



Wellfleet Selectboard

Note: Start Time of 6pm

The Wellfleet Selectboard will hold a public meeting on **Tuesday, January 9, 2024, at 6 p.m.** located at the Wellfleet Adult Community Center (ACC), 715 Old King's Highway, Wellfleet, MA 02667. Remote participation will be available by Zoom and telephone as provided below, in compliance with 940 CMR 29.10 and the Town's Remote Participation Policy. If technological problems interrupt remote participation, the meeting may be suspended or ended at the discretion of the Chair in consultation with the Board.

Selectboard meetings are broadcast live on Comcast cable (Wellfleet Government TV Channel 18) and are recorded. Recordings of meetings are available at wellfleet-ma.gov

Note: Any individual may record the meeting, but must first notify the Chair, and may not interfere with the meeting to record it. See M.G.L. c. 30A, s. 20(f).

Join the meeting hosted in Zoom by using the following link:

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

By Phone: +1 929 205 6099 and enter Meeting ID: 856 8960 4806 | Passcode: 611877

To participate during public comment:

In person: go to closest available microphone.

Zoom: raise hand to be called on to speak.

Phone: dial *9 to raise hand to be called on

All participants must be recognized by the Chair prior to speaking during public comment or at any other time during the meeting. See "Speech and Conduct at Public Meetings" page following Agenda for further information on the law governing public participation.

I. *Announcements and Public Comments*

Note: Individuals may speak once during public comment, for up to three minutes The Board will not deliberate or vote on any matter raised solely during Announcements & Public Comments.

II. *Consent Agenda*

- A.** Christine Shreves ~ Friends of Wellfleet Library ~ Town Hall Front Lawn & Driveway between Town Hall and Abiyoyo ~ July 14, 2024, 6am-3pm with a rain date of July 21, 2024, for the annual book sale fundraiser.
- B.** Re-Appoint the election officers for 2024:
 - Peter Cook -Warden
 - Roberta Ward-Deputy Warden
 - Martha Dilts-Clerk

III. *Public Hearings*

A. Eversource ~ requests permission to locate underground cables, conduits, manholes, including the necessary sustaining and protecting fixtures, in, under, along and across the following public way or ways:

- **Pine Point Road: To install one (1) handhole 24/H6B and 22' +/- of 4" conduit under Pine Point Road**

IV. *Licenses*

A. Common Victualler

- Blackfish Variety
- The Block and Tackle
- The Bookstore and Restaurant
- C-Shore
- Cumberland Farms
- Dent Donuts (Dunkin)
- Hatch's Fish Market
- Macs on The Pier
- Mac's Seafood Market
- Mac's Shack
- PJ's Family Restaurant
- The Lobster and Chowder House
- The Pearl
- Winslow's Tavern
- Wellfleet Marketplace

B. Weekday Entertainment

- Bookstore and Restaurant
- C-Shore
- The Block and Tackle
- The Lobster & Chowder House
- The Pearl Restaurant

V. *Use of Town Property*

A. WOMR/John Braden & Kathleen Walker ~ Wellfleet Spirit Triathlon ~ various locations throughout Wellfleet ~ June 15, 2024, 5am-11am.

B. New England Endurance ~ Swim Run Cape Cod ~ various locations throughout Wellfleet ~ September 21, 2024, 5am -12pm.

C. Mairead Murphy & Amro Ardida; To use the Wellfleet Memorial Garden from 2-5pm for a wedding ceremony,

VI. *Board/Committee Appointments and Updates*

A. Letter on appointment of Tom Cole to Lower Cape TV as a Wellfleet Representative

VII. *Business*

A. Discussion and possible appointment of Interim Town Administrator

VIII. *Selectboard Reports*

IX. *Town Administrator's Report*

- X. *Topics for Future Discussion***
- XI. *Minutes***
 - A. November 21, 2023**
 - B. December 19, 2023**
- XII. *Adjournment***

Speech and Conduct at Public Meetings

The SJC's Barron v. Kolenda case decided in March of 2023 held that "civility cannot be required regarding the **content of speech** at a public comment session in a public meeting."

Barron v. Kolenda **also held** that public bodies may impose restraints on the **conduct of individuals** at a public meeting:

"What can be required is that the public comment session be conducted in an "orderly and peaceable" manner, including designating when public comment shall be allowed in the governmental meeting, the time limits for each person speaking, and rules preventing speakers from disrupting others, and removing those speakers if they do. We have concluded that such time, place, and manner restrictions do not violate either the right to assembly under art. 19 or the right to free speech under art. 16.

In addition to the SJC's instructions in Barron v. Kolenda on a public body's right to require "orderly and peaceable" public comment, the Massachusetts Open Meeting Law contains rules for **conduct** at public meetings. From Mass. General Laws Chapter 30A, s. 20:

- No person shall address a meeting of a public body without permission of the chair, and all persons shall, at the request of the chair, be silent.
- No person shall disrupt the proceedings of a meeting of a public body.
- If, after clear warning from the chair, a person continues to disrupt the proceedings, the chair may order the person to withdraw from the meeting
- If the person does not withdraw, the chair may authorize a constable or other officer to remove the person from the meeting.

Public comment at Selectboard meetings

The Selectboard does not seek to, and will not regulate the **content** of speech by participants at public comment (with the exception of threats, incitements to violence, or other jeopardy to public safety). However, consistent with the Barron v. Kolenda case, the Chair will enforce the above rules to prevent disruption of meetings and to ensure "orderly and peaceable" public comment. Examples of conduct that disrupts a meeting include:

- Addressing the Board or the public when not recognized by the Chair, whether at the microphone or in the audience.
- Interrupting a speaker recognized by the Chair.
- Interrupting a Board member or Board discussion.
- Continuing to speak when time for comment has expired and the Chair has advised that the speaker is no longer recognized.
- Refusing to cease any of the above or other disruptive conduct when requested by the Chair

The Chair will flag disruptive conduct and issue a verbal warning to the individual engaged in it. If an individual who has received a verbal warning continues to disrupt proceedings (at that time or later in the meeting), the individual will be asked to leave the meeting. If the individual does not leave the meeting, the Chair will authorize his or her removal from the meeting.



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: January 9, 2024

I

ANNOUNCEMENTS AND PUBLIC COMMENTS

REQUESTED BY:	Wellfleet Selectboard
DESIRED ACTION:	Announcements to the board and public
PROPOSED MOTION: SUMMARY:	<i>NOTE: Public comments are limited to no more than three minutes per speaker and be allowed to speak once during open comments.</i> 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: January 9, 2024

II

CONSENT AGENDA

REQUESTED BY:	Various Parties
DESIRED ACTION:	To approve the following without objection
SUMMARY:	I move to approve the following items with no objection: <ul style="list-style-type: none">• Approve the use of town property to Friends of Wellfleet Library, for the use of the town hall driveway between town hall and Abiyoyo on July 14, 2024, from 6am-3pm with a rain date of July 21, 2024, for their annual book sale.• To re-appoint the election officers for 2024: Peter Cook ~ Warden Roberta Ward ~ Deputy Warden Martha Dilts ~ Clerk
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Conditions:
VOTED:	Yes _____ No _____ Abstain _____

APPLICATION FOR PERMIT TO USE TOWN OWNED PROPERTY

TOWN OF WELLFLEET
300 MAIN STREET
WELLFLEET, MA 02667

Applicant Christine Shreves Affiliation or Group Friends of the Wellfleet Library

Telephone Number 703-855-6128 Mailing address 80 Knowles Dyer Rd, Wellfleet

Email address wellfleetlibraryfriends@gmail.com

Town Property to be used (include specific area)

Town Hall front lawn and driveway between Town Hall and Abiyoyo

Date(s) and hours of use:

Sunday July 14, 2024 6 am to 3 pm including setup and take down, rain date Sunday July 21, 2024.

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.

Friends of the Wellfleet Library Book Sale: a fundraising event to benefit the Wellfleet Library.

About 50 volunteers participate at Town Hall and the Transfer Station. Portable tables will be set up along both sides of the driveway. Pick-up trucks deliver boxes of donated books from 7:00 am to 8:00 am. Sale takes place between 9 am and 1 pm. Pick-up trucks return to load unsold books around 1 pm.

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

Volunteers will need access to the Book Shed at the Transfer Station at 6:30 am to load books into our trucks, as in the past. Volunteers will return unsold books to the Transfer Station Book Shed at around 1:30 pm.

Any signs will be removed at the end of the sale. The Friends will borrow several traffic cones from the WPD to keep cars away from the Town Hall driveway.

NOTE TO APPLICANTS: All applications must be accompanied by a non-refundable \$50.00 processing fee.

Applications must be received at least 30 days prior to the first event date to ensure that all reviews can be completed prior to the event. This application is only for permission to use Town property. Any additional licenses, such as food service permit, etc., may be required and it is the applicant's responsibility to secure the same.

Action by the Board of Selectmen:

Approved as submitted

Approved with the following condition(s):

Disapproved for following reason(s):

Date:

Processing Fee: \$50.00

Fee:

(over)

APPLICANT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND INSPECTIONS

Health/Conservation Agent: N/A Comments/Conditions: Permits/Inspections needed:	Inspector of Buildings: N/A Comments/Conditions: Permits/Inspections needed:
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Police Department: OK ~ Chief LaRocco Comments/Conditions:	Fire Department: OK ~ Chief Pauley Comments/Conditions:
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<i>ok - Jay Norton</i> Comments/Conditions	Community Services Director: Comments/Conditions:
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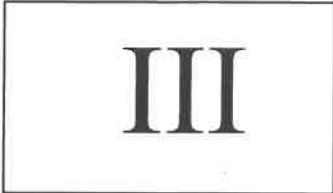
Harbormaster: N/A Comments/Conditions	Shellfish: N/A Comments/Conditions
--	---

Recreation: N/A Comments/Conditions	Town Administrator: Comments/Conditions
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SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: January 9, 2024



PUBLIC HEARINGS

~ A ~

REQUESTED BY:	Eversource ~ Marissa Jackson
DESIRED ACTION:	To grant permission to locate underground cables, conduits, manholes, including the necessary sustaining and protecting fixtures, in, under, along, and across Pine Point Road.
PROPOSED MOTION:	I move to approve Eversource to install one handhole 24/H6B and 22' +/- of 4" conduit under Pine Point Road.
SUMMARY:	
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition (s):
VOTED:	

TOWN OF WELLFLEET
PUBLIC HEARING

Notice is hereby given that a public hearing will be held on Tuesday, January 9, 2024, at 6:00 p.m. both virtually and at the Wellfleet Community Center (715 Old King's Highway) to consider the following:

requests permission to locate underground cables, conduits, manholes, including the necessary sustaining and protecting fixtures, in, under, along and across the following public way or ways:

Pine Point Road

To install one (1) handhole 24/H6B and 22' +/- of 4" conduit under Pine Point Road

