two Thousand, Nine Hundred & Seventy-Five _____ DOLLARS

Zero _____ CENTS

BID PROPOSAL INCLUDES ADDENDA NUMBER(S) 1

DESCRIPTION OF PAY ITEMS

Refer to Technical Specifications Section 01 20 00 – Price and Payment Procedures for descriptions of the work involved for each pay item

BASIS OF CONTRACT AWARD:

The Town of Wellfleet, MA, Basis of Award will be determined by the available funding for the project and regulatory approvals. All Bidders will be first evaluated for award on the Base Bid to confirm the project is within the available funding. All Bidders will be then be evaluated for award on the Base Bid and Add Alternative 1 to confirm the project is within the available funding. Add Alternative 1 shall be executed by the Awarding Authority no later than December 10, 2021.

The Town of Wellfleet, MA reserves the right to add additional funding to the project should it be in its best interest for maximizing the construction for the available funding.

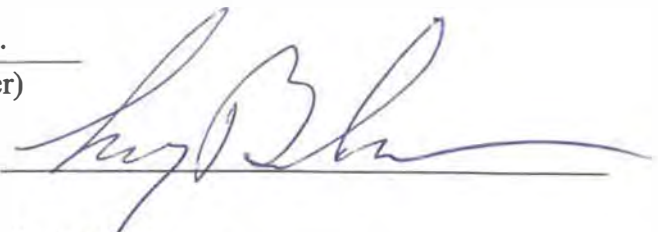
- A. The undersigned agrees that, if he/she is selected as Contractor, he/she will within five (5) calendar days, after presentation thereof by the Owner, execute the Contract in accordance with the terms of this bid and furnish a performance bond and a payment bond for the full amount of the Contract Price, each with a Surety company qualified to do business under the laws of the Commonwealth and satisfactory to the Owner, the premiums for which are to be paid by the Contractor and are included in the Contract Price.
- B. The bidder hereby certifies that in the event he/she is awarded the Contract he/she shall comply with the minority manpower ratio and all specific action steps contained in the State of Massachusetts Equal Employment Opportunity Anti-Discrimination and Affirmative Action Programs.
- C. The undersigned hereby certifies that he/she is able to furnish labor that can work in harmony with all other elements of labor employed or to be employed on this work.
- D. The undersigned further certifies under penalties of perjury that this bid is in all respects bona fide, fair, and made without collusion or fraud with any other person. As used in this subsection, the word "person" shall mean any natural person, joint venture, partnership, corporation, or other business or legal entity.
- E. I hereby certify that I have been informed that this project is sales tax exempt. I further certify that the bid prices contained herein do not include any calculations for sales tax.

Date: 8/31/2021

Burnham Associates, Inc.

(Name of General Bidder)

By



Craig Burnham

(Print Name as Signed Above)

President

(Title)

14 Franklin St Salem, MA 01970

(Business Address)

Note: If the bidder is a corporation, indicate State of incorporation; if a partnership, give full names and addresses of all partners; and if an individual, give residential address if different from business address. Incorporated in what State: Massachusetts

President: Craig Burnham
Treasurer: Cynthia Burnham
Secretary: Cynthia Burnham

If a Partnership: (Name all Partners)

Name of Partner: _____
Residence: _____
Name of Partner: _____
Residence: _____

If an Individual:

Name: _____
Residence: _____

If an Individual doing business under a firm name:

Name of Firm: _____
Name of Individual: _____
Business Address: _____
Residence: _____

The bidder will give below the name and address of the Surety Company who will sign the bonds.

Berkley Insurance Company
475 Steamboat Rd. Greenwich, CT 06830

BIDDER'S QUALIFICATION

The Bidder is required to state below work he/she has done of a character similar to that of the work included in the proposed contract and to give references that will enable the Owner to judge his/her experience and skills to successfully undertake this project.

| Project/Amount | Description | Contact | Completion Date |
|--|--|--|------------------------|
| 1. Block Island Old Harbor Dredging \$2,104,000.00 | Dredge & Dispose of ~50,000 CY of mud and sand material including 15,000 CY of mud at the RISDS and 35,000 CY of material at the Crescent Beach Nearshore Disposal Site. Contract depth was -15'+2' OD | Bob Christie 508.965.9890 USACE New England District W912WJ-20-C-0014 | 2/11/2021 |
| 2. Cheesequake Creek Dredging \$2,061,000.00 | Dredge 10,000 CY of sandy material from the Cheesequake Creek in South Amboy, NJ with upland disposal at North American Aggregates' facility in Perth Amboy, NJ. Contract depth was -10'+1' OD | Mike Oseback 917-572-8803 USACE NY District W912DS-20-C-0022 | 9/29/2020 |
| 3. Dredging Plymouth Harbor \$9,508,000.00 | Dredge & Dispose of 380,000 CY of material from the entrance channel and federal anchorage in Plymouth Harbor, with disposal at CCBDS & MBDS. Contract depth in the channel was -15'+2' OD and -8'+1' OD in the anchorage. | Bob Christie 508.965.9890 USACE New England District W912WJ-18-C-0020 | 2/25/2020 |

| Project/Amount | Description | Contact | Completion Date |
|--|--|--|-----------------|
| 4. South River Dredging \$1,066,000.00 | Dredge & Dispose of 18,000 CY of sandy cobble material from the collapsed "4th Cliff" with disposal at MBDS. Contract depth was -6'+1' OD | Christine Player 508-762-0766 Foth CLE Engineering | 10/31/2019 |
| 5. Wormley Creek Maintenance Dredging | hydraulically dredge & dispose of 53,400 CY of mud and 17,500 CY of sand from the USCG Training Center at Wormley Creek in Yorktown, VA. Contract depths were -6'+2'OD for the mud and -7'+2' OD for the sandy area. Mud was disposed of at Wolf Trap Disposal Site and sand was used as beneficial reuse on-site. | Andrew Reid (757)201-7053 USACE Norfolk District W91236-17- C-0010 | 12/6/2017 |

--- END OF SECTION ---

SECTION 00 55 00
CERTIFICATION OF BIDDER REGARDING EQUAL EMPLOYMENT OPPORTUNITY
MUST BE SUBMITTED WITH BID FORM

Instructions

This certificate is required pursuant to Executive Order 11246 (30 F.R. 12319-25). The implementing rules and regulations provide that any bidder or prospective CONTRACTOR, or any of their proposed SUBCONTRACTORS, shall state as an initial part of the bid or negotiations of the contract whether it has participated in any previous contract or subcontract subject to the equal opportunity clause, and if so, whether it has filed all compliance report within seven calendar days after bid opening. No contract shall be awarded unless such report is submitted.

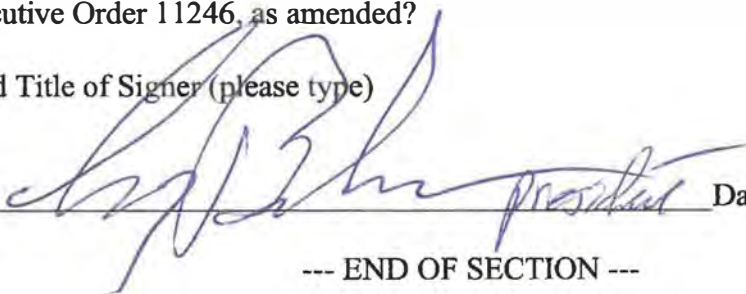
Certification by Bidder

Name and Address of Bidder (include zip code)

1. Bidder has participated in a previous contract or subcontract subject to the Equal Opportunity Clause. Yes No
2. Compliance reports were required to be filed in connection with such contract or subcontract. Yes No
3. Bidder has filed all compliance reports due under applicable instructions, including Monthly Employment Utilization Report (257). Yes No
4. Have you ever been or are you being considered for sanction due to violation of Executive Order 11246, as amended? Yes No

Name and Title of Signer (please type)

Signature

 Date 9/1/21

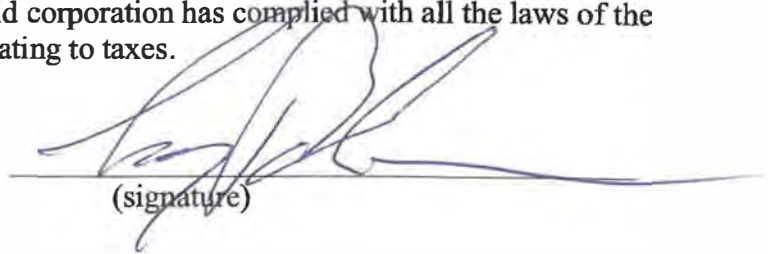
--- END OF SECTION ---

**SECTION 00 56 00
CERTIFICATE OF COMPLIANCE WITH TAX LAWS**

MUST BE SUBMITTED WITH BID FORM

I, Craig Burnham of Burnham Associates, Inc, certify under
(principal) (corporation)
pains and penalties of perjury that said corporation has complied with all the laws of the
Commonwealth of Massachusetts relating to taxes.

9/1/21
(date)


(signature)

President
(title)

042904308
Federal Tax Identification Number

--- END OF SECTION ---

**SECTION 00 57 00
CERTIFICATE OF NON-COLLUSION**

MUST BE SUBMITTED WITH BID FORM

The undersigned certifies under penalties of perjury that this bid or proposal has been made and submitted in good faith and without collusion or fraud with any other person. As used in this certification, the word "person" shall mean any natural person, business, partnership, corporation, union, committee, club, or other organization, entity, or group of individuals.

By:  Duly

Authorized Individual

Burnham Associates, Inc

Name of Business

14 Franklin St. Sale, MA 01970

Address

9/1/2021

Date

--- END OF SECTION ---

**CERTIFICATE OF NON-COLLUSION
00 57 00-1**

**SECTION 00 58 00
CORPORATE SIGNATORY AUTHORIZATION**

IF APPLICABLE, SUBMIT WITH BID FORM

If the Bidder is a corporation, complete the following certification: At a
duly authorized meeting of the Board of Directors of the

Burnham Associates, Inc. held on 9/1/2021
(Name of Corporation) (Date)

at which all the Directors were present or waived notice, it was

VOTED that, Craig Burnham President
(Name) (Officer)

of this company is authorized to execute contracts and bonds in the name and
behalf of said company, and affix its corporate seal thereto, and such
execution of any contract or obligation in this company's name on its behalf
by such Cynthia Burnham of the
(Officer)
company, shall be valid and binding upon this company.

I hereby certify that I am the Clerk of the Burnham Associates, Inc
that Craig Burnham is the duly elected President
(Officer)

of said company, and that the above vote has not been amended or rescinded and remains in full
force and effect as of the date of the Contract.

A true copy,
Attest Cynthia Burnham
(Clerk)

Place of Business Burnham Associates, Inc.

