



Wellfleet Selectboard

Note: Start Time of 6pm

The Wellfleet Selectboard will hold a public meeting on **Tuesday, February 15, 2022, at 6:00 p.m.** This meeting will be held via **Zoom Video Conference** in accordance with the temporary suspension and enhancement of the Open Meeting Law requirements by the General Court of the Commonwealth of Massachusetts. Instructions for a Zoom video conference meeting which also allows phone dial-in are given below:

1. Join the meeting hosted in Zoom by using the following link:
<https://us02web.zoom.us/j/85689604806?pwd=blplVFFBZzViQ0xNWkZKMm9iMlVdrdz09>
2. Audio, video, chat, and screen sharing functions will be disabled during the public session. Request to participate by using the “raise hand” function. **Meeting ID: 856 8960 4806 | Passcode: 611877**
 - a. Raise hand in smartphone app – touch bottom of your screen and select “more” - hit “raise hand” button
 - b. Raise hand on computer – hit “participants” button on bottom of screen – hit “raise hand” button on bottom of participants panel
 - c. Please make sure you properly identify yourself before speaking, rename yourself by selecting the participants button and choosing “more” (or by holding down on your name on a smartphone app) and selecting “rename” - full, legal names only.
 - d. Please join the meeting on time.
3. You may also listen to the meeting by calling in on a phone to **+1 929 205 6099** and enter **Meeting ID: 856 8960 4806 | Passcode: 611877** Landline callers can participate by **dialing *9 to raise their hand.**
4. You may submit questions and comments to the Town using the following email: executive.assistant@wellfleet-ma.gov Comments made during the meeting via e-mail will be sent to Selectboard members **AFTER** the meeting.
5. Meeting materials are attached to this agenda, available online at Wellfleet-ma.gov. It is recommended that phone participants access materials in advance of the meeting.
6. **Please follow the following general instructions:**
 - a. Keep your phone muted at all times when not talking; no one is allowed to unmute themselves during the meeting.
 - i. Selectboard meetings are **NOT** interactive. If public comments are allowed that’s all, comments only, not questions.
 - ii. If the Chair is allowing comments during the meeting the number of comments will be limited and may be **no longer than one minute.**
 - b. Do not use speakerphone; do not use Bluetooth devices; mute all background noise.
 - c. Please do not speak until the Chair asks for public comments or questions and you have been recognized by the moderator and unmuted.
 - d. After the business section is complete no public comments are permitted. Future agenda items are from the Selectboard, no one else.

7. It is anticipated that the meeting will be recorded by the Town. Anyone else desiring to record the meeting may do so only after notifying the chair and may not interfere with the conduct of the meeting in doing so.
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I. ***Announcements, Open Session and Public Comments***

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

II. ***Consent Agenda***

- A. Acceptance of Town Treasurer
- B. Memorandum of Agreement between the Town of Wellfleet and The Police Chief, Michael Hurley
- C. Disclosure of Appearance of conflict of interest ~ Nancy Civetta
- D. Disclosure of Appearance of conflict of interest ~ Johnny Mankevetch

III. ***Licenses***

- A. ***Common Victualer***
Endless Coast
Wellfleet Drive In-Flea Market
- B. ***Weekday Entertainment***
Wellfleet Drive-In Flea Market
- C. ***Class II***
L & R Auto

IV. ***Business***

- A. Vacancy of the Housing Authority ~ Ellaine McIlroy
- B. Wild Animal Bylaw ~ Board Member Wilson
- C. Short Term Rentals First Local Option Community Impact Fee (G.L. c. 64G, § 3D(a)) ~ Chair
- D. Short Term Rentals Second Local Option Community Impact Fee (G.L. c. 64G, § 3D(b)) ~ Chair Curley
- E. Town Meeting Article for the Use Short Term Rental First Local Option Community Impact Fee (G.L. c. 64G, § 3D(a)), and Short-Term Rental Second Local Option Community Impact Fee (G.L. c. 64G, § 3D(b)) Receipts.
- F. Community Impact Fee (G.L. c. 64G, § 3D(b)) Receipts.
- G. Housing Stabilization Fund ~ Chair Curley
- H. Radioactive Water Release Resolution ~ Chair Curley
- I. Radioactive Water Release Legal Contingency Fund ~ Chair Curley
- J. Annual Town Meeting Warrant Review

V. ***Selectboard Annual Reports***

- A. Annual Town Report
- B. Report on Investigation for the Annual Town Report

VI. ***Selectboard Reports***

VII. ***Town Administrator's Report***

VIII. ***Topics for Future Discussion***

IX. ***Correspondence and Vacancy Reports***

X. ***Adjournment***



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: February 15, 2022

I

ANNOUNCEMENTS, OPEN SESSION AND PUBLIC COMMENTS

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



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: February 15, 2022

II

CONSENT AGENDA

REQUESTED BY:	Approval without objection is required for the following items:
DESIRED ACTION:	To approve the following
PROPOSED MOTION: SUMMARY:	A. The acceptance and approval of Town Treasurer B. Memorandum of Agreement between the town of Wellfleet and the police Chief Michael Hurley as printed in the packet. C. Disclosure of Appearance of Conflict ~ Nancy Civetta D. Disclosure of Appearance Conflict ~ Johnny Mankevetch
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____

CAMERON REISS SCOTT

EDUCATION

Brown University, Providence, RI
B.A. in Business Economics (2003-2007)

Suffolk University (Sawyer Business School), Boston, MA
Candidate for Masters in Public Administration Fall 2022 (2020-2022), 4.0 GPA

RELEVANT COLLEGE COURSES

Corporate Strategy, Financial Accounting, Econometrics, Investments, Corporate Governance & Management, Industrial & Non-Profit Organizations, Managerial Decision-Making, Public & Private Sector Organizations, Politics & Finance, and Calculus (3)

RELEVANT GRADUATE COURSES

Foundations of Public Service & Administration, Public Service Communication, Information-Based Management, Quantitative Analysis, Organizational Change, Managing Financial Resources, Leadership & Decision-Making, Public Service Communication, and Civic Innovation & Decision-Making

EXPERIENCE

Barnstable Superior Court, Barnstable, MA

July 2018 - present | Head Account Clerk

- Plan, organize, oversee, and coordinate all fiscal operations of the Court.
- Develop and implement fiscal and administrative rules, procedures, and policies.
- Provide accurate and proper recording of all cash, credit card, check, and other payments, deposits, remittals, distributions, and disbursements.
- Prepare revenue transmittal reporting sheets, trial balance reports, bank account reconciliation forms and all required daily, monthly, and annual financial documents.
- Ensure that the Court is operating in accordance with the Fiscal Systems Manual, Internal Control Plan, and Expenditure Classification Notebook.
- Electronically maintain all bank accounts in various banks; balance and reconcile same.
- Oversee procedure for daily collection, posting and deposit of monies; reconcile same.
- Responsible for procurement and budgeting of supplies, materials, equipment and services.
- Accountable for directing, organizing, and providing administrative supervision to case specialists, case coordinators, and cashiers.
- Assign responsibilities and duties to employees commensurate with their job duties.
- Coordinate my own work and the work of others to meet deadlines.
- Evaluate employees based on job performance; make recommendations based on same.
- Respond to both internal and state auditors and audits.
- Assist Court management by advising on fiscal policies.
- Work with the fiscal department, procurement department, accounting division, executive office, law enforcement, attorneys, the general public and other Courts concerning fiscal issues.
- Manage all criminal appeals with the Appellate Division of the Superior Court, the Appeals Court and the Supreme Judicial Court.

Barnstable Superior Court, Barnstable, MA

Dec. 2013 – July 2018 | Case Specialist I-III

- Create criminal cases from indictments and docket any activity in same.
- Maintain criminal calendar, prepare daily lists and compile filing system.
- Perform all cashiering duties, set up bail returns and set up recognizance transactions.
- Open and disburse mail daily; review e-filed documents and FTR requests.
- Handle all criminal appeals and bail reviews; coordinate all interpreters.
- Assess criminal fees; process remitting and waiving of fees.

Cape Coast Transportation, LLC, Chatham, MA

Dec. 2010 – Dec. 2013 | Assistant Manager, Bookkeeper

- Form the LLC, registered livery vehicles with Massport.
- Assist with developing the company website, marketing, and all promotional efforts.
- Keep detailed accounts to track advertising with local businesses, airports, etc.
- Visit existing and potential customers to ensure open communication.
- Develop and maintain the company's bookkeeping system.

Van De Poel, Levy & Allen, LLP, San Francisco, CA (working remotely)

Dec. 2010 – July 2012 | Contract Paralegal

- Conduct California searches online (Court searches, Building Depts., Dept. of Health, County Recorder & Bylaws, Court Websites for Registers of Action and Unlawful Detainers).
- Research California Codes (Civil, CCP, Local Rent Ordinances including SF and Oakland), Rules of Court and Rules for specific Court departments.
- Prepare Demands for Inspections, Requests for Documents, Judicial Form Interrogatories and Specially tailored Interrogatories.
- Draft, proofread and revise documents, memos and briefs.

Cohn, Whitesell & Goldberg LLP, Boston, MA

Sept. 2007 – Nov. 2010 | Legal Assistant/Paralegal

- Prepare motions, affidavits and other documents for filing with Courts and states.
- Draft, proofread and revised documents, memos and briefs.
- Conduct legal research.
- Attend hearings, auctions and attorney meetings to provide support and take notes.
- Maintain communication with creditors to update them about bankruptcy cases.
- Provide complete support to pro bono clients on Chapter 7 bankruptcy cases.

PROFICIENCIES

Microsoft Office Suite, Corel WordPerfect, Adobe Photoshop and Acrobat, TimeSlips, TABS, Best Case, DeltaView, Juris, PACER/ECF, Westlaw, LexisNexis, Zimbra, For The Record, Quicken, Mass Courts, MMARS, all Internet browsers, COMMBUYS, Oracle HR/CMS Peoplesoft, TeamWork, Paymentech/Virtual Terminal, Tyler Technologies Odyssey System

PROFESSIONAL MEMBERSHIPS

Sigma Alpha Pi Honor Society (NSLS), Brown Alumni Organization, Brown Club of Boston, Brown Club of Cape Cod, Cape Cod Young Professionals, Massachusetts Government Finance Officers Association, Statewide E-Filing Steering Committee

TO: Interim Administrator Charlie Sumner
FROM: Chief Michael P. Hurley
RE: MOU Vacation Buy Back
DATE: January 24, 2022

Memorandum of Agreement between the Town of Wellfleet and Police Chief Michael Hurley

1. Section IV – Benefits

To include language from newly executed contract July 1, 2022 into my current agreement due to expire June 30, 2022 to include the following;

- **L. The Chief may elect in lieu of time off to be paid for up to two weeks of vacation time, if appropriations exist within the budget. Requests must be submitted prior to March 1st or if unforeseen circumstances arise the Chief may request the approval from the Town Administrator outside of the March 1 deadline.**


Agreed upon this ?? day of January,

Michael P. Hurley, Police Chief

Chair Ryan Curley

**DISCLOSURE OF APPEARANCE OF CONFLICT OF INTEREST
AS REQUIRED BY G. L. c. 268A, § 23(b)(3)**

PUBLIC EMPLOYEE INFORMATION	
Name of public employee:	Nancy Civetta
Title or Position:	Shellfish Constable
Agency/Department:	Shellfish Department
Agency address:	Town of Wellfleet 300 Main St. Wellfleet, MA 20667
Office Phone:	508-349-0325
Office E-mail:	Nancy.civetta@wellfleet-ma.gov
	<p>In my capacity as a state, county or municipal employee, I am expected to take certain actions in the performance of my official duties. Under the circumstances, a reasonable person could conclude that a person or organization could unduly enjoy my favor or improperly influence me when I perform my official duties, or that I am likely to act or fail to act as a result of kinship, rank, position or undue influence of a party or person.</p> <p>I am filing this disclosure to disclose the facts about this relationship or affiliation and to dispel the appearance of a conflict of interest.</p>
APPEARANCE OF FAVORITISM OR INFLUENCE	
Describe the issue that is coming before you for action or decision.	The Aquacultural Research Corporation (ARC) is a grant holder in Wellfleet, and as Shellfish Constable for the Town of Wellfleet, I am in charge of overseeing their shellfish farm and farming efforts and ensuring that they operate within the Town of Wellfleet's Shellfishing Policy and Regulations.
What responsibility do you have for taking action or making a decision?	I am responsible for enforcement actions on ARC regarding its grant operations.
Explain your relationship or affiliation to the person or organization.	I worked for the Cape Cod Commercial Fishermen's Alliance when its senior team assisted with the transition of ownership of ARC. As Communications Director for this nonprofit, I conducted media outreach and set up interviews and an event that resulted in media coverage for this transition from roughly June to September of 2015.
How do your official actions or decision matter to the person or organization?	As Shellfish Constable, I am responsible for oversight and enforcement of shellfish grants, which means that my decisions and actions could have an effect on their business.

Optional: Additional facts – e.g., why there is a low risk of undue favoritism or improper influence.	I always approach my work to ensure the best interests of the town of Wellfleet are represented. As an enforcing officer, I have to provide guidance and enforcement to all grant holders on our rules and regulations, and I am able to do this impartially and objectively, no matter who they are.
If you cannot confirm this statement, you should recuse yourself.	WRITE AN X TO CONFIRM THE STATEMENT BELOW. <input checked="" type="checkbox"/> Taking into account the facts that I have disclosed above, I feel that I can perform my official duties objectively and fairly.
Employee signature:	
Date:	2-9-2022

Attach additional pages if necessary.

Not elected to your public position – file with your appointing authority.

Elected state or county employees – file with the State Ethics Commission.

Members of the General Court – file with the House or Senate clerk or the State Ethics Commission.

Elected municipal employee – file with the City Clerk or Town Clerk.

Elected regional school committee member – file with the clerk or secretary of the committee.

**DISCLOSURE OF APPEARANCE OF CONFLICT OF INTEREST
AS REQUIRED BY G. L. c. 268A, § 23(b)(3)**

PUBLIC EMPLOYEE INFORMATION	
Name of public employee:	John McKeever Jr
Title or Position:	Asst Shellfish Constable - Biofagation
Agency/Department:	Shellfish Department
Agency address:	Town of Wellfleet 366 Main St Wellfleet, MA 02667
Office Phone:	508 349 0325
Office E-mail:	John.McKeever@wellfleet-ma.gov
	<p>In my capacity as a state, county or municipal employee, I am expected to take certain actions in the performance of my official duties. Under the circumstances, a reasonable person could conclude that a person or organization could unduly enjoy my favor or improperly influence me when I perform my official duties, or that I am likely to act or fail to act as a result of kinship, rank, position or undue influence of a party or person.</p> <p>I am filing this disclosure to disclose the facts about this relationship or affiliation and to dispel the appearance of a conflict of interest.</p>
APPEARANCE OF FAVORITISM OR INFLUENCE	
Describe the issue that is coming before you for action or decision.	The Agricultural Reserve (ARC) is a grant holder in Wellfleet and the Select Board is holding a Public Hearing regarding its status in relation to the Town of Wellfleet's Shellfish Policy and regulations sections 9.8.1 eligibility requirements and 7.01.1.1 requirements and execution
What responsibility do you have for taking action or making a decision?	It is possible that I will be asked to Opine on issues regarding ARC's operations in the Town of Wellfleet
Explain your relationship or affiliation to the person or organization.	I worked for ARC for at least a decade although I was not been in their employ for 17 yrs.
How do your official actions or decision matter to the person or organization?	As Asst. Shellfish Constable I may have to initiate enforcement actions against ARC

<p>Optional: Additional facts – e.g., why there is a low risk of undue favoritism or improper influence.</p>	<p><i>I am very careful to be impartial in my official duties</i></p>
<p>If you cannot confirm this statement, you should recuse yourself.</p>	<p>WRITE AN X TO CONFIRM THE STATEMENT BELOW.</p> <p><input checked="" type="checkbox"/> Taking into account the facts that I have disclosed above, I feel that I can perform my official duties objectively and fairly.</p>
<p>Employee signature:</p>	<p><i>[Handwritten Signature]</i></p>
<p>Date: <i>2/3/11</i></p>	<p><i>[Handwritten Signature]</i></p>

Attach additional pages if necessary.

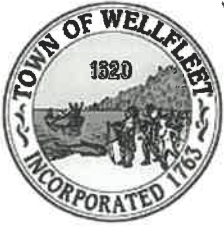
Not elected to your public position – file with your appointing authority.

Elected state or county employees – file with the State Ethics Commission.

Members of the General Court – file with the House or Senate clerk or the State Ethics Commission.

Elected municipal employee – file with the City Clerk or Town Clerk.

Elected regional school committee member – file with the clerk or secretary of the committee.



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: February 15, 2022

III

LICENSES

REQUESTED BY:	Principal Clerk
DESIRED ACTION:	To approve the following licenses
PROPOSED MOTION: SUMMARY:	I move to approve the following licenses Common Victualer: <ul style="list-style-type: none">• Endless Coast• Wellfleet Drive-In Flea Market Weekday Entertainment <ul style="list-style-type: none">• Wellfleet Drive-In Flea Market Class II <ul style="list-style-type: none">• L & R Auto
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____

Common Victualer

- **Endless Coast**
- **Wellfleet Drive-In Flea Market**

Weekday Entertainment

- **Wellfleet Drive-In Flea Market**

Class II

- **L & R Auto**



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: February 15, 2022

IV

BUSINESS

~ A ~

REQUESTED BY:	Ellaine McIlroy
DESIRED ACTION:	To discuss her vacancy with the Housing Authority
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 _____

Jeanne Maclauchlan

From: Elaine McIlroy <emcilroy@comcast.net>
Sent: Wednesday, February 2, 2022 1:01 PM
To: Jeanne Maclauchlan
Subject: Fwd: Wellfleet Housing Authority vacancy

Hi Jeanne,
Here's the background on the vacancy. I never got a reply to this email. Let me know if there is anything else I should do.

Thanks,
Elaine

Sent from my iPad

Begin forwarded message:

From: Elaine McIlroy <emcilroy@comcast.net>
Date: January 12, 2022 at 9:12:32 AM CST
To: Charles Sumner <charles.sumner@wellfleet-ma.gov>, Rebecca Roughley <Rebecca.Roughley@wellfleet-ma.gov>, Jennifer Congel <Jennifer.Congel@wellfleet-ma.gov>, rebekah.eldridge@wellfleet-ma.gov
Subject: Fwd: Wellfleet Housing Authority vacancy

Good Morning,

The term of our Governor's appointee to the Wellfleet Housing Authority, Mia Baumgarten, expires on January 20. Sadly and understandably, she has chosen not to seek reappointment due to her heavy work schedule. We will miss her youthful and thoughtful presence on the WHA and her networking with a young peer group that can be hard to reach.