Join Zoom Meeting

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

Meeting ID: 856 8960 4806

Passcode: 611877

Dial by your location

+1 929 205 6099 US (New York)

WELLFLEET SELECTBOARD

**PETITION FOR
UNDERGROUND CABLE AND CONDUIT LOCATIONS**

Wellfleet, Massachusetts, **December 4, 2023**

TO THE SELECT BOARD FOR THE TOWN OF WELLFLEET, MASSACHUSETTS

NSTAR ELECTRIC COMPANY (d/b/a Eversource Energy)

W/O# 14883426

requests permission to locate underground cables, conduits, manholes, including the necessary sustaining and protecting fixtures, in, under, along and across the following public way or ways:

Pine Point Road

**To install one (1) handhole 24/H6B
and 22' +/- of 4" conduit under Pine
Point Road**

Wherefore it prays that after due notice and hearing as provided by law, it be granted a location for and permission to install and maintain underground cables, conduits, and manholes, together with such sustaining and protecting fixtures as it may find necessary, said underground cables, conduits, and manholes to be installed substantially in accordance with the plan filed herewith marked **Plan No. 14883426 dated November 21, 2023.**

NSTAR ELECTRIC COMPANY (d/b/a Eversource Energy)

By *Marissa Jackson*
Marissa Jackson, Right of Way Agent

FORM OF ORDER FOR UNDERGROUND CABLE AND CONDUIT LOCATIONS

IN SELECT BOARD FOR THE TOWN OF WELLFLEET, MASSACHUSETTS

Notice having been given and a public hearing held, as provided by law,
IT IS HEREBY ORDERED THAT THE:

NSTAR ELECTRIC COMPANY (d/b/a Eversource Energy)

W/O# 14883426

be and they are hereby granted a location for and permission to install and maintain underground cables, Conduits and manholes, together with such sustaining or protecting fixtures as said company may deem necessary, in, under, along and across the public way or ways hereinafter referred to, as requested in petition of said company.

All construction under this order shall be in accordance with the following conditions:
Cables, conduits, and manholes shall be installed substantially at the point indicated upon the plan marked -- **Plan No. 14883426 dated November 21, 2023.** The following are the public ways or parts of ways under, along and across which the cables above referred to may be installed under this order.

Pine Point Road

To install one (1) handhole 24/H6B and 22' +/- of 4" conduit under Pine Point Road

I hereby certify that the foregoing order was adopted at a meeting of the Select Board of the Town of Wellfleet, Massachusetts held on the _____ day of _____ 2023.

Select Board Clerk

Massachusetts

2023.

Received and entered in the records of location orders of the Town of _____
Book _____ Page _____.

Attest:

Town Clerk

We he **EVERSOURCE** _____ 2023, at _____ o'clock, _____ M ,
ENERGY

at _____ a public hearing was held on the petition of the
NSTAR ELECTRIC COMPANY (d/b/a Eversource Energy)

for permission to install and maintain the underground cables, conduits, manholes and fixtures described in the order herewith recorded, and that we mailed at least seven days before said hearing a written notice of the time and place of said hearing to each of the owners of real estate (as determined by the last preceding assessment for taxation) along the ways or parts of ways upon which the Company is permitted to install underground cables, conduits, manholes and fixtures under said order. And that thereupon said order was duly adopted.

Select Board of the Town of Wellfleet,
Massachusetts

CERTIFICATE

I hereby certify that the foregoing is a true copy of a location order and certificate of hearing with notice adopted by the Select Board of the Town of Wellfleet, Massachusetts, on the _____ day of _____ 2023, and recorded with the records of location orders of said Town, Book _____, Page _____.

This certified copy is made under the provisions of Chapter 166 of General Laws and any additions thereto or amendments thereof.

Attest:

Town Clerk

484 Willow Street, West Yarmouth, Massachusetts 02673

December 4, 2023

Chairman
Select Board
Town of Wellfleet
300 Main Street
Wellfleet, MA 02667

Dear Sir,

Enclosed you will find one (1) Petition covering the installation of one (1) handhole 24/H6B and 22' +/- of 4" conduit under Pine Point Road.

The purpose of this construction is to accommodate new underground service to be provided to 125 Pine Point Road, Wellfleet.

The notice to abutters and hearing will be required.

Favorable action on the part of the Select Board will be greatly appreciated.

Very truly yours,

Marissa Jackson
Right of Way Agent
Marissa.Jackson@Eversource.com
508-790-9001

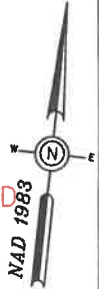
enc.

Plan to accompany petition of EVERSOURCE ENERGY to install Handhole 24/H6B & 22'± of 4" conduit from proposed handhole across the Right Of Way of Pine Point Road.

21-58-0
150 PINE POINT ROAD
N/F
AARONSON, ROBERT P
GROPPER, NANCY

21-59-0
31 ALVES ROAD
N/F
LUBIN, DAVID A TRUSTEE
KATZ, ALLEN G TRUSTEE

21-60-0
120 PINE POINT ROAD
N/F
SIEMER, DONNA J



PROPOSED HANDHOLE
24/H6B

APPROX. 177'± TO
ALVES RD.

24/6
JO-VZ

PROPOSED 4"
CONDUIT
TL=22'±

PINE-POINT RD

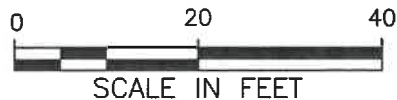
APPROX. PT.
OF PICKUP

21-54-0
135 PINE POINT ROAD
N/F
FARNSWORTH, CHARLOTTE P

21-54-1
125 PINE POINT ROAD
N/F
FARNSWORTH, CHARLOTTE P
C/O MAJOR, FLORA TRUSTEE

LEGEND

- ⊕ Proposed Handhole
- ⊕ Existing Handhole
- Proposed Conduit
- Existing Pole
- Pole with Riser



BY YOUR USE OF THE INFORMATION CONTAINED IN THIS MAP, YOU AGREE THAT NO WARRANTY OF ANY KIND, EXPRESS OR IMPLIED, IS GIVEN WITH RESPECT TO THE INFORMATION. NEITHER NSTAR ELECTRIC COMPANY, NSTAR GAS COMPANY NOR ITS PARENTS, AFFILIATES, OFFICERS, DIRECTORS, SHAREHOLDERS, EMPLOYEES OR AGENTS (COLLECTIVELY THE "NSTAR ENTITIES") SHALL BE LIABLE FOR ANY LOSS OR INJURY CAUSED IN WHOLE OR IN PART BY USE OF THIS INFORMATION OR IN RELIANCE UPON IT. TO THE MAXIMUM EXTENT ALLOWED BY LAW, YOU AGREE BY YOUR ACCEPTANCE OF THE INFORMATION TO RELEASE, INDEMNIFY AND HOLD THE NSTAR ENTITIES HARMLESS FROM ANY SUCH LOSS OR INJURY.

THE INFORMATION MAY NOT REPRESENT A SURVEY, MAY NOT BE THE MOST COMPLETE AND IS SUBJECT TO CHANGE WITHOUT NOTICE. NO LIABILITY IS ASSUMED FOR THE ACCURACY OF THE INFORMATION, EITHER EXPRESSED OR IMPLIED. UNAUTHORIZED ATTEMPTS TO MODIFY THE INFORMATION OR USE THE INFORMATION FOR OTHER THAN ITS INTENDED PURPOSES ARE PROHIBITED.

MASS. LAW

REQUIRES 72 HOURS ADVANCE NOTICE TO UTILITY COMPANIES BEFORE DIGGING BY ANYONE. CALL DIG-SAFE 1-888-344-7233

Plan #	14883426
Ward #	
Work Order #	14883426
Surveyed by:	N/A
Research by:	JC
Plotted by:	Sj
Proposed Structures:	SJ
Approved:	T THIBAUT
P#	

NSTAR EVERSOURCE
ELECTRIC
d/b/a

1165 MASSACHUSETTS AVE. DORCHESTER, MASS. 02125

Plan of	PINE POINT ROAD
	WELLFLEET
Showing	PROPOSED HANDHOLE AND CONDUIT LOCATIONS
Scale	1"=20'
Date	NOVEMBER 21, 2023
SHEET	1 of 1

WO# 14883426
PINE POINT RD
WELLFLEET, MA

21-59-0
31 ALVES ROAD
N/F
LUBIN, DAVID A TRUSTEE
KATZ, ALLEN G TRUSTEE
150 SOMERSET ST.
BELMONT, MA. 02478

21-60-0
120 PINE POINT ROAD
N/F
SIEMER, DONNA J
120 PINE POINT RD.
WELLFLEET, MA. 02667

21-54-1
125 PINE POINT ROAD
N/F
FARNSWORTH, CHARLOTTE P
C/O MAJOR, FLORA TRUSTEE
35 WATERGATE DR. SUITE 903
SARASOTA, FL. 34236-3502

21-54-0
135 PINE POINT ROAD
N/F
FARNSWORTH, CHARLOTTE P
154 NOURSE RD.
BOLTON, MA. 01740

21-58-0
150 PINE POINT ROAD
N/F
AARONSON, ROBERT P
GROPPER, NANCY
312 WEST 103RD ST. APT#1B
NEW YORK, NY. 10025



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: January 9, 2024

IV

LICENSE RENEWALS

~ A ~

REQUESTED BY:	Executive Assistant
DESIRED ACTION:	To approve the 2024 Common Victualler License renewals
PROPOSED MOTION: SUMMARY:	I move to renew Common Victualler licenses for the following businesses: <ul style="list-style-type: none">• Blackfish Variety• The Block and Tackle• The Bookstore and Restaurant• CShore• Cumberland Farms• Dent Donuts (Dunkin)• Hatch's Fish Market• Macs on the Pier• Mac's Shack• Mac's Seafood Market• PJ's Family Restaurant• The Lobster and Chowder House• The Pearl Restaurant• Winslow's Tavern• Wellfleet Marketplace
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: January 9, 2024

IV

LICENSE RENEWALS

~ B ~

REQUESTED BY:	Executive Assistant
DESIRED ACTION:	To approve the 2024 Weekly Entertainment License Renewals
PROPOSED MOTION: SUMMARY:	<ul style="list-style-type: none">• I move to renew Weekly Entertainment licenses for the following businesses:• Bookstore and Restaurant• The Block and Tackle• CShore• The Lobster and Chowder House• The Pearl Restaurant
Project	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: January 9, 2024

V

USE OF TOWN PROERTY

~ A ~

REQUESTED BY:	WOMR/NE Endurance; John Braden & Kathleen Walker ~ Wellfleet Spirit Triathlon
DESIRED ACTION:	To approve use of various locations and The Wellfleet Elementary school parking lot for parking on June 15, 2024, from 5am – 11am.
PROPOSED MOTION: Summary:	I move to approve the use of various locations and The Wellfleet Elementary Parking lot on June 15, 2024, from 5am to 11am to WOMR/NE Endurance; for a fee of \$800.00.
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: WOMR/John Braden & Kathleen Walker Affiliation or Group: WOMR/NE Endurance

Telephone Number 617-240-4805 Mailing Address 39 Eldridge Rd, Brewster MA 02631

Email kathleen@neeevents.com

Town Property to be used (include specific area) Long Pond and grassy park area & Long Pond parking lot, Long Pond Rd, Lawrence Rd., Gross Hill Rd, Ocean View Drive, Elementary School parking lot

Date(s) and hours of use: June 15, 2024 5am - 11am (event start time: 8am)

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

The Wellfleet Sprint Triathlon has taken place at Long Pond since 2011, it has become a time-honored tradition for locals and visitors alike. It consists of a 1/4 mile swim, 10 mile, bike and 3 mile run. Number of participants - 145. All equipment provided by event. Parking to take place at Elementary School on Lawrence Rd and in lot across the street. Food/beverage service will be prepackaged. There is no fee to watch the event. The Wellfleet Sprint Triathlon is WOMR's largest fundraiser.