(Corporate Seal)

Attachment A: Contractor's Dredge Phase Plan

BAI intends to subcontract AGM Marine Contractors to assist in the completion of this project. Upon receipt of Notice to Proceed, and with coordination between the Wellfleet Harbormaster and BAI, AGM would endeavor to relocate existing piles presently located in the dredge prism in Phases 1 – 4 of the dredge area to an area outside the dredge prism for reuse as turbidity curtain anchor piles as needed. If a turbidity curtain is ultimately determined to not be required, AGM would store the existing pressure treated timber piles that are removed on the Town Wharf and dispose of the existing deteriorated non-pressure treated piles. Upon the opening of the October 1 dredge window, BAI would commence dredging of the channel to -4' MLLW to facilitate barge access at all stages of tide, while AGM would perform the dredging required in the anchorage. Once the anchorage has been completed, AGM would follow behind BAI to remove the remaining material to the contractually required depth. The completion of "phase 1 is expected to take approximately 14 working days, with the combined efforts of BAI and AGM removing ~2,500 in-place cubic yards per working day. Dredging would continue uninterrupted into "Phase 2" which would require no relocation of piles in this phase. Coordination with Wellfleet Harbormaster would take place to ensure the mitigation of interference by local small craft as needed. Phase 2 is approximately 750' long and would take approximately 15 working days to complete, maintaining the same expected daily production between both companies' efforts. Dredging would continue uninterrupted from "Phase 2" into "Phase 3". Work in this phase would be expected to take 20 working days. This same process would be repeated for Phase 4 which would require approximately 18 working days to complete. Should Add Alternate 1 be awarded, the pile relocation and dredging would require an additional 5 working days to complete. The working days required to perform the in-water silt producing work would allow the project to reach substantial completion prior to January 1, 2022. Should adverse weather events or unforeseen delays outside of the Contractor's control be encountered, an extension application would be applied for prior to the December 15 deadline.

Attachment B: Equipment Listing

BAI EQUIPMENT:

Dredge "SAMSON III"

Service Barge "SNAG 1508"

Scow "SE103" / "SE104"

Pushboat "STRIDER"

Pushboat "MANTIS"

Workboat "SCULLY 23"

AGM EQUIPMENT:

Dredge "TRITON"

Dump Scow "TELSIAI"

Tug "SITKA"

Skiff "STIPRUMAS"

Skiff "LAIVAS"

Document A310™ – 2010

Conforms with The American Institute of Architects AIA Document 310

Bid Bond

T2108041

CONTRACTOR:

(Name, legal status and address)
Burnham Associates, Inc.

**14 Franklin St.
Salem, MA 01970**

SURETY:

Berkley Insurance Company
475 Steamboat Road
Greenwich, CT 06830

This document has important legal consequences. Consultation with an attorney is encouraged with respect to its completion or modification.

Any singular reference to Contractor, Surety, Owner or other party shall be considered plural where applicable.

OWNER:

(Name, legal status and address)
Town of Wellfleet, MA

**300 Main Street
Wellfleet MA 02667**

BOND AMOUNT: Five Percent (5%) of the attached bid

PROJECT:

(Name, location or address, and Project number, if any)

**Wellfleet Harbor Dredging - Area 1
Wellfleet MA**

The Contractor and Surety are bound to the Owner in the amount set forth above, for the payment of which the Contractor and Surety bind themselves, their heirs, executors, administrators, successors and assigns, jointly and severally, as provided herein. The conditions of this Bond are such that if the Owner accepts the bid of the Contractor within the time specified in the bid documents, or within such time period as may be agreed to by the Owner and Contractor, and the Contractor either (1) enters into a contract with the Owner in accordance with the terms of such bid, and gives such bond or bonds as may be specified in the bidding or Contract Documents, with a surety admitted in the jurisdiction of the Project and otherwise acceptable to the Owner, for the faithful performance of such Contract and for the prompt payment of labor and material furnished in the prosecution thereof; or (2) pays to the Owner the difference, not to exceed the amount of this Bond, between the amount specified in said bid and such larger amount for which the Owner may in good faith contract with another party to perform the work covered by said bid, then this obligation shall be null and void, otherwise to remain in full force and effect. The Surety hereby waives any notice of an agreement between the Owner and Contractor to extend the time in which the Owner may accept the bid. Waiver of notice by the Surety shall not apply to any extension exceeding sixty (60) days in the aggregate beyond the time for acceptance of bids specified in the bid documents, and the Owner and Contractor shall obtain the Surety's consent for an extension beyond sixty (60) days.

If this Bond is issued in connection with a subcontractor's bid to a Contractor, the term Contractor in this Bond shall be deemed to be Subcontractor and the term Owner shall be deemed to be Contractor.

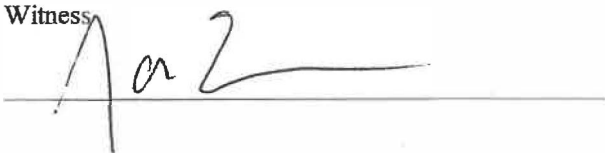
When this Bond has been furnished to comply with a statutory or other legal requirement in the location of the Project, any provision in this Bond conflicting with said statutory or legal requirement shall be deemed deleted herefrom and provisions conforming to such statutory or other legal requirement shall be deemed incorporated herein. When so furnished, the intent is that this Bond shall be construed as a statutory bond and not as a common law bond.

Signed and sealed this **1st** day of **September**, 2021

Witness



Witness



Burnham Associates, Inc.

Principal

(Seal)

Berkley Insurance Company

Kristin Erickson, Attorney-in-Fact



Please **verify the authenticity** of the instrument attached to this power by:

Toll-Free Telephone: (866) 768-3534; or

Electronic Mail: BSGInquiry@berkleysurety.com

Any written notices, inquiries, claims or demands to the Surety on the bond attached to this power should be directed to:

Berkley Surety Group
412 Mount Kemble Ave.
Suite 310N
Morristown, NJ 07960
Attention: Surety Claims Department

Or

Email: BSGClaim@berkleysurety.com

Please include with all communications the bond number and the name of the principal on the bond. Where a claim is being asserted, please set forth generally the basis of the claim. In the case of a payment or performance bond please also identify the project to which the bond pertains.

Berkley Surety Group is an operating unit of W. R. Berkley Corporation that underwrites surety business on behalf of Berkley Insurance Company and Berkley Regional Insurance Company



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: September 14, 2021



BUSINESS

~D~

| | |
|-------------------------|--|
| REQUESTED BY: | Chair Ryan Curley |
| DESIRED ACTION: | To discuss and take possible votes on the Remote participation |
| PROPOSED MOTION: | I move to adopt the Remote Participation Policy as printed in the packet. |
| Summary: | |
| ACTION TAKEN: | Moved By: _____ Seconded By: _____ Condition(s): |
| VOTED: | Yea _____ Nay _____ Abstain _____ |

Remote Participation Policy

Purpose

The Office of the Attorney General amended the Open Meeting Law regulations at 940 CMR 29.10 to allow members of public bodies, in limited circumstances, to participate remotely in meetings. While all members of Town Bodies shall try to attend meetings in person, current regulations allow greater participation in government meetings by enabling members to participate remotely when physical attendance would be unreasonably difficult. This Policy ~~intends to establish~~ clear guidelines on the practice of for remote participation by Town Boards and Committees under the Open Meeting Law, M.G.L. c.30A, §§18-25. It is essential to recognize the long-term impact of COVID on public meetings as well the character of the town's population. Wellfleet must retain the expertise of those serving on boards who may be unable to attend in person. Furthermore The Town of Wellfleet values public participation, transparency, and lively, informed discussions. In light of this, the public shall always be provided with a means of remote partition, and meetings shall be recorded.

Adaptation

The Wellfleet Selectboard Hereby Adopts Remote Participation as allowed under The Massachusetts Attorney General's Regulations, 940 CMR 29.10(2)(a), for all town public bodies by majority vote. In accordance with 940 CMR 29.10(3), the Selectboard may revoke its adoption of 940 CMR 29.10 by a simple majority vote at any time.

This Policy and 940 CMR 29.10 shall apply to all Town boards, committees, commissions, subcommittees, and working groups subject to the Open Meeting Law regardless of whether such public bodies are appointed or elected. Where the Remote Participation Policy is more stringent than 940 CMR 29.10, the Policy shall control.

Minimum Requirements for Remote Participation

Members of the public body who participate remotely and all persons present at the meeting location shall be clearly audible to each other and, if possible, clearly visible to all persons present at the meeting location as required by M.G.L.c30A§20(d)

A quorum of the body, including the Chair or, in the Chair's absence, the person authorized to chair the meeting, shall be physically present at the meeting location, as required by M.G.L. c.30A, §20(d).

Members of the public body who participate remotely must have access to the same materials being used at the meeting location.

Members of public bodies who participate remotely may vote and shall not be deemed absent for the purposes of M.G.L. c. 39, §23D.

All Open Session meetings shall have the ability for the public to participate, instructions on how to join a meeting shall be posted on the Town of Wellfleet Website.

In recognition of the Town Media Policy, all meetings shall be recorded, the input of those participating remotely must be intelligible and unedited.

Reasons for Remote Participation

A Board member may attend a meeting through electronic conferencing only if physical attendance would be unreasonably difficult. Chairs of public bodies are encouraged to continue to ~~induce~~ encourage all members to attend meetings in person as a general rule due to the inherent benefits of physical presence in a meeting. It is critical to note that a quorum must be physically present 940 CRM 29.10(4)(b).

Acceptable Methods of Remote Participation

Accommodations shall be made for any public body member who requires TTY service, video relay service, or other forms of adaptive communications.

The Wellfleet Selectboard authorizes the use of a single Video Conferencing Platform to be used by all bodies of the Town of Wellfleet.

If technical difficulties arise due to remote participation, the Chair should suspend discussion while reasonable efforts are made to correct any problem that interferes with remote participant's ability to hear or be heard clearly by all persons at the meeting location. If technical difficulties result in a remote participant being disconnected from the meeting, that fact and the time at which the disconnection occurred and subsequent reconnection if achieved shall be noted in the meeting minutes. If a public hearing occurs after disconnection, the member shall be noted as absent.

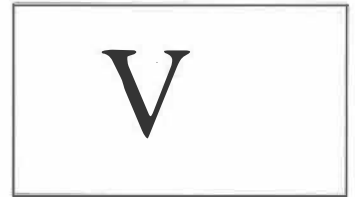
Procedures for Remote Participation

- (i) Any member of a public body who wishes to participate remotely shall, at least 48 hours or as soon as reasonably possible prior to the meeting, notify the Chair or person chairing the meeting of his or her desire to do so and the reason for and facts supporting ~~their~~his or her request.
- ~~(i)~~(ii) All posted public meetings of the Town of Wellfleet shall include the remote meeting information, and the public shall have the ability to participate remotely.
- ~~(ii)~~(iii) Prior to the meeting, the Chair shall make every effort to ensure the equipment is available and functioning correctly. If the required equipment is not available, then the Chair shall deny the request for remote participation.
- ~~(iii)~~(iv) At the start of the meeting, the Chair shall announce the name of any member who will be participating remotely. This information shall also be recorded in the meeting minutes.
- ~~(iv)~~(v) All votes taken during any meeting in which a member participates remotely shall be by roll call vote. Members may participate remotely even if they are not qualified to vote.
- ~~(v)~~(vi) Remote participants shall preserve the confidentiality of the executive session. The remote participant shall state at the start of any such session that no other person is present and/or able to hear the discussion at the remote location, unless presence of that person is approved by simple majority vote of the public body, and that the session is not being remotely recorded by any device.