It is my understanding from speaking with DHCD, that the person interested in serving should apply by filling out the form in the link below. The WHA would like to seek out interested candidates and would like to have the vacancy announced as any other vacancies on Town committees are announced.

To facilitate the process I believe only one person should be identified to apply to the State. The State has 120 days to act on the appointment. If they do not, the Selectboard can make the appointment and the Town informs the State. This is what happened with Mia's appointment. It took over 4 months to fill the vacancy.

The term is for 5 years. The WHA currently meets once a month on the first Thursday of the month at 10am. The mission of the Wellfleet Housing Authority is to develop and offer programs to assist people in acquiring and retaining secure affordable housing. The WHA works closely with the Local Housing Partnership and the Wellfleet Affordable Housing Trust.

If you need any more information or have questions, please get in touch.

Thank you,
Elaine
Elaine McIlroy, Chair
Wellfleet Housing Authority
617-947-1269



[Boards/Commissions Home](#) > [Search Results](#) > [Board/Commission Detail](#)

Boards and Commissions

Wellfleet Housing Authority

[Apply for this Board/Commission](#)

Board/Commission Information

Board Name:	Wellfleet Housing Authority
Legal Authority:	MGL Chapter 121b Section 5
Purpose:	
Seat Restrictions:	Term Limit: 0 Term Length: 5
Meeting Information:	
Compensation:	None

Member Name	Seat Name	Chair	Term End Date



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: February 15, 2022

IV

BUSINESS

~ B ~

REQUESTED BY:	Board Member Wilson
DESIRED ACTION:	To discuss, approve and vote on the Wild Animal Bylaw
PROPOSED MOTION:	I move to approve the Wild Animal Bylaw as presented by Helen Miranda Wilson and approved by Officer Desmond Keough, the animal officer for the town of Wellfleet Police Department
SUMMARY:	
Project	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____

36 CFR § 2.2 Wildlife protection.

(a) The following are prohibited:

(1) The taking of wildlife, except by authorized hunting and trapping activities conducted in accordance with [paragraph \(b\)](#) of this section.

(2) The feeding, touching, teasing, frightening or intentional disturbing of wildlife nesting, breeding or other activities.

(3) Possessing unlawfully taken wildlife or portions thereof.

(b) *Hunting and trapping.*

(1) Hunting shall be allowed in park areas where such activity is specifically mandated by Federal statutory law.

(2) Hunting may be allowed in park areas where such activity is specifically authorized as a discretionary activity under Federal statutory law if the superintendent determines that such activity is consistent with public safety and enjoyment, and sound resource management principles. Such hunting shall be allowed pursuant to special regulations.

(3) Trapping shall be allowed in park areas where such activity is specifically mandated by Federal statutory law.

(4) Where hunting or trapping or both are authorized, such activities shall be conducted in accordance with Federal law and the laws of the State within whose exterior boundaries a park area or a portion thereof is located. Nonconflicting State laws are adopted as a part of these regulations.

(c) Except in emergencies or in areas under the exclusive jurisdiction of the United States, the superintendent shall consult with appropriate State agencies before invoking the authority of [§ 1.5](#) for the purpose of restricting hunting and trapping or closing park areas to the taking of wildlife where such activities are mandated or authorized by Federal statutory law.

(d) The superintendent may establish conditions and procedures for transporting lawfully taken wildlife through the park area. Violation of these conditions and procedures is prohibited.

(e) The Superintendent may designate all or portions of a park area as closed to the viewing of wildlife with an artificial light. Use of an artificial light for purposes of viewing wildlife in closed areas is prohibited.

(f) Authorized persons may check hunting and trapping licenses and permits; inspect weapons, traps and hunting and trapping gear for compliance with equipment restrictions; and inspect wildlife that has been taken for compliance with species, size and other taking restrictions.

(g) The regulations contained in this section apply, regardless of land ownership, on all lands and waters within a park area that are under the legislative jurisdiction of the United States.

Collateral Fines

2.2 Wildlife Protection

(a) The following are prohibited:

- (1) Unauthorized taking of wildlife 200**
- (2) Feeding etc., or intentional disturbing of wildlife (major/minor) 50/150**
- (3) Possessing unlawfully taken wildlife/parts 200**
- (e) Use of an artificial light for viewing wildlife in closed areas 50**
 - 2nd offense within two years..... 150*

Wildlife Protection

- In this Bylaw:

“Attractant” means any substance which could reasonably be expected to attract a wild animal or does attract a wild animal, including but not limited to, garbage, unenclosed compost bins, human food products, pet food, feed, grain or salt.

“Wild animal” means any animal which is not normally domesticated in Massachusetts, including but not limited to, bears, coyotes, foxes, fisher cats, weasels, rats, deer, opossums, raccoons, squirrels, feral cats and skunks.

Prohibitions

1. No person shall feed, tempt with an attractant, touch, tease, frighten or intentionally disturb wildlife during nesting, breeding or any other activities.
2. No person shall leave, store, or maintain any attractant in a manner, area, or location accessible to any wild animal.

Exceptions

- The prohibitions of this Bylaw shall not apply to:

- (1) Any person who is the legal owner of a wild animal, if the wild animal is kept in compliance with all applicable federal, State and local laws and regulations.
- (2) Any person who feeds or provides food to a trapped, injured or unweaned wild animal between the time that the agency in charge of animal control, or its designated agent, or a licensed wildlife rehabilitator, is notified of the wild animal and the wild animal is received by the agency, facility, or designated agent.

(3) A wildlife rehabilitator licensed pursuant to Massachusetts 321 CMR 2.13, or a wildlife sanctuary licensed pursuant to 321 CMR 7.00, and otherwise in compliance with all applicable federal, State and local bylaws and regulations.

(4) Any person with a bird feeder, provided the feeder is suspended on a cable or other device to make it inaccessible to wild mammals, and the area below the feeder is kept free from the accumulation of seed debris.

(5) Any person or organization that is providing care for feral cats and is making a reasonable effort to trap and sterilize the animals.

(6) Any person feeding animals in the normal course of raising farm animals for food production or in the care of livestock animals, provided all reasonable efforts are made to reduce attractants to wild animals in the course of feeding livestock/farm animals, and in the storage of animal feed.

7) An owner or tenant of land or, if authorized by such owner or tenant, any member of their immediate family or their employee, using an attractant to bait common-type mouse and rat traps, nets, or box or cage-type traps to trap mammals who are causing damage to their property. A box or cage-type trap is one that confines the whole animal without grasping any part of the animal. All such trapping must be done in compliance with MGL Chapter 131, Section 80A and any applicable federal, State and local laws and regulations.

Enforcement

The animal control authority, its staff, its agents, or local law enforcement agents are authorized and empowered to enforce the provisions of this Bylaw.

Penalty

Any person violating this Bylaw shall be guilty of a civil penalty of not less than \$200.(two hundred dollars) and not more than \$2000. (two thousand dollars) for each violation.

Each day that a violation continues or occurs will be considered a new violation for the purpose of assessing fines under this act.

Fines and Penalties

XX.XX.X

Criminal Disposition - In addition to any other legal remedies that may be available, the Animal Control Officer or other designated person, may enforce this By-law by Non-Criminal Disposition. If a Non-Criminal Disposition process, as provided in Massachusetts General Laws, Chapter 40, Section 21D and the Town's Non-Criminal disposition By-law is elected, then any person who violates the provisions of **ARTICLE XX**, Section **§XX** of the Town's General By-laws shall be subject to the following enforcement fines and penalties.

The enforcing officer or designee may give a written warning for the first offense or shall impose the following fines:

<u>First Offense</u>	<u>\$50.00</u>
<u>Second Offense</u>	<u>\$100.00</u>
<u>Third and Subsequent Offenses</u>	<u>\$300.00</u>



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: February 15, 2022

IV

BUSINESS

~ C ~

REQUESTED BY:	Chair Ryan Curley
DESIRED ACTION:	To discuss short term rentals first local option community impact fee (G.L. c. 64G § 3D (a))
PROPOSED MOTION: Summary:	If a motion is needed one will be made at the time of the meeting
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____

Article XX Short Term Rental Community Impact Fee Investor-Owned Homes (G.L. c. 64G, § 3D(a))

The local option community impact fee of 3% is hereby adopted under G.L. c. 64G, § 3D(a) and applies to each transfer of occupancy of a "professionally managed unit," which is defined as one of two or more short-term rental units in same city/town not located within a single- or two- or three-family dwelling that includes the operator's (owner's) primary residence. The fee applies to transfers of occupancies on or after January 1, 2023 for which a rental contract was entered into on or after January 1, 2023. It does not apply to occupancies for which the rental contract was entered into before January 1, 2023.

Summary: This opts the Town into collecting a community impact fee on short-term rentals of "professionally managed" short-term rental units. Professionally managed units are two or more units run by the same operator not located within a two to three family that includes the operator's primary residence. Three percent (3%) is the maximum allowable local option. The statutory requirement is that 35% of the fee must be used for either affordable housing or capital infrastructure. The Town is proposing to dedicate all of these funds to housing. See **Article XX Governing the Use of Short Term Rental Community Impact Fees (G.L. c. 64G, § 3D(a)) & (G.L. c. 64G, § 3D(b))**.

FREQUENTLY ASKED QUESTIONS (FAQs) AN ACT REGULATING AND INSURING SHORT-TERM RENTALS

Frequently asked questions (FAQs) published by the Division of Local Services (DLS) within the Department of Revenue provide general information about Massachusetts municipal tax and finance laws and DLS policies and procedures in effect when published. They do not answer all questions or address complex issues about their topics. FAQs are not public written statements of the Department. They are informational only as described in [830 CMR 62C.3.1\(9\)\(c\)](#), and do not supersede, alter or otherwise change any Massachusetts General Law, Department public written statement or other source of law.

These FAQs provide information of interest to municipal officials regarding “An Act Regulating and Insuring Short-term Rentals”, [c. 337 of the Acts of 2018](#), (the Act) signed by Governor Baker on December 28, 2018. The Act added short-term rentals to the room occupancy excise under [G.L. c. 64G](#) and included other new provisions. These FAQs also include information regarding amendments to the Act that were contained in [c. 5 of the Acts of 2019](#).

We currently have a local option room occupancy excise in my city/town. What actions do we need to take to have it apply to short-term rentals?

As a general rule, unless the legislation provides otherwise, a municipality that accepts a statute accepts any amendments the legislature subsequently makes to the statute. Therefore, if your city or town has already adopted a local option room occupancy excise under [G.L. c. 64G, § 3A](#), your local excise will automatically apply to a short-term rental starting July 1, 2019 for which a rental contract was entered into on or after January 1, 2019. No further action is required for the local excise to apply to short-term rentals. The local excise applies to the same occupancies as the state excise.

You can find a listing of municipalities that currently have a local option room occupancy excise by visiting the Division of Local Services' [Municipal Databank](#).

My city/town does not have a local option excise – how do we adopt it?

If a city/town has not yet adopted a local room occupancy excise, it may do so at any time by voting to accept [G.L. c. 64G, § 3A](#) and establishing the rate for its local room occupancy excise. The maximum local rate is 6% (6.5% in Boston). The local acceptance procedure is as follows:

- In cities, by majority vote of city council and if city has elected mayor, with mayor's approval
- In towns that have town meeting form of government, by majority vote of the annual or special town meeting
- Where there is a town council form of government, by majority vote of the council.

When will a city/town's acceptance of the local excise become effective?

First, the city/town must report its acceptance to the DLS Municipal Databank within 48

hours of the vote. The [form](#) is found on this [DLS webpage](#). The effective date of local excise is the first day of the calendar quarter following 30 days after acceptance or the first day of a later calendar quarter if the later date is specified in the acceptance vote. See the below timetable:

Acceptance Vote	Excise Effective
May 31, 2019	July 1, 2019
June 1, 2019	October 1, 2019

Please refer to the DLS website for a [more detailed acceptance timetable](#).

Is the city/town required to collect the local room occupancy excise?

No. The local excise is paid by the operator (proprietor) directly to DOR and DOR distributes the local share to the city or town. Payments to cities and towns are made on a quarterly basis by DOR.

Can our city/town vote that our local option excise not apply to short-term rentals?

No – The local excise applies to the same occupancies and rentals as the state room occupancy excise.

My city/town currently has a local option excise. May we vote to revoke it or amend the rate?

Yes. If a city/town has already accepted the local room occupancy excise, it may amend the excise rate or revoke its acceptance; however, it may not do so more than once in a 12-month period. The amendment and revocation procedure and effective dates are the same as with an original acceptance. [G.L. c. 64G, § 3A](#).

Did the new law provide for other options for cities and towns in addition to the local option room occupancy excise?

Yes, if a city/town has adopted the local room occupancy excise under [G.L. c. 64G, § 3A](#), it may adopt a [local option community impact fee](#) of up to 3% of rent regarding transfers of occupancies of two categories of short-term rentals described below. G.L. c. 64G, § 3D. ([St. 2018, c. 337, § 6](#).) If a community has not adopted a local room occupancy excise, it cannot adopt any local option community impact fee. If a community revokes its local option excise, its local option community impact fee will automatically be revoked.

The acceptance procedure for the local option community impact fees is the same as required for accepting the local option room occupancy excise. A separate acceptance vote is required to adopt each local option community impact fee as shown below.

First Local Option Community Impact Fee (G.L. c. 64G, § 3D(a)) - The first local option community impact fee is adopted under G.L. c. 64G, § 3D(a) and applies to each transfer of occupancy of a "professionally managed unit," which is defined as one of two or more short-term rental units in same city/town not located within a single- or two- or three-family dwelling that includes the operator's (owner's) primary residence. The fee applies to transfers of occupancies on or after July 1, 2019 for which a rental contract was entered into on or after January 1, 2019. It does not apply to occupancies for which the rental contract was entered into before January 1, 2019. For example, if a summer vacation rental was booked last summer (or at any time before January 1, 2019), the local option community impact fee will not apply.

Second Local Option Community Impact Fee (G.L. c. 64G, § 3D(b)) - If the city/town has voted to adopt the local option community impact fee described above for "professionally managed units" under G.L. c. 64G, § 3D(a), it may by a separate additional vote, adopt the local option community impact fee on short-term rental units located within a two- or three-family dwelling that includes the operator's primary residence under G.L. c. 64G, § 3D(b). The impact fee will, again, apply only to transfers of occupancies on or after July 1, 2019 for which a contract was entered into on or after January 1, 2019. If the city/town has not adopted the local option community impact fee under G.L. c. 64G, § 3D(a) (above), it cannot adopt the local option community impact fee under G.L. c. 64G, § 3D(b).

DLS's Municipal Databank must be notified (within 48 hours) when the community adopts a local option community impact fee by completing the notification of acceptance form found [here](#) and providing a certification of the vote(s) of the legislative body.

The effective date of the local option community impact fee will be the first day of the calendar quarter following 30 days after the vote or the first day of a later calendar quarter if the later date is specified in the adoption vote. See the below timetable:

Acceptance Vote	Effective Date
May 31, 2019	July 1, 2019
June 1, 2019	October 1, 2019

The timetable is the same as the local excise acceptance timetable. Please refer to the DLS website for [the local excise acceptance timetable](#).

Who collects the local option community impact fee?

The local option community impact fee is paid by the operator (proprietor) directly to DOR and DOR distributes the local share to the city or town at the same time as the room occupancy excise distribution. [St. 2019, c. 5, § 33\(c\)](#).

Are there any restrictions on how a municipality spends these funds?

The revenue from the local room occupancy excise is general fund revenue and may be appropriated by the city/town's legislative body for any municipal purpose. The revenue from the local option community impact fee, however, is partially restricted. Thirty-five percent (35%) of the impact fee must be dedicated to affordable housing or local infrastructure projects. G.L. c. 64G, § 3D(c). As a result, thirty-five percent (35%) of the local option community impact fee revenue must be accounted for as a "receipts reserved for appropriation" account for affordable housing or local infrastructure projects. A legislative body vote will be required to appropriate these funds for either affordable housing or local infrastructure projects. The balance of the local option community impact fee, the remaining 65%, will be general fund revenue of the city/town and may be appropriated for any municipal purpose. However, under G.L. c. 64G, § 3D(c), the city or town may, by legislative body vote, dedicate more than the required 35%, up to 100% of the local option community impact fees to affordable housing or local infrastructure projects. In that case, the increased percentage of the revenue from the impact fee will be credited to the receipts reserved for appropriation account. Any amount not so dedicated will be general fund revenue. A city or town's legislative body vote regarding a dedication in excess of the required 35% will be effective on the July 1 following the vote and apply until a subsequent legislative body vote changes the percentage which would then become effective the next following July 1 after that vote. "A local infrastructure project" is a capital project for which a community could borrow. For example, the legislative body could appropriate from this receipts reserved for appropriation account to fund the acquisition of a fire truck or to fund road improvements, but not to fund the payment of debt service.

May a city/town adopt a local by-law or ordinance regarding short-term rentals?

Yes, under the new G.L. c. 64G, § 14, a city/town may adopt an ordinance or by-law to regulate operators registered with DOR. Operators are defined under G.L. c. 64G, § 1 as "a person operating a bed and breakfast establishment, hotel, lodging house, short-term rental or motel in the commonwealth" We suggest that cities and towns work with their local counsel if they wish to adopt a local by-law or ordinance.

How can a city or town obtain a list of establishments who are registered with DOR?

A list of establishments who are registered with DOR is available through the DLS Databank on request. A city or town should update this information annually so it is current. Contact: databank@dor.state.ma.us .

What is the Cape Cod and Islands Water Protection Fund?

The short-term rental legislation also includes a new Cape Cod and Islands Water Protection Fund (Fund). It is funded, in part, by a new 2.75% excise on all occupancies subject to the room occupancy excise located within a municipality that is a member of the Fund. It does not apply to occupancies where the total amount of daily rent (or its equivalent) is less than \$15 per day. G.L. c. 64G, § 3C. This excise is paid by the

operator to DOR with its room occupancy excise. Revenues from this new excise are to be credited to the Fund. The effective date of this excise is July 1, 2019.

How do I find out if my city/town is a member of the Cape Cod and Islands Water Protection Fund?

Under G.L. c. 29C, § 19, "Each municipality within Barnstable or Nantucket counties or within the county of Dukes County shall be a member of the fund if it is subject to: (i) an area wide wastewater management plan under section 208 of the federal Clean Water Act, 33 U.S.C. 1288; or (ii) a suitable equivalent plan determined by the department of environmental protection."