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

police, beaches, EMS, DPW

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

Action by the Board of Selectmen:

Approved as submitted
Approved with the following condition(s):
Disapproved for following reason(s):

Date: Processing Fee: \$50.00
Fee:

(over)

APPLICANT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND INSPECTIONS

Health/Conservation Agent: ok Beth Pyles - Beth Martiney Comments/Conditions: working w/ Applicant Permits/Inspections needed:	Inspector of Buildings: N/A Comments/Conditions: Permits/Inspections needed:
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Police Department: ok - Chief DeRocco Comments/Conditions: detail officers to be booked by Lt. Turner and paid for by event organizer	Fire Department: Comments/Conditions:
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DPW: ok - Jay Norton Comments/Conditions	Community Services Director: Comments/Conditions:
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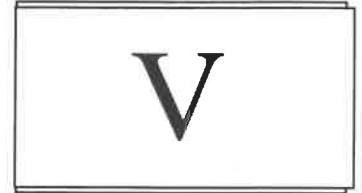
Harbormaster: N/A Comments/Conditions	Shellfish: N/A Comments/Conditions
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Recreation: Comments/Conditions	Town Administrator: Comments/Conditions
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SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: January 9, 2024



USE OF TOWN PROPERTY

~ B ~

REQUESTED BY:	New England Endurance Events; Kathleen Walker & Andy Scherding.
DESIRED ACTION:	To approve the use of various locations in Wellfleet on September 21, 2024, for the Swim Run Cape Cod Event, from 5am – 12pm.
PROPOSED MOTION:	I move to approve the use of various locations in Wellfleet to New England Endurance for their Swim Run Cape Cod Event on September 21, 2024; from 5am to 12pm for a fee of \$800.00.
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: Kathleen Walker & Andy Scherding

Affiliation or Group: New England Endurance Events

Telephone Number 617-240-4805

Mailing Address 39 Eldridge Rd, Brewster MA 02631

Email kathleen@neeevents.com

Town Property to be used (include specific area) Unpaved roads and trails in pond area. Small sections of Long Pond Rd., Gull Pond Rd. and Cahoon Hollow Rd, as well as the Elementary School parking lot and field. Please see a full map in the Operations plan included.

Date(s) and hours of use: September 21, 2024 5am - 12pm (event start time: 8am)

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

The SwimRun Cape Cod is a running and swimming event starting in Truro and traversing through the Wellfleet pond area until participants end at the finish line positioned at the Wellfleet Elementary School field (as it has in the past). Please see Operations Plan for details.

Number of participants - 160. All equipment provided by event. Parking to take place at First Congregational Church and Elementary School as well as the lot across the street. Food/beverage service will be prepackaged. There is no fee to watch the event.

Benefactors of this event is Habitat for Humanity of Cape Cod and the Wellfleet Lifeguard fund.

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

police, beaches, EMS, DPW

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

Action by the Board of Selectmen:

Approved as submitted

Approved with the following condition(s):

Disapproved for following reason(s):

Date:

Processing Fee: \$50.00

Fee:

(over)

APPLICANT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND INSPECTIONS

Health/Conservation Agent: OK - Beth Pyles Comments/Conditions: there are questions Permits/Inspections needed:	Inspector of Buildings: N/A Comments/Conditions: Permits/Inspections needed:
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Police Department: ok - Chief LaRocco Comments/Conditions: details must be booked by Lt. Turner and paid for by event organizer	Fire Department: ok - Chief Pauley Comments/Conditions:
---	--

DPW: ok - Jay Norton Comments/Conditions	Community Services Director: Comments/Conditions:
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Harbormaster: N/A Comments/Conditions	Shellfish: N/A Comments/Conditions
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Recreation: Comments/Conditions	Town Administrator: Comments/Conditions
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OPERATIONS PLAN

SWIMRUN CAPE COD - 2024

- EVENT OVERVIEW
- WHAT'S NEW
- COMMUNITY IMPACT
- COURSE MAPS
- EVENT ORGANIZERS
- REFERENCES
- OPERATIONAL PLAN
- CONCLUSION

Contact:

Kathleen Walker
New England Endurance Events
39 Eldridge Rd.
Brewster, MA 02631
Cell: (617) 240-4805
Answering Service: (617) 240-5577
Email: kathleen@neeevents.com
Website: neeevents.com

Event Overview:

This will be the 4th year for our endurance event; starting in Truro and ending in Wellfleet.

Requested event date for 2024 is Saturday, September 21.

Last year's event was to be held on Saturday, Sept. 16; sadly, the path of Hurricane Lee forced a last-minute cancellation.

In recognition of the need to create more affordable housing on the Cape, our charity partner for 2024 will be **Habitat for Humanity of Cape Cod**. Also, we would once again like to **fully fund two scholarships for lifeguard training** — so that more Wellfleet youths will be able to become lifeguards at town beaches each summer.

What's New This Year:

- In the interest of minimizing inconvenience to residents and visitors who use the town's beaches, we are asking to hold the event on **Saturday, September 21**. Due to the nature of this low-impact, low-participant event, all beaches will be able to remain open and welcoming to anyone who wishes to visit all day long.
- The event will start by foot in Truro, entering into Wellfleet at the northern portion of the Ponds Area along routes approved by the Cape Cod National Seashore, and finishing at the athletic field across from the Wellfleet Elementary School.
- This event is **unlike** a typical "road race." Participants will have run 4 miles by the time they enter Wellfleet. After that distance they will be spread out along the course, perhaps one or two runners every 30 seconds or so. By the time they reached the finish line the time gap between all athletes will likely be over two hours apart.

Community Impact:

Like many other endurance events in the U.S., this event has attracted athletes from throughout the Northeast, the nation and the world, who stay in inns, resorts and cottages for the week or a long weekend. They dine in local restaurants, shop in local stores, and visit parks and other attractions in the region.

The National Park Service's own formula which calculates the economic impact of overnight visitors would indicate a total direct benefit of over **\$270,000** to Wellfleet and surrounding communities for an average three-day stay by the 150 race participants (*Natural Resource Report NPS/NRSS/EQD/NRR—2018*). In addition, our budget indicates the race organization itself would disburse over **\$55,000** to *local* residents and vendors, for a **total community benefit in excess of \$325,000**.

The Course:

The event begins with a beach run at Ballston Beach in Truro, then becomes a combination run/swim effort (9 miles of running, 1.6 miles of swimming, across 15 legs) through National Seashore land and the unpaved roads on the back side of Wellfleet. The runners would follow existing footpaths and both dirt and paved roads. There will be no running on animal trails, dunes or posted fragile areas. All directional signs are temporarily planted with wire stakes and removed that same weekend. The race ends across the road from the Wellfleet Elementary School.

In preparation of this past year's event (which was cancelled at the last minute due to inclement weather) the organizers met twice with the **Wellfleet Conservation Commission** to solicit their

input on the course, which we used to draw up a final map (see page 4). Their vote in favor of our plan was unanimous. We thank them for their guidance.

A route map is enclosed within this plan. Our experience has been that minor route changes are likely as we consult with police and fire chiefs as well as the National Park Service in the weeks and months leading up to race day.

Event Organizers:

This event is organized by Orleans residents **Kathleen Walker and Andrew Scherding**. Kathleen and Andy operate *New England Endurance Events*, a race direction and management company which currently stages seven annual triathlon events throughout New England — including the Wellfleet Sprint Triathlon.

EMT trained and lifeguard certified, Andy spent much of his childhood in South Wellfleet, where his family continues to reside. Kathleen is a Certified Race Director by USA Triathlon: the governing body for the sport. She is also a certified lifeguard, and volunteers as the elected President of the Friends of the Cape Cod Rail Trail, as well as the YMCA's Lower Cape Development Committee.

Prior to the last four events, Kathleen and Andy met with the **Wellfleet Select Board and Truro Town Manager to plan this race, as well as with the CCNS Superintendent's Office; Wellfleet Beaches Administrator; Wellfleet and Truro Police; Wellfleet and Truro Fire/Emergency Services; Wellfleet DPW and Wellfleet Conservation Committee.**

Proposed Run/Swim Course:



Operational Summary:

- Event Type:** Swim/Run event: 9 miles total run, 1.6 miles total swim
- Event Location:** The race will begin at Ballston Beach in Truro and end at the grassy strip next to the athletic field, across the road from the Wellfleet Elementary School.
- Event Date:** Saturday, September 21, 2024
- Time:** Start: 8am. Most participants will finish before 11am; all participants will be off the course by noon.
- Participants:** 160 — all of whom have proved their ability by having completed recent races of a similar difficulty within set time limits.
- Setup/Cleanup:** Setup will largely occur in the early morning hours: run course signs will be small wire “flags” temporarily stuck in the ground.
- For each of the ponds which would host the swim courses, one vehicle per pond will access the landings in the morning to offload lifeguards, rescue equipment and race buoys. During the event those vehicles will remain parked in designated public parking locations.
- Cleanup of the course — including removal of all signs — will commence within minutes after the start of the race, with a “rolling” crew following the last participant.
- Stakeholders:** The event team will thoroughly communicate and coordinate with these officials, stakeholders and interested parties, before and at the time of the event:
- National Seashore Superintendent’s Office
 - Wellfleet Select Board
 - Wellfleet Town Administrator
 - Wellfleet Beach Administrator
 - Wellfleet Police Department
 - Wellfleet Fire Department
 - Wellfleet Department of Public Works
 - Wellfleet Conservation Commission
 - Truro Town Manager
 - Truro Police Department
 - Truro Fire Department

- Volunteers:** Members of local non-profit organizations make up the majority of the volunteer positions, with a 12-person New England Endurance staff handling supervisory roles. Most volunteers will be positioned at the start/finish and along paved areas of the course; some will be stationed in the watershed areas to ensure the racers are following the proper paths and roads.
- Road Conditions:** All sections of public roads used by the competitors will be open to traffic. These are all secondary roads, with light vehicular traffic.
- Insurance:** The triathlon will be sanctioned through the USA Triathlon Association, the national governing body for organized triathlon competitions. The insurance coverage from this sanctioning provides comprehensive liability for landowners, participants, and named insureds including municipalities, and is the “gold standard” for such events nationwide. Additionally, New England Endurance Events will provide certificates of our comprehensive insurance coverage as required by permitting entities.
- Sanitary Plan:** Portable restrooms (not including those stationed by the town for summer use) will be provided for the athletes at Ballston Beach, the Gull Pond parking lot and Great Pond parking lot if the summer facilities have been removed by event date, and at the finish line across Lawrence Road from the elementary school. They will be removed on the next business day.
- Recycling/Trash:** Trash & recycling bins will be brought in the morning of the event and removed at the conclusion. There will be a volunteer and trash/recycle receptacles just before, and after, each of the ponds.
- Signage Plan:** “Pennant” signs with thin wire stakes will be used on the run course. No nails will be driven into trees. All signs will be removed immediately after the event.
- Safety/Medical Plan:** As in prior years, the race directors will work with the local fire chiefs and the CCNS Fire Crew to develop a plan to provide medical and safety coverage on-site and throughout the race course. Certified open-water lifeguards will be stationed throughout the swim courses. The event will have at least one lifeguard for every 35 swimmers in the water at a time, in accordance with the *USA Triathlon* sanctioning rules and current best practices standards.