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: September 14, 2021



BUSINESS

~ E ~

| | |
|-------------------------|--|
| REQUESTED BY: | Ryan Curley, Selectboard Chair |
| DESIRED ACTION: | To discuss and take possible votes on the town media policy |
| PROPOSED MOTION: | I move to adopt the Town Media Policy as printed. |
| SUMMARY: | |
| ACTION TAKEN: | Moved By: _____ Seconded By: _____ Condition(s): |
| VOTED: | Yea _____ Nay _____ Abstain _____ |

Wellfleet Town Media ~~AV Channels~~ Policy

I. POLICY – The Wellfleet Government Access Cable Television Channel and Wellfleet Town Media’s Youtube Channel (hereafter “Town Media’s Channels”) ~~is~~ are intended solely to provide information to Wellfleet citizens about issues, services, programs, activities, and events involving or affecting local government and the community.

II. CONTENT – All open meetings of all Town bodies, will be recorded by audio video (AV) for steaming and television broadcast in their entirety, without editing or commentary (with the sole exception of editing out technical pauses which may occur to rearrange chairs or equipment). All recordings must be accessible through the town’s YouTube Channel. Where staff is not available to record the meeting, it is the responsibility of a body’s chair, vice chair, and secretary to record the meeting. Said recording must be provided to town staff within 72 hours after a meeting is adjourned. All ~~l~~legally approved Executive Sessions will not be recorded. The Taxation Aaid Committee shall be exempt from this policy.

A. All content must meet approval of technical broadcast standards at the discretion of the Media Operations Manager.

B. Political forums and debates may be recorded for broadcast and/or streaming with the approval of the Media Operations Manager. Town Media’s Channels may not be used for the promotion of individual political campaigns. All commercial advertising and religious promotion is prohibited.

C. Programming and streaming schedules will be at the discretion of the Media Operations Manager and preference may not be awarded based on financial compensation.

D. With the approval of the Media Operations Manager ~~A~~any outside agency or citizen submitting programming for broadcast and/or streaming is responsible for obtaining all necessary copyright clearances and will hold the Town and its successors, departments, officers, employees, servants, attorneys, and agents harmless in any case of copyright infringement.

III. ACCURACY – The accuracy of all information on Town Media’s Channels is the responsibility of the body, or entity being recorded. Statements made may not reflect the views of Town Media personal, other Town staff, or public bodies separate from the body recorded. Town Media staff is not responsible for the accuracy or quality of information recorded.

IV. ACCESS – All members of the public will have equal access to Town Media’s content. Town Media will broadcast continuously except in the case of technical malfunction. DVD copies of Town Media programming will be made available upon request to the Media Operations Manager. Streaming content ~~can~~ must generally be available on commonly available be viewed on personal computers, mobile devices, or Town computers at the Wellfleet Public Library.

V. EQUIPMENT USAGE – Town Media equipment is used for the production of Town Media content and may not be loaned to the public. Town Media equipment may be used by the Media Operations Manager and approved Production Technicians to produce programming for

other Town entities and departments (including but not limited to: the Public Library, the Council on Aging, and local community organizations without political or religious affiliation) at the discretion and approval of the Media Operations Manager and Town Administrator.

VI. STAFFING – The Media Operations Manager is the director of all Town Media business and will report to the Town Administrator and Selectboard as required. The Media Operations Manager ~~will~~may hire and manage Production Technicians. The work of all Production Technicians must meet technical broadcast standards and the approval of the Media Operations Manager. Production Technicians may not make any technical, political, financial, or managerial decisions for Town Media without explicit instruction from the Media Operations Manager.

Rebekah Eldridge

From: Jim <jmhood@hotmail.com>
Sent: Thursday, August 26, 2021 1:46 PM
To: Rebekah Eldridge
Subject: Re: town media and remote participation policies

Rebekah -

Please convey my personal concerns that I think it is premature to be focusing on the media and remote participation policies while there is such uncertainty about if and when we can return to in-person meetings and how such meetings are made available to the public either in "safe" locations or remotely when AV staff resources are available. Committee or board chairs and members cannot be expected to record meetings. That is not their role.

Jim Hood

Sent from my iPad

On Aug 26, 2021, at 12:49 PM, Rebekah Eldridge <Rebekah.Eldridge@wellfleet-ma.gov> wrote:

Hi everyone,

I apologize if you are seeing this for the second time. I have been asked again by the board to send these out to you and have you respond with your questions, comments, or concerns regarding these policies no later than August 30th. So I am able to put it on one of their September meetings.

Thanks so much

Rebekah

<image001.png>

Rebekah L. Eldridge
Executive Assistant to the Town Administrator
(508) 349-0300 ext 1100
774-383-2609 (cell)
M-F 8am-12noon; 1pm-4pm

<Wellfleet Town Media AV Channels Policy.docx>

<Remote Participation Policy as am 6.8.21.docx>

Rebekah Eldridge

From: Jennifer Congel
Sent: Thursday, August 26, 2021 12:44 PM
To: Rebekah Eldridge
Cc: Charles Sumner
Subject: RE: remote policy and media policy

Good Afternoon,

I have read through each document and do not have any concerns or suggestions. My only comment is I am pleased that the board

is considering a remote participation policy knowing it can only help in trying to fill vacant positions.

Best Regards,
Jennifer Congel
Town Clerk

From: Rebekah Eldridge <Rebekah.Eldridge@wellfleet-ma.gov>
Sent: Thursday, August 26, 2021 12:10 PM
To: Dept. Heads <DeptHeads@wellfleet-ma.gov>
Cc: Charles Sumner <Charles.Sumner@wellfleet-ma.gov>
Subject: remote policy and media policy

Good Afternoon,

I believe I have sent both of these to you. They Board has asked me to resend them and to send me your comments, concerns , and or suggestions by August 30th. I apologize for repeating this request.

Thanks so much
Rebekah



Rebekah L . Eldridge
Executive Assistant to the Town Administrator
(508) 349-0300 ext 1100
774-383-2609 (cell)
M-F 8am-12noon; 1pm-4pm

Rebekah Eldridge

From: cookpd@comcast.net
Sent: Monday, August 30, 2021 12:13 PM
To: Rebekah Eldridge
Cc: Rebecca Noble; Christie O'Campbell; Ned Oliver; Peter Cook
Subject: RE: town media and remote participation policies

Thanks Rebekah – three inputs came from committee members – these are not questions from the Bike & Walkways Committee as a whole because we have not met to discuss in open forum, they are questions sent to me by individual members:

1. In the past, meetings could only be held in specific public places (COA, library, or meeting rooms at town hall). Are we allowed to meet outdoors? Is there a list of indoor and outdoor public places where meetings are permitted?
2. Are there any provisions to hold meetings on the weekend, particularly if a time-sensitive need arises for a meeting?
3. A question came up about the 48-hour rule for posting meeting notices, however as you have mentioned to me, 48 hours is a MA state requirement the town does not have authority to change.

Thanks,

Peter Cook
Bike & Walkways Committee

From: Rebekah Eldridge <Rebekah.Eldridge@wellfleet-ma.gov>
Sent: Thursday, August 26, 2021 12:49 PM
To: Elaine McIlroy <emcilroy@comcast.net>; Peter Cook <cookpd@comcast.net>; Ken Granlund <yupjake2014@gmail.com>; Jim <jmhood@hotmail.com>; Mia Baumgarten <miabaumgarten@gmail.com>; Nancy Vail <Nancy.Vail@wellfleet-ma.gov>; Gary Sorkin <gary.sorkin21@gmail.com>; Curt Felix <cfelix@planktonpower.net>; John Cumbler <cumbler@louisville.edu>; Wilson Sullivan <cwillsonsullivan@gmail.com>; Chris Allgeier <cjallgeier@gmail.com>; Fred Magee <jfred.magee@gmail.com>; Lydia Vivante <vivantelydia@gmail.com>; Merrill Mead-Fox <mmeadfox@gmail.com>; Robin A Robinson <rrobinson@umassd.edu>; Sharon Rule-Agger <rule.aggers@verizon.net>; Joseph Aberdale <josephaberdale@gmail.com>; John Riehl <jlriehl@comcast.net>; Bruce Hurter <brucehurter@comcast.net>; dennyoc@comcast.net; Gerry Parent <geparent@yahoo.com>; Christine Shreves <eclshreves@gmail.com>; Sonya Woodman <sswoodman99@comcast.net>; Rebecca Taylor <beautifulbirth4u@yahoo.com>; Sharon Inger <ingers@comcast.net>
Subject: town media and remote participation policies

Hi everyone,

I apologize if you are seeing this for the second time. I have been asked again by the board to send these out to you and have you respond with your questions, comments, or concerns regarding these policies no later than August 30th. So I am able to put it on one of their September meetings.

Thanks so much
Rebekah

Rebekah Eldridge

From: Hillary Lemos
Sent: Tuesday, August 31, 2021 9:29 AM
To: Rebekah Eldridge
Subject: RE: remote policy and media policy

I am ok with both of these policies.

From: Rebekah Eldridge <Rebekah.Eldridge@wellfleet-ma.gov>
Sent: Thursday, August 26, 2021 12:10 PM
To: Dept. Heads <DeptHeads@wellfleet-ma.gov>
Cc: Charles Sumner <Charles.Sumner@wellfleet-ma.gov>
Subject: remote policy and media policy

Good Afternoon,

I believe I have sent both of these to you. They Board has asked me to resend them and to send me your comments, concerns , and or suggestions by August 30th. I apologize for repeating this request.