According to the Mass. Dept. of Environmental Protection (DEP) and the Cape Cod Commission, all Barnstable County towns are currently subject to an area wide wastewater management plan under section 208 of the federal Clean Water Act (the "208 Plan Update") and so all are members of the Fund. (The plan can be found at: <http://www.capecodcommission.org/index.php?id=506>.) Island towns (Nantucket and Dukes County) are not currently members of the Fund. They will need to work with the DEP to obtain its determination of a "suitable equivalent plan" to join the Fund. Those towns should contact DEP for more information on how to obtain a determination by DEP that the town's plan is a "suitable equivalent plan."

If my city/town is a member of the Fund, may it withdraw from the Fund?

A city/town may withdraw from the Fund by a two-thirds vote of its legislative body; however, it may not withdraw during the term of a financial assistance award from the Fund. Furthermore, a city/town may not withdraw from the Fund until March 28, 2020, one year after the effective date of St. 2018, c. 337. We interpret this to mean that although the city/town may vote to withdraw before March 28, 2020, the effective date of the vote of withdrawal cannot be before March 28, 2020.

If a city/town withdraws from the Fund and wishes to return to the Fund, it may, by majority legislative body vote, return to the Fund after withdrawal. However, it cannot receive funding from the Fund for two years after its vote to return to the Fund.

In the event of a withdrawal from the Fund or a return to the Fund after a withdrawal, the city or town must notify the DLS Municipal Databank within 48 hours of the vote of the legislative body. Send notification by email to databank@dor.state.ma.us and include a certification of the vote by the city/town clerk.

If my city/town is not currently a member of the Fund and later becomes a member of the Fund, when does the 2.75% excise become effective?

As explained above, a city or town that is within Nantucket and Dukes County that wishes to join the fund would have to contact DEP to obtain its determination that the city/town has a "suitable equivalent plan." Once DEP makes that determination, the city/town will be a member of the Fund. For those becoming members of the Fund after June 1, 2019, according to St. 2018, c. 337, § 11, as amended by St. 2019, c. 5, § 36,

the 2.75% excise will become effective on the first day of the calendar quarter following 30 days after the municipality has joined the fund. (The timetable for implementation is the same as the above timetables for implementation of local option room occupancy excise and local option community impact fee.) If, however, the city or town wishes the excise to become effective later, It may through a majority vote of its chief executive officers, designate the effective date to be the first day of a later calendar quarter.

A city or town that becomes a member of the Fund must report its joining the Fund to the DLS Municipal Databank within 48 hours of being notified of DEP's determination, unless the city or town's chief executive officers vote to designate a later effective date for the excise, in which case, the city or town must report its joining the Fund within 48 hours of the chief executive officers' vote. Send notification by email to databank@dor.state.ma.us and include a copy of DEP's determination and, if applicable, a certification of the vote of the chief executive officers by the city/town clerk.

Note that under G.L. c. 4, § 7, cl. 5B, the "chief executive officer" includes the mayor in a city and the board of selectmen in a town unless some other municipal office is designated to be the chief executive officer under the provisions of a local charter.

For more information, please see the [FAQs on the Dept. of Revenue's website](#) and its [Technical Information Release, TIR 19-3](#).

**Massachusetts Department of Revenue
Division of Local Services
Municipal Databank**

(City/Town)

**Notification of Acceptance/Rescission
General Laws Chapter 64G, § 3D
(Local Option Community Impact Fee – Short-term Rentals)**

The Commissioner of Revenue is hereby notified that the City/Town of _____, by vote(s) of its legislative body on _____, _____, has accepted/rescinded the provisions of General Laws Chapter 64G, § 3D to impose a local option community impact fee at the rate of _____ percent, effective _____, and applying to transfers of occupancy of:

"Professionally-managed units" (one of two or more short-term rental units in same city/town operated by the same operator (owner) and not located within a single- or two- or three-family dwelling that includes the operator's primary residence)

Short-term rental units located in a two- or three-family dwelling that includes the operator's primary residence (separate vote required)

(City/Town Clerk) _____

(Date)

Please submit this form in one of two ways to:

databank@dor.state.ma.us

(617) 660-7023 (fax)

Part I ADMINISTRATION OF THE GOVERNMENT**Title IX** TAXATION**Chapter** ROOM OCCUPANCY EXCISE
64G**Section 1** DEFINITIONS

[Text of section effective as provided by 2018, 337, Sec. 15A as added by 2019, 5, Sec. 37. See 2019, 5, Sec. 46.]

Section 1. As used in this chapter, the following words shall have the following meanings unless the context clearly requires otherwise:

"Bed and breakfast establishment", a private owner-occupied house where not less than 4 rooms are let, a breakfast is included in the rent and all accommodations are reserved in advance.

"Bed and breakfast home", a private owner-occupied house where not more than 3 rooms are let; a breakfast is included in the rent and all accommodations are reserved in advance.

"Commissioner", the commissioner of revenue.

"Hosting platform", a service through a digital platform, third-party website, software, online-enabled application, mobile phone application or some other, similar electronic process that allows: (i) an operator to advertise, list or offer the use of an accommodation subject to the excise

under this chapter in exchange for rent; (ii) an operator to collect the payment of rent on an accommodation; and (iii) a person to arrange, book, reserve or rent an accommodation.

"Hotel", a building used for the feeding and lodging of guests licensed or required to be licensed under section 6 of chapter 140.

"Intermediary", a person or entity, other than an operator, that facilitates the sale, use or possession of an occupancy and charges a room charge to the general public; provided, however, that the term "facilitates" shall include a person or entity that brokers, coordinates or in any other way arranges for the purchase, sale, use or possession of occupancies by the general public; provided further, that the term "intermediary" shall include a hosting platform and operator's agent.

"Lodging house", a house licensed or required to be licensed under section 23 of chapter 140 and where lodgings are rented to not less than 4 people who shall not be within the second degree of kindred to the owner or operator of such lodging house.

"Motel", a building or portion of a building in which a person is lodged for hire with or without meals and that is licensed or required to be licensed under section 32B of chapter 140; provided, however, that a "motel" shall not include a hotel or lodging house.

"Occupancy", the use or possession or the right to the use or possession of a room in a bed and breakfast establishment, hotel, lodging house or motel designed and normally used for sleeping and living purposes for a period of not more than 90 consecutive calendar days, regardless of whether such use and possession is as a lessee, tenant, guest or licensee, or the use or possession or the right to the use or possession of a room in a short term rental normally used for sleeping and living purposes for a

period of not more than 31 consecutive calendar days, regardless of whether such use and possession is as a lessee, tenant, guest or licensee; provided, however, that "occupancy" shall include the right to the use or possession of the furnishings or the services and accommodations, including breakfast in a bed and breakfast establishment, accompanying the use and possession of such a room.

"Occupant", a person who uses, possesses or has a right to use or possess a room in a bed and breakfast establishment, hotel, lodging house, short-term rental or motel for rent under a lease, concession, permit, right of access, license or agreement.

"Operator", a person operating a bed and breakfast establishment, hotel, lodging house, short-term rental or motel in the commonwealth including, but not limited to, the owner or proprietor of such premises, the lessee, sublessee, mortgagee in possession, licensee or any other person otherwise operating such bed and breakfast establishment, hotel, lodging house, short-term rental or motel.

"Operator's agent", a person who on behalf of an operator of a bed and breakfast establishment, hotel, motel, short-term rental or lodging house: (i) manages the operation or upkeep of a property offered for rent; or (ii) books reservations at a property offered for rent; provided, however, that an "operator's agent" shall include, but not be limited to, a property manager, property management company or real estate agent.

"Person", an individual, partnership, trust or association, with or without transferable shares, joint-stock company, corporation, society, club, organization, institution, estate, receiver, trustee, assignee or referee and

any other person acting in a fiduciary or representative capacity, whether appointed by a court or otherwise, or any combination of individuals acting as a unit.

"Professionally-managed unit", 1 of 2 or more short-term rental units that are located in the same city or town, operated by the same operator and are not located within a single-family, two-family or three-family dwelling that includes the operator's primary residence.

[Definition of "Rent" as amended by 2018, 337, Sec. 6 as amended by 2019, 5, Sec. 32 effective March 28, 2019. See 2019, 5, Sec. 46.]

"Rent", the total consideration paid by or on behalf of an occupant, including any service, cleaning or other charge, to an operator or an intermediary collecting and remitting the excise on behalf of an operator under section 13 in exchange for occupancy, valued in money, whether received in money or otherwise, including all receipts, cash, credits and property or services of any kind or nature; provided, however, that "rent" shall not include: (i) bona fide refundable security deposits; (ii) any amount paid by an occupant that is included in the taxable gross receipts of the operator under chapter 64H or 64I where the operator is a vendor for purposes of those chapters; or (iii) amounts paid by an occupant to an operator for services offered by the operator on similar terms to non-occupants in the regular course of the operator's business.

"Short-term rental", an owner-occupied, tenant-occupied or non-owner occupied property including, but not limited to, an apartment, house, cottage, condominium or a furnished accommodation that is not a hotel, motel, lodging house or bed and breakfast establishment, where: (i) at least 1 room or unit is rented to an occupant or sub-occupant; and (ii) all

accommodations are reserved in advance; provided, however, that a private owner-occupied property shall be considered a single unit if leased or rented as such.

Part I ADMINISTRATION OF THE GOVERNMENT**Title IX** TAXATION**Chapter** ROOM OCCUPANCY EXCISE
64G**Section 3D** COMMUNITY IMPACT FEES

[Text of section added by 2018, 337, Sec. 6 as amended by 2019, 5, Sec. 33 effective March 29, 2019 and effective as provided by 2018, 337, Secs. 14 and 15A as added by 2019, 5, Sec. 37. See 2019, 5, Sec. 46.]

Section 3D. (a) A city or town that accepts section 3A may, by a separate vote and in the same manner of acceptance as set forth in said section 3A, impose a community impact fee of not more than 3 per cent of the total amount of rent upon each transfer of occupancy of a professionally managed unit that is located within that city or town.

(b) A city or town that votes to impose a community impact fee under subsection (a) may, by a separate additional vote and in the same manner of acceptance as set forth in section 3A, also impose the community impact fee upon each transfer of occupancy of a short-term rental unit that is located within a two-family or three-family dwelling that includes the operator's primary residence.

(c) An operator shall pay the community impact fees imposed under this section to the commissioner at the same time and in the same manner as the excise due to the commonwealth under section 3. All sums received by the commissioner under this section as excise, penalties or forfeitures, interest, costs of suit and fines shall, not less than quarterly, be distributed, credited and paid by the state treasurer upon certification of the commissioner to the city or town. A city or town shall dedicate not less than 35 per cent of the community impact fees collected under this section to affordable housing or local infrastructure projects.



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: February 15, 2022

IV

BUSINESS

~ D ~

REQUESTED BY:	Chair Ryan Curley
DESIRED ACTION:	To discuss the short-term rentals second local option community impact fee (G.L. c. 64G § (b))
PROPOSED MOTION: SUMMARY:	If a motion is needed one will be made at the time of the meeting
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____

Article XX Short Term Rental Professionally Managed Community Impact Fee (G.L. c. 64G, § 3D(b))

The local option community impact fee of 3% is hereby adopted under G.L. c. 64G, § 3D(b) on short-term rental units located within a two- or three-family dwelling that includes the operator's primary residence under G.L. c. 64G, § 3D(b). The impact fee will, again, apply only to transfers of occupancies on or after January 1, 2023 for which a contract was entered into on or after January 1, 2023.

Summary: This opts the Town into collecting a community impact fee on short-term rental units within a two- or three-family dwelling that includes the operator's primary residence. 3% is the maximum allowable local option. This article requires the adoption of **Article XX Short Term Rental Community Impact Fee Investor-Owned Homes (G.L. c. 64G, § 3D(a))**. The statutory requirement is that 35% of the fee must be used for either affordable housing or capital infrastructure. The Town is proposing to dedicate these funds exclusively to housing. See **Article XX Governing the Use of Short Term Rental Community Impact Fees (G.L. c. 64G, § 3D(a)) & (G.L. c. 64G, § 3D(b))**.



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: February 15, 2022

IV

BUSINESS

~ E ~

REQUESTED BY:	Chair Ryan Curley
DESIRED ACTION:	To discuss a town meeting article for the use of short-term rental first local option community impact fee (G.L. c. 64G § 3D (b))
PROPOSED MOTION: SUMMARY:	If a motion is needed one will be made at the time of the meeting
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____

Article XX Governing the Use of Short-Term Rental Community Impact Fees (G.L. c. 64G, § 3D(a)) & (G.L. c. 64G, § 3D(b)).

The Town of Wellfleet hereby adopts the following allocation formula for receipts received under (G.L. c. 64G, § 3D(a)) & (G.L. c. 64G, § 3D(b)). Thirty-Five percent (35%) shall be allocated to the Wellfleet Affordable Housing Trust to be used exclusively for the purposes of affordable housing, forty-five percent (45%) shall be allocated to the Wellfleet Affordable Housing Trust, twenty percent (20%) shall be allocated to the Housing Stabilization Fund.

Summary: This would bind the Town to allocate any funds received from Community Impact Fees on Short Term Rentals to be used exclusively for housing. Statutory requirements are for 35% to be utilized for either affordable housing or infrastructure projects. As proposed, 35% will be used solely for affordable housing by the Wellfleet Housing Trust, 45% would be allocated to the trust and be unencumbered and could be used to support workforce or market-rate housing. 20% would go to a Housing Stabilization Fund, these funds again would have to be used for housing, but the decisions on how those funds would be used would be left up to town meeting and could be used to support work done by other housing groups within the town. It is uncertain how much revenue will be generated by the community impact fees until the receipts are in hand, it will be modest when compared to the overall room tax revenues. Once receipts are in hand, it should be a relatively predictable source of revenue that would be available to support housing initiatives within Wellfleet.



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: February 15, 2022

IV

BUSINESS

~ F ~

REQUESTED BY:	Chair Ryan Curley
DESIRED ACTION:	To discuss the community impact fee (G.L. c. 64G § 3D (b))
PROPOSED MOTION:	If a motion is needed one will be made at the time of the meeting
SUMMARY:	
Project	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: February 15, 2022

IV

BUSINESS

~ G ~

REQUESTED BY:	Chair Ryan Curley
DESIRED ACTION:	To discuss the Housing Stabilization Fund
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 _____

Article XX Housing Stabilization Fund

To see if the Town will vote to establish a special purpose “Housing Stabilization Fund” and further to appropriate twenty per cent (20%) received under (G.L. c. 64G, § 3D(a)) & (G.L. c. 64G, § 3D(b)), or to do or act anything thereon. Said fund shall be utilized by town meeting to support housing initiatives within the Town of Wellfleet.

Summary: This article asks the town to create a “Housing Stabilization Fund” funded by receiving 20% of any community impact fees on short term rentals to support housing initiatives within the town. As a special purpose fund a town meeting vote will be required to expend any of its funds. This allows the townspeople flexibility in supporting housing initiatives separate from the Wellfleet Housing Trust, such as the Local Housing Partnership, the Housing Authority, or they could support a Housing Trust initiative, or others. It is uncertain how much revenue will be generated by the community impact fees until the receipts are in hand, it will be modest when compared to the overall room tax revenues. Once receipts are in hand it should be a relatively predictable source of revenue that would be available to support housing initiatives within Wellfleet.



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: February 15, 2022

IV

BUSINESS

~ H ~

REQUESTED BY:	Chair Ryan Curley
DESIRED ACTION:	To discuss the Radio Actie Water Release Resolution
PROPOSED MOTION: Summary:	If a motion is needed one will be made at the time of the meeting
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____

ARTICLE XX: Resolution to Oppose Release of Radioactive Water into Cape Cod Bay. To see if the Town will vote that the Town hereby resolves to firmly and adamantly oppose any release of radioactive water in Cape Cod Bay from the former Pilgrim Nuclear Power Plant by HOLTEC and/or its successors.

[If someone wants to write something pls]

Summary:



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: February 15, 2022

IV

BUSINESS

~ I ~

REQUESTED BY:	Chair Ryan Curley
DESIRED ACTION:	To discuss the Radioactive Release Legal Contingency Fund
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 _____

Article XX: Radioactive Water Release Legal Contingency Fund

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money, not to exceed \$30,000, or any other sum, for the purpose of legal expenses related to the planned release of radioactive water during the Pilgrim Power Plant decommissioning process by HOLTEC International and/or its successors and for the payment of all other costs incidental and related thereto.

Summary: HOLTEC International proposed releasing 1 million gallons of radioactive water used to cool fuel rods in the spent fuel pool the reactor vessel itself and other components in November of 2021, with a planned release in the first quarter of 2022. Following public outcry, HOLTEC backtracked on their timeline, but as of now, it is still their preferred disposal method. A release on the scale proposed would significantly impact Cape Cod Bay and harm the public perception of the Bay's waters, endangering the livelihoods of the residents of Wellfleet and other communities along the Bay. Based on the short notice provided by HOLTEC in the initial planning, communities must be ready to act on equally short notice. This article would provide supplemental legal funding to combat any planned release of radioactive water and be able to file an injunction quickly if required. Without this funding, the Town can not guarantee that it will have a sufficient amount in its legal budget to act on a timely basis. Once the decommissioning process is completed, any unspent funds would be returned to free cash, and the townspeople would ultimately decide how any remaining unspent funds would be expended.



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: February 15, 2022

IV

BUSINESS

~ J ~

REQUESTED BY:	The Wellfleet Selectboard
DESIRED ACTION:	To discuss the 2022 Annual Town Meeting Warrant
PROPOSED MOTION: SUMMARY:	If a motion is needed one will be made at the time of the meeting
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____



ANNUAL TOWN MEETING

Monday April 25, 2022

6:00 PM

Wellfleet Elementary School

100 Lawrence Road, Wellfleet, MA

&

ANNUAL TOWN ELECTION

May 2, 2022

12:00 Noon to 7:00PM

Wellfleet Senior Center

715 Old King's Highway

Edit Date: February 2, 2022

Draft No. 3

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FINANCIAL & PROPOSITION 2½ TERMS

Chapter 59, section 21C of the Massachusetts General Laws is commonly referred to as Proposition 2½ (Prop. 2½) or the Tax Limiting Law for Cities and Towns in Massachusetts.

LEVY: The property tax levy is the revenue a Town can raise through real and personal property taxes. The property tax levy is the largest source of revenue for the Town.