Communications: Radios will be used by on-site event staff, with the addition of cell phone communications as back-up. All volunteers will be given cell phone numbers for the staff, and our staff members will have the phone numbers of local EMS stationed at points along the course.

Our promise:

We will do our utmost to make this event one which causes as little inconvenience as possible for Wellfleet's residents, National Seashore visitors, and those visiting the Outer Cape. Much like the annual Wellfleet Sprint Triathlon each spring, this will be continue to be an event that enhances the character and spirit of the Outer Cape community.

We look forward to working with the towns of Wellfleet and Truro, and with the Cape Cod National Seashore. We welcome your input and suggestions.

Kathleen Walker
617-240-4805
kathleen@neeevents.com

Andy Scherding
508-246-6664
andy@neeevents.com



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: January 9, 2024

V

USE OF TOWN PROPERTY

~ C ~

REQUESTED BY:	Mairead Murphy & Amro Ardida
DESIRED ACTION:	To approve the use of the Wellfleet Memorial Garden for a wedding ceremony on June 22, 2024, from 2pm-5pm.
PROPOSED MOTION: SUMMARY:	I move to approve the use of the Wellfleet Memorial Garden to Mairead Murphy & Amro Ardida for their wedding ceremony to be held on June 22, 2024, from 2pm-5pm for a fee of \$200.00 and to be returned to the state in which it was before the event to the satisfaction of the DPW director and the Conservation agent. The ceremony will be from 4-5pm with set up to happen between 2pm and 4pm.
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 Mairead Murphy & Amro Arida Affiliation or Group _____
Telephone Number 617-633-8432 Mailing Address 35 Sheffield Rd Unit 3
Email address mairead.aw.murphy@gmail.com Boston, MA 02131
Town Property to be used (include specific area) Wellfleet Memorial Garden, 325 Main St

Date(s) and hours of use: 4-5pm for event, would need to set up a few hours prior.

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.

This is for our wedding ceremony. We are renting Preservation Hall for the reception and party.

The ceremony will have around 65 people and we are renting chairs with setup and removal same day.

Equipment: small speaker and microphone. We would also like to setup a small flower arch.

There won't be food/ drinks, no fees charged.

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

None

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

Action by the Board of Selectmen:

_____ Approved as submitted

_____ Approved with the following condition(s): _____

_____ Disapproved for following reason(s): _____

Date: _____

Processing Fee: \$50.00 ✓

Fee: _____

(over)

APPLICANT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND INSPECTIONS

Health/Conservation Agent:

ok - Beth Pyles

Comments/Conditions:

Permits/Inspections needed:

Inspector of Buildings:

N/A

Comments/Conditions:

Permits/Inspections needed:

Police Department:

ok - Chief LaRocco

Comments/Conditions:

if there is parking on the street or roadways a detail is required

Fire Department:

ok - Chief Pauley

Comments/Conditions:

DPW:

ok - Jay Norton

Comments/Conditions:

Community Services Director:

N/A

Comments/Conditions:

Harbormaster:

N/A

Comments/Conditions:

Shellfish:

N/A

Comments/Conditions:

Recreation:

N/A

Comments/Conditions:

Town Administrator:

Comments/Conditions:



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: January 9, 2024

VI

BOARD/COMMITTEE UPDATES AND OR APPOINTMENTS

~ A ~

REQUESTED BY:	Beverly Hobbs, President of Lower Cape TV Board
DESIRED ACTION:	To approve Tom Cole as the Wellfleet Liaison for Lower Cape TV
PROPOSED MOTION:	I move to appoint Tom Cole as a Wellfleet Liaison for Lower Cape TV.
SUMMARY:	
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____

Beverly M. Hobbs
President, Board of Directors
Lower Cape TV 190 Sparrowhawk Lane
5 Namskaket Road Eastham, MA. 02642
Orleans, MA. 781-248-7605, bev hobbs@icloud.com

December 18, 2023

Richard J. Waldo
Town Administrator
Town of Wellfleet
300 Main Street
Wellfleet, MA. 02667

Dear Rich:

The contract between Lower Cape TV and Wellfleet calls for one representative to the Board of Directors to be appointed by the Select Board by each town we serve. The representative from Wellfleet has been Deborah Magee. Over the past year, Deb has been ill and unfortunately, for the Town and LCTV, isn't expected to return to the Board soon. We do not want to take Deb off of our Board and am not empowered to appoint a member to replace her, only the Select Board from Wellfleet has that power. Tom Cole, the other representative from the Town has suggested that he become the appointed representative from the Town.

Tom would be appointed by the Select Board, if they so choose, for a three year term, with re-appointments possible under the rules of Wellfleet. Tom has served LCTV for many years admirably and been a wonderful representative of Wellfleet. We value Tom's expertise and long history on our Board. Appointing Tom to the Board would ensure Wellfleet's representation on the Board while also giving LCTV the flexibility should another Board Member if Deb Magee isn't able to rejoin our Board.

Please let me know if you need any additional information from me, I'm available to attend Board Meetings if necessary.

It was a pleasure to meet with you and I appreciate the time. Please feel free to call or email at any time.

Best,

Beverly M. Hobbs
President, LCTV Board



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: January 9, 2024

VII

BUSINESS

~ A ~

REQUESTED BY:	Selectboard
DESIRED ACTION:	To discuss and possibly appoint an interim town administrator.
PROPOSED MOTION:	If a motion is needed one will be made at the time of the meeting.
SUMMARY:	
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____

Chapter C. Charter

CHAPTER 5. THE TOWN ADMINISTRATOR

Section 5-1. Appointment

- 5-1-1 The Selectboard, by an affirmative vote of at least four members, shall appoint a Town Administrator for an indefinite term to serve at its pleasure. The Selectboard shall, by majority vote, set contract terms and a compensation package for the Town Administrator.
- 5-1-2 In the event of vacancies on the Selectboard, the absence, or the inability to act, of not more than two members thereof, the remaining three members shall, by majority vote, make an interim Town Administrator appointment for a period not to exceed ninety days. Any person so appointed shall be eligible to be considered for appointment as Town Administrator.
- 5-1-3 In selecting a Town Administrator, the Selectboard shall search for candidates by placing an advertisement in the International City Management Association Newsletter or similar professional publication and in at least two newspapers having statewide or regional circulation.

Chapter C. Charter

CHAPTER 5. THE TOWN ADMINISTRATOR

Section 5-10. Acting Town Administrator

5-10-1 The Selectboard may designate a Town employee or other person to exercise the rights and perform the duties of the Town Administrator during any vacancy caused by temporary absence, suspension, removal, resignation or death. The appointment shall be for a period not to exceed ninety days, and it may be renewed, for additional periods not to exceed ninety days each.



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: January 9, 2024



SELECTBOARD REPORTS:

Reported by:	Topic:



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: January 9, 2024

IX

TOWN ADMINISTRATOR REPORTS

- **The town administrator will give a verbal report at this meeting.**



MEMORANDUM

TOWN OF WELLFLEET MASSACHUSETTS 02667
Tel (508) 349-0300 Fax (508) 349-0305
www.wellfleet-ma.gov

To: Selectboard
From: Richard J. Waldo, Town Administrator
Cc: Rebekah Eldridge, Executive Assistant to Town Administrator
Subject: Department Update Report for the January 9, 2024 Select Board Meeting
Date: January 2, 2024

Administration

- FY25 Operating Budgets have been submitted to the Administration, we will review them with Department Heads during the week of January 8-12th. The first budget meeting with FinCom will take place the following week.
- The administration will be working on the first draft of the Annual Town Warrant with expectation to bring forward to the Selectboard in the first meeting in February.
- Maurice's Campground RFP: Technical Proposals have been opened.
- Other Procurement: Assisting the PD Chief in procuring tasers as well as in renewing SAM.gov registration in order to access public safety grants. That work should continue into the next couple of weeks
- Payroll/Accruals: Working with Christine Ezersky/Jared Aponte/Frank Destino/Harper's Payroll on moving accruals to their system. Will reach out to Harper's this week to better understand what information they will need with the hopes of providing that to them in the coming weeks
- Former Camp Wellfleet: Received communications from Army Corps in regards to work they are planning in the former Camp Wellfleet. The Town owns a parcel of land within the zone of the work they are looking to do (implementation of controls to minimize exposure to explosive hazards), so per their rules they are required to engage with the Town and get buy-in their work
- Municipal WiFi Beach Grant: Continue to work with the Cable Advisory Committee to bring broadband to the outer beaches.
- OpenGov: Various departments are (or will be) ready to go live for testing soon. Building Department is lagging, will be working with Dari/Angelo in the upcoming weeks to see what we can do to bring them up to speed.

Building

- We continue to work on Open Gov online permitting.

- Organizing the office, processing permit applications more timely.
- Working on catching up on annual inspections.

Community Services

Council on Aging

- At long last, we have filled the new position of Custodian/Driver for the COA. His name is Roger Boucher and he lives in Wellfleet. Roger started on December 14th and immediately got to work. He is scheduled for classes from the CCRTA required to be a driver of one of their vehicles and also for CPR, First Aid and Stop the Bleed.
- December's Veterans' Café was cancelled due to COVID (on their end) but we will continue with the monthly Cafes which are offered by the Veterans Outreach Center in Hyannis and open to all Veterans in Wellfleet and in surrounding towns in January.
- 40 people enjoyed a festive Christmas luncheon that was preceded by a concert by the Wellfleet Elementary School 5th and 6th grade chorus on December 21st.
- The former Seababies space next door to the kitchen has been converted into a small meeting room for smaller groups. There is a flatscreen smart TV, paid for by the COA Gift Account and a brand new rug paid for by the Friends of the Council on Aging. It's now being used by the Men's Group and for Monday Movies. Check our newsletter for details. www.wellfleetcoa.org

Social and Human Services

- There are 37 children, aged one month to five years, currently enrolled in the Voucher system.
- There are 15 agencies providing direct services to Wellfleet residents receiving grant funding from the SHS budget.
- The Navigator program, through Outer Cape Health Services, provides case management to those residents of Wellfleet with great needs and multiple challenges.