Thanks so much

Rebekah



Rebekah L . Eldridge
Executive Assistant to the Town Administrator
(508) 349-0300 ext 1100
774-383-2609 (cell)
M-F 8am-12noon; 1pm-4pm



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: September 14, 2021

IX

BUSINESS

~ F ~

| | |
|-------------------------|--|
| REQUESTED BY: | Ryan Curley ~ Selectboard Chair |
| DESIRED ACTION: | To discuss and vote to proclaim the month of September in the town of Wellfleet to be suicide awareness month |
| PROPOSED MOTION: | I move to proclaim the month of September in the Town of Wellfleet as Suicide Awareness Month. |
| ACTION TAKEN: | Moved By: _____ Seconded By: _____ Condition(s): |
| VOTED: | Yea _____ Nay _____ Abstain _____ |

National Suicide Prevention Month Proclamation 2021 Town of Wellfleet

WHEREAS, September is known as Suicide Prevention Month, a time in which mental health advocates, individuals, prevention organizations, survivors, allies and communities around the country unite to promote suicide prevention awareness; and

WHEREAS, the past year has presented our communities with challenges and led to transitions that, expected or unexpected, welcomed or not, can be unsettling, disorienting, and stressful; and

WHEREAS, the pandemic has changed our fabric of life, and major life changes are environmental risk factors for suicide; and

WHEREAS, we know that connecting, working with, and supporting one another can help prepare us for the future; and

WHEREAS, according to the American Foundation for Suicide Prevention (AFSP), Suicide is the 10th leading cause of death among adults, and the 2nd leading cause of death among individuals between the ages of 10 and 34 in the US; and

WHEREAS, more than 48,000 people died by suicide across the United States in 2019, with an average of 132 suicides completed daily: and

WHEREAS, each suicide directly impacts a minimum of 100 additional people, including family, friends, co-workers, neighbors, and community members: and

WHEREAS, local organizations like the Cape and Islands Suicide Prevention Coalition encourage all residents to take the time to understand the importance of mental health education and recognize that taking care of ourselves and others includes taking care of mental health; and

WHEREAS, Wellfleet publicly places its full support behind those who work in the fields of mental health, education, and law enforcement;

WHEREAS, all Barnstable residents are urged to play a role in suicide prevention and promote mental health and wellness as we strive towards reducing suicides; and

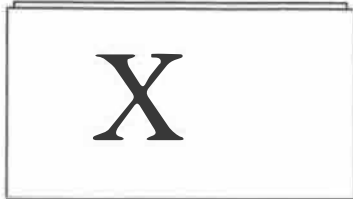
WHEREAS, September is recognized across the United States as Suicide Prevention Month and provides the opportunity to educate our community about the warning signs for suicide and how to reach out and connect to those experiencing an emotional crisis;

NOW, THEREFORE, be it resolved that we, The Wellfleet Selectboard, do hereby proclaim the month of September 2021, as National Suicide Prevention Month in the Wellfleet.



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: September 14, 2021



SELECTBOARD REPORTS:

| Reported by: | Topic: |
|--------------|--------|
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SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: September 14, 2021

XII

TOWN ADMINISTRATORS & ASSISTANT TOWN ADMINISTRATOR REPORTS

- Please see selectboard packet

To: Selectboard
From: Charles L. Sumner, Interim Town Administrator
Rebecca Slick, Assistant Town Administrator
Subject: Administration's Report
Date: September 9, 2021

Please find enclosed a copy of my report for the period of August 19 to September 9, 2021:

1. **Water Department:** The Town's contract for support services for the Wellfleet public water systems operations expired on July 31, 2021. We issued an agreement to extend the current contract through October 31, 2021. Additionally, we have finalized the bid documents for a succeeding 3-year agreement, which will be advertised shortly.
2. **Route 6/Main Street Intersection Project:** We did receive confirmation from Greg Mischel, Project Manager for the MassDOT that the 25% Design Public Hearing for the Route 6/Main Street Intersection project will occur on Wednesday, September 22, 2021, at 6:30pm via Zoom.
3. **Wellfleet Harbor Dredging Project:** We opened bids for this project on Wednesday, September 1, 2021, where we received 4 bid responses. One of the vendors was disqualified because they had not been properly prequalified by the Mass DOT. Also, one of the bidders has filed a bid protest as well. We will be meeting with Dan Robbins, Project Manager from GEI on Thursday, September 9, 2021, where he will provide an update and recommendation for the contract award for this project, which we will present to the Selectboard on September 14, 2021.

We recently received the grant pre-payment for the harbor project from the Massachusetts Executive Office of Housing & Economic Development in the amount of \$2,375,000 which represents approximately 50% of the total project costs.

Finally, the Town has been awarded a grant in the amount of \$39,600 from the Seaport Economic Council for costs associated with the Area 2 Dredging and permitting phase.

4. **Media Services Operations:** Rebekah Eldridge, Rebecca Slick and I recently met with JP Ludwig and Suzanne Bryan to discuss the idea of contracting out for media services operations for the Town's cable channel, video on demand platform and related media needs. Currently this position is a part-time employee for the Town, which is vacant. Mr. Ludwig and Ms. Bryan currently provide these services to the towns of Brewster, Yarmouth, and Truro. For disclosure purposes worked for me in Brewster in this capacity for many years. This approach is attractive to me because we would have improved coverage relative to various employee leave/absence issues. They have several employees and contractor that work with and for them providing some resiliency. Another advantage is that they recently worked to upgrade Brewster's and Yarmouth's public meeting rooms to allow for a robust enhanced hybrid option for public meeting.
5. **Building Commission Vacancy:** We continue the process to hire a new Building Commissioner. Interviews have been completed, we are working on some related details and hope to be able to inform the Board shortly on a finalist for this important decision. In the meanwhile, Victor Staley, who is the retired Building Commissioner from the Town of Brewster started work as Wellfleet's Interim Building Commissioner on Tuesday, September 7, 2021.
6. **Fire & Emergency Medical Services Study:** I had mentioned in my previous report that I had received a message from Darrin Tangeman, the Town Manager for the Town of Truro informing me that he and Maria Broadbent had submitted a grant application, (which was approved in the amount of \$20,000) to the Massachusetts Department of Housing and Community Development

to explore opportunities to address shared challenges and regional solutions for the Outer Cape fire & emergency medical services. Provincetown has given verbal approval that they will collaborate in the analysis. There was a kick-off meeting held on Tuesday, September 7, that Chief Pauley attended.

7. **Macs on the Pier** – Based upon the Selectboard’s action at our last meeting I have asked Town Counsel to draft a license agreement for the use of Town property as outlined in my original August 17, 2021, memo. Once this process is completed I will present the document to the Selectboard for further review.
8. **DPW Superintendent** – We did complete the advertisement and interview process for the DPW Superintendent’s position this week. The interview team consisted of Chief Pauley, Chief Hurley, Suzanne Thomas, Rebecca Slick, and me. The team unanimously supported the appointment of Jay Norton, the current Interim DPW Superintendent to the permanent position. I will be meeting with Jay next week to discuss the terms of a contract for this position.



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: September 14, 2021

XIII

CORRESPONDENCE AND VACANCY REPORTS

****Please see packet****

| | From | Subject | Received | Size |
|------------------|---|---|--------------------|--------|
| Today | | | | |
| | Jude Ahern | Fwd: I still can't get your comment out of my head | Wed 9/8/2021 5:... | 27 KB |
| | I expect and will demand an answer to what Selectboard member DeVasto means EXACTLY when he states that I just took up a | | | |
| | Taylor | Bicycle trail | Wed 9/8/2021 ... | 18 KB |
| | I completely support the right of my neighbors to not have a bicycle trail imposed on their property, against their interests and | | | |
| | Jude Ahern | Fwd: I still can't get your comment out of my head | Wed 9/8/2021 ... | 23 KB |
| | Just took up a residency plan? How long must one live in this town to enjoy basic rights? Sounds to me like Mikey doesn't like | | | |
| | Wellfleet Cha... | Don't miss out on this Outer Cape networking event! | Wed 9/8/2021 ... | 79 KB |
| | Tues, Sept 14 // Outer Cape Chamber After Hours | | | |
| | Jude | Let Nancy harrass Rec people and then claim she needs more dep help... | Wed 9/8/2021 ... | 15 KB |
| | And she won't enforce Mikey who is over his boundary line and instead helps him correct this without telling anyone. This is not a | | | |
| | Jude | And I dare you to do anything about it | Wed 9/8/2021 ... | 15 KB |
| | I didn't get an answer back from Nancy about the \$50 fine (no that's not a joke) for taking shellfish now and whether or not that | | | |
| | Jude | Chapter 130 | Wed 9/8/2021 ... | 15 KB |
| | If this town just picks and chooses which parts of chapter 130 it wants to enforce then the Public will do the same. Sent from my | | | |
| | Jude | I still can't get your comment out of my head | Wed 9/8/2021 ... | 16 KB |
| | Dear Board: In clear violation of our Charter that she herself rewrote with King Harry, Helen tells Nancy Civetta what to do daily! | | | |
| Yesterday | | | | |
| | Charles Sum... | FW: September 11th Remembrance Press Release | Tue 9/7/2021 5... | 241 KB |
| | Good afternoon all, Please see attached notice on Wellfleet 911 Remembrance Ceremony. Best wishes, Charlie Charles L. Sumner | | | |
| | Jude | Fwd: Posting outside town hall?! | Tue 9/7/2021 4... | 17 KB |
| | Is this Selectboard now going to try to blame the FACT that you did not post the expanding of 3 grants in 3 public places on town | | | |
| | Wellfleet Cha... | Now accepting submissions for the 2022 Guidebook Cover! | Tue 9/7/2021 2... | 81 KB |
| | <https://r20.rs6.net/on.jsp?ca=922d9387-64be-4644-811e-f32056a2fb65&a=1112873798651&c=176496d0-bfb9-11e3-9e33-d4ae5 | | | |
| | Wellfleet Cha... | Update to Masking Advisory in Wellfleet | Tue 9/7/2021 1... | 74 KB |
| | Effective today, September 7, 2021 | | | |
| | Rebecca Bro... | Re: Bike & Walkways Committee | Tue 9/7/2021 1... | 14 KB |
| | Good morning, It has been a great pleasure to serve on the Bike & Walkways Committee these past few years. Due to other | | | |
| | Hillary Lemos | Mask Advisory: Effective September 7, 2021 | Tue 9/7/2021 9... | 59 KB |
| | Good Morning: Please pass this along to your contact lists and the press! Effective today, Tuesday September 7, 2021 the Mask | | | |
| | Miriam Spen... | BAN paperwork | Tue 9/7/2021 9... | 16 KB |
| | Good morning. Just a reminder that the BAN paperwork that requires your signatures before tomorrow morning is set out in your | | | |
| | Massachuset... | Janet, Nominate Your Municipality for the MMA's 2022 Annual Meeti... | Tue 9/7/2021 9... | 54 KB |
| | Submit your community's entry today! | | | |
| Sunday | | | | |
| | Doug Burke | Wellfleet Rail Trail Extension | Sun 9/5/2021 8... | 18 KB |
| | Wellfleet Board of Selectmen: We have carefully studied and reviewed the Wellfleet Bike and Walkway Committee's (WBWC) bike | | | |
| Last Week | | | | |
| | STANLEY PU... | Re: Recreational Shellfishing Crier: Indian Neck will OPEN to shellfishi... | Sat 9/4/2021 6:... | 27 KB |
| | Thank you. | | | |
| | Nancy Civetta | Recreational Shellfishing Crier: Indian Neck will OPEN to shellfishing a... | Sat 9/4/2021 5:... | 25 KB |
| | As many of you may have heard, due to the excessive rainfall caused by the remnants of Hurricane Ida, the Mass. Division of Marine | | | |
| | Nancy Civetta | Wellfleet Harbor areas CCB11 and CCB14 will OPEN to shellfishing to... | Sat 9/4/2021 5:... | 21 KB |
| | The Mass. Division of Marine Fisheries has completed its water quality analysis for Wellfleet Harbor and has determined that it is | | | |
| | Wright, Simo... | Shellfish Notice for Hurricane Ida | Sat 9/4/2021 5:... | 314 KB |
| | Good evening, Please see the attached notice. Simone Wright Shellfish Sanitation and Management Program Massachusetts | | | |
| | Miriam Spen... | BAN sale | Sat 9/4/2021 7:... | 16 KB |
| | Good morning. There are five documents related to the BAN (Bond Anticipation Note) sale executed on Thursday that require | | | |
| | Ryan Curley | Re: Labor Day Weekend | Fri 9/3/2021 6:... | 21 KB |
| | Ok thank you, and please thank Eastham PD for providing support as well. | | | |
| | Ryan Curley | Fwd: Labor Day Weekend | Fri 9/3/2021 6:... | 20 KB |
| | ----- Forwarded message ----- | | | |
| | jaygmca@ao... | Minutes of August 4, 2021 WHC Meeting | Fri 9/3/2021 11... | 3 MB |
| | Attached are the approved minutes of the August 4, 2021 WellfleetHistorical Commission meeting. Respectfully submitted, Jim | | | |