LEVY CEILING: This is the maximum the levy can be. The ceiling equals 2.5% of the Town's full and fair cash value. The levy limit is equivalent to a tax rate of \$25.00.

LEVY LIMIT: The maximum the levy can be in a given year. The limit is based on the previous year's levy limit plus certain allowable increases, such as debt exclusions.

LEVY LIMIT INCREASE: The levy limit automatically increases each year by 2.5% of the previous year's levy limit.

NEW GROWTH: New construction and new parcel subdivision may also increase the Town's levy limit.

OVERRIDE: A community can permanently increase its levy limit by successfully voting at a referendum to exceed the limits. A community may take this action as long as it is below the levy ceiling.

DEBT EXCLUSION: This type of override ballot question can be placed on a referendum by a two-thirds vote of the Selectboard. If a majority of the voters approve the ballot question, the Town's levy limit is increased only for the amount voted at the referendum for the life of that debt only. The levy limit increase may exceed the Town's levy ceiling.

DEBT SERVICE: The repayment cost, usually stated in annual terms and based on an amortization schedule, of the principal and interest owed on any particular bond issue.

ENCUMBRANCE: A reservation of funds to cover obligations chargeable to but not yet paid from a specific appropriation account.

CAPITAL OUTLAY EXPENDITURES EXCLUSION: This type of override ballot question can be placed on a referendum by a two-thirds vote of the Selectboard. If a majority of the voters approve the ballot question, the additional amount for the payment of the capital project cost is added to the levy limit or levy ceiling only for the year in which the project is being undertaken.

CONTINGENT VOTES: Chapter 59, section 21C (m) permits a Town Meeting to appropriate funds contingent upon passage of a referendum question (OVERRIDE/DEBT EXCLUSION). A contingent vote does not automatically result in an override referendum. An override referendum can only be called by the Selectboard. If a referendum is called by the Selectmen, it must take place within forty-five days of the Town Meeting vote.

TOWN MEETING PROCEDURES

A quorum of 6% of the Town's registered voters must be present in order to conduct business (Charter: Sect. 2-1-3).

Voters are identified by voter cards issued when they check in with the registrars at the beginning of the meeting.

Only voters may participate in voice votes. In case of a counted vote, voters will be identified by their voter cards.

Non-voters who have been admitted to the meeting must sit in the section designated for them. Non-voters who may wish to speak must identify themselves and may address the meeting only by permission of the Moderator (Charter: Sect. 2-1-2).

No voter will be allowed to speak until recognized by the Moderator.

Voters and others recognized to address Town Meeting may only speak twice to any motion or amendment unless authorized by the Moderator (Charter: Sect. 2-7-8).

All motions or amendments must be in writing and be legible. Exceptions for very simple motions or amendments are at the discretion of the Moderator (General Bylaws: Sect. II-2).

The order of consideration of the Articles as printed in the Warrant may be changed only by a 2/3 majority vote (Charter: Sect. 2-7-4).

A motion for indefinite postponement, if passed, ends any proposal under the motion currently being debated. It may only be made after a voter has been recognized and may not come at the end of a speaker's remarks. It is fully debatable to the same extent as the main motion under consideration.

A motion to end debate (known as a "motion for the previous question") must be made by a voter who has been properly recognized. Anonymous cries from voters to "call the question" are out of order and will be ignored by the Moderator. As a motion to end debate requires an additional 2/3 majority vote, it may be more efficient to hear from one or two more speakers and then proceed to a vote on the main motion itself.

A motion to reconsider must be made at the same session as the vote it seeks to reconsider. It can only be made after some intervening business and must be made within one hour of the vote to be reconsidered (Charter: Sect. 2-7-9). It is debatable to the same extent as the motion it seeks to reconsider and requires a majority vote. A motion to reconsider will only be allowed if there is new information that was not available at the time of the original debate. A motion to reconsider will be ruled out of order if, in the judgment of the Moderator, it is simply an attempt at "another bite at the apple."

Some other common motions which require more than a simple majority to pass:

Zoning bylaws	2/3 majority
To authorize borrowing or incur debt	2/3 majority
To transfer or sell Town land	2/3 majority
To approve proposed Charter amendments	2/3 majority
To pay unpaid bills of a prior fiscal year	4/5 majority at an Annual Town Meeting

9/10 majority at a Special Town meeting

FINANCE COMMITTEE STATEMENT

{ To be Inserted }

ANNUAL TOWN MEETING WARRANT

Monday April 25, 2022

The Commonwealth of Massachusetts

To either of the Constables in the Town of Wellfleet in the County of Barnstable:

GREETINGS:

In the name of the Commonwealth of Massachusetts you are hereby required to notify and warn the inhabitants of the Town of Wellfleet qualified to vote in Town Affairs, to meet in the Wellfleet Elementary School, 100 Lawrence Road in Wellfleet on the 25th day of April, 2022, at six o'clock in the evening, then and there to vote upon the following Articles:

SECTION I: BUDGET ARTICLES

ARTICLE NO. 1 - FY2023 OPERATING BUDGET:

To see if the Town will vote to raise and appropriate and/or transfer from available funds such sums of money necessary to fund the Fiscal Year 2023 Operating Budget, as follows:

[Insert Town Budget]

or to do or act on anything thereon.

(Requested by the Selectboard)

Majority vote required

Selectboard:

Finance Committee:

SUMMARY: This article will provide funding for the operational budgets for the Cape Cod Technical Regional High School, Wellfleet Elementary School, Nauset Regional School District and the Town of Wellfleet municipal operations for the period of July 1, 2022, through June 30, 2023.

ARTICLE NO. 2 - FY 2022 BUDGETARY TRANSFERS:

To see if the Town will vote to transfer from available funds and/or authorize the transfer from various line items within FY 2022 appropriations such sums of money necessary to supplement the operating budgets of the various Town Departments as follows:

	From:	Line-Item No.	To:	Line-Item No.	Amount
a.	Nauset Regional School District Expenses	301	Property & Liability - Insurance Expenses	945	\$70,000.00
b.	County Assessment Expenses	830	DPW Facilities Expense - (Rental Expense)	417	\$38,974.00
c.	County Assessment Expenses	830	DPW Highway Expense - Truck Repair	422	\$29,943.00
d.	Community Services Salaries	660	Community Services Expense - Police Details	660	\$8,056.00
e.	Cemetery Receipts	-	DPW Facilities Expense - Prof. Services	17	\$3,000.00
f.	County Assessment Expenses	830	Health Insurance Stipend	917	\$40,000.00
g.	County Assessment Expenses	830	General Administration - Advertising & Office Supplies	124	\$12,000.00
h.	County Assessment Expenses	830	Fire Department Expense - Lodging	220	?
	Grand-Total				\$201,973.00

or to do or act on anything thereon.

(Requested by the Selectboard)

Majority Vote Required

Recommendations:

Selectboard -

Finance Committee -

SUMMARY: This article is seeking permission to transfer funding within the FY 2022 operating budget ending June 30, 2022. We have several shortfalls in various departmental budgets that will be remedied by transferring monies from those areas within the budget that have surpluses. Additional requests may be added at Town Meeting.

ARTICLE NO. 3 – PRIOR YEAR INVOICES:

To see what sum the Town will vote to transfer from available funds for the purpose of paying prior year unpaid bills listed below:

	Vendor	Source	Line-item	Amount
a.	Massachusetts Department of Unemployment Assistance	County Assessment Expenses	830	\$20,000.00
b.	Terminix Commercial	County Assessment Expenses	830	\$153.00
c.	Dell EMC	County Assessment Expenses	830	\$4,163.00
d.	Cape Fishermen's Supply	County Assessment Expenses	830	\$145.00
e.	Visiting Nurse Association of Cape Cod	County Assessment Expenses	830	\$760.00
f.	The Learning Garden Preschool	County Assessment Expenses	830	\$1,990.00
g.	Joyce Tibbetts – Longevity/ Library Department	County Assessment Expenses	830	\$375.00
h.	Rebecca Roughley – Health Insurance Stipend & Wage Adjustment	County Assessment Expenses	830	\$1,542.00
i.	Ann Bronsdon Retiree Reimbursement	County Assessment Expenses	830	\$268.00
j.	Wellfleet Water Department	County Assessment Expenses	830	\$993.00
k.	New England Time Solutions, Inc.	County Assessment Expenses	830	\$33.00
l.	W.B. Mason	County Assessment Expenses	830	\$145.00
m.	KP Law, P.C.	County Assessment Expenses	830	\$3,784.00
o.	General Code Publishing	County Assessment Expenses	830	\$630.00

p.	Xavus Sysytems	County Assessment Expenses	830	\$1,800.00
q.	Thompson Reuters	County Assessment Expenses	830	\$508.00
r.	The Abrahams Group	County Assessment Expenses	830	\$250.00
	Grand-total			\$37,539.00

or to do or act on anything thereon.

(Requested by the Selectboard)

4/5 Vote Required

Recommendations:

Selectboard -

Finance Committee -

SUMMARY: This article will authorize the payment of outstanding bills from a previous fiscal year. According to Massachusetts General Laws, a Town cannot pay a bill from a previous fiscal year with the current year's appropriation. Therefore, Town Meeting authorization is required.

ARTICLE NO. 4 - FY 2023 CAPITAL BUDGET:

To see if the Town will vote to raise and appropriate, borrow, or transfer from available funds such sums of money necessary to fund the Fiscal Year 2023 Town Capital Budget, as follows:

	Department & Project	Amount	Funding Source
1.	MIS/Technology:		
	a. General MIS Equipment	\$50,000.00	Raise & Appropriate
2.	Town Clerk:		
	a. Records Microfilming Project	\$11,000.00	Article No. 3 5/22/2019 ATM
3.	Shellfish Department:		
	a. Shellfish & Beach Office Repair Project	\$42,000.00	Beach Fund - \$21,000.00 & Shellfish Fund - \$21,000.00
	b. Truck Replacement	\$30,000.00	Raise & Appropriate
4.	Recreation Department:		
	a. Repair & Resurface Basketball Courts at Mayo Beach	\$14,500.00	Raise & Appropriate
5.	Council on Aging:	\$0.00	

6.	Marina Department:		
	a. Portable Radio Replacement	\$10,000.00	Raise & Appropriate
7.	Health, Conservation & Building	\$0.00	
8.	Police Department:		
	a. Police Cruiser Replacement (2 units)	\$120,000.00	Raise & Appropriate
	b. Bulletproof Vest Replacement	\$30,000.00	Raise & Appropriate
9.	Fire Department:		
	a. Water Supply Hose Replacement	\$12,000.00	Raise & Appropriate
	b. Portable Radio Replacement Project	\$80,000.00	Raise & Appropriate
	c. Ambulance Replacement Project	\$340,000.00	Ambulance Fund
	d. Mobile Data Terminal Replacement Project	\$25,000.00	Ambulance Fund
10.	Department of Public Works:		
	a. Town Hall Outside Bathroom Repair Project	\$20,000.00	Raise & Appropriate
	b. Town Hall Irrigation Project	\$5,000.00	Raise & Appropriate
	c. COA HVAC Systems Repair	\$35,000.00	Raise & Appropriate
	d. Fire Station HVAC System Repair Project	\$80,000.00	Raise & Appropriate
	e. Recreation Band Stand Awning Replacement Project	\$50,000.00	Raise & Appropriate
	f. Water Refill Station Project	\$20,000.00	Raise & Appropriate
	g. DPW Truck Replacement Project	\$85,000.00	Raise & Appropriate
	h. Route 6/Main Street Engineering Project	\$30,000.00	Raise & Appropriate
	i. DPW Loader Replacement Project	\$200,000.00	Raise & Appropriate
	j. Briar Lane Culvert Replacement	\$75,000.00	Raise & Appropriate
11.	Library Department:		
	a. Computer & Software Upgrade Project	\$35,00.00	Raise & Appropriate

	Grand-total	\$1,399,500.00	

and that to meet this appropriation the Town Treasurer, with the approval of the Selectboard, be and hereby is authorized to borrow for those purposes itemized above as being funded through borrowing under and pursuant to M.G.L. Chapter 44, Sections 7 and 8, or pursuant to any other enabling authority, to issue bonds notes of the Town therefor, and further, to authorize any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied the payment of the costs of issuance of such bonds or notes, to be applied to the payment of costs approved hereunder in accordance with M.G.L. c. 40 s. 20, thereby reducing by a like amount authorized to be borrowed to pay such costs, or to do or act on anything thereon.

(Requested by the Selectboard)

Two-thirds Vote Required

Recommendations:

Selectboard -

Finance Committee -

SUMMARY: This article represents the Town's proposed capital spending plan for FY 2023 and includes debt service (principal and interest) for existing long-term debt.

ARTICLE NO. 5 – MARINA ENTERPRISE FUND:

To see if the Town will vote to raise and appropriate and/or transfer from available funds such sums of money necessary to fund the Fiscal Year 2023 Marina Enterprise Fund Budget, as follows:

[Insert budget spreadsheet]

or to do or act on anything thereon.

(Requested by the Selectboard)

Majority Vote Required

Recommendations:

Selectboard -

Finance Committee -

SUMMARY: In accordance with Massachusetts General Laws receipts from Marina Department related activities are used to directly offset Marina related expenditures. Voting a spending amount for the Marina Operations allows all receipts and related expenditures to be recorded in one fund.

ARTICLE NO. 6 – WATER ENTERPRISE FUND:

To see if the Town will vote to raise and appropriate and/or transfer from available funds such sums of money necessary to fund the Fiscal Year 2023 Water Enterprise Fund Budget, as follows:

[Insert budget spreadsheet]

or to do or act on anything thereon.

(Requested by the Selectboard)

Majority Vote Required

Recommendations:

**Selectboard -
Finance Committee -**

SUMMARY: In accordance with Massachusetts General Laws receipts from Water Department related activities are used to directly offset Water related expenditures. Voting a spending amount for the Water Operations allows all receipts and related expenditures to be recorded in one fund.

ARTICLE NO. 7 – WELLFLEET POLICE OFFICERS UNION CONTRACT:

To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money sufficient to fund the collective bargaining agreement between the Town of Wellfleet and the Wellfleet Police Officers Union beginning July 1, 2022, or to do or act on anything thereon.

(Requested by the Selectboard)

Majority Vote Required

**Recommendations:
Selectboard -
Finance Committee -**

SUMMARY: The current collective bargaining agreement will expire on June 30, 2022. We are currently engaged in negotiations with this unit; however, we do not have a settlement at the time of the printing of this warrant. Should we reach an agreement prior to the date of the 2022 Annual Town Meeting the settlement will be presented at Town Meeting.

ARTICLE NO. 8 – TEAMSTERS UNION LOCAL 59 CONTRACT:

To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money sufficient to fund the collective bargaining agreement between the Town of Wellfleet and the Teamsters Union Local 59 beginning July 1, 2022, or to do or act on anything thereon.

(Requested by the Selectboard)

Majority Vote Required

**Recommendations:
Selectboard -
Finance Committee -**

SUMMARY: The current collective bargaining agreement will expire on June 30, 2022. We are currently engaged in negotiations with this unit; however, we do not have a settlement at the time of the printing of this warrant. Should we reach an agreement prior to the date of the 2022 Annual Town Meeting the settlement will be presented at Town Meeting

ARTICLE NO. 9 – WELLFLEET COMMUNICATIONS UNION MASS COPS LOCAL 326B CONTRACT:

To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money sufficient to fund the collective bargaining agreement between the Town of Wellfleet and the Wellfleet Communications Union MASS Cops Local 326B beginning July 1, 2022, or to do or act on anything thereon.

(Requested by the Selectboard)

Majority Vote Required

**Recommendations:
Selectboard -**

Finance Committee -

SUMMARY: The current collective bargaining agreement will expire on June 30, 2022. We are currently engaged in negotiations with this unit; however, we do not have a settlement at the time of the printing of this warrant. Should we reach an agreement prior to the date of the 2022 Annual Town Meeting the settlement will be presented at Town Meeting.

ARTICLE NO. 10 – WELFLEET PERMANENT FIREFIGHTERS ASSOCIATION UNION LOCAL 4342 CONTRACT:

To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money sufficient to fund the collective bargaining agreement between the Town of Wellfleet and the Wellfleet Permanent Firefighters Union Local 4342 beginning July 1, 2022, or to do or act on anything thereon.

(Requested by the Selectboard)

Majority Vote Required

Recommendations:

Selectboard -

Finance Committee -

SUMMARY: The current collective bargaining agreement will expire on June 30, 2022. We are currently engaged in negotiations with this unit; however, we do not have a settlement at the time of the printing of this warrant. Should we reach an agreement prior to the date of the 2022 Annual Town Meeting the settlement will be presented at Town Meeting

ARTICLE NO. 11 – NON-UNION AND OTHER PERSONNEL SALARIES & COMPENSATION:

To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money sufficient to fund wage and salary adjustments for non-union and other personnel beginning July 1, 2022, or to do or act on anything thereon.

(Requested by the Selectboard)

Majority Vote Required

Recommendations:

Selectboard -

Finance Committee -

SUMMARY: We have several employees that work under individual employment agreements; this warrant article will be used to fund wage adjustments for some of those individuals.

ARTICLE NO. 12 - OTHER POST-EMPLOYMENT BENEFITS (“OPEB”) APPROPRIATION:

To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of \$200,000.00 to be added to the Town’s Other Post-Employment Benefits Liability Trust Fund or to do or act on anything thereon.

(Requested by the Selectboard)

Majority vote required

Recommendations:

Selectboard -

Finance Committee -

SUMMARY: (C. Sumner)

ARTICLE NO. 13 - TRANSFER TO STABILIZATION FUND:

To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of \$639,200.00, or any other sum for the purpose of contributing to the Stabilization Fund or to do or act on anything thereon.

(Requested by the Selectboard)

Majority vote required

Recommendations:

Selectboard -

Finance Committee -

SUMMARY: The purpose of this article is to transfer funds from Free Cash into the Stabilization Fund. We had to use the sum of \$639,200.00 from the Stabilization Fund at the June 26, 2022, Annual Town Meeting in order to finance the current FY2022 operational budget. This was not a preferred approach but due to the severity of the Town's fiscal condition we had few alternatives at that moment. This action will reestablish the Stabilization Fund to its prior financial status and is important to maintain the Town's bond rating.

SECTION II: ADDITIONAL FINANCIAL ARTICLES

ARTICLE NO. 14 – POLICE DEPARTMENT NEW STAFF:

To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of \$186,759.00, or any other sum, for the purpose of funding two (2) new Police Officers, and all associated costs, provided however that no sums shall be expended hereunder unless and until the Town have voted to assess an additional \$186,759.00 in real estate and personal property taxes pursuant to the provisions of Chapter 59, Section 21C of the Massachusetts General Laws (Proposition 2 ½), or to do or act on anything thereon.