Beaches

- On December 11th, I attended a working lunch sponsored by TownHall247 which provides the software for Beach Stickers, Transfer Stickers, Shellfish Permits and Recreation registration and enrollment. Several new options were demonstrated and explained, one of which is the option to print our own stickers, rather than outsource the printing. License plate numbers and expiration dates could be printed directly onto the stickers, eliminating the need for human beings to enter that information with Sharpies. More and more people now know (thank you Google) that they can remove the numbers written with Sharpies by using hand sanitizer and then they can re-write them with their own plate numbers. I have asked for a quote for the material and for new printers and will be bringing that information to the budget process.

Conservation Department

- Ongoing education and professional development for the staff

- Collaboration with the Health Staff to make the Department more efficient.
- Consistent business meetings and public hearings with positive outcomes
- Networking and fostering professional relationships with the Agents in Eastham, Truro, and Provincetown as well as participating in regional meetings.
- Meeting with representatives from the Open Space Committee to develop procedures for receiving information and upkeep of properties in the care of the Conservation Commission
- Continuing communications with representatives from shellfishing community to discuss appropriate access to stock while protecting the marsh.
- Working with the Commission to complete the bylaw and regulations update that had begun in previous years.
- Participating in Herring River Technical Team meetings
- Working on getting OpenGov launch

Harbormaster

- No Update

Health

- Preparing FY 2025 budget.
- Continuing to review and test forms on Open.gov for Health Department
 - Goal to launch in three to four weeks.
- Working with staff to create a landing page on the town website that will answer common questions the public may have regarding our 208 Water Shed Plan and changes in State regulations regarding Title 5.
- Providing Open.gov assistance to Building admin staff.
- Ongoing collaboration with OCCS and OC Health Agents
 - For example: Winter Wednesdays activities
- Working with BOH on:
 - Update of regulations as soon as 208 Water Shed Plan is approved by the State DEP.
 - Organizing BOH field trip to MASSTC 1/11/23
 - End of year BOH Report
- Ongoing work to reduce back log of permit applications and SSIR reports.

Human Resources

- Development and implementation of Position Vacancy Form for Recruitment and Selection Process.
- Working on Health, Dental, Vision and Life reconciliation with Jared

Fire

- Full-time EMT Rob Czujak has successfully completed all the necessary requirements and certifications to work as a paramedic in the Commonwealth of Massachusetts. This effort included almost two (2) years of classroom study, practical/hands on training, hospital observation time, field training time, successfully completing State and National testing requirements and finally receiving his authorization to practice by Cape & Islands Emergency Medical Services. We anticipate that Rob will be enrolled at the Massachusetts Firefighting Academy, Bridgewater campus in February. Congratulations Rob and thank you for your dedication!
- Firefighter/EMT Ryan Komich is in his fifth week at the Massachusetts Firefighting Academy, Bridgewater campus working towards his Firefighter 1/11 certifications. Ryan has already received one (1) commendation from the Academy staff for his teamwork in assisting a fellow recruit through his daily physical training evolutions.
- We have an update on our 2005 Seagrave 75' aerial ladder/quint truck from Greenwood Emergency Vehicles. During the required aerial certification test one of the jack stabilizers was found to be faulty and it has been determined that this component needs to be replaced. A new jack stabilizer has been ordered and is scheduled for delivery around the middle of February, once that part is received Greenwood will expedite the repair of this truck.
- Deputy Chief Cappello is working in concert with both the Building and Health Departments on a couple of issues relating to fire, safety and health with respect to two (2) different occupancies/buildings in town. The cooperation and working relationship between the Fire, Building and Health Departments continues to be excellent.
- The new year will start with the complete review and updating of all of the Department's inventory in terms of apparatus, individual tools, equipment, building supplies, etc. This is done annually and provides a comprehensive report of the Department's assets.
- Lt. Justin Kinshaw is in the process of gearing up for community CPR and Stop the Bleed classes as we look forward to the Spring and Summer seasons. Several classes are offered, upon request, to businesses, Town employees/staff and the community at large.

Library

- The first ever Wellfleet Fiber Artists Show will be hung in our meeting room this December. We are thrilled with the creative variety of entries from Wellfleet artists. The Trustees are hosting a special reception from 5-7 pm on Friday, December 8th.
- CLAMS has found a new app! The app we had before we migrated to our new system did not work accurately with the new system. CLAMS found one that did and it just went live. Search for "CLAMS Library Network App" in your App Store of choice and download it. You

will need to input your library card number and pin, but from there, you can manage your entire account (physical as well as digital items).

- Favorite Poems returns to the Library! Launched in 1999 by then poet laureate, Robert Pinsky, this experience allows community members of all ages to come together and read poems written by others (it is not intended as an afternoon for sharing original work). It's been a longstanding tradition at the Library and easily one of our most popular winter events. Volunteer to read or come see your neighbors on December 9th at 3:00 PM.
- Do you know we have several hotspots that we lend out for portable WiFi use? I have been participating in listening sessions with the Massachusetts Broadband Institute and trying to identify what digital equity initiatives the Library already fills (and can fill in the future). Please come see us for WiFi!
- On Tuesday, December 12th we will be hosting a program called The ABCs of ADUs with the Lower Cape Housing and ADU Resource Center. This is at 6:00 PM.
- Every year we provide the opportunity to get one new book for every local child and teen AND to wrap it in the Library. On Wednesday, December 13 from 4-6 and Saturday, December 16 from 11-3, there will be carts of books set up in the children's room as well as a wrapping table. This program is supported by the Friends of the Library.
- Replacement carpet tiles were laid down in our meeting room, and we are looking at carpet samples for the aisles where carpet has begun to buckle and may be a hazard. Thank you to the DPW for being such an excellent partner to us.
- I have been working on my Operations Budget. I met with my Board to discuss it last month, will be reviewing it next week with my Board and the Town Administration and will go over with the Fincom/SB later in the month.
- We have launched a monthly lecture series called *The Nature, Sea, and Sky Lecture Series* which is generously funded by a grant in memory of community member and Library lover Ronald Bosworth. The next lecture in the series is The Geology of Beachcombing in Wellfleet with Bob Stewart. It is on Sunday, January 14th at 3:00 PM.
- The Library is in the middle of our annual "Food for Neighbors" drive which collects nonperishable food items for the local food pantry. Please look for signs in the building for the bins right by the copy machine. Or you can drop items off curbside on the Howland Lane entrance or just inside the Library on the West Main Street entrance
- For the first year, the Wellfleet Library will be participating in "Winter Wednesdays, Whenevers, and Wherevers!" Our class is on Monday evenings and it is called the Anatomy of a Federal Jury Trial. There is free transportation to all classes in all Outer

Cape towns and amazing array of courses. Check them out - registration is required.
Winterwednesdays.org

- The Friends of the Wellfleet Library's annual concert series is beginning on Saturday, January 13th with Fortunate Daughter. Come join us at 3:00 PM. Fred Magee and the BFD will be performing on Saturday, January 20th. Watch our events calendar for information on other dates!
- I have attended two legal/policy training courses with the Massachusetts Board of Library Commissioners in the past few weeks. In anticipation of updating some of our policies, I thought this was prudent.

Police

Staffing update:

- The department saw the retirement of the longest serving member of the Wellfleet Police Department, Michael P. Hurley.
- The Wellfleet Police Department is thrilled to announce the appointment of Deputy Chief Kevin LaRocco as the department's Police Chief.
- Cape Cod native and Marine Corps veteran Daniel Almas has received a conditional offer of employment, and we are aiming to have him enrolled in the Plymouth Police Academy in the near future.
- The department remains proactive in its recruitment efforts, introducing a new recruitment video and hosting recruitment seminars at numerous local colleges and universities.
- Jack Richard is currently progressing through week 9 of the Municipal Police Academy and continues to demonstrate commendable progress and performance.

Operational update:

- The Wellfleet Police Department responded to numerous calls for service, none of which were deemed particularly noteworthy or exceptional.
- Sgt. Braun and Officer Poska are scheduled to participate in ALERRT (Active Attack Integrated Response Training), a comprehensive five-day train-the-trainer course specifically designed to enhance preparedness and response strategies for active attack or shooter scenarios.
- Officer Matthew McGue recently completed a specialized Train-the-Trainer program organized by the Municipal Police Training Committee. This certification enables Officer McGue to effectively train and counsel fellow officers in stress resilience, health, and wellness strategies, further enhancing our department's focus on the well-being of our law enforcement personnel.

- Both Officer Tyler LeGare and Officer Jack Poska have successfully completed ATV training, earning certification to operate ATVs in a law enforcement capacity.

Public Works

- DPW Administration
 - a. Participated in the FY 24 Barnstable County bid for construction materials and paving, awaiting the bid results.
 - b. Director Norton and Assistant Director Morris met with representatives from NRCS to provide an update on Powers Landing, Kendrick Ave, and Lt. Island Road.
 - c. Herring River Restoration Project is ongoing with construction at the CNR bridge.
 - d. MassDOT Rt 6 Pavement Preservation project has been awarded to Lawrence Lynch. As we learn more, we will update the website with schedule information in addition to the MassDOT Rt 6/Main street intersection project.
 - e. Director Norton is preparing the FY 25 DPW Operating Budget and has a meeting scheduled with Administration to review the week of January 8th.
 - f. Will be conducting annual assessments with all DPW Staff the month of January to discuss individual goals and progress. It's also an opportunity for staff to ask questions and discuss any concerns they may have.
 - g. Submitted various quarterly grant reports for MEMA and NRCS.
 - h. Assisted Director Rosenberg with technical questions/review of the proposed bandstand structure at the harbor that is currently being engineered.
- Facilities/Grounds
 - a. Front steps have been replaced at Town Hall. The DPW provided in kind services with masonry expertise for this effort.
 - b. New holiday lights were installed at Town Hall and wreaths/flags were installed along Main Street.
 - c. Coordinating an air handler replacement at the Police Department
- Highway Department (Down 1 position on medical leave until mid January)
 - a. With the assistance of the Fire Department, crews cleared a clogged culvert at Paradise Hollow. We will continue to monitor the culvert to ensure proper flow and monitor for continued icy conditions. This particular culvert is set for replacement when the Low Lying Roads project kicks off
 - b. Crews continue efforts to clean up the Town Pit to prepare for the Low Lying Roads project. A bid package is being prepared by our Owners Project Representative (OPR) Environmental Partners to solicit quotes to remove/dispose of derelict material (old concrete floats and unclaimed boats/trailers and miscellaneous items) with anticipated solicitation in February/March. All funding secured through Federal grants.
 - c. Assisted the Harbormaster with various tasks and float removal at the Harbor.
- Transfer Station
 - a. Proposed rate increases have been implemented as of January 1st. Please refer to the Transfer Station's website for details.
 - b. The building kit for the new swap shop has been ordered with an expected delivery of late February.
 - c. Our Benlee pup trailer that was approved at Town meeting has been delivered and registered. This will enable us to be more efficient when transporting recycling off cape by allowing us to bring 2 containers at once.