| From | Subject | Received | Size |
|---|--|--------------------|--------|
| Nancy Civetta | Wellfleet Harbor Shellfish Harvest Closure Update | Fri 9/3/2021 10... | 18 KB |
| Closure update: The Mass. Division of Marine Fisheries is likely sampling Wellfleet Harbor waters today and keeping its lab open | | | |
| MA Municip... | Apply for the 2022 WEMO Steering Committee | Fri 9/3/2021 10... | 42 KB |
| WEMO Steering Committee Seeking New Leaders | | | |
| MA Municip... | Apply for the 2022 Select Board Association Board of Directors | Fri 9/3/2021 9:... | 42 KB |
| MSA Board Seeking New Leaders | | | |
| Wellfleet Cha... | Wellfleet's Commercial Single Use Plastic Water Bottle Ban effective 9... | Fri 9/3/2021 8:... | 77 KB |
| A friendly reminder from the Wellfleet Recycling Committee | | | |
| kcletourneau... | To Ryan Curley | Fri 9/3/2021 1:... | 17 KB |
| I am sorry to write this to the entire board but I don't have Ryan's email. I just watched the Aug 27 meeting. Ryan, it was obvious | | | |
| Dick Elkin | Fwd: Energy Committee | Thu 9/2/2021 3... | 17 KB |
| I believe there is now a vacancy for an alternate position on the Energy and Climate Action Committee. Regards, | | | |
| Lydia Kotak | Re: Recreational Shellfishing Crier: 40,000 oysters distributed, and oth... | Thu 9/2/2021 2... | 24 KB |
| Thank you for the information! | | | |
|  | Michael Hurley FW: Situational Awareness Statement #3: Heavy Rain and Flooding Lat... | Thu 9/2/2021 1... | 4 MB |
| Good Afternoon, Please see the last attached MEMA update on last night's storm. Overall, besides approximately 300 power | | | |
| Ryan Curley | Joint Wellfleet Wastewater Meeting September 29th @ 5pm Zoom | Thu 9/2/2021 1... | 15 KB |
| Hello, all I am setting the meeting date for September 29th @ 5pm via zoom for a joint meeting on wastewater between the | | | |
| Nancy Civetta | Recreational Shellfishing Crier: 40,000 oysters distributed, and other i... | Thu 9/2/2021 1... | 28 KB |
| Town Recreational Shellfish Crier September 2, 2021 | | | |
| MA Municip... | Register: MSA Affordable Housing Webinar September 10 | Thu 9/2/2021 1... | 47 KB |
| Register for MSA Affordable Housing Webinar | | | |
|  | CACO Superi... Letter to Selectboard re Wellfleet bikeways analysis | Thu 9/2/2021 1... | 2 MB |
| Good morning, Please see Cape Cod National Seashore's comments on the recent Wellfleet bikeway analysis. Thank you, Thelma | | | |
| Nancy Civetta | Wellfleet Harbor CLOSED to Shellfishing due to rainfall | Thu 9/2/2021 1... | 21 KB |
| The Mass. Division of Marine Fisheries is closing ALL SHELLFISH HARVESTING south of Cohasset, Mass. today, September 2, 2021, | | | |
|  | Michael Hurley FW: Situational Awareness Statement #2: Heavy Rain and Flooding Lat... | Wed 9/1/2021 ... | 5 MB |
| Good evening all, Just wanted to pass along a quick update on tonight's weather event, see the attached bulletin from MEMA. | | | |
| MA Municip... | Here's your September issue of The Beacon from the MMA | Wed 9/1/2021 ... | 47 KB |
| <https://www.informz.net/admin31/images/spacer.gif> | | | |
| Charles Sum... | FW: Update on Eversource's Integrated Vegetation Management Prog... | Wed 9/1/2021 ... | 25 KB |
| I suspect you have seen this, but just in case. Best wishes, Charlie | | | |
| Wellfleet Cha... | Sweet September Wellfleet Chamber Monthly Newsletter | Wed 9/1/2021 ... | 194 KB |
| <https://r20.rs6.net/on.jsp?ca=013c2632-6a1b-4645-b0db-5c4d15df9c16&a=1112873798651&c=176496d0-bfb9-11e3-9e33-d4ae5 | | | |
| HYTORC Ind... | HYTORC Online Classes - Basic Bolting Overview, Training for Engineers | Wed 9/1/2021 ... | 87 KB |
| September is filling up fast, register now | | | |
|  | Contact form... [Wellfleet MA] COVID Mask Mandate (Sent by Bob Adam, banddster... | Tue 8/31/2021 ... | 22 KB |
| Hello bos@wellfleet-ma.gov <mailto:bos@wellfleet-ma.gov> , | | | |
| MA Municip... | Save the New Date: WEMO Leadership Conference Oct. 15 | Tue 8/31/2021 ... | 40 KB |
| Save the Date for the Third Annual WEMO Leadership Conference! | | | |
| Jude | When will public notices start appearing in Provincetown Independent? | Tue 8/31/2021 ... | 15 KB |
| I've been told you voted and approved to add the Provincetown Independent to the (nonexistent) list of newspapers we regularly | | | |
|  | Wright, Simo... Shellfish Notice for Wellfleet | Tue 8/31/2021 ... | 314 KB |
| Good afternoon, Please see the attached notice. Thank you, take care! Simone Wright Massachusetts Division of Marine Fisheries | | | |
| Nancy Civetta | Shellfish Crier: Herring River closes today, Hats in the Cove and Dredg... | Tue 8/31/2021 ... | 31 KB |
| Town Shellfish Crier August 31, 2021 | | | |
| Rebekah Eldr... | Letter for Senator Markey | Mon 8/30/2021... | 33 KB |
| Good Morning again, | | | |
| Rebekah Eldr... | FW: First draft | Mon 8/30/2021... | 41 KB |
| From: abiyoyo1@aol.com <abiyoyo1@aol.com> | | | |
| Wellfleet Cha... | Meet your fellow Outer Cape Chamber Members | Mon 8/30/2021... | 79 KB |
| Tues, Sept 14 // Outer Cape Chamber After Hours | | | |
| Rebekah Eldr... | just to remind you | Mon 8/30/2021... | 34 KB |
| Good Morning, I just wanted to remind you that Charlie is away this week spending some much needed time with his family and | | | |

Two Weeks Ago

| From | Subject | Received | Size |
|---|---|--------------------|--------|
| Ellen S | bike path Wellfleet | Sat 8/28/2021 ... | 15 KB |
| I own a home on Zoheth Smith Way and I want to express my concern on the environmental impact of the bike path through | | | |
| Benten Niggel | | Fri 8/27/2021 7... | 47 KB |
| Trying to relog onto meeting with no success. in waiting room again. Benten Paddle Cape Cod MA Team Paddle Cape Cod MA | | | |
| Ryan Curley | Fwd: FW: Thank you for Senator Markey | Fri 8/27/2021 6... | 154 KB |
| ----- Forwarded message ----- | | | |
| ROBERT AN... | State's plan for Rt 6-Main St bikeway design | Fri 8/27/2021 4... | 15 KB |
| Please reconsider this plan. Does not make sense and seems to be a dangerous proposition. Thank you, Joyce Angelelli <end> | | | |
| Owen Fletcher | Barnstable County Assembly of Delegates 09/01/21 Regular Meeting ... | Fri 8/27/2021 2... | 266 KB |
| As attached in PDF and available on the web at https://www.barnstablecounty.org/event/assembly-of-delegates-regular-meeting/ | | | |
| Daniel Murphy | Bike Path plan | Fri 8/27/2021 2... | 15 KB |
| Dear Selectpersons, My wife & I are 21 year taxpayers who reside in Wellfleet part time. We are frequent cyclers, and have had | | | |
| Helen Miran... | Re: updated packet | Fri 8/27/2021 1... | 7 MB |
| Added items are? The CORI discussion, the letter to Sen. Markey and....? Civetta award item removed. May we please screen share | | | |
| Timothy East... | Bikeway | Fri 8/27/2021 1... | 15 KB |
| >> Dear Selectmen, | | | |
| Joseph Aber... | Dredging Task Force Update | Fri 8/27/2021 1... | 195 KB |
| Dear Select Board Members, We are on track to commence dredging the inner harbor, Area 1, on October 1, 2021. Our efforts | | | |
| JEFFREY PET... | Bike path | Fri 8/27/2021 1... | 17 KB |
| Dear Select Board - I am still opposed to the state plan to end the extension of the bike path on Route 6. I understand The town's | | | |
| Ryan Curley | Fwd: Background document for stormwater discussion MADOT/Route 6 | Fri 8/27/2021 1... | 25 MB |
| ----- Forwarded message ----- | | | |
| JJ Paynter | Bike Path Route | Fri 8/27/2021 1... | 14 KB |
| To the Board, | | | |
| Wellfleet Cha... | Wellfleet's parade postponed until 2022 | Fri 8/27/2021 1... | 69 KB |
| < https://r20.rs6.net/on.jsp?ca=9845b807-e53a-4b76-bf2d-aa761ab841ba&a=1112873798651&c=176496d0-bfb9-11e3-9e33-d4ae5 > | | | |
| Carl Anderson | Brian please be my guest | Fri 8/27/2021 1... | 813 KB |
| Good day Brian, I hope all is well in as the summer winds down. We are having another great online event that I thought would | | | |
| MA Division ... | Public Comment Sought on In-Season Adjustments to Commercial Su... | Fri 8/27/2021 8... | 53 KB |
| Public Comment Sought on In-Season Adjustments to Commercial Summer Flounder Limits for 2021 | | | |
| e nickerson | bike way, use Alternative Z | Fri 8/27/2021 8... | 15 KB |
| To Whom it May Concern | | | |
| Helen Risch | Bikeway | Thu 8/26/2021 ... | 15 KB |
| As a tax payer, resident during 4 months of the summer and a avid biker, I am amazed at the insensitivity of those planning a bike | | | |
| Christie O'Ca... | Bike and Walkways Committee - feedback on Stantec designs | Thu 8/26/2021 ... | 88 KB |
| Dear Selectboard, We appreciate the careful consideration the Selectboard gives to town matters of all kinds and would like to | | | |
| Carol Lazarus | Wellfleet Bikeway | Thu 8/26/2021 ... | 14 KB |
| Dear Select Board, As a life long (74 years) seasonal resident of Wellfleet, I want to express my grave concern about the DoT/DCR | | | |
| Rotella, Guy | Rte 6-Main Street | Thu 8/26/2021 ... | 24 KB |
| Dear Members of the Wellfleet Select Board--Please resist the state's ill-considered plan to reconfigure the Main Street road layout | | | |
| Ryan Curley | How to Conduct Public Hearings KP Law | Thu 8/26/2021 ... | 2 MB |
| -- Sincerely, Ryan Curley (508)-246-4718 | | | |
| Door Engine... | The NEW FF30 "Performance Series" Four-Fold Door | Thu 8/26/2021 ... | 65 KB |
| Click here < https://mktg.senneca.com/acton/ct/43550/s-002a-2108/Bct/l-01a1/l-01a1:2f8/ct0_0/1/ms?sid=TV2%3AKlvSBW0x9 > to | | | |
| Michele Insley | Concluding time with SPAT | Thu 8/26/2021 ... | 16 KB |
| Hello members of the Wellfleet Selectboard and Administration, I want to let you know that tomorrow, August 27 will be my last | | | |
| kletourneau... | Main St plan | Thu 8/26/2021 ... | 17 KB |
| Dear members, I posted the note below to Mike on FB. Not sure how many of you are on FB so I am reposting it here. If any of | | | |
| MA Division ... | Final Recreational Measures Announced for Gulf of Maine Cod and Ha... | Thu 8/26/2021 ... | 57 KB |
| Final Recreational Measures Announced for Gulf of Maine Cod and Haddock | | | |
| Lori Rutter | Application to volunteer for Personnel Board | Thu 8/26/2021 ... | 243 KB |
| Dear Members of the Select Board, I've attached my application expressing interest in volunteering to become a member of the | | | |
| MA Municip... | Register: MSA Affordable Housing Webinar September 10 | Thu 8/26/2021 ... | 48 KB |
| Register for MSA Affordable Housing Webinar | | | |