(Request of the Selectboard and the
Police Chief)

Majority vote required

Recommendations:

Selectboard -

Finance Committee -

SUMMARY: This article would fund the cost of adding two (2) additional Police Officers. Funding, if approved, would be through a Proposition 2 ½ override. Costs for each position include starting salary of each position (\$60,120), benefits (\$25,685), holiday (\$2,774), uniform (\$1,000) and education incentive (\$3,800). The total payroll, with estimated benefits for one position is \$93,379. As a result of the Police Reform Law of December 2020, the Reserve Officer Program in Massachusetts is being phased out. This will result in the loss of approximately six Reserve Police Officers for the town of Wellfleet. The level of services provided (beach patrols, parking enforcement, shift coverage, organized

events, etc.) along with special event requests held during the summer and shoulder seasons cannot be fulfilled with the current staffing levels.

Effect on Property Taxes: The cost of \$186,759 would add s.s cents to the tax rate and would cost the owner of a median priced (\$xxx,xxx) single-family home \$ss.ss.

ARTICLE NO. 15 – FIRE DEPARTMENT NEW STAFF:

To see if the Town will vote to raise and appropriate and/or transfer from any available source of funds the sum of \$206,964.00, or any other sum for the purpose of funding two (2) new Firefighter/EMT/Paramedic positions; provided, however that no sums shall be expended hereunder unless and until the Town have voted to assess an additional \$206,964.00 in real estate and personal property taxes pursuant to the provisions of Chapter 59, Section 21C of the Massachusetts General Laws (Proposition 2 ½), or do or act on anything thereon.

(Requested by the Selectboard
and the Fire Chief)

Majority vote required

Recommendations:

Selectboard –

Finance Committee -

SUMMARY: This article would fund the cost of adding two (2) additional Firefighter/EMT/Paramedics. Funding, if approved would be through a Proposition 2 ½ override. Costs for each position include starting salary of each position (\$62,797), benefits (\$25,685), training (\$7,000), holiday and call back costs (\$6,000) and uniforms and protective clothing (\$2,000). The total payroll, with estimated benefits and training costs of one position is \$103,482.00. **Effect on Property Taxes:** The cost of \$206,964.00. would add s.s cents to the tax rate and would cost the owner of a median priced (\$xxx,xxx) single-family home \$ss.ss.

ARTICLE NO. 16 – PARAMEDIC TRAINING PROGRAM FUNDING:

To see if the Town will vote to raise and appropriate and/or transfer from the Ambulance Receipts Fund the sum of \$10,000.00, or any other sum, for the purpose of creating and funding a paramedic training fund to pay for paramedic training for current or future Wellfleet Fire and Rescue staff or do or act on anything thereon.

(Request of the Selectboard)

Majority vote required

Recommendations:

Selectboard –

Finance Committee –

SUMMARY: This article would fund a paramedic training program for the Wellfleet Fire and Rescue Department with the intent to improve recruiting and retention for the Department. Paramedics who leave the department within two (2) full years of employment would be required to reimburse the Town for the full cost. Paramedics who left the department in their third (3rd) year would be required to

reimburse 2/3 of the cost and those who left in their fourth (4th) year would be required to reimburse the Town for 1/3 of the costs.

ARTICLE NO. 17: FIRE ENGINE REPLACEMENT:

To see if the Town will vote to appropriate the sum of **\$675,000.00** or any other sum for the purpose of paying the cost of purchasing, outfitting and equipping a replacement engine/pumper truck for the Fire Department Engine 95 and for the payment of all other costs incidental or related thereto, and that to meet this appropriation the Town Treasurer, with the approval of the Selectboard be and hereby is authorized to borrow said amount under and pursuant to Chapter 44, Section 7 (9) of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefore; provided, however that no sums shall be borrowed or expended hereunder unless and until the Town shall have voted to exclude the amounts necessary to pay debt service on any bonds or notes issued pursuant to this vote from the limits of Chapter 59, Section 21C of the Massachusetts General Laws (Proposition 2 ½) or to do or act on anything thereon.

(Requested by the Selectboard
and the Fire Chief)

Two-thirds vote required

Recommendations:

Selectboard -

Finance Committee -

SUMMARY: This article requests funding for the purchase of a new replacement engine/pumper truck to replace Engine No. 95 for the Wellfleet Fire Department. Engine 95 will be twenty-five (25) years old next year, is becoming no longer cost effective to maintain, parts are becoming unavailable, and beyond its useful life span.

ARTICLE NO. 18 - WELLFLEET HARBOR FLORA AND FAUNA SURVEY:

To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of \$60,000.00, or any other sum, for the purpose of broadly initiating a field survey of the fauna and flora in Wellfleet Harbor, especially shellfish and finfish, as a basis for future actions to preserve and enhance this environment, or to do or act on anything thereon.

(Request of the Natural Resources Advisory Board)

Majority vote required

Recommendations:

Selectboard -

Finance Committee -

SUMMARY: This article seeks funding for an overview survey life in Wellfleet harbor as recommended in the Harbor Management Plan (March 2021). It replicates a Division of Marine Fisheries study, which is now nearly 50 years old. We plan a broad survey of harbor life – finfish and wild shellfish at the top, phytoplankton and harbor grasses at the base. Selected sites of specific interest will be included. Local knowledge will be consulted throughout. NRAB views this work as a critical

step in identifying and preserving the health of the harbor in view of climate change and other environmental impacts.

ARTICLE NO. 19 – HARBOR PILINGS REPLACEMENT PROJECT:

To see if the Town will vote to appropriate by reallocating a sum of money previously appropriated under Article No. 12 of the May 22, 2019, Annual Town Meeting for the Wellfleet Harbor Dredging project to be utilized to pay all costs associated with replacement of harbor pilings at the Wellfleet Marina property or to do or act on anything thereon.

(Requested by the Selectboard)

Majority vote required

Recommendations:

Selectboard -

Finance Committee -

SUMMARY: (C. Sumner)

ARTICLE NO. 20 – CHAPTER 90 FUNDS:

To see if the Town will vote to authorize the Selectboard to apply for and accept State Grants from the Massachusetts Department of Transportation Highway Division (Chapter 90), and to expend those funds for the purposes of State approved Chapter 90 projects, services, and purchases; or to do or act on anything thereon.

(Requested by the Selectboard)

Majority vote required

Recommendations:

Selectboard -

Finance Committee -

SUMMARY: The Chapter 90 program was originally enacted in 1973, by the Commonwealth to provide municipalities with reimbursement for documented expenditures on approved road projects. The funding provided within the State's Transportation Bond Bill, authorizes such improvement projects for highway construction, preservation and improvement projects that create or extend the life of transportation facilities. Funds must be allocated to roadway projects, such as resurfacing and related incidental work. The Town is required to appropriate these funds as an available fund and is reimbursed by the State upon the completion of the project and payment to the vendor. The anticipated amount of Chapter 90 funding for FY2023 is \$ _____.

ARTICLE NO. 21 – PUBLIC, EDUCATIONAL AND GOVERNMENT (PEG) ACCESS AND CABLE RELATED FUND:

To see if the Town will vote to accept the provisions of M.G.L. Chapter 44, Section 53F3/4 for the purpose of establishing a PEG Access and Cable Related Fund, and further to appropriate a sum of money from the PEG Access and Cable Related Fund, or to do or act on anything thereon.

(Requested by the Selectboard)

Majority vote required

Recommendations:

Selectboard -

Finance Committee -

SUMMARY: Included within each Comcast customer's cable bill is a line item to provide for the costs of local cable television services. These monies are retained in a special revenue account and are used to enhance local cable programming for the town's public, education, and government channels. These funds will be used to continue these informational and educational services, and may include, but not limited to, equipment purchases, contracted services, construction services, and labor expenses.

ARTICLE NO. 22 – SHELLFISH REVOLVING FUND SPENDING LIMIT:

To see if the Town will vote to establish a spending limit for FY2023 of \$50,000.00 for the Shellfish Revolving Fund established pursuant to MGL Chapter 44, Section 53E1/2, or to do or act on anything thereto.

(Requested by the Selectboard)

Majority vote required

Recommendations:

Selectboard -

Finance Committee -

SUMMARY: The purpose of this article is to establish the spending limit for the Shellfish Revolving Fund which was established for propagation efforts. The Shellfish Department's propagation efforts include the seeding of quahogs and oysters in all Wellfleet waterways which also contributes to improving water quality and natural oyster set in our harbor to benefit growers and spat collectors. This revolving fund takes the responsibility for funding the shellfish department's budget line 180 out of the taxpayer's pockets and puts it in the hands of those who make their living in the shellfish industry and those who harvest shellfish recreationally. The Shellfish Propagation Revolving Fund revenues will be derived from shellfish grant revenue and permit fees. The Revolving Fund expenditures may be used for the propagation, cultivation, protection and study of shellfish only.

ARTICLE NO. 23 – ELEMENTARY SCHOOL FIRE SUPPRESSION SYSTEM PROJECT:

To see if the Town will vote to raise and appropriate, transfer from available funds or borrow the sum of \$2,200,000.00 to fund the installation of a fire suppression system at the Wellfleet Elementary School, including all costs related thereto, and in order to fund this appropriation, the Selectboard will be authorized to borrow said amount pursuant to G.L.C. 44 Sec. 7 or 8, or any other enabling authority, to issue bonds or notes of the Town therefor, and further, to authorize any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, to be applied to the payment of costs approved hereunder in accordance with M.G. L. c. 40 sec. 20, thereby reducing by a like amount the amount authorized to be borrowed to pay such costs; provided, however that the appropriation authorized hereunder shall be contingent on the approval by the voters of the Town of so-called Proposition 2 ½ debt exclusion question under G.L. c. 59, sec. 2C, or to do or act on anything thereto.

(Requested by the Selectboard)

Two-thirds vote required

Recommendations:

Selectboard -
Finance Committee -
SUMMARY: (Mary Beth Rodman, School Principal)

ARTICLE NO. 24 – HARBOR/MARINA FACILITIES NEEDS ASSESSMENT PROJECT:

To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of \$30,000.00, or any other sum, for the purpose of paying costs associated with conducting a Marina Facility Needs Assessment study to do or act on anything thereon.

(Requested by the Selectboard)

Majority vote required

Recommendations:
Selectboard -
Finance Committee -
SUMMARY: (Will Sullivan, Harbor Master)

ARTICLE NO. 25 – TRANSFER STATION FACILITIES NEEDS ASSESSMENT PROJECT:

To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of \$50,000.00, or any other sum, for the purpose of paying costs associated with conducting a Transfer Station Facility Needs Assessment study to do or act on anything thereon.

(Requested by the Selectboard)

Majority vote required

Recommendations:
Selectboard -
Finance Committee -
SUMMARY: (Jay Norton, DPW Superintendent)

ARTICLE NO. 26 – ADULT COMMUNITY CENTER ADDITION FEASIBILITY STUDY PROJECT:

To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of \$15,000.00, or any other sum, for the purpose of paying costs associated with conducting a Adult Community Center Building Addition Feasibility study, to do or act on anything thereon.

(Requested by the Selectboard)

Majority vote required

Recommendations:
Selectboard -
Finance Committee -
SUMMARY: In the past, several alterations and additions have been proposed for the Adult Community Center.

- Based on plans from 2013, creation of a paved walkway through the woods on the Cahoon Hollow side of the building of one-half mile that connects to the walkway and patio that were installed in 2014. That project was funded with a bequest and there were insufficient funds to complete the entire plan. This walkway will provide access for walkers both able bodied and

those with some mobility challenges in a sheltered place by a building with good parking and amenities.

- When Sea Babies (Cape Cod Children’s Place) was using space in the building, they applied for and received a grant from the Community Preservation Committee to install an Infant/Toddler playground. They moved from the building in June of 2020 and the playground is still there but not maintained. I have had requests to purchase and install adult outdoor exercise equipment for the use of adults adjacent to the existing Infant/Toddler playground.
- The Council on Aging Board conducted a survey of Town residents in 2021 to determine what people would like to see added to the programs at the Adult Community Center. One of the top requests was space for exercise equipment and for free weights. Given the use of the Great Pond Room for COA programs as well as Boards and Committees and as the Wellfleet Polling place, there is no space for this healthy and entertaining activity in the current building. In addition to floor space, a locker room and outside access to the gym will be necessary.
- Because we live in a Pandemic, post-Pandemic world, there is a need for building capacity for hybrid meetings. Because the Adult Community Center is the designated location for that upgrade/expansion, that program will need space to do the job correctly. Additionally, there has been a request for an additional small meeting room like the current Conference Room.

In order to do this in an organized way, I want to do the planning of this multi-level project in one study so that if the decision is made to implement it in stages, everything will fit onto the available land and the end product will be produced with the best fiscal and construction practices in order to create an attractive and functional building and grounds.

ARTICLE NO. 27 –KELLER’S CORNER REVETMENT ENGINEERING PROJECT:

To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of \$50,000.00, or any other sum, for the purpose of paying costs associated with conducting a Keller’s Corner Revetment Engineering project, to do or act on anything thereon.

(Requested by the Selectboard)

Majority vote required

Recommendations:

Selectboard -

Finance Committee -

SUMMARY: (Jay Norton, DPW Superintendent)

ARTICLE NO. 28 – LIEUTENANT ISLAND/HERON POINT ROAD SURVEY EXPENSE:

To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of \$3,200.00, or any other sum, for the purpose of paying costs associated with land survey services for Heron Point Road, or to do or act on anything thereon.

(Requested by the Rights of Public Access Committee)

Majority vote required

Recommendations:

Selectboard -

**Finance Committee -
SUMMARY: (C. Sumner)**

SECTION III: COMMUNITY PRESERVATION ARTICLES

**ARTICLE NO. 29 – COMMUNITY PRESERVATION – ADMINISTRATIVE EXPENSES,
DEBT SERVICE, AND ALLOCATION OF RESERVES:**

To see if the Town will vote to hear and act on the report of the Community Preservation Committee on the Fiscal Year 2023 Community Preservation budget and to appropriate from the Community Preservation Fund estimated annual revenues a sum of \$28,684.00 to meet the administrative expenses and all other necessary and proper expenses of the Community Preservation Committee for Fiscal Year 2023; and further to appropriate from Community Preservation Fund estimated revenues a sum of \$73,898.00 to the reserve for open space; a sum of \$73,898.00 to the reserve for community housing; and further to reserve for future appropriation a sum of \$73,898.00 for historic resources as recommended by the Community Preservation Committee, as well as a sum of \$488,602.00 to be placed in the 2023 Budgeted Reserve for general Community Preservation Act purposes.

(Requested by the Community Preservation Committee)

Majority vote required

Recommendations:

Selectboard -

Finance Committee -

Community Preservation Committee – Yes 7, No 0.

SUMMARY: This is an annual CPC housekeeping article. Out of a total projected revenue figure of \$738,984.00 for Fiscal Year 2023, \$28,688.00 is 3.9% of estimated revenue allowed for administrative expenses, as provided by the Community Preservation Act. Open Space's 10%, Community Housing's 10%, and Historic Resources' 10% are reserved respectively for open space, housing and historic preservation purposes. The balance of \$488,602 is reserved for approved CPA projects in any category including Outdoor Recreation.

**ARTICLE NO. 30: COMMUNITY PRESERVATION – WELLFLEET AFFORDABLE
HOUSING TRUST:**

To see if the Town will vote, pursuant to MGL c.44B, to appropriate \$35,000.00 from the Community Preservation Fund Fiscal Year 2023 Projected Surcharge revenues to contribute to the cost of, and thereby support, for building the financial capacity of Affordable Housing Trust, and to authorize the Selectboard to enter into a grant agreement to set forth the terms and conditions thereof, or do or act on anything thereon.

(Requested by the Community Preservation Committee)

Majority vote required

Recommendations:

Selectboard -
Finance Committee -
Community Preservation Committee - Yes 7, No 0.
Affordable Housing Authority -
Housing Partnership -

SUMMARY: The Community Preservation Act allows communities to allocate funds to their Affordable Housing Trust. This offers the Wellfleet Affordable Housing Committee a way to respond in a timely manner to appropriate market opportunities for land acquisition, building purchase, essential maintenance needs and other allowed activities.

ARTICLE NO. 31: COMMUNITY PRESERVATION – BUY DOWN 2022:

To see if the Town will vote, pursuant to MGL c.44B, to appropriate from the Community Preservation Fund Fiscal Year 2023 Projected Surcharge revenues the sum of \$185,000.00 to contribute to the cost of, and thereby support, for the Buy Down Program to assist with the purchase of housing for eligible moderate-income first-time buyers and to authorize the Selectboard to enter into a grant agreement to set forth the terms and conditions thereof, or do or act on anything thereon.

(Requested by the Community Preservation Committee)

Majority vote required

Recommendations:

Selectboard -
Finance Committee -
Community Preservation Committee - Yes 7, No 0.
Affordable Housing Authority -
Local Housing Partnership -

SUMMARY: The purpose of the Affordable Housing Buy Down Program is to provide need-based financial assistance to eligible moderate-income first-time homebuyers purchasing existing homes on the open market in the Town of Wellfleet. The goal of the Buy Down Program is to increase the availability of affordable home ownership opportunities in the Town.

ARTICLE NO. 32: COMMUNITY PRESERVATION – LILY HOUSE:

To see if the Town will vote, pursuant to MGL c.44B, to appropriate from the Community Preservation Fund Fiscal Year 2023 Projected Surcharge revenues, the sum of \$20,000.00 to contribute to the cost of establishing the Lily House as a hospice community home and to authorize the Selectboard to enter into a grant agreement to set forth the terms and conditions thereof or do or act on anything thereon.

(Requested by the Community Preservation Committee)

Majority vote required

Recommendations:

Selectboard -

Finance Committee -

Community Preservation Committee - Yes 7, No 0.

Affordable Housing Authority -

Local Housing Partnership -

SUMMARY: The Lily House, located at 40 Pocahontas Rd., was bequeathed as a community hospice home for individuals who are at risk of being homeless at the end of life or at risk of dying alone. It will provide a home for two terminally ill residents at a time with an average length of stay of one month. Priority admissions will be given to Wellfleet and other Outer Cape residents. Lily House will offer around-the-clock hospice-level care for 20 to 25 residents per year.