Recreation

- The Department sponsored two successful skating sessions over the Christmas holiday break at Charles Moore Arena in Orleans.
- Basketball games will begin for all teams in grades 3-6 the week of January 8.
- Adult Pickleball round robins continue at Wellfleet Elementary School for all levels of play. With the availability of three courts. A beginner's clinic will also be offered.
- The popular youth futsal and pickleball programs take place after school and on the weekend for grades K-6.
- Open Gym Basketball is offered every Tuesday 6:30-9 at the Wellfleet Elementary School Gym for the grade 11-Adults.
- Extensive planning is underway for additional winter activities as part of the community center without walls initiative including, trips to go tubing, ice skating and to the movies.
- Planning and scheduling is underway for all Summer of 2024 Recreational Programs.
- Extensive planning is underway for three capital projects to be completed in the spring including resealing and painting of the basketball band tennis courts and construction of the bandstand awning at the end of the Town pier.
- Popular Teen nights for grades 6-10 are held every other Friday night at the school.
- Please check the Town website for details about all Recreation Programming

Shellfish Department

- No Update

Treasurer

- New Treasurer, Jared Aponte, started on 11/20/2023.
- Working with Town Accountant on closing the FY23 books
- Starting reconciliation of FY24 books back to July 2023. Cleaning up numerous variances related to reconciliations.
- Working with Assistant Treasurer/ Collector, Town Collector and Assistant Accountant to update internal finance-related processes and procedures.
- Working with Human Resources to update processes and procedures related to benefits.
- Meeting weekly with finance team and administration.
- Building relationships with other Town employees and board members.



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: January 9, 2024

X

TOPICS FOR FUTURE DISCUSSION

- **The board will bring up topics that they wish to be on future agendas.**



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: January 9, 2024

XI

MINUTES

REQUESTED BY:	Executive Assistant
DESIRED ACTION:	Approval of Meeting Minutes as November 21, 2023, & December 19, 2023.
PROPOSED MOTION:	I move to approve the minutes of November 21, 2023, and December 29, 2023 as written in draft.
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____

***Wellfleet Selectboard
Hybrid Meeting
715 Old Kings Highway/Zoom
Tuesday November 21, 2023; 6pm
Meeting Minutes***

Members Present: Barbara Carboni, Chair; John Wolf, Vice Chair; Michael DeVasto (virtually), Timothy Sayre, Ryan Curley

Others Present: Rich Waldo, Town Administrator; Rebekah Eldridge, Executive Assistant; Will Sullivan, Harbormaster; Joe Aberdale, Dredging Task Force; Dan Robbins, GEI; Marissa Jackson, Eversource; Brad Morse, Deb Maddingly, Diane Brunt, Beth Andreoli, Block and Tackle; Alyssa Richards, GEI; John Tansey, Jude Ahern, Kathleen Bacon

Chair Called the meeting to order; 6:02pm

I. *Announcements, and Public Comments*

Note: Public comments are limited to no more than three minutes per speaker.

The Board will not deliberate or vote on any matter raised solely during Announcements & Public Comments.

Chair Carboni asked for public comments or announcements.

Wolf announced vacancies on the town's boards/committees. There are 3 vacancies on the Dredging Task Force and there is now a vacancy on the Shellfish Advisory Board.

Morse spoke to the board, stating he disagreed and had problems with the meeting minutes of November 7, 2023. He stated he felt it was totally false.

Maddingly spoke to the board about the Personnel board not being published on the town's website, she stated that the members on the board's term was up over 2 years ago. She would like that updated on the website.

Brunt spoke to the board asking when the minutes are approved, Chair Carboni responded that the minutes are usually at the end of the agenda.

She asked about the police hiring agenda item she wanted to know what this agenda item stated. She suggested that they change their procedures. She would like the agenda to be made understandable for the public to read. She read a letter about stopping all hiring in the town.

II. *Consent Agenda*

A. Approve the application for the 22nd Annual MLK Walk ~ January 15, 2024; 12:45pm – 2pm ~ Sara Blanford; Art Peacemakers

Board Member Curley Moved; Board Member Wolf Seconded; and it was voted to adopt and approve the consent agenda as drafted.

Roll Call Vote: 5-0

III. ***Public Hearings ~ Chair Carboni recused herself from this portion of the meeting. Vice Chair Wolf took over as chair.***

- A. Approve the petition for the installation of 765 feet of +/- 2–4-inch conduit for the purpose of this construction is to provide new underground service for the Chequessett Neck Road Bridge ~ Marissa Jackson, Eversource
Jackson spoke to the board about what Eversource is looking to do. Offering to answer any questions. Sayre asked about 3 phase power down to the herring river. She answered that yes it will accommodate the 3-phase power. There were no other questions from the board. Chair Wolf asked questions from the public. There were none.

Board Member Sayre Moved, Board Member Curley Seconded; and it was voted to approve the petition for the installation of 765 of +/-2-4-inch conduit for the purpose of this construction is to provide new underground service for the Chequessett Neck Road Bridge.

Roll Call Vote: 4-0-1

IV. ***Use of Town Property***

- A. Use of town hall driveway between town hall and Abiyoyo ~ Rebekah Eldridge ~ December 9, 2023, 3:30-5:30pm ~ to pass out hot chocolate and candy canes for the annual tree lighting.

Eldridge explained to the board her intention to help with the tree lighting.

Board Member Wolf Moved; Board Member DeVasto Seconded, and it was voted to approve the use of the town hall driveway between Town Hall and Abiyoyo to Rebekah Eldridge on December 9, 2023, from 3:30pm - 5:30pm to hand out free hot chocolate and candy canes to families attending the Chamber of Commerce's Annual Tree Lighting.

The hot chocolate and candy canes will be donated by all town staff.

Roll Call Vote: 5-0

V. ***Business***

- A. Request for closure ~ Block & Tackle ~ January 1, 2024, - February 7, 2024.
Andreoli explained they will be removing the rug in the bar area while they are closed.

Board Member Curley Moved; Board Member Wolf Seconded; and it was voted to approve the closure of Block & Tackle from January 1, 2024, to February 7, 2024.

Roll Call Vote: 5-0

- B. Dredging Update ~ Dredging Task force

Aberdale came to the table to give an update on the dredging as to where it stands now. He discussed the role of the selectboard with the dredging task force. He discussed bringing new plans before the town administrator and the selectboard. He stated there is a need to reestablish the charge of the task force. He stated the town has received the most information from the army corps. That they can, he stated the Army Corp will wait for direction from the selectboard. He recommended that the board vote tonight to make a payment for this project. Waldo asked Robbins to speak about the options for the town to be able to proceed with dredging. He spoke about “in lieu payments” discussing what they

are and how they are established. He stated the last time the funds were established was in 2016.

He stated there are three options for the town to move forward. He listed the options for dredging. Waldo spoke to the board stating that they were being issued a ten-year permit, but they also informed the town that there is a 30% increase in the Mass ILF.

He continued explaining that this is in front of the board to prepare for the annual town meeting and a potential vote.

Wolf questioned for clarification on the ten-year permit. Richards spoke to the board as Robbins' connection was being interrupted. She stated that the town shouldn't have to revisit this after ten years. Sayre questioned if the town paid for the dredging outright, would they be able to begin dredging at any time.

Wolf discussed the maintenance dredging. DeVasto had some questions about dredging and finfish habitat restoration. The board discussed the dredging at great length. Discussing issues, and options as far as payment and timing.

Conservation was also questioned using upland or all tidal zones. Brunt came to the microphone asking questions about doing the 2 cycles of dredging. She asked about the 30% increase. Brunt had a few more questions for both Richards and Robbins' to better explain the fees and how they are used and delegated.

Yeston questioned why the Herring River was abandoned for dredging, Wolf explained that there were many concerns from the shellfish community. Tansey spoke to the board stating some of his concerns. Discussing dredging, and how the town can do it. Aberdale answered Tansey's questions. Discussion continued dredging and the amount of money that would be needed to fund the entire project. Merl spoke to the board about the 4.5 million dollars and had questions regarding the dredging. He stated that the project will get bigger and more expensive and wanted to make that clear to everyone on and at the meeting.

Aberdale spoke about the restrictions on dredging due to the Right Whale migration. Waldo went into more detail about the options for dredging. Ahern spoke about dredging and the reporting and required culching permits. Tansey came back to the microphone questioning if permission was granted concerning private landowners. Aberdale addressed the Audubon discussions about dredging and their property. Aberdale stated that they have been operating on the fact that the third option is null and void due to the selectboard's vote on August 22nd.

Waldo spoke more on option three.

Morse spoke to the board making a comment about the town meeting vote to approve dredging not a mitigation plan. He stated they were meshing fishing management with dredging.

Brunt came to the microphone again asking Richards more questions which Richards answered to the best of her ability. Brunt continued asking questions regarding the reduction of credits and the result of those reductions. Wolf spoke to the public giving a statement. Curley spoke explaining the whole process of dredging. He gave a full rundown of how this process works and not being able negotiate. Brunt explained her question was different. She asked why the fee

went to 14 million to 48 million in April. Richards tried to explain the process and Aberdale gave his understanding as well.

Chair Carboni questioned Aberdale on what he would like the board to do moving forward. He asked them to reconsider their vote on Blackfish Creek. The Chair stated they were asked to discuss the three options that were before them now. Wolf spoke of the options and his thoughts on the dredging moving forward, he stated he would like the board to vote for option 1 allowing this to go to town meeting and having the town decide if they are willing to spend the money. DeVasto gave his thoughts and opinions on the dredging. Curley spoke about his thoughts and recommendations. He stated his concerns about the mitigation plan that was drafted.

Bacon Spoke to the board; stating she was a part of the August vote; she gave her explanation of why she abstained at that meeting, and she stated that she wanted to see third party monitoring. She explained if the town had third-party monitoring, she would have voted for it. She asked the board to consider a 4.5-million-dollar tax increase is a large burden on the taxpayers. She stated the board is stacking the tax bill and considering what needs to be figured out, **Board Member Wolf moved, Board Member Sayre Seconded; that the selectboard adopt scenario number 1 for the dredging as the position of the selectboard.**

There was more discussion on dredging and the vote that was just made.