| From | Subject | Received | Size |
|---|--|-------------------|--------|
| | Wellfleet Cha... Update to Masking Order in Wellfleet | Thu 8/26/2021 ... | 84 KB |
| Amended August 25, 2021 | | | |
| Jeff Behrens | Application for Finance Committee | Thu 8/26/2021 ... | 534 KB |
| Dear members of the Selectboard, Please find attached the completed application expressing my interest in volunteering with the | | | |
| Walter Baron | Bikeway | Thu 8/26/2021 ... | 24 KB |
| To he Selectboard, Wellfleet- Please do not rubber-stamp approval of the State's proposed bike plan. Other, better options exist. If | | | |
| Richard Mains | Re: "While Wellfleet Slept" | Thu 8/26/2021 ... | 25 KB |
| Dear Selectboard, It must be said that the singular bikeway and road construction plan (Plan A) to be discussed tomorrow ("25% | | | |
| eippermains... | Bikeway-Route6A project | Thu 8/26/2021 ... | 19 KB |
| Having been a year round resident of Wellfleet for over 2 years, a home owner for over 14 years and a frequent user of the CCRT, I | | | |
| WeTransfer | Jude Ahern sent you IMG_3692.MOV via WeTransfer | Thu 8/26/2021 ... | 58 KB |
| This transfer expires on 2022-08-26 | | | |
| MJ | Mainstreet project in Wellfleet | Thu 8/26/2021 ... | 14 KB |
| I oppose the project being proposed, to widen the roads around the entrance to Wellfleet off rt 6. Regards, Mark Jekel South | | | |
| John Mclaug... | Route 6 Bikeway | Wed 8/25/2021... | 18 KB |
| Hello Select Board I was enjoying a walk on the old railroad path and was forced to move aside to allow a battery powered bike to | | | |
| Hillary Lemos | RULE AND ORDER REQUIRING THE USE OF MASKS AND OTHER PROT... | Wed 8/25/2021... | 192 KB |
| Pleaser see the attached Order, it was amended tonight by the BOH. Outdoor masking was removed from the mandate and is now | | | |
| Mimi | Wellfleet Bikeways Plan | Wed 8/25/2021... | 19 KB |
| Dear Select Board, I am somewhat baffled by the fact that a vote will be taken on the State's proposed Route 6 Bike Plan this | | | |
| Rebekah Eldr... | updated packet | Wed 8/25/2021... | 7 MB |
| Hi everyone, There have been a few changes to your agenda/packet I have attached it for you. Rebekah L. Eldridge Executive | | | |
| Peter Noble-... | Route 6 Stantec Intersection Development Plans | Wed 8/25/2021... | 15 KB |
| Dear Selectboard Members, Please do not agree to vote to finalize Stantec's proposed intersection improvement plans for Main St | | | |
| Blau, Judith | preparing for the future | Wed 8/25/2021... | 26 KB |
| Greetings, Cities and communities are preparing for the future -- the site I am sending (below) has interesting suggestions. Climate | | | |
| Jude Ahern | Fwd: Working group | Wed 8/25/2021... | 55 KB |
| This was procured by a public records request and I will include it in my ongoing complaints. The entire Board is now complacent in | | | |
| Nancy Civetta | Change in agenda | Wed 8/25/2021... | 18 KB |
| Hello Selectboard members: I will be taking my son to college on Friday and unable to attend your meeting. I corresponded with | | | |
| Paul Schiff B... | Opposition to State Bikeway Plan | Wed 8/25/2021... | 16 KB |
| I am a non-resident taxpayer with a house on Lieutenant's Island, and I am writing to encourage you to reject the current state plan | | | |
| MA Division ... | Update on Marine Fisheries Advisory Commission Business Meeting Sc... | Wed 8/25/2021... | 47 KB |
| Update on Marine Fisheries Advisory Commission Business Meeting Schedule | | | |
| Kathryn John... | Bikeway | Wed 8/25/2021... | 15 KB |
| PLEASE do not destroy our beautiful village of Wellfleet by changing Main Street. This will forever take away the historical character | | | |
| Peter Haaland | Bikeway comments | Wed 8/25/2021... | 19 KB |
| I have reviewed the plan < https://www.wellfleet-ma.gov/sites/g/files/vyhlf15166/f/events/selectboard_packet_8-24-2021_0.pdf > | | | |
| Stephan Gro... | Proposed Bikeway | Wed 8/25/2021... | 27 KB |
| Dear Selectboard, I encourage you to vote in opposition to the proposed bikeway design along Route 6 and East Main Street and | | | |
| Capital Strat... | Planning your next project? | Wed 8/25/2021... | 61 KB |
| Our team of experts provide a comprehensive slate of services that inform and engage the community... | | | |
| Rebekah Eldr... | Della Spring | Tue 8/24/2021 ... | 33 KB |
| In your packet there is a use of property form from Della Spring. Jeanne misunderstood her request and its not for the basketball | | | |
| Lori Rutter | Fwd: Committee memberships? | Tue 8/24/2021 ... | 19 KB |
| Dear Members of the Select Board, After reading the article about the lack of citizens willing to serve on committees I contacted | | | |
| Wellfleet Cha... | Selectboard rescheduled for Friday, August 27 at 7:00pm | Tue 8/24/2021 ... | 83 KB |
| < https://r20.rs6.net/on.jsp?ca=af4e3776-a2a9-4903-89b4-75e80afb00c5&a=1112873798651&c=176496d0-bfb9-11e3-9e33-d4ae52 > | | | |
| carol magher | Main St Light project | Tue 8/24/2021 ... | 28 KB |
| August 23, 2021 | | | |
| Wellfleet Cha... | Catherine Russell delights tonight at Payomet | Tue 8/24/2021 ... | 84 KB |
| Tuesday, August 24 // 7:00pm | | | |
| Ryan Curley | Fyi Fwd: FW: Property Management of Community Housing Resource... | Tue 8/24/2021 ... | 49 KB |
| ----- Forwarded message ----- | | | |