**ARTICLE NO. 33: COMMUNITY PRESERVATION – LOWER CAPE HOUSING INSTITUTE
YEAR 6:**

To see if the Town will vote, pursuant to MGL c.44B, to appropriate from the Community Preservation Fund Fiscal Year 2023 Projected Surcharge revenues the sum of \$7,500.00 to contribute to the cost of, and thereby support, for the continuance of the Community Development Partnership sponsored Lower Cape Housing Institute in Fiscal Year 2023 and to authorize the Selectboard to enter into a grant agreement to set forth the terms and conditions thereof, or do or act on anything thereon.

(Requested by the Community Preservation Committee)

Majority vote required

Recommendations:

Selectboard -

Finance Committee -

Community Preservation Committee - Yes 7, No 0.

Housing Authority -

Local Housing Partnership -

SUMMARY: The Community Development Partnership (CDP) is offering the Lower Cape Housing Institute for a sixth year. The CDP seeks contributions from the eight participating towns towards the costs of continued training and technical assistance to develop better understanding of Community Housing needs and to support the town in meeting its housing production goals. Sessions are free to Town officials and other interested parties. CDP expects to continue large audience virtual sessions on particular topics and hold in-person peer group meetings.

**ARTICLE NO. 34: COMMUNITY PRESERVATION – HISTORICAL PLAN
CONTINUATION:**

To see if the Town will vote, pursuant to MGL c.44B, to raise and appropriate from the Community Preservation Fund Fiscal Year 2023 Projected Surcharge revenues the sum of \$20,300.00 to the Wellfleet Historical Commission to continue compilation of the Form B inventories of historic properties in Wellfleet with provisions for storage and seminars on the historic homes and their inhabitants, and to authorize the Selectboard to enter into a grant agreement to set forth the terms and conditions thereof, or do or act on anything thereon.

(Requested by the Community Preservation Committee)

Majority vote required

Recommendations:

Selectboard -

Finance Committee -

Community Preservation Committee - Yes 7, No 0.

Historical Commission -

SUMMARY: The Historical Commission's goal is to create a comprehensive historical plan which will include an inventory of all buildings and structures over 75 years old. The Historical Commission's consultant will be able to continue compiling "Form B" inventories — fact sheets on historic properties in Wellfleet — which are stored at the Wellfleet Public Library and are available online at the Massachusetts Historical Commission's website: www.mhc-macris.org (Massachusetts Cultural Resource Information System). The project includes shelving for the Form B's and additional seminars on the history of homes in Wellfleet and the people who lived in them.

ARTICLE NO. 35: COMMUNITY PRESERVATION - RESTORATION & ACCESSIBILITY OF THE HISTORICAL SOCIETY MUSEUM:

To see if the Town will vote, pursuant to MGL c.44B, to appropriate from the Community Preservation Fund Fiscal Year 2023 Projected Surcharge revenues a sum of \$20,000.00 for historic restoration of the mid-section and accessibility to 262 Main Street by the Wellfleet Historical Society & Museum, and to authorize the Selectboard to enter into a grant agreement to set forth the terms and conditions thereof, or do or act on anything thereon.

(Requested by the Community Preservation Committee)

Majority vote required

Recommendations:

Selectboard -

Finance Committee -

Community Preservation Committee - Yes 7, No 0.

Historical Commission -

SUMMARY: The restoration of the mid-section of 262 Main Street will allow the Wellfleet Historical Society and Museum to connect the East wing and the original museum area and provide greater accessibility to the museum. To ensure accessibility, WHSM plans include for a new entrance and reception area, an elevator, handicap restrooms and increased exhibit space. The Historical Society & Museum has completed the permanent Historical Preservation Restriction agreement with the Massachusetts Historical Commission.

ARTICLE NO. 36: WELLFLEET ELEMENTARY SCHOOL PLAYGROUND:

To see if the Town will vote, pursuant to MGL c.44B, to appropriate from the Community Preservation Fund Fiscal Year 2023 Projected Surcharge revenues a sum of \$315,000.00 for construction of the major component of a new playground and swings at the Wellfleet Elementary School, and to authorize the

Selectboard to enter into a grant agreement to set forth the terms and conditions thereof, or do or act on anything thereon.

(Requested by the Community Preservation Committee)

Majority vote required

Recommendations:

Selectboard -

Finance Committee -

Community Preservation Committee - Yes 7, No 0.

School Committee -

SUMMARY: The children have been without a playground since 2020 when an official inspection resulted in its condemnation and demolition. The Wellfleet Elementary School Playground Committee has been working to construct a new outdoor playground environment that is safe, inclusive and accessible for children ages 5-12. The playground is available to the community after school hours, on weekends, holidays, and school vacations. With a Community Preservation grant and additional fund raising, it will be possible to install the major area of the playground and the swings in the summer of 2022.

SECTION IV: DISPOSITION OF TOWN PROPERTY ARTICLES

ARTICLE NO. 37 - DISPOSITION OF TOWN LAND/ TRANSFER OF MAP #30, PARCEL #186, AND MAP #42, PARCEL #137 TO CONSERVATION COMMISSION:

To see if the Town will vote to transfer care, custody, management and control of two properties shown on Assessor's Map 30, Parcel 186, described in a Judgement Tax Lien instrument recorded with the Barnstable Registry of Deeds in Book 24924, Page 207 and Assessor's Map 42, Parcel 137 described in a Judgement Tax Lien instrument recorded with the Barnstable Registry of Deeds in Book 25524, Page 269, from the board having care, custody, management and control thereof and from the purpose of which said parcels are held to the Conservation Commission for purposes of open space and conservation or to do or act on anything thereon.

(Request by the Open Space Committee)

2/3 Majority Vote Required

Recommendations:

Selectboard -

Finance Committee -

Open Space Committee -

Conservation Commission -

SUMMARY: Map 30-Parcel 186 is a 2.06-acre wetlands marsh property in Blackfish Creek abutting conservation lands owned by the Wellfleet Conservation Trust and Mass Audubon Society. Map 42 – Parcel 137 is 3.26 acres of wetlands marsh in the Fresh Brook Estuary and abuts the Town owned Bayberry Hill Conservation Land and Trail property off Lt. Island Road.

SECTION V: UNCLASSIFIED ARTICLES

ARTICLE NO. 38 - AFFORDABLE HOUSING TRUST BYLAW AMENDMENT:

To see if the Town will vote to amend the Affordable Housing Trust bylaw adopted under Article No. 44 of the 2021 Annual Town Meeting by : (1) amending the third sentence of Chapter 3, which reads “A quorum at any meeting shall be a majority of the Trustees qualified and present in person.” by striking from it the words “qualified and present in person”; (2) amending the first sentence of Chapter 6 by replacing “G. L. c. 268A” with “G. L. c. 258”; (3) amending the second sentence of Chapter 6 by replacing “G. L. c. 258” with “G. L. c. 268A”; and (4) amending the fourth sentence of Chapter 6 by replacing “G. L. c, 40, section 15” with “G. L. c. 40, section 15A.”, or to do or act on anything thereon.

(Request by the Affordable Housing Trust)

Majority Vote Required

SUMMARY: This article proposes corrections to the Affordable Housing Trust bylaw in response to suggestions by the Attorney General’s Office in the approval letter of October 25, 2021. The amendment to Chapter 3 is to clarify that the Trust’s quorum provisions are consistent with Massachusetts law. The amendments to Chapter 6 are all to correct typographical errors in the bylaw.

Recommendations:

Selectboard -

Finance Committee -

Affordable Housing Trust -Yes 6, No 0

ARTICLE NO. 39 - SPECIAL DETAIL ACCOUNT FOR THE FIRE DEPARTMENT:

To see if the Town will vote to transfer the sum of \$3,000.00 from available funds to the special detail fund for the Fire Department, said account to be administered by the Fire Chief through the Town Accountant and Town Treasurer, or to do or act on anything thereon.

(Requested by the Fire Chief)

Majority vote required

Recommendations:

Selectboard -

Finance Committee –

SUMMARY: (C. Sumner)

ARTICLE NO. 40 – EASEMENT FOR THE HERRING RIVER RESTORATION PROJECT:

To see if the Town will vote to:

- (a) authorize the Selectboard to acquire, on such terms and conditions as the Selectboard may determine, permanent and temporary easements by gift, purchase and/or eminent domain in parcels of land abutting and/or near Pole Dike Road, Bound Brook Island Road, Old Colony Road, and Way No. 672 for the reconstruction, installation, inspection, maintenance, improvement, repair,

replacement and/or relocation of rights of way, drainage, utilities, driveways, slopes, and grading, to enable the Town to undertake the Herring River Restoration Project and for any and all purposes and uses incidental or related thereto, all as approximately shown on plans entitled "Herring River Restoration Project Engineering Design to Elevate Low-Lying Roadways and Replace Associated Culverts, Wellfleet and Truro, Massachusetts, Permanent and Temporary Easement Plan," prepared by WSP for the Town of Wellfleet, dated January 2022, and "Herring River Restoration Project Permit Level Design for Low-Lying Property Impact Prevention, Way #672, Hirsch-Meek Property (25 Way #672) & Ellis Property (27 Way #672), Wellfleet, Massachusetts, Permanent and Temporary Easement Plan," prepared by WSP for the Town of Wellfleet, dated January 2022, copies of which are on file with the Town Clerk, as said plans may be amended from time to time;

- (b) raise and appropriate, transfer from available funds, and/or borrow a sum of money to fund the foregoing and any and all costs related thereto, including, without limitation, the cost of any easement acquisitions; and
- (c) authorize the Board of Selectmen to enter into any and all agreements and take any and all actions necessary or appropriate to effectuate the foregoing purposes.

or take any other action relative thereto.

(Requested by the Selectboard)

Two-thirds vote required

Recommendations:

Selectboard -

Finance Committee -

SUMMARY: The Town of Wellfleet and Cape Cod National Seashore are undertaking the Herring River Restoration Project ("Project") to restore tidal flow and revive the extensive ecological and economic benefits provided by a healthy estuary. The expected benefits include improved water quality, greater community resilience, and enhanced recreational opportunities. More information about the Project is available at <https://www.wellfleet-ma.gov/home/news/herring-river-project>.

The Project includes the elevation of low-lying road segments and replacement of culverts to ensure that roadways are not over-topped during certain conditions once tidal flow is restored. Temporary easement rights are needed allow the Town and its contractors to access portions of private property near the road segments for purposes such as erosion control, staging or other construction activity. Temporary easement rights will expire once the construction work is completed. Permanent easement rights are needed because work will result in certain permanent changes to private property near the road segments, such as a grade change, or installation of a guardrail or culvert, and to allow the Town Department of Public Works access for maintenance. Plans showing the locations of the easements are available for viewing at the Wellfleet Department of Public Works (DPW) located at 220 West Main Street, and Wellfleet Town Clerk's office located at 300 Main Street.

ARTICLE NO. 41 – RESCIND DEBT AUTHORIZATIONS:

To see if the Town will vote to rescind the following funding authorizations, as follows:

Department	Item	Date	Amount
Department of Public Works	South Wellfleet Parking Lot	4/28/14	\$6,948.00
Elementary School	Elementary School Roof	4/28/14	\$338,000.00
DPW Facilities	Town Hall Furnace	4/28/14	\$75,000.00
Police Department	Police Station Construction	11/15/16	\$540,000.00
Selectboard	Land Acquisition	4/22/19	\$1,000,000.00
DPW Facilities	Town Hall Railing Repair	6/26/21	\$6,000.00

or to do or act on anything thereon.

(Requested by the Selectboard)

Majority vote required

Recommendations:

Selectboard -

Finance Committee -

SUMMARY: The purpose of this article is to rescind a series of debt authorizations approved by Town Meeting to borrow funds for the identified purposes. These projects have been completed and the debt authorizations were not issued and not necessary for the projects. This proposed action is largely a house keeping matter.

ARTICLE NO. 42 - ROUTE 6A/MAIN STREET INTERSECTION PROJECT:

To see if the Town will vote to authorize the Selectboard to acquire by gift, purchase, or taking by eminent domain, any parcels of real property, permanent easements, and temporary easements, for public way purposes, including without limitation drainage, utility slope, grading, road realignment, sidewalks, construction of improvements and structures, and other related purposes, as may be necessary to complete the MassDOT Main Street/Route 6A Transportation Improvement Project, said parcels and easement areas being generally shown on a plan entitled "Route 6A/Main Street Intersection and Corridor Improvements" dated ____ and revised through _____, on file in the Town Clerk's Office and available for public inspection during regular business hours, and as may be amended through final project design; and further to raise and appropriate, transfer from available funds, borrow or otherwise provide a sum of money, or any other sum, to be expended for engineering, design, and other associated services, and for the acquisition of said parcels of real property and easements, including but not limited to acquisition costs, the award of eminent domain damages and related expenses and fees, said sum being the Town's matching share of the MassDOT Main Street/Route 6A Improvement Project, or to do or act on anything thereon.

(Requested by the Selectboard)

Two-thirds vote Required

Recommendations:
Selectboard -
Finance Committee -

SUMMARY: (Jay Norton, DPW Superintendent)

ARTICLE NO. 43 -TOWN CODE CODIFICATION PROJECT:

To see if the Town will vote to adopt the following amendment to the Town Code;

{Text to be Inserted }

or to do or act on anything thereon.

(Requested by the Selectboard)

Majority vote required

Recommendations:
Selectboard -
Finance Committee -

SUMMARY: (Jennifer Congel, Town Clerk)

ARTICLE NO. 44 -LEASE OF TOWN PROPERTY:

To see if the Town will vote to transfer the care, custody, management, and control of a Town-owned parcel known located at Gross Hill Road, as shown on Assessors Map 5, Parcel 8, from the Selectboard or other board or commission currently having custody thereof and from the purpose for which said parcel is currently held to the Selectboard for the purpose for which the parcel is currently held and for the purpose of entering into a long-term lease with one or more cellular communication carriers, upon such terms and conditions as the Selectboard deems to be in the best interest of the Town, or to do or act on anything thereon.

(Requested by the Selectboard)

Two-thirds vote required

Recommendations:
Selectboard -
Finance Committee -

SUMMARY: AT&T has been working with the Town to locate some communications equipment on a pole in the Newcomb Hollow Beach parking lot. The purpose of this equipment is to improve cellar communications in this area, which will benefit public safety purposes. The proposed license agreement will be for a 10-year period and the Town will receive annual payments for the use of town property.

SECTION VI: BYLAWS, INITIATIVE PETITIONS

ARTICLE NO. 45 – BYLAW AMENDMENT FOR ANIMAL CONTROL BYLAW:

To see if the town will vote to

[Text to be inserted]

or do or act on anything thereon.

(Requested by the Selectboard)

Majority vote required

Recommendations:

Selectboard -

Finance Committee -

SUMMARY: (C. Sumner)

ARTICLE NO. 46 – BYLAW AMENDMENT FOR COMMERCIAL SINGLE-USE PLASTIC WATER BOTTLE BAN:

To see if the town will vote to amend the Section 49 of the general by-laws of the Town Code, as follows:

Section 49. Commercial Single-Use Plastic Non-Alcoholic Beverage ~~Water~~ Bottle Ban.

Section-1: Sale of Single-use Plastic ~~Water~~ Bottles

Effective on ~~September~~ May 1, 2023~~1~~, the Commercial Single Use Plastic Water Bottle Ban will be amended as printed. Effective May 1, 2023 it shall be unlawful to sell bottled non-alcoholic beverages non-carbonated, unflavored drinking water in single-use plastic bottles of less than one gallon in the Town of Wellfleet.

Enforcement of this regulation will begin on May ~~September~~ 1, 2023~~1~~.

Section-2. Definitions

A single-use plastic bottle is a beverage container made from any type of plastic resin.

Section-3. Exemptions

Sales or distribution of non-carbonated, unflavored drinking water in single-use plastic bottles occurring subsequent to a declaration of emergency (by the Emergency Management Director or other duly authorized Town, County, Commonwealth or Federal official) affecting the ability and/or quality of drinking water to residents of the Town shall be exempt from this bylaw until seven days after the declaration has ended.

Section 4. Enforcement

Enforcement of this article shall be the responsibility of the Town Administrator or his/her designee. The Town Administrator shall determine the inspection process to be followed, incorporating the process into other Town duties as appropriate. Any establishment conducting sales in violation of this article shall be subject to a non-criminal disposition fine as specified in G.L. Chapter 40 21D. The following penalties apply:

- First violation: Written Warning
- Second violation: \$150.00 fine.
- Third and subsequent violations: \$300 fine

Each day a violation continues constitutes a separate violation, incurring additional fines. Any such fines collected shall be payable to the Town of Wellfleet. All businesses will be routinely inspected until the Town Administrator deems the inspection to no longer be required.

or do or act on anything thereon.

(Requested by the Selectboard)

Majority vote required

Recommendations:

Selectboard -

Finance Committee -

SUMMARY: This bylaw would ban the sale of single use Non-Alcoholic beverage plastic bottles and would supplant the pre-existing plastic water bottle ban. Plastic bottles have significant impacts on environmental health, and the health and longevity of other species, who may ingest plastic as food. Ultimately, plastic re-enters the human food chain where the adverse consequences are both known and emerging. Plastics pollute and impact our environment across their lifecycle from production to use to disposal.

ARTICLE NO. 47 - ADOPTION OF ENABLING LEGISLATION TO ESTABLISH SPEED LIMITS:

To see if the town will vote to accept the provisions of Chapter 90, Section 17C of the General Laws, (Ter. Ed), which allows the Selectboard to establish a speed limit of 25 miles per hour in any thickly settled or business district in the Town that is not a state highway or do or act on anything thereon.

(Requested by the Selectboard)

Majority vote required

Recommendations:

Selectboard -

Finance Committee -

SUMMARY: The Selectboard received a petition from residents seeking to reduce the posted speed limit on a local roadway. In order to effectuate this request the Town will have to adopt this enabling legislation.

ARTICLE NO. 48 - ADOPTION OF ENABLING LEGISLATION FOR THE DISPOSITION OF UNCLAIMED PROPERTY:

To see if the Town will vote to accept the provisions of Section 9A of Chapter 200A of the General Laws, as follows:

DISPOSITION OF UNCLAIMED PROPERTY

(a) In any city, town or district that accepts this section in the manner provided in Section 4 of chapter 4, there shall be an alternative procedure for disposing of abandoned funds held in the custody of the city, town or district as provided in this section.