Roll Call Vote: 3-2 (DeVasto, Chair Carboni voted No).

The Dredging Task Force Charge will be added to the next agenda.

The board took a five-minute recess.

Chair Carboni called the meeting back to order.

- C. Selectboard will Discuss amending our liquor licensing rules and regulations ~ Board Member Curley.

Curley gave his amendments; Sayre spoke to the amendments adding his comments and concerns. The board discussed the changes and amendments that they would like to see. They discussed the change of fees. Closing fees were discussed and supported. Each member gave their opinion on the changes and fees.

\$75 fee for Liquor Licensing Filing Fee

\$1250 for all alcohol restaurants

\$1500 to remain for all alcohol package stores.

\$1150 to be lowered for beer and wine restaurants.

\$ 1375 annual beer and wine package stores

Closure of establishment for more than 28 consecutive days be \$250 (with an asterisk subject to extenuating circumstances by the board.)

\$1850 to annual all alcohol license

\$1800 for annual inn holders

\$1800 for

\$ 275 to extend the seasonal liquor license.

1 day beer and wine to stay \$125 per day.

Please see full document for full changes.

The board discussed minimum hours of operation for all alcohol license package stores. DeVasto and Curley believed the hours in the regulations should remain the same.

Sayre believed that the board shouldn't set the hours for the package stores. The hours will be placed as a proposed amendment by deleting the section about package good stores required hours.

There will be a hearing set to January 16, 2024.

D. Hiring Process – Police Department

Chair Carboni asked Waldo to speak about this item. Waldo began explaining that the current Chief of Police Michael Hurley has requested to retire. He spoke about the previous hiring internally. He stated that in the past the chief of police has always been internally promoted. He asked the board to reconsider their regulations that date back to the 1980's, he spoke highly of the internal candidate who has expressed interest in the position and asked guidance from the board about hiring internally.

DeVasto stated that if the internal candidate was Deputy Chief LaRocco he would fully support that promotion and would be in favor of the continuation of what the board has been doing in the past years. Sayre agreed and stated that there is a great candidate in the town, and he would like to go ahead with that. Curley stated that the policies just state the position should be advertised in a newspaper and went into details on this. He believes the position should be advertised but doesn't need to be extended for months. He stated this could all be done by the time chief Hurley's retirement takes effect. Waldo stated the town could do an advertisement but stated they should interview all applicants. He stated that this is the board's appointment and up to the board on how this process should take place. Chair Carboni gave her thoughts about advertising and stated that the town has waived these policies in the past she would be in favor of waiving the policy. Sayre agreed.

Board Member Sayre Moved; Board Member DeVasto Seconded; and it was voted to waive the selectboard policy on employment advertising and to waive the advertising and recruitment sections of the boards affirmative action policy, with respect to hiring the next Police Chief.

Roll Call Vote: 5-0

VI. *Selectboard Reports*

Curley stated there was a walk through for Maurice's Campground for developers. He reported that Waldo has appointed a stakeholders committee. Waldo stated he did appoint a committee of six people. He stated he is hoping to have a member of Eastham be a part of this committee to get their input. He spoke to the hopes and ambitions of the committee.

VII. *Topics for Future Discussion*

Sayre would like to make sure there is a discussion of opening and closing dates at the marina.

He also wants to discuss Marina fees.

Wolf added on to that, the Wellfleet Marina is listed as a harbor of refuge. He stated his understanding is that one of those aspects is supposed to be available year-round. He stated that he believes they are not working at the marina. The board

discussed how this discussion should take place and with whom. The conversation will start with the town administrator.

VIII. Minutes

- A. November 07, 2023, ~ Voting on the minutes was reserved to the next meeting.
- B. November 14, 2023, ~ Voting on the minutes was reserved to the next meeting.

IX. Adjournment

Board Member Curley Moved; Board Member DeVasto Seconded; and it was voted to adjourn.

Roll Call Vote: 5-0

Meeting adjourned at 10:15pm

**** Public Documents****

Application for use of town property for the MLK walk ~ Sara Blanford

Public Hearing Documents from Eversource to install conduit.

Application for use of town property for the tree lighting to hand out hot chocolate ~ Rebekah Eldridge

Letter from Block and Tackle requesting closure.

Dredging update documents

Amended liquor license rules and regulations.

Hiring process documents, police department.

Meeting Minutes; November 7th & 14th, 2023.

Wellfleet Selectboard
Tuesday December 19, 2023; 6pm
Hybrid Meeting:
Zoom/715 Old King's Highway
Meeting Minutes

Members Present: Barbara Carboni, Chair; John Wolf, Vice Chair;(Virtually); Timothy Sayre, Michael DeVasto, Ryan Curley

Others Present: Rich Waldo, Town Administrator; Silvio Genoa, Assistant Town Administrator; Rebekah Eldridge, Executive Assistant; Nancy Civetta, Shellfish Constable; Kevin LaRocco, Acting Police Chief; Rick Holand, KP Law; Michael Shannon, Wendy Rennert, applicant to be on Council on Aging Advisory Board; Chris Merl, applicant to be on Dredging Task Force and Shellfish Advisory Board; Helen Miranda Wilson, applicant to be a voting member on the Shellfish Advisory Board; Brad Morse, applicant to be a voting member on the shellfish Advisory Board; Denny O'Connell, Wellfleet Housing Trust; Nils Wilberg, Fuss and O'Neil; Wes Stinson, Environmental Partners; Laura Kelley, POCCA; Maurice, resident; Jude Ahern, resident; Lili-Ann Green, Wellfleet representative for National Seashore advisory meeting, Diane Brunt, resident, Paul Millett, Environmental Partners; Jay Norton, CPW Director, Carole Ridley, Herring River Restoration Project; Shelia Lyons, Josh Yeston, Chair of the Cable Advisory Committee, Heather Doyle, Member of the Cable Advisory Committee.

Chair Called the meeting to order at 6:07pm

I. *Announcements and Public Comments*

Note: Public comments are limited to no more than three minutes per speaker.

The Board will not deliberate or vote on any matter raised solely during Announcements & Public Comments.

Chair Carboni read at speech vs. conduct at a public meeting, the document will be submitted with the meeting minutes for the record.

Wilson Spoke to the board, regarding the pesticide agenda item.

Maurice spoke to the board continuing his complaint about the library and the noise level. He complained that he was yelled at by one of the library employees.

Ahern spoke to the board and public regarding the letter that the chair read asking for clarification. Stating that there will be consequences for their actions regarding the letter from staff.

Morse spoke to the board regarding public comment and accountability.

Green spoke to the board regarding the first meeting at the National Seashore Advisory group.

Brunt spoke to the board about responding to public comment.

II. *Consent Agenda*

A. Massachusetts Broadband Institute Verizon support letter ~ for selectboard to reaffirm.

- B. Use of The Town Pier Bandstand as part of the annual outdoor Art Project “PROJECT” ~ Susie Nielson/Farm Projects Gallery ~ August 10, 2024, ~ 4-10pm
Board Member Wolf Moved; Board Member DeVasto Seconded; and it was voted to approve the consent agenda as printed in the packet.
Roll Call Vote: 5-0

III. ***Appointment of the new Wellfleet Chief of Police ~ Kevin LaRocco***
Chair Carboni spoke to the board and public about appreciating all the support shown at the meeting from surrounding officers and the outgoing chief Hurley. Waldo Spoke to the public and said some nice words and appreciation to the incoming chief. He spoke about the chiefs’ qualities to run the department.

Board Member Sayre moved; Board Member DeVasto Seconded; and it was voted to appoint Kevin M. LaRocco as Chief of Police for the Town of Wellfleet and to authorize the Town Administrator to execute the employment contract.
Roll Call Vote: 5-0

Assistant Clerk Ellis swore the new chief in by reading the oath of office. Eldridge presented LaRocco with a name plaque, flowers and a small gift. LaRocco’s wife and family pinned the new chief, LaRocco read a statement thanking his friends, family and colleagues for their love and support.

Each board member spoke to LaRocco and thanked him for his long work and dedication to the town, and their appreciation for him and his staff.

Chair Carboni took a moment to thank Chief Hurley for his time and dedication to the town of Wellfleet.

Chief Pauley spoke to the board and stated that he has worked with 3 police chiefs, and he spoke with the utmost respect for all three and stated he is looking forward to working with Chief LaRocco. Deputy Chief Cappello spoke stating he worked with both hurley and LaRocco and is proud to have been a part of both their working careers.

The board recessed for 5 minutes.

IV. ***Wellfleet Solar Panels***

- A. Coles Neck Solar: Amendment to solar power purchase and lease agreement ~ Rick Holland, KP Law & Rich Waldo

Holland spoke to the board regarding solar power and the amendment made to the agreement. He explained why it was being amended. He spoke about the estoppel certificate.

The board members asked some questions regarding this amendment.

Curley had some questions relating to the solar panels and legal costs.

Board Member Wolf Moved; Board Member Curley Seconded; and it was voted that the Selectboard approve the amendment to solar power purchase and lease agreement signed by Acting Assistant Town Administrator David Colton and negotiated with assistance from town counsel and authorize the Town Administrator to sign the Estoppel Certificate requested by the contract counterparty pursuant to section 18.17 of the lease agreement and as negotiated with the assistance of town counsel.

Roll Call Vote: 5-0

V. ***Public Hearings***

Board Member DeVasto Recused himself from this agenda item.

Chair Carboni opened the hearing: 6:58pm

- A. Approve the transfer of shellfish grant license #755 from Joseph Gray and Rachael Finn to Rachael Finn.

Civetta presented the transfer stating it was a routine transfer.

Board Member Curley Moved; Board Member Sayre Seconded; and it was voted to approve the transfer of shellfish, grant license #755

I move to approve the transfer of shellfish grant license #755 consisting of approximately 0.915 acres on Mayo Beach from Joseph Gray and Rachael Finn to Rachel Finn.

Roll Call Vote: 4-0-1

Chair Carboni Closed the public hearing: 7:02pm

Roll Call Vote: 4-0-1

VI. Open Meeting Law Complaint

- A. The board will address the open meeting law complaint filed on November 21, 2023, ~ Michael Shannon

Waldo introduced Jannelle Austin who reviewed the allegations sent by Shannon and gave the response that town council has prepared for the board. She explained the complaint and then the response that will be sent to the complainant.

Curley spoke about his email responding to his resigning of his position. More discussion followed.

Board Member Moved; Board Member DeVasto Seconded; and it was voted to have the Board authorize Town Counsel to finalize the response to the OML complaint consistent with the Board's discussion.

Roll Call Vote: 5-0.

VII. Licenses

- A. Renewal of 2024 Annual Alcohol Licenses.