|    | From | Subject | Received | Size |  |
|---|---|---|--------------------|-------------|---|
| | Michael DeV... | Re: senator Markey's event | Mon 8/23/2021... | 32 KB | |
| | | Sorry, I won't be able to attend. | | | |
| | MA Division ... | In-Season Adjustments to the 2021 Commercial Black Sea Bass Limits | Mon 8/23/2021... | 50 KB | |
| | | In-Season Adjustments to the 2021 Commercial Black Sea Bass Limits | | | |
| | Rebekah Eldr... | senator Markey's event | Mon 8/23/2021... | 33 KB | |
| | | I have only received two rsvp's for tomorrow afternoon's event. I need to send a list of attendees to Carole today. Can you let me | | | |
| | Joseph Aber... | Kane Letter of Recommendation | Mon 8/23/2021... | 14 KB | |
| | | I would like to request that my Edward Kane letter of recommendation to the MAC additionally include that Edward be appointed as | | | |
| | Joseph Aber... | Letter of Recommendation | Mon 8/23/2021... | 16 KB | |
| | | Memo I am writing to recommend the appointment of Edward Kane to the Marina Advisory Committee. Edward has been an | | | |
| |  | Ryan Curley Fwd: FW: Materials for August 24th visit | Mon 8/23/2021... | 3 MB | |
| | | ----- Forwarded message ----- | | | |
| | Rebekah Eldr... | meeting with department of revenue | Mon 8/23/2021... | 35 KB | |
| | | Good Morning, | | | |
| |  | Contact form... [Wellfleet MA] Agenda for Friday SB meeting (Sent by Denny O'Conn... | Mon 8/23/2021... | 17 KB | |
| | | Hello bos@wellfleet-ma.gov <mailto:bos@wellfleet-ma.gov> , | | | |
| | Diana Gisolfi | Bike path committee proposal: objections | Mon 8/23/2021... | 16 KB | |
| | | Dear Selectmen and women and committee members, I wish to reiterate my objections to the two proposals favored by the | | | |
| | Rebekah Eldr... | Re: Situation Report #7: Hurricane Henri Update | Sun 8/22/2021 ... | 147 KB | |
| | | ♡♡♡ | | | |
| | John Tansey | Re: Wellfleet Harbor Open to Shellfishing as of Sunrise Tomorrow Mo... | Sun 8/22/2021 ... | 20 KB | |
| |    | Thank you, John | | | |
| | Jordan Hallo... | Wellfleet Harbor Open to Shellfishing as of Sunrise Tomorrow Mornin... | Sun 8/22/2021 ... | 19 KB | |
| | | The Mass. Division of Marine Fisheries will open ALL SHELLFISHING in Wellfleet waters beginning at sunrise on Monday, August 23, | | | |
| | Suzanne Tho... | Re: Situation Report #7: Hurricane Henri Update | Sun 8/22/2021 ... | 70 KB | |
| | | Mike, Thank you for pulling us together. I am fortunate to work with a group of such dedicated and competent people. Suzanne | | | |
| |  | Michael Hurley FW: Situation Report #7: Hurricane Henri Update | Sun 8/22/2021 ... | 4 MB | |
| | | Good Afternoon, Attached is the last update from MEMA and the Emergency Management Team. The NWS has dropped all | | | |
| |  | Wright, Simo... Shellfish Notice for Massachusetts | Sun 8/22/2021 ... | 325 KB | |
| | | Good evening, Please see the attached notice reopening Massachusetts waters to shellfishing. Simone Wright Massachusetts | | | |
| | Nancy Civetta | Wellfleet Harbor Open to Shellfishing as of Sunrise Tomorrow Mornin... | Sun 8/22/2021 ... | 19 KB | |
| | | The Mass. Division of Marine Fisheries will open ALL SHELLFISHING in Wellfleet waters beginning at sunrise on Monday, August 23, | | | |
| | Three Weeks Ago | | | | |
| |  | Michael Hurley FW: Situational Awareness Statement #5: Hurricane Henri – Potential I... | Sat 8/21/2021 ... | 6 MB | |
| | | Good evening, Attached please find the latest information on Hurricane Henri from the Massachusetts Emergency Management | | | |
| | Benten Niggel | Re: Wellfleet Selectboard Meeting Rescheduled to Aug 27th @ 7pm. | Fri 8/20/2021 8... | 44 KB | |
| | | Thank you for the notice Mr. Curley. Benten Paddle Cape Cod MA Team Paddle Cape Cod MA | | | |
| |  | Contact form... [Wellfleet MA] refugees (Sent by Judith Blau, judith_blau@unc.edu) | Fri 8/20/2021 7... | 17 KB | |
| | | Hello bos@wellfleet-ma.gov <mailto:bos@wellfleet-ma.gov> , | | | |
| | Ryan Curley | Re: Wellfleet Selectboard Meeting Rescheduled to Aug 27th @ 7pm. | Fri 8/20/2021 5... | 16 KB | |
| | | FYI I blind copied everyone with an item on our agenda. Thx | | | |
| | Ryan Curley | Wellfleet Selectboard Meeting Rescheduled to Aug 27th @ 7pm. | Fri 8/20/2021 5... | 15 KB | |
| | | Good Evening all, I am letting you know that I am rescheduling the Wellfleet Selectboard meeting from Tuesday, August 24th to | | | |
| |  | Bruce Hurter OSC article | Fri 8/20/2021 4... | 2 MB | |
| | | Mr Sumner and SB Attached find Maps for the 2 properties the Open Space Committee is asking to have placed on a Town | | | |
| |  | Ryan Curley Rt 6 Main Street Wastewater Memo | Fri 8/20/2021 3... | 47 KB | |
| | | Hi all, I forgot to include this in the packet. Please review it thank you. <end> | | | |
| | Michael Hurley | Re: Hurricane Henri | Fri 8/20/2021 1... | 51 KB | |
| | | Great thanks Terri, hopefully later today or first thing tomorrow morning a decision by county to open up shelters will be made. If | | | |
| | John Tansey | Hurricane Henri Pre-emptive State Shellfishing Closure | Fri 8/20/2021 1... | 20 KB | |
| | | Thank you "ALL" for this update ! John | | | |
| | Jordan Hallo... | Hurricane Henri Pre-emptive State Shellfishing Closure | Fri 8/20/2021 1... | 20 KB | |
| | | The Mass. Division of Marine Fisheries is preemptively closing ALL SHELLFISHING in state waters from sunrise Sunday, August 22, | | | |
| | Terri Frazier | RE: Hurricane Henri | Fri 8/20/2021 1... | 49 KB | |
| | | Michael ~ the COA will make some phone calls today to check in on people, including the reassurance list that was provided to us a | | | |

| ! 📄 📧 📎 | From | Subject | Received | Size |
|--|------------------|---|--------------------|--------|
| 📎 | Wright, Simo... | Shellfish Notice for Massachusetts Waters | Fri 8/20/2021 1... | 327 KB |
| Good afternoon, Due to the impending hurricane, the Division of Marine Fisheries has placed a closure on the harvest of shellfish in | | | | |
| 📎 | Nancy Civetta | Hurricane Henri Pre-emptive State Shellfishing Closure | Fri 8/20/2021 1... | 20 KB |
| The Mass. Division of Marine Fisheries is preemptively closing ALL SHELLFISHING in state waters from sunrise Sunday, August 22, | | | | |
| 📎 | Christine Bates | Approved ZBA mtg mins | Fri 8/20/2021 1... | 318 KB |
| Fyi and files Christine Bates Committee Secretary for ZBA and Conservation Commission | | | | |
| 📎 | Michael Hurley | Hurricane Henri | Fri 8/20/2021 7... | 41 KB |
| Good morning all, As we all awake today, there is a Hurricane Watch issued for Cape Cod and the Islands. The 5am Hurricane | | | | |
| 📎 | Rebekah Eldr... | agenda and packet | Thu 8/19/2021 ... | 7 MB |
| Hi there, Hope you are all dry and safe. I have attached your agenda with packet. I have hard copies in your mailboxes here at | | | | |
| 📎 | Wellfleet Cha... | Celebrate Stevie Wonder & Marvin Gaye TONIGHT at Payomet! | Thu 8/19/2021 ... | 85 KB |
| Thursday, August 19 // 7:00pm | | | | |



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: September 14, 2021

XIV

MINUTES

| | |
|-------------------------|--|
| REQUESTED BY: | Executive Assistant |
| DESIRED ACTION: | Approval of Minutes for August 10, 2021 |
| PROPOSED MOTION: | I move to approve the Minutes from Open Session, on August 10, 2021, as printed in Draft form |
| ACTION TAKEN: | Moved By: _____ Seconded By: _____ Condition(s): |
| VOTED: | Yea _____ Nay _____ Abstain _____ |

**Wellfleet Selectboard
Tuesday August 10, 2021; 7PM
Meeting Minutes**

Members Present: Ryan Curley, Chair; Michael DeVasto, Vice chair; Janet Reinhart, Helen Miranda Wilson, John Wolf

Others Present: Charlie Sumner, Town Administrator; Mary McIsaac, Interim Town Accountant; Lisa Souve, Interim Town Accountant; Hillary Greenberg-Lemos; Health Agent; Karen Plantier, Secretary; Irene Goldman, Resident; Barry Mclaughlin, Chequessett Neck Yacht & Country club manager; Alice Gong, Willie's SuperBrew; Paul Frisco, adult bootcamp instructor; Suzanne Grout-Thomas; George Harris, Resident applying for committees; Susan Baker, applicant for Historical Commission; Merrill Mead Fox, Historical Commission; Peter Cook, Bike and Walkways Committee; Irene Goldman, Resident; Diana Gisolottie; resident ; Brian Carlstrom, Cape Cod National Seashore; Michelle; resident; Chief Rich Pauley, Fire Chief; Dan Silverman, Town Moderator; Chief Michael Hurley, Police Chief

Chair Curley called the meeting to order at 7:00pm

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.

Wilson stated the Selectboard would have a public hearing on the 16th of August at 7pm to discuss the HDYTA property.

Wolf announced that he would be sitting in on a Marina Advisory Committee meeting on the following night.

Wilson also stated she and Wolf would be at a different meeting that is not affiliated with the town.

Chair Curley stated on the 24th of August, the Route 6/Main Street project will be on the agenda and the company Stantec will be the meeting.

II. *COVID-19 Updates and Recommendations*

Lemos updated the Board that there are currently 10 active case counts for Covid. She explained that there has been a request a to all local businesses to require masks. She explained that the Board of Health would be meeting the following night to discuss a mask mandate for the town of Wellfleet. Lemos presented the board the mask mandate letter. She informed the Board that there will be a formal vote Wednesday evening and encouraged the public to attend. Lemos stated that she and the Board of Health would like to follow the neighboring towns. Wilson asked if there should be a motion made by the Selectboard. The Board discussed following the neighboring towns. Chair Curley stated he would like to see an end date for the mandate.

Wilson moved; Reinhart seconded; and it was voted to support the Board of Health's July 5, 2021; draft mask mandate proposal.

Roll Call Vote: 5-0-1 (DeVasto abstained)

III. *Financial Management Workplan*

A. Chair Curley introduced Sumner, McIsaac, and Souve to present the financial workplan at this point. Sumner began stating that Souve and McIsaac have been going back the last two-years. He stated that the Department of Revenue was at town hall conducting interviews with the finance team and the administration to go over information and financial documents. He explained DOR will come back and meet with the Selectboard individually and a few members of the finance committee. Then DOR will come back and present their findings to the Selectboard at a later date. The goal is for the finance team to present their findings at every other Selectboard meeting with updates.

McIsaac began with her report, she stated this was the first of many memos that will be presented to the Board. She explained they are currently working on. She stated they are working diligently to come up with a work plan. She stated they have done a lot of major funds and will move into a debt profile.

She continued to go over the team's review.

She discussed that all vendors were contacted so all W-9 tax forms will go out at the end of the year. She discussed the OPEB funds and interfund transfers. She explained that they refer to funding for different sources and gave examples of how those funds get used. She continued talking about the fiscal year 2021 and 2022 budgets. There have been new accounts set up by Souve so moving forward each department has the appropriate account number and at the end of each month each department will be given a statement regarding their accounts and balances. She continued giving the finance update, finishing that she has developed a debt amortization schedule that is used in communities that breaks down the debt services for the town, developing a capital improvement schedule and she listed a few other benefits of having this amortization schedule.

Chair Curley called on Souve to add anything, she stated that McIsaac has summed up the finance accounts quite well. She stated they are working on the enterprise funds and gave some examples.

Chair Curley asked the Board to avoid crossing certain lines and to wait for town counsels' response. Sumner explained that the accountants are working on keeping track of budgets as this has been an issue in previous years. He continued giving updates to the Board and how they will proceed moving forward. The Board asked questions regarding training to use the current system Vadar, if not could there be. Souve explained that Vadar is an easy system to use and explained that it is all how you set up the system, continuing that the system is used friendly. Sumner explained that there is a help desk for Vadar and they are always willing to help. Sumner stated they are hoping to establish practices and protocols so that when new employees come in it will be easy to transfer the knowledge.