(b) Any funds held in the custody of a city, town or district may be presumed by the city, town or district treasurer to be abandoned unless claimed by the corporation, organization, beneficiary or person entitled thereto within one 1 year after the date prescribed for payment or delivery; provided, however, that the last instrument intended as payment shall bear upon its face the statement "void if not cashed within 1 year from date of issue." After the expiration of one 1 year

after the date of issue, the treasurer of a city, town or district may cause the financial institution upon which the instrument was drawn to stop payment on the instrument or otherwise cause the financial institution to decline payment on the instrument and any claims made beyond that date shall only be paid by the city, town or district through the issuance of a new instrument. The city, town or district and the financial institution shall not be liable for damages, consequential or otherwise, resulting from a refusal to honor an instrument of a city, town or district submitted for payment more than a year after its issuance.

(c) The treasurer of a city, town or district holding funds owed to a corporation, organization, beneficiary or person entitled thereto that are presumed to be abandoned under this section shall post a notice entitled "Notice of names of persons appearing to be owners of funds held by (insert city, town or district name), and deemed abandoned". The notice shall specify the names of those persons who appear from available information to be entitled to such funds, shall provide a description of the appropriate method for claiming the funds and shall state a deadline for those funds to be claimed; provided, however, that the deadline shall not be less than 60 days after the date the notice was either postmarked or first posted on a website as provided in this section. The treasurer of the city, town or district may post such notice using either of the following methods: (1) by mailing the notice by first class mail, postage prepaid, to the last known address of the beneficiary or person entitled thereto; or (2) if the city, town or district maintains an official website, by posting the notice conspicuously on the website for not less than 60 days. If the apparent owner fails to respond within 60 days after the mailing or posting of the notice, the treasurer shall cause a notice of the check to be published in a newspaper of general circulation, printed in English, in the county in which the city or town is located.

(d) In the event that funds appearing to be owed to a corporation, organization, beneficiary or person is \$100 or more and the deadline as provided in the notice has passed and no claim for the funds has been made, the treasurer shall cause an additional notice, in substantially the same form as the aforementioned notice, to be published in a newspaper of general circulation in the county in which the city, town or district is located; provided, however, that the notice shall provide an extended deadline beyond which funds shall not be claimed and such deadline shall be at least 1 year from the date of publication of the notice.

(e) Once the final deadline has passed under subsection (d), the funds owed to the corporation, organization, beneficiary or person entitled thereto shall escheat to the city, town or district and the treasurer thereof shall record the funds as revenue in the General Fund of the city, town or district and the city, town or district shall not be liable to the corporation, organization, beneficiary or person for payment of those funds or for the underlying liability for which the funds were originally intended. Upon escheat, the funds shall be available to the city, town, or district's appropriating authority for appropriation for any other public purpose. In addition to the notices required in this section, the treasurer of the city, town or district may initiate any other notices or communications that are directed in good faith toward making final disbursement of the funds to the corporation, organization, beneficiary, or person entitled thereto. Prior to escheat of the funds, the treasurer of the city, town or district shall hear all claims on funds that may arise and if it is clear, based on a preponderance of the evidence available to the treasurer at the time the claim is made, that the claimant is entitled to disbursement of the funds, the treasurer shall disburse funds to the claimant upon receipt by the treasurer of a written indemnification

agreement from the claimant wherein the claimant agrees to hold the city, town or district and the treasurer of the city, town or district harmless in the event it is later determined that the claimant was not entitled to receipt of the funds. If it is not clear, based on a preponderance of the evidence before the treasurer at the time of the claim that the claimant is entitled to disbursement of the funds, the treasurer shall segregate the funds into a separate, interest-bearing account and shall notify the claimant of such action within 10 days. A claimant affected by this action may appeal within 20 days after receiving notice thereof to the district, municipal or superior court in the county in which the city, town or district is located. The claimant shall have a trial de novo. A party adversely affected by a decree or order of the district, municipal or superior court may appeal to the appeals court or the supreme judicial court within 20 days from the date of the decree.

If the validity of the claim shall be determined in favor of the claimant or another party, the treasurer shall disburse funds in accordance with the order of the court, including interest accrued. If the validity of the claim is determined to be not in favor of the claimant or another party or if the treasurer does not receive notice that an appeal has been filed within one 1 year from the date the claimant was notified that funds were being withheld, then the funds, plus accrued interest, shall escheat to the city, town or district in the manner provided in this section. If the claimant is domiciled in another state or country and the city, town or district determines that there is no reasonable assurance that the claimant will actually receive the payment provided for in this section in substantially full value, the superior court, in its discretion or upon a petition by the city, town or district, may order that the city, town or district retain the funds.

or do or act on anything thereon.

(Requested by the Selectboard)

Majority vote required

Recommendation:

Selectboard -

Finance Committee -

SUMMARY: Under current law unclaimed or abandoned funds must turned over to the Commonwealth of Massachusetts after a period. The acceptance of this enabling legislation would allow the Town to retain these funds after proper notice and process.

ARTICLE NO. 49 – WILDLIFE PROTECTION BYLAW:

To see if the town will vote to adopt the following as a general bylaw and insert it into the Town Code, as follows:

Wildlife Protection Bylaw:

“Attractant” means any substance which could reasonably be expected to attract a wild animal or does attract a wild animal, including but not limited to, garbage, unenclosed compost bins, human food products, pet food, feed, grain or salt.

“Wild animal” means any animal which is not normally domesticated in Massachusetts, including but not limited to: bears, coyotes, foxes, fisher cats, weasels, rats, deer, opossums, raccoons, squirrels, feral cats and skunks.

Prohibitions

1. No person shall feed, tempt with an attractant, touch, tease, frighten or intentionally disturb wildlife during nesting, breeding or any other activities.
2. No person shall leave, store, or maintain any attractant in a manner, area, or location accessible to any wild animal.

Exceptions

• The prohibitions of this Bylaw shall not apply to:

- (1) Any person who is the legal owner of a wild animal, if the wild animal is kept in compliance with all applicable federal, State and local laws and regulations.
- (2) Any person who feeds or provides food to a trapped, injured or unweaned wild animal between the time that the agency in charge of animal control, or its designated agent, or a licensed wildlife rehabilitator, is notified of the wild animal and the wild animal is received by the agency, facility, or designated agent.
- (3) A wildlife rehabilitator licensed pursuant to Massachusetts 321 CMR 2.13, or a wildlife sanctuary licensed pursuant to 321 CMR 7.00, and otherwise in compliance with all applicable federal, State and local bylaws and regulations.
- (4) Any person with a bird feeder, provided the feeder is suspended on a cable or other device to make it inaccessible to wild mammals, and the area below the feeder is kept free from the accumulation of seed debris.
- (5) Any person or organization that is providing care for feral cats and is making a reasonable effort to trap and sterilize the animals.
- (6) Any person feeding animals in the normal course of raising farm animals for food production or in the care of livestock animals, provided all reasonable efforts are made to reduce attractants to wild animals in the course of feeding livestock/farm animals, and in the storage of animal feed.
- 7) An owner or tenant of land or, if authorized by such owner or tenant, any member of their immediate family or their employee, using an attractant to bait common-type mouse and rat traps, nets, or box or cage-type traps to trap mammals who are causing damage to their property. A box or cage-type trap is one that confines the whole animal without grasping any part of the animal. All such trapping must be done in compliance with MGL Chapter 131, Section 80A and any applicable federal, State and local laws and regulations.

Enforcement

The animal control authority, its staff, its agents, or local law enforcement agents are authorized and empowered to enforce the provisions of this Bylaw.

Penalty

Any person violating this Bylaw shall be guilty of a civil penalty of not less than \$200 (two hundred dollars) and not more than \$2000 (two thousand dollars) for each violation. Each day that a violation continues or occurs will be considered a new violation for the purpose of assessing fines under this act.

Fines and Penalties

XX.XX.X

Criminal Disposition - In addition to any other legal remedies that may be available, the Animal Control Officer or other designated person, may enforce this By-law by Non-Criminal Disposition. If a Non-Criminal Disposition process, as provided in Massachusetts General Laws, Chapter 40, Section 21D and the Town's Non-Criminal disposition By-law is elected, then any person who violates the provisions of **ARTICLE XX**, Section §**XX** of the Town's General By-laws shall be subject to the following enforcement fines and penalties.

The enforcing officer or designee may give a written warning for the first offense or shall impose the following fines:

First Offense - \$50.00

Second Offense - \$100.00

Third and Subsequent Offenses - \$300.00

(Requested by the Selectboard)

Majority vote required

Recommendation:

Selectboard -

Finance Committee -

SUMMARY: (C. Sumner)

ARTICLE NO. 50 – AFFORDABLE LOTS ZONING BYLAW:

To see if the Town will amend the Wellfleet Zoning By-Laws by inserting 6.28 B Affordable Lots and Affordable Undersized Lots, and to amend the Table of Contents and Sections 2.1, 5.3, as follows:

TABLE OF CONTENTS

["6.28.B Affordable Lots and Affordable Undersized Lots" is hereby inserted between "6.28 Provisions To Encourage The Development of Affordable Dwellings In Wellfleet" and "6.29 Fast Food & Formula Restaurant Prohibition"]

2.1 DEFINITIONS

[Is hereby amended with the following definitions inserted between Adult Video Store and Alteration]

Affordable Lot - A lot containing not less than 10,000 sq ft of contiguous upland area that otherwise does not meet the zoning requirements for a buildable lot. A of a One Family Dwelling may be constructed upon as an affordable homeownership or affordable rental dwelling unit in perpetuity or the maximum time period allowed by law, and shall be in compliance with 760 CMR 56.00 the Local Initiative Program (LIP) and meet the guidelines and standards promulgated thereunder by the Department of Housing and Community Development (DHCD) for inclusion in the DHCD Ch 40B Subsidized Housing Inventory as Local Action Units.

Affordable Undersized Lot - A lot containing less than 10,000 sq ft of contiguous upland area that otherwise does not meet the zoning requirements for a buildable lot. A of a One Family Dwelling may be constructed upon as an affordable homeownership or affordable rental dwelling unit in perpetuity or the maximum time period allowed by law, and shall be in compliance with 760 CMR 56.00 the Local Initiative Program (LIP) and meet the guidelines and standards promulgated thereunder by the Department of Housing and Community Development (DHCD) for inclusion in the DHCD Ch 40B Subsidized Housing Inventory as Local Action Units. An affordable undersized lot shall be subject to any conditions attached to a Special Permit issued by The Special Permit Granting Authority

5.3. Use Regulations

Table 5.3.1 is amended as follows: Insert “Affordable Lot” and “Affordable Undersized Lot” before “Bed and Breakfast”

[“P” is a permitted use. “A” is a use authorized under special permits.]

	CD	R1	R2	NSP	C	C2
Affordable Lot	P	P	P	O	P	P
Affordable Undersized Lot	A	A	A	O	A	A

6.28.B Affordable Lots and Affordable Undersized Lots

6.28.B.1 Purpose: The purpose of this bylaw is to increase the supply of housing that is available and permanently affordable to low or moderate income households by allowing affordable dwelling units to be built on non-complying lots, provided the lots meet the criteria listed herein.

It is intended that the affordable housing units created under this bylaw qualify as low or moderate income units for purposes of M.G.L. Ch. 40B sec. 20-23 and shall be in compliance with 760 CMR 56.00 the Local Initiative Program (LIP) and meet the guidelines and standards promulgated thereunder by the Department of Housing and Community Development (DHCD) for inclusion in the DHCD Ch 40B Subsidized Housing Inventory as Local Action Units.

6.28.B.2 Applicability - This bylaw applies shall apply to lots of record as of January 1, 2021 which do not meet the zoning requirements for a buildable lot as determined by The Town. Any increase in tax assessment for an applicable lot shall only occur upon an issuance of a building permit for an affordable One Family Dwelling on that applicable lot.

6.28.B.3 The Building Inspector may allow construction of a One Family Dwelling, to be restricted a by a Regulatory Agreement and/or Deed Rider, in an acceptable form, be executed and recorded by the applicant, as an affordable homeownership or rental dwelling unit in perpetuity or the maximum time period allowed by law, on an eligible parcel of land that meets the following criteria:

1. Parcel is not within the National Seashore Park District;
2. Parcel has no existing dwelling unit
3. Parcel contains at least 10,000 square feet of contiguous upland area;
4. Parcel satisfies applicable Board of Health requirements;
5. Parcel satisfies applicable Town of Wellfleet's Conservation Commission Environmental Protection Regulations;
6. Parcel has a minimum of twenty (20) feet of frontage on a way previously approved by the Planning Board or a public way, having, in the opinion of the Planning Board, sufficient width, suitable grades and adequate construction to provide the needs of vehicular traffic. Lots without suitable frontage may be buildable under this section if there is an adequate recorded access easement of at least twenty (20) feet in width from the lot to a previously way approved by the Planning Board or a public way, having, in the opinion of the Planning Board, sufficient width, suitable grades and adequate construction to provide the needs of vehicular traffic and emergency response apparatus;
7. The side setbacks shall not be less than ten (10) feet, nor shall a dwelling be built within ten (10) feet of the any other dwelling or principal structure. If a dwelling is built within twenty five (25) feet of any other dwelling or principal structure a stockage type fence at least 6' in height may be required by the Permit Granting Authority . The existing setbacks of principal structures on the lots immediately adjacent to the subject lot must be shown on the plans;
8. Parcel shall not be built upon if it was purposely created as an unbuildable lot as part of a subdivision open space or park, or by any other condition or agreement with the Town;
9. No part of any access driveway may be within fifteen (15) feet of a principal structure on an adjoining lot.

6.28.B.4 The Zoning Board of Appeals - As the Special Permit Granting Authority under this section The Zoning Board of Appeals, may grant a special permit to allow construction of a One Family Dwelling, to be restricted as an affordable homeownership or rental dwelling unit in perpetuity or the maximum time period allowed by law, on a lot less than 10,000 square feet of upland if:

1. The Board finds that such a reduction in minimum lot requirement would further the purposes of the bylaw without causing any undue nuisance, hazard or congestion in the Town or neighborhood.
2. All criteria outlined in section 6.28.B.3, except the minimum 10,000 square foot of upland requirement of 6.28.B.3, paragraph 3, must be met for Board of Appeals approval of a lot with an area under 10,000 square feet upland in size.
3. The Special Permit Granting Authority may impose conditions and restrictions on the special permit, including, but not limited to, a) restricting the total number of bedrooms or occupants in the dwelling, b) such other restrictions or limitations as are considered necessary or appropriate to carry out the intent and purposes of the bylaw.

6.28.B.5 Transfer or Sale - The Permit Granting Authority under this section, shall allow the lot owner to transfer or to rent the constructed One Family Dwelling at an affordable price or rent per the applicable standards in Bylaw section 6.28.B.1, provided that the unit is restricted in such a way that future transference or leasing comply with the applicable affordability requirements in Bylaw section 6.28.B.1.

6.28.B.6 Affordability - No Building Permit or Certificate to Occupy shall be issued by the Building Inspector until the developer has demonstrated that all of the applicable requirements of 6.28.B.1 have been met.

6.28.B.10 Conflicts with other bylaws _ The provisions of this bylaw shall be considered supplemental to all other zoning bylaws. To the extent that a conflict exists between this bylaw and others, this bylaw, and the provisions therein, shall apply. or do or act on anything thereon.

(Requested by the Selectboard)

Two-thirds vote required

Recommendations:

Selectboard -

Finance Committee -

SUMMARY: This bylaw provides limited relief of zoning requirements to promote the development of otherwise unbuildable lots solely for the propose of deed restricted affordable single-family homes in perpetuity or the maximum allowable period by law.

ARTICLE NO. 51 – ACCESSORY DWELLING UNIT BYLAW AMENDMENT:

To see if the Town will vote to delete 6.21 Affordable Accessory Dwelling Units of the Wellfleet Zoning By-laws and substitute the following sections in place thereof, and to amend the Table of Contents and Sections 2.1, 5.3, 5.46, 5.47, and 8.3 as follows:

TABLE OF CONTENTS

["Affordable Accessory Dwelling Units" is hereby deleted, and "Accessory Dwelling Units" is substituted in place thereof.]

SECTION II

2.1 DEFINITIONS

[Dwelling Affordable Accessory is hereby deleted and the following definition is substituted in place thereof.]

Dwelling **Unit**, Accessory: a self-contained housing unit, inclusive of sleeping, cooking and sanitary facilities

on the same lot as a principal dwelling or other principal structure that shall be leased year-round. 5.3. Use Regulations

Table 5.3.1 is amended as follows: Insert "Dwelling, Accessory" between "Conversion of Dwelling Unit" and "Dwelling, Affordable Accessory"

["P" is a permitted use. "A" is a use authorized under special permits.]

	CD	R1	R2	NSP	C	C2
Dwelling, Accessory Unit	P	P	P	A	P	P
Dwelling, Affordable Accessory	O	O	O	O	A	O

[5.4.6. Intensity of Use Application to Affordable Accessory Dwelling Units is hereby deleted and the following section is substituted in place thereof.]

5.4.6. Intensity of Use Application to Accessory Dwelling Units (ADUs)

An Accessory Dwelling Unit shall consist of a minimum of 200 square feet of Livable Floor Area, subject to any requirements of the State.

[5.4.7 Intensity of Use Application to the Conversion of Dwelling Units is hereby amended and the following section in bold is inserted.]

5.4.7 Intensity of Use Application to the Conversion of Dwelling Units

No dwelling unit shall be converted into two or more units unless each resulting unit consists of a minimum of 600 square feet of livable floor area; the external appearance of the structure is not changed; the front, side and rear yard requirements of the district in which located are met; and the lot area is not less per dwelling than the lot requirement of the district in which located, **except in the case of an Accessory Dwelling Unit, as provided in Section 6.21 of these Zoning By-laws.**

6.21 Accessory Dwelling Unit (ADU)

6.21.1 Purpose: To enable an increase of year-round rental housing opportunities; to encourage greater diversity of housing types appropriate to residents with varying needs, and to support a stable and diverse year-round community and a robust local workforce.

6.21.2 Accessory Dwelling Unit (ADU)

~~An Accessory Dwelling Units~~, as defined in Section 2.1 DEFINITIONS of the Wellfleet Zoning By-laws ~~is are~~ **one or more** additional dwelling units allowed on a single lot in all districts of the Town if in compliance with all Town, Commonwealth of Massachusetts and Federal statutes, by-laws and regulations where applicable, unless otherwise allowed by this bylaw.

6.21.2. Accessory Dwelling Units are allowed either as a Detached Building, or as a separate dwelling unit within or attached to a Dwelling, a building used for a Principal Use; or within or attached to any Accessory Building, as defined in Section 2.1 DEFINITIONS of the Wellfleet Zoning By-laws.

6.21.2.2 **Individual** Accessory Dwelling Units shall be no larger than one thousand two hundred (1,200) square feet of Livable Floor Area as that term is defined in Section 2.1 DEFINITIONS of the Wellfleet Zoning By-laws.