- BAPPS TAPS, LLC
- Bapps Taps, LLC dba: The Block and Tackle
- Black Fish Creek Inc dba: Seaside Liquors
- Bookstore and Restaurant Inc
- Fitzgerald hill LLC dba: the Copper Swan
- KB Kitchens, Inc. dba: C Shore
- MJT Enterprises, Inc. dba: Blackfish Variety
- Saveur De Pain Inc dba: PB Boulangerie Bistro
- Slaibi Enterprises, Inc. dba: Wellfleet Mobil
- Tek Restaurant Group, Inc. dba: The Wicked Oyster
- Wellfleet Harbor Actors Theater
- Wellfleet Marketplace, Inc.
- Wellfleet Preservation Hall, Inc.
- Wellfleet Spirits Shoppe, Inc

Board Member DeVasto Moved; Board Member Sayre Seconded and it was voted to approve the annual alcohol licenses as listed:

- **BAPPS TAPS, LLC**
- **Bapps Tapps, LLC dba: The Block and Tackle**

- **Black Fish Creek Creek Inc dba: Seaside Liquors**
- **Book Store and Restaurant**
- **Fizgerald Hill, LLC dba: The Copper Swan**
- **KB Kitchens, Inc. dba: C Shore**
- **MJT Enterprises, Inc. dba: Blackfish Variety**
- **Saveur De Pain Inc dba: PB Boulangerie Bistro**
- **Slaibi Enterprises, Inc. dba: Wellfleet Mobil**
- **Tek Restaurant Group, Inc. dba: The Wicked Oyster**
- **Wellfleet Harbor Actors Theater**
- **Wellfleet Marketplace, Inc.**
- **Wellfleet Preservation Hall, Inc.**
- **Wellfleet Spirits Shoppe, Inc.**

VIII. *Board/Committee Appointments and Updates*

- A.** Interview and possible vote taken to appoint Wendy Rennert to be on the Wellfleet Council on Aging Advisory Board
The board asked Rennert to come to the table and asked her a few questions regarding her application to be on the board.
Board Member Moved; Board Member Seconded; and it was voted to appoint Wendy Rennert as a voting member to Wellfleet Council on Aging Advisory Board, for a term to expire June 30, 2026, and to be sworn in by the town clerk before voting at a meeting.
Roll Call Vote: 5-0
- B.** Interview of and possible votes for the Applicants for the Dredging Task Force
- Chris Merl
 - Alfred Pickard
- The board spoke to Merl first asking him some questions about wanting to be on the board.
Board Member Sayre moved; Board Member Wolf Seconded; and it was voted to approve the appointment of Chris Merl to the Wellfleet Dredging Task force for a term of three years to expire June 30, 2026; and to be sworn in by the Town Clerk before voting at a meeting.
Roll Call Vote: 5-0
Pickard came to the table and the board had a few questions for Pickard.
Board Member Wolf Moved; Board Member Curley Seconded; and it was voted to approve the appointment of Alfred Pickard to the Wellfleet Dredging Task Force for a term of three years to expire June 30, 2026; and to be sworn in by the town clerk before voting at a meeting.
Roll Call Vote: 5-0
- C.** Interviews and possible votes taken for a voting member of the Shellfish Advisory Board
Board Members DeVasto and Sayre recused themselves from this agenda item.
- Chris Merl
 - Brad Morse
 - Helen Miranda Wilson

The board asked some questions of each candidate. Merl was the first to be interviewed. There were none as he was recently interviewed for the same position.

Morse was the second candidate to be interviewed. He gave some statements as to why he wanted to be a voting member on the board. There were no questions for Morse. Wolf spoke about the contentious nature of some of their meetings and how if he were on the advisory board how he would be able to bring the tone down of the meetings.

Wilson came to the table and spoke about her experience, stating she has no conflict of interest and deep knowledge.

Board Member Wolf Moved; Board Member Curley Seconded; and it was voted to appoint Chris Merl as a voting member to the Wellfleet Shellfish Advisory Board to fill the vacant position which expires June 30, 2025; and to be sworn in by the town clerk before voting at a meeting.

Roll Call Vote: 1-1-1(abstain)-2 Recused.

Motion Failed

Chair Carboni Moved; Board Member Curley Seconded; and it was voted Board Member Wolf Moved; Board Member Curley Seconded; and it was voted to appoint Brad Morse as a voting member to the Wellfleet Shellfish Advisory Board to fill the vacant position which expires June 30, 2025; and to be sworn in by the town clerk before voting at a meeting.

Roll Call Vote: 3-0-2

Board Member Curley Moved; Board Member Wolf Seconded; and it was voted to appoint Chris Merl as an alternate member to the Shellfish Advisory Board, for a term of three years; to expire June 30, 2026; and to be sworn in by the town clerk.

Roll Call Vote: 3-0

IX. *Business ~ The following items may require a motion and vote:*

- A. Approval of final draft of Conservation Restriction ~ Fouse/Chequessett Neck Road~ Final Draft ~ Denny O'Connell**

There was some discussion on the amendment.

Board Member Curley Moved; Board Member DeVasto Seconded; and it was voted to approve the final draft of the conservation restriction placed on the Fouse property off Chequessett Neck Road held by the Wellfleet Conservation Trust.

Roll Call Vote: 5-0

- B. Herring River Restoration: Project Update and change order request – Wes Stinson, Environmental Partners – Project OPM Nils Wiberg, Fuss and O'Neil – Project Design Consultants**

Chair Carboni recused herself from this agenda item.

Board Member Curley Moved; Board Member Sayre seconded; and it was voted to appoint Michael DeVasto as acting chair for this item as the chair must be present and in person.

Roll Call Vote: 4-0-1

Stinson shared his screen for a presentation to update the public on the progress of the restoration project. He gave a full breakdown of both change orders and why they were being requested.

Once he was finished with his presentation, Ridley took over to continue the update on this project.

The board had some questions for the group. Discussion continued with regard to the change orders. Lyons spoke to the board in support of this project.

Bacon spoke to the board in support of the project as well and she gave them high regards for their work throughout this project.

Board Member Curley Moved; Board Member DeVasto Seconded and it was voted to approve the change order request #2 for the Herring River Project in the amount of \$647,417.20.

Roll Call Vote: 4-0-1

Board Member Curley Moved; Board Member Wolf Seconded, and it was voted to approve the change order request #3 for the Herring River Project in the amount of \$243,006.53.

Roll Call Vote: 4-0-1

- C. Pesticide Reduction Home Rule Petition warrant article ~ Laura Kelley ~ POCCA

Kelley came to the table to present her home rule petition to the board regarding pesticides. She would like an article added to the annual town meeting warrant. She spoke about the town of Orleans passed this article at their town meeting. She gave information to the board about pesticides and their harmfulness to the environment.

The board had some questions and discussion on what Kelley was looking to do with this item. DeVasto suggested the board take some time to read over at great length and then vote to support. There was much discussion about this topic and the issue of it being on the warrant for the town meeting. Genoa spoke to the board about circulating this to staff and boards for comments.

Board Member Wolf Moved; Board Member DeVasto Seconded; and it was voted to instruct town administration to circulate the home rule petition regarding pesticides to the town staff, and appropriate boards for comment.

Curley had an issue with this whole process.

Roll Call Vote: 3-1-1 (Curley abstained, Sayre voted no)

- D. Support Letter for Comcast Cable to the MBI Broadband Infrastructure Gap Networks grant program.

Waldo presented to the board a support letter from Comcast which is much like the letter they supported with Verizon. Yeston spoke to the board giving the differences between the Verizon support letter and the Comcast support letter. He pointed out some specific examples of the differences.

The board had some questions and comments about this item. They wanted to be sure that if they support this letter will it impede the support letter for Verizon?

The discussion continued at great length.

Board Member Wolf Moved; Board Member Curley Seconded; and it was voted to not authorize Barbara Carboni, Chair of the Selectboard to sign and submit the letter of support for Comcast's grant application for Gap Networks Grant Program established by Massachusetts Broadband Institute.

There was some discussion of this motion. DeVasto gave an alternate motion to send a letter without accolades to Comcast.

Roll Call Vote: 1-3-1

Motion Failed

Board Member DeVasto Moved; Board Member Wolf Seconded; and it was voted to send an amended letter to Comcast reading the support of the grant application with no wording that was in the original letter.

Roll Call Vote: 4-1 (Wolf voted no)

- E. State Efficiency Regionalization Grant ~ Town Administrator ~ Rich Waldo
Waldo explained this item to the board. He explained his communication with the surrounding town administrators. He gave a detailed report on what this would mean for the towns. Waldo stated he is looking for information and feedback.

There was some discussion on regionalization and the need for it especially on the lower cape.

Waldo will go back to the group and state the board's general support and will come back to the board in January or February to have the grant approved.

NO Action Was Taken.

X. *Town Administrator's Report*

Waldo gave a brief verbal update to the board, he did give a budget update to the board stating that the templates for budgets have been submitted to all department heads, he gave a timeline for the budgets. He stated he would like to close town offices at noon on the Friday before Christmas and Friday before New Years' Eve.

XI. *Selectboard Reports*

Wolf reported on the dredging summit held by senator Markey's office. He gave an update about the meeting.

DeVasto spoke to the board about being caught off guard at the last meeting regarding dredging.

XII. *Topics for Future Discussion*

Curley would like to have town meeting discussions on housing, what the plans are in terms of what will be brought forward. He would like to put a doddle poll to see who can attend and when would be the best time to hold the meeting.

Genoa spoke to Curley and stated that it was a good idea and stated that staff is there for the poll if they'd like that.

Town complaints need to be addressed; a working meeting will be scheduled. Charter Changes that the town moderator as addressed.

XIII. *Vacancy Reports*

There was a vacancy report in the selectboard packet. For most recent vacancies please visit the town's website on the home page labeled "WE WANT YOU"

XIV. Minutes

A. December 5, 2023

Board Member Wolf Moved; Board Member Sayre Seconded; and it was voted to approve the meeting minutes as amended by the board of December 5, 2023.

XV. Adjournment

Board Member Sayre Moved; Board Member DeVasto Seconded; and it was voted to adjourn the meeting.

Roll Call Vote: 5-0

Meeting Adjourned: 10:40pm

Public Documents:

- *Support letter for Verizon*
- *Application for Use of Town Property, Town Bandstand*
- *Coles Neck Solar/Greenbacker amendment*
- *Shellfish Hearing for transfer of grant license #755*
- *Open Meeting Law complaint and attachments – Michael Shannon*
- *Year-Round Alcohol License paperwork renewals*
- *Applications for Town Committee's or Boards*
- *Final Conservation Restriction for FOUSE/Chequessett Neck Road*
- *Herring River Change Order*
- *Presentation from Laura Kelley – home rule petition pesticides.*
- *Comcast Support letter*
- *State Efficiency Regionalization information*
- *Meeting Minutes December 5, 2023.*



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: January 9, 2024

XII

ADJOURNMENT

REQUESTED BY:	Selectboard Chair Barbara Carboni
DESIRED ACTION:	To Adjourn the meeting
PROPOSED MOTION:	I move to adjourn
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____