IV. Licenses

A. Chequessett Yacht & Country Club ~ Weekday Entertainment ~ Thursday's 5-7pm

Chair Curley questioned Mclaughlin why he was only applying for Thursday's and not other days of the weeks. He explained that he will for the next summer season, but the season is almost over, stating that their last performance is August 26, 2021.

Chair Curley Moved; Board Member Wolf Seconded; and it was voted to approve the weekday entertainment license to the Chequessett Yacht & Country Club for Thursday evenings from 5pm to 7pm through September 4, 2021.

Roll Call Vote: 5-0

V. Use of Town Property

A. Willie's Superbrew ~ Alice Gong ~ Various Beaches to cleanup ~ September 18, 2021, 1-3pm

Chair Curley explained that this is for beach cleanup, and it is done across the commonwealth. Gong explained that it was created last spring to get people out safely during the Covid pandemic. She gave some more background information, stating that there are a lot if Massachusetts beaches that are involved including the National Seashore. Center for social studies will be collecting data. She questioned the parking abilities and Chair Curley stated there shouldn't be an issue.

Reinhart stated that the DPW put a note in the packet asking them to bring the trash from the clean up to the transfer station.

Board Member Wilson moved; Chair Curley Seconded; and it was voted to allow Willie's Superbrew to conduct a beach clean up on September 18, 2021 from 1-5pm at various Wellfleet beaches including those listed in the application submitted by Alice Gong with no fee charged and as conditioned by the departments.

Roll Call Vote: 5-0

B. Porchfest ~ Andrew Staker ~ Various Streets and the Pavilion ~ August 28, 2021, ~ 1-5pm

Andrew Staker was not on the meeting, Reinhart suggested that they don't charge the \$110 fee as the Porchfest does not charge fees to perform. Wilson stated that there was a request from Suzanne Thomas that this should take place on Commercial Street

Jeanne Maclauchlan informed the Board that Andrew didn't get enough participation, so he pulled this request.

No Action Was taken

- C. Paul Frisco ~ Basketball Courts ~ Friday & Saturday through September ~ 8-8:45am

Frisco stated this is an adult bootcamp and would go through September 25, 2021. The Board didn't have any questions for Frisco.

Board Member Wolf Moved; Board Member Wilson Seconded; and it was voted to approve the request by Parl Frisco to use the basketball courts on Friday and Saturday Mornings through September 25, 2021, for a fee of \$200.00.

Roll Call Vote: 5-0

- D. Farm Project ~ Susie Nielsen~ Town Pier, August 12, 2021, ~ 7-9pm;
Basketball Court ~ August 14, 2021, 7-9:30pm

Chair Curley explained that Nielsen is requesting to project imagery onto the basketball court. Nielsen wasn't on the meeting, but the Board agreed they had no issues approving this request.

Board Member Reinhart Moved; Chair Curley Seconded; and it was voted to approve the use of the town pier on August 12, 2021 and the use of the basketball court on August 14, 2021 from 7pm-9:30pm to Susie Nielsen for the fee of \$50.

Roll Cal Vote: 5-0

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

- A. Discuss and Approve fall tax insert ~ Taxation Aid Committee ~ Dawn Rickman

Chair Curley explained that Rickman couldn't be on the meeting due to another commitment.

Chair Curley Moved; Board Member Reinhart Seconded; and it was voted to approve the fall tax insert from the Taxation Aid Committee.

Roll Call Vote: 5-0

- B. George Harris ~ Commission of Disabilities (3-year term); Council on Aging (3-year term)

Chair Curley asked Harris if he was interested in both Boards? Harris explained he was on a Council on Aging in another town years prior and has experience there. He also explained that he read the commission of Disabilities and felt he could be helpful there too.

Reinhart stated the Thomas was on the meeting and that his application was impeccable and asked Thomas to weigh in. Thomas spoke to the board and stated the Commission on Disabilities are in great need to of members, so they are able to meet again. There was discussion on the number of members on the board and are there to many members? Wilson stated that the Board should wait on the Council on Aging.

Board Member Moved; Board Member Seconded; and it was voted to approve George Harris to the Commission on Disabilities for a term of three years ending June 30, 2024.

Roll Call Vote: 5-0

Council on Aging Board the Board took no action.

C. Susan Baker ~ Historical Commission (3-year term)

Baker was on the call and stated that she works in Salem working with preservation issues, and stated she is working with Salem on historic issues and stated she is very committed and wants to get more involved in Wellfleet.

Chair Curley Moved; Board Member Wilson Seconded; and it was voted to appoint Susan Baker to the Historical Commission for a term of two-years to end June 30, 2023.

Roll Call Vote: 5-0

D. Bike & Walkways Presentation ~ Peter Cook

Cook began the presentation explaining how the committee worked on this report and presented a slide show which was shared on the screen. He explained to the public that the committee was given a charge by the Board to come up with some alternatives for the bike path. He went over each slide in detail.

The Board had questions for Cook regarding the routes and where the path would go. They discussed the option for the bike path further. Land exchange was discussed. Chair Curley spoke called on the public for comments. Goldman spoke to the Board regarding the power lines and stated that the property is 100% owned. She asked the Board to select another route for the bike path so that it doesn't run through private property. Gisoltie spoke to the Board also stating her private property was along the power lines and doesn't want the path on her property. Many residents that have property that abuts the power lines and spoke against both options that were presented at the meeting. Chief Pauley spoke to the bike path and gave his opinion.

VII. Business

A. Discuss and Vote to submit the Home Rule petitions approved at the June 26, 2021, Annual Town Meeting to state legislators"

Chair Curley stated he submitted an amended letter for each home rule petition and would like to go over them. Sumner stated that the process needs to start with these and approve them and he will work on the language and grammar with Ryan.

Board Member DeVasto Moved; Board Member Wilson Seconded; and it was voted to send the four home rule petitions approved at town meeting as drafted by Ryan Curley to be amended for grammar errors before sending.

Roll Call Vote: 5-0

B. Discussion of Fall Town Meeting ~ Chair Ryan Curley

Chair Curley spoke to the Board about the memo he sent regarding town meeting. He stated the Sumner, and the two accountants needed more time so Chair Curley is asking to have the meeting on December 4, 2021 and explained it cant be later than December 15, 2021.

DeVasto questioned the venue for the special town meeting and if a reduced quorum was still possible. Chair Curley stated that yes, this was the reason town

meeting needed to be done before December 15, 2021. Silverman noted that a decent space for the meeting might be the Nauset High School. Which he feels would be bigger, the elementary school gym. They discussed the special town meeting and the logistics of it.

Chair Curley Moved; Board Member Wilson Seconded; and it was voted to send the drafted memo with modifications to the date. The likely date is December 4, 2021, with the warrant to close October 30, 2021, and that all articles should be submitted to the Board by October 8, 2021.

Roll Call Vote: 5-0

C. Remote Participation Policy ~ review ~ Chair Curley

Chair Curley explained to the Board that the wrong policy was sent out to boards and committees, and he questioned the board if they should send the policy back out to committees to be able to get remarks back from the boards.

Board Member DeVasto Moved; Board Member Wilson Seconded; and it was voted to send out the remote participation policy to boards, committees and department heads to be returned by August 30, 2021

Roll Call Vote: 5-0

D. Discussion on Town Administrator Search ~ discussion on the process and when to begin

Sumner began stating that this is an important discussion to have and an important discussion. He questioned how the Board would like to move forward, asking if they want to hire a firm, what would the timeline be? The board discussed hiring consultant verses not hiring a consultant. The discussion continued, how they would move forward with this search. Sumner explained to the board that he has been involved with different towns regarding a search. Chief Pauley stated that he feels this search should be kept in town and not require the assistance of an outside firm. He felt some department heads and some residents would be much more beneficial to the town and the departments. Chief Hurley agreed with Chief Pauley.

VIII. *Selectboard Reports*

Wilson stated she was delegated by the Board for a follow up and outreach regarding the round table. She stated she copied the Board on the return email she received. She continued to state she is still hearing back from different members that were involved in the round table.

IX. *Town Administrator's Report*

A. Please see Selectboard Packet for full report
Sumner went through his written report.

X. *Topics for Future Discussion*

Reinhart stated the Board needed to discuss fees for the use of town property in the near future. She also stated there should be an executive session to continue past executive discussions.

Wilson would like to see the round table meeting minutes. She also stated that there needs to be a green burial option.

Wolf updated the Board that he spoke with mosquito control and gave an update on the spraying for mosquitos, the were not allowed to cut into the vegetation area to spray where needed. He asked that he be able to bring both the mosquito person and the National Seashore to an upcoming meeting to hopefully come up with a plan to be able to spray in the necessary areas.

XI. *Correspondence and Vacancy Reports*

Wilson asked for a copy of the Stantec Report. Chair Curley stated that materials will be provided for the August 24th meeting.

Wolf stated that he would be willing to reach out to the seashore and mosquito control.

XII. *Minutes*

DeVasto stated he and Wilson made some amendments and he sent it to the Board.

A. June 22, 2021

Chair Curley Moved; Board Member Wilson Seconded; and it was voted to approve the minutes as printed in the packet.

Roll Call Vote: 5-0

B. July 13, 2021

Chair Curley Moved; Board Member DeVasto Seconded; and it was voted to approve the minutes as printed in the packet

Roll Call Vote: 5-0

C. July 27, 2021

Board Member Wilson Moved; Board Member DeVasto Seconded; and it was voted to approve the minutes as amended

Roll Call Vote: 5-0

Chair Curley Moved; Board Member Reinhart Seconded; and it was voted to adjourn open session and not to reenter public session and to move into executive session.

Roll Call Vote: 5-0

Meeting Adjourned 10:34pm

XIII. *Adjournment Open Session to go into Executive Session and not to return to open session.*

A. M.GL. c.30A, Sec. 21-Effective July 1, 2010

- To consider the purchase, exchange, lease or value of real estate, if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body.

XIV. *Adjournment of Executive Session*

*****Public Records: *****

Board of Health Draft Mask Mandate ~ July 5, 2021

Management Plan update letter

License applications

Use of town property applications

Tax Insert from the taxation aid committee

Application from George Harris to be on Commission on Disabilities and Council on Aging Board

Application from Susan Baker to be on Historical Commission

Bike and Walkways presentation

Paperwork for Town Administrators Search

Town Administrator's Report

Assistant town Administrators Report

Correspondence

Meeting Minutes

June 22, 2021

July 13, 2021

July 27, 2021



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: September 14, 2021

XV

ADJOURNMENT

| | |
|-------------------------|---|
| REQUESTED BY: | Selectboard Chair Ryan Curley |
| DESIRED ACTION: | To Adjourn |
| PROPOSED MOTION: | I move to Adjourn |
| ACTION TAKEN: | Moved By: _____ Seconded By: _____ Condition(s): |
| VOTED: | Yea _____ Nay _____ Abstain _____ |