6.21.2.3. In order to maintain its status as an accessory use to the principal use on the same lot, the ADU must be held in the same ownership as the principal use.

6.21.2.4. The rights and requirements of this By-law and/or Special Permit, as they apply to each ADU, shall run with the land upon any transfer of ownership of a property containing an Accessory Dwelling Unit built under the provisions of this By-law.

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6.21.2.5. A property owner may choose to cease to use an Accessory Dwelling Unit by formally reporting its change in use to the agent designated by the Town Administrator to administer and monitor such units and altering it to meet the requirements of a permitted use. The agent will then register this change in use with the Building **Commissioner** ~~Inspector~~, the Health Agent and the Town Assessor.

6.21.3 Procedure

6.21.3.1 The property owner shall apply for a building permit and/or certificate of occupancy for ~~an~~ **each** ADU. The Board of Health shall also review and inspect ~~the~~ **each** ADU for compliance with the Health Code prior to the issuance of a certificate of occupancy. The Fire Department shall also inspect for working carbon monoxide detectors.

6.21.3.2 Prior to the issuance of a certificate of occupancy, **each** ADU shall be registered with the agent designated by the Town Administrator who will administer and monitor such units, maintain a current record of such units and register them with the Town's Assessor, Building Department, and Health Department.

6.21.4 Monitoring

An Affidavit of Compliance signed by the property owner shall be submitted initially, when the unit is first occupied or used, and then annually, on September 1st or the nearest business day, to the agent designated by the Town Administrator to monitor and administer such Units to confirm that the Accessory Dwelling Unit or Units are being leased for a minimum of a year, and not otherwise leased or occupied for any other purpose, and that they shall be used as a dwelling, according to the standards and conditions of this By-law.

6.21.5 Enforcement and Penalties

Upon a written determination by the Building ~~Inspector~~ **Commissioner** that the property owner has failed to comply with these provisions, the property owner shall bring the unit or units into compliance within thirty (30) days of such written notice pursuant to Massachusetts General Law Chapter 40A Section 7. In addition, the Building ~~Inspector~~ **Commissioner** shall impose any and all fines and penalties referenced in Section 8.3 of these By- laws.

6.21.6. Opportunity for Affordable Housing Property Tax Exemption

A property owner who leases an Accessory Dwelling Unit affordably and in compliance with this By-law, as specified by the Special Act of 2010 and adopted by Wellfleet voters in May 2011 may apply to the agent designated by the Town Administrator to administer and monitor such units to receive an application for a property tax exemption.

[8.3 Penalty is hereby amended and the following sections in bold are inserted therein.]

8.3 Penalty Any person violating any of the provisions of these Bylaws may be fined not more than \$50.00 for each offense, **except in the case of violations of Section 6.21 Accessory Dwelling Units, the fine shall be \$300.00 for each offense.** Each day that such violation continues shall constitute a separate offense.

(Request of the Local Housing Partnership)

Two-thirds vote required

Recommendations:

Selectboard –

Finance Committee -

Local Housing Partnership -

SUMMARY: The purpose of this bylaw is to enable an increase of year-round rental opportunities; to encourage greater diversity of housing types appropriate to residents with varying needs; and to support a stable and diverse year-round community with a robust local workforce.

Wellfleet's year-round housing crisis is well documented. The need for year-round rentals has become increasingly pressing as more and more year-round homes are converted to short term and seasonal use. There are often no year-round rentals available at any price. From young people and families to seniors and well-paid professionals, finding and keeping a year-round rental is less and less possible. Our shell fishing families are particularly vulnerable as they are required by regulations to be domiciled in Wellfleet. Businesses of all types and even the Town's departments struggle to find employees because of the high cost and lack of year-round housing. This will impact both residents and visitors as it is already affecting the quality of life and economic sustainability of the town.

This By-law would allow Accessory Dwelling Units (ADUs) which are additional, size-restricted dwellings, on a single lot with an existing dwelling or structure or other Principal use, in all Zoning districts if in compliance with all applicable By-laws and regulations. Properties in the National

Seashore Park would require a Special Permit. Such dwellings can be no larger than 1,200 square feet of Livable Floor Area. Before an ADU can be used or occupied it must be registered with an agent designated by the Town Administrator to administer and monitor such units. Such units MUST be leased and occupied year-round with an Affidavit of Compliance filed annually with the Town by the property owner. ADUs do not have limits on who can rent based on income, and there is no set rent for ADUs. The property owner may lease the unit at market rates or may take advantage of the Affordable Housing Tax Exemption if leased affordably as determined by the Town. ADUs cannot be rented seasonally, weekly or daily. The property owner may live in the unit year-round themselves after filing the required Affidavit of Compliance.

SECTION VII: STANDARD ANNUAL ARTICLES

Voted on together as part of a consent agenda

ARTICLE NO. 52 – SURPLUS PROPERTY DISPOSAL:

To see if the Town will vote to authorize the Town Administrator or his/her designee to dispose of personal property by trade-in or sale, or to do or act on anything thereon.

(Requested by the Selectboard)

Majority vote required

Recommendations:

Selectboard –

Finance Committee –

SUMMARY: This is an annual request that provides the Town Administrator to sell, trade-in or dispose of surplus property on behalf of the Town.

ARTICLE NO. 53 – COLLECTION OF TAXES:

To see if the Town will vote in accordance with G.L. c. 41, sec. 38 to authorize the Town Collector to use all means for collecting taxes, which the Treasurer may use when appointed Collector, or to do or act on anything thereon.

(Requested by the Selectboard)

Majority vote required.

Recommendations:

Selectboard –

Finance Committee –

SUMMARY: (Karen Murphy, Town Collector)

ARTICLE NO. 54 – MASSDEP LIABILITY INDEMINIFICATION:

To see if the Town will vote to assume liability in the manner provided by G.L. c.91, s.29 and 29A, as most recently amended, for damage that may be incurred for work to be performed by the Department of Environmental Protection of Massachusetts for improvements, development, maintenance and protection of tidal and non-tidal rivers and streams, great ponds, harbors, tidewaters, foreshores and shores along a public beach, excluding the Herring River and Herring River Dike, in accordance with G.L. c. 91, s. 11, and to authorize the Selectboard to execute and deliver a bond on indemnity therefore to the Commonwealth, or to do or act on anything thereon.

(Requested by the Selectboard)

Majority vote required.

Recommendations:

Selectboard –

Finance Committee –

SUMMARY: (Nancy Civetta, Shellfish Constable)

ARTICLE NO. 55 – NAUSET SCHOOLS ASSESSMENT FORMULA:

To see if the Town will vote to pursuant to the provisions of G.L. c. 71, s.16B, to allocate the sum of the Town's required local contributions to the Nauset Regional School District in accordance with the Nauset Regional School District Agreement, rather than in according to the formula of the Education Reform Act, so called, for Fiscal Year 2023, or to do or act on anything thereon.

(Nauset Regional School Committee)

Majority vote required.

Recommendations:

Selectboard –

Finance Committee –

SUMMARY: This article will apportion the Nauset Regional School District's assessment to the four (4) member towns for the following fiscal year based upon their proportionate school enrollment within the school district. This specific methodology is proved within the inter-municipal agreement, approved by the four towns establishing the Nauset Regional School District.

SECTION VIII: STANDARD CLOSING ARTICLES

ARTICLE NO. 56 – REPORTS OF BOARDS AND COMMITTEES:

To hear reports of the Selectboard, Town Officers, and all other Committees and to act thereon, or do or act on anything thereon.

(Requested by the Selectboard)

Majority Vote Required

ARTICLE NO. 57 - OTHER BUSINESS:

To act on any other business that may legally come before the meeting.

(Requested by the Selectboard)

Majority Vote Required

	Total Request	Relie & Appropriates	Free Cash	New Prop. 2.1/2 Overrids Cuts	Water Enterprise	Marina Enterprise	Ambul. Fund	Beach Fund	Shellfish Fund	SEMASS Fund	Recr. Fund	Scab. Fund	CPA Fund	Waterways Fund	Cometary Funds	Cable Fund	Other	
21 PEG Access & Cable Related Funds	\$ 140,000															\$ 140,000		
22 Shellfish Revolving Fund	\$ -																	
23 Elementary School Fire Suppression	\$ 2,200,000			\$ 2,200,000														
24 Harbor/Marina Feasibility Study	\$ 30,000	\$ 30,000																
25 Transfer Station Feasibility Study	\$ 50,000	\$ 50,000																
26 Adult Learning Ctr Building Study	\$ 15,000	\$ 15,000																
27 Keller's Corner Renovation Eng.	\$ 50,000	\$ 50,000																
28 Survey Expense for Heron Point	\$ 3,200	\$ 3,200																
29 CPA Adm. Debt & Allocation	\$ 798,980												\$ 798,980					
30 CPA Affordable Housing Trust	\$ 35,000												\$ 35,000					
31 CPA Buy Down Program	\$ 185,000												\$ 185,000					
32 CPA Lily House	\$ 20,000												\$ 20,000					
33 CPA Lower Cape Housing Institute	\$ 7,500												\$ 7,500					
34 CPA Historical Plan Continuation	\$ 20,900												\$ 20,900					
35 CPA Museum Restoration	\$ 20,000												\$ 20,000					
36 CPA Elem School Playground	\$ 315,000												\$ 315,000					
37 Disposition of Town-Owned Land	\$ -																	
38 Affordable Housing Trust Bylaw	\$ -																	
39 Smedal Detail Fund for Fire Dept.	\$ 3,000																	
40 Easement for Herring River Project	\$ -																	
41 Rescnd Debt Authorization	\$ -																	
42 Route 6/Main Street Intersection	\$ -																	
43 Town Code Codification Project	\$ -																	
44 Lease of Town Property/A18T	\$ -																	
45 Bylaw Amendment Animal Control	\$ -																	
46 Bottle Ban Bylaw	\$ -																	
47 Establish Speed Limits	\$ -																	
48 Legislation for Unclaimed Property	\$ -																	
49 Wildlife Protection Bylaw	\$ -																	
50 Affordable Housing Lots Bylaw	\$ -																	
51 Accessory Dwelling Unit Bylaw	\$ -																	
52 Surplus Property Disposal	\$ -																	
53 Collection of Taxes	\$ -																	
																\$ 3,000		

ANNUAL TOWN ELECTION WARRANT
Monday May 2,2022

The Commonwealth of Massachusetts

To either of the Constables in the Town of Wellfleet in the County of Barnstable:

GREETINGS:

In the name of the Commonwealth of Massachusetts you are hereby required to notify and warn the inhabitants of the Town of Wellfleet qualified to vote in Town Affairs, to meet at the **WELLFLEET SENIOR CENTER, 715 OLD KING'S HIGHWAY in Wellfleet on Monday the 2nd day of May, 2022, between twelve o'clock noon and seven o'clock p.m.**, then and there to vote for the election of the following Town officers: one Moderator for one year; two for the Selectboard for three years; one for the Wellfleet Elementary School Committee for three years; one for the Board of Library Trustees for three years; one for the Cemetery Commission for three years; and two for Constable for three years. Also, to vote on the following questions:

Question 1: Shall the Town of Wellfleet be allowed to assess an additional \$186,759.00 in real and personal property taxes for the purpose of funding two new Police Officer positions for the fiscal year beginning July 1st, two thousand and twenty-two?

Question 2: Shall the Town of Wellfleet be allowed to assess an additional \$206,964.00 in real and personal property taxes for the purpose of funding two new Firefighter/EMT/Paramedic positions for the fiscal year beginning July 1st, two thousand and twenty-two?

Question 3: Shall the Town of Wellfleet be allowed to assess an additional \$750,000.00 in real and personal property taxes for the purpose of funding general school and town operations for the fiscal year beginning July 1st, two thousand and twenty-two?

Question 4: Shall the Town of Wellfleet be allowed to assess an additional \$1,000,000.00 in real and personal property taxes for the purpose of funding a town-wide capital improvement fund for the fiscal year beginning July 1st, two thousand and twenty-two?

Question 5: Shall the Town of Wellfleet be allowed to exempt from the provisions of proposition two and one-half, so called, the amounts required to pay for the bonds issued in order to purchase a replacement fire engine, and pay all other costs related thereto?

Question 6: Shall the Town of Wellfleet be allowed to exempt from the provisions of proposition two and one-half, so called, the amounts required to pay for the bonds issued in order to purchase and install a fire suppression system for the Wellfleet Elementary School, and pay all other costs related thereto?

2022 ANNUAL TOWN MEETING WARRANT &
2022 ANNUAL TOWN ELECTION WARRANT

And you are hereby directed to serve these warrants by posting attested copies thereof, one in the Post Office in Wellfleet and one in the Post Office in South Wellfleet, fourteen (14) days at least before the date of said meetings.

Hereof fail not and make due return of these warrants with your doings thereon, to the Town Clerk, at the time and place of said meetings.

Given under our hands this ____ day of 2022.

Wellfleet Board of Selectmen

Ryan Derek Curley, Chair

Michael F. DeVasto, Vice Chair

Janet M Reinhart , Member

Helen Miranda Wilson, Member

John A. Wolf , Clerk

Constable's Return of Service

I have served the foregoing warrants by posting attested copies thereof in the Post Office in Wellfleet and the Post Office in South Wellfleet and by delivering to the Town Administrator printed copies of the Warrant of a number not less than the number of registered voters in the Town on _____, which is at least seven (14) days before the date of said meeting, as within directed.

Date: _____

Constable: _____



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: February 15, 2022

V

SELECTBOARD ANNUAL TOWN REPORT

~ A ~

REQUESTED BY:	Chair Ryan Curley
DESIRED ACTION:	To Discuss and begin to build the 2021 Selectboard Annual Town Report
PROPOSED MOTION:	If a motion is needed one will be made at the time of the meeting
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: February 15, 2022

V

SELECTBOARD ANNUAL TOWN REPORT

~ B ~

REQUESTED BY:	Chair Ryan Curley
DESIRED ACTION:	To Discuss and build the report regarding the investigation into the town finances
PROPOSED MOTION:	If a motion is needed one will be made at the time of the meeting
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: February 15, 2022

VI

SELECTBOARD REPORTS:

Reported by:	Topic:



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: February 15, 2022

VII

TOWN ADMINISTRATORS & ASSISTANT TOWN ADMINISTRATOR REPORTS

- Please see selectboard packet

To: Selectboard

From: Charles L. Sumner, Interim Town Administrator & Rebecca Roughley, Assistant Town Administrator

Subject: Administration's activity Report for the period January 21, 2022, to February 3, 2022

Date: February 3, 2022

1. Jennifer Congel, Town Clerk shared some important information on legislative activity concerning Extension of Covid-19 Provisions and September Primary Date, as follows:

The House of Representatives passed a \$55 million dollar Covid-19 spending bill, [House Bill 4340](#) with several pandemic-related provisions and authorizations related to public meetings.

Those provisions include:

- **Remote option for public bodies:** The House bill would extend through July 15 previous authorization for remote public meetings, which currently expire on April 1.
- **Open town meeting quorums:** The bill would allow select boards, in consultation with their town moderator, to lower quorum requirements for open town meetings to not less than 10% of the existing quorum level.
- **Remote representative town meetings:** The bill would allow representative town meetings to once again have the option to meet remotely, if approved by the select board and town moderator, as well as the town meeting when it meets.

*The provisions related to open and representative town meetings would be available through July 15, 2022.

The Bill also proposes to set the **State Primary date for Sept. 6, 2022**. Once again, this proposed date falls on the Tuesday after Labor Day. The Town Clerk's Association have expressed concerns regarding this date, knowing that it will coincide with the first day of school for many, increase costs of setup, and present staffing challenges.

The bill now heads to the Senate, which is expected to finalize its own version this week.

- 2. Eversource Energy Emergency** – The utility company recently shared some information about ISO-New England's winter energy forecast for the region and the possibility that energy conservation steps, including controlled outages, could be necessary in certain situations. They have shared a communication with Local Officials with helpful FAQ that provides more information. Also, Eversource will hold an hourlong webinar on this topic at 10 a.m. on Wednesday, Feb. 9, 2022 for municipal officials in Massachusetts.
- 3. Coles Neck Water Main Replacement Project** – We issued Change Order No. 1 in the amount of \$24,860 to Dig-It Construction, which will provide an allowance for the contractor to perform construction activities during the winter period. This will allow for extra costs associated with using a winter paving mix from the asphalt plant.
- 4. MA Department of Revenue (MDOR)** – Lisa Souve, Mary McIsaac and I met with several representatives from the MDOR on Tuesday, January 31, 2022, to provide an overview of our combined efforts to address Wellfleet's accounting and treasury problems from FY2020 and FY2021. This was a productive meeting; we continue to be grateful for their assistance and advice. We will provide more information at the February 8, 2022, meeting

5. **Omaha Road** – Nancy Civetti and I met with Anne Sterling from the Field Point Owners Property Association on Monday, January 31, 2022 to review the Right of Way Easement proposal. We had a productive conversation and identified several items that need review with staff and Town Counsel. Once we have completed this process, we will meet again with Anne to review the comments and work to finalize an agreement for presentation to the Selectboard.
6. **Town Collector** – Karen Murphy’s contract as Town collector expires on June 30, 2022. Rebecca Roughley and I have been working with Karen to negotiate a new 3-year agreement. This process will include a review by Town Counsel to finalize an agreement.
7. **Assistant DPW Superintendent** – We have scheduled 2nd round interviews with a few candidates on Tuesday, February 8, 2022.
8. **Town Treasurer** - We held initial interviews for 2 candidates for the Town Treasurer’s position last week and are working to set some dates for additional conversations.
9. **Town Accountant** – We have advertised for candidates for this position and will be holding initial interviews over the next 2 weeks.
10. **Enhanced I/A Septic System Grant** – Hillary Lemos is currently working with John Giorgio from K Law to draft a template for a grant agreement with property owners that wish to install an enhanced I/A septic system. Property owners would be eligible for a reimbursement grant award for up to \$12,500 with the goal to improve water quality throughout the town.
11. **Massachusetts Cultural Council** – We recently completed the contract documents for the Mass Cultural Council’s Local Cultural Council program; Wellfleet’s FY2022 allocation is \$5,000.



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: February 15, 2022

VIII

TOPICS FOR FUTURE DISCUSSION

Requested by:	Topic:	Requested to be on:



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: February 15, 2022

IX

CORRESPONDENCE AND VACANCY REPORTS

****Please see packet****

Jan. 31, 2022

Peter V. R. Hall
President & General Manager
Van Rensselaer's Restaurant & Raw Bar
1019 State Highway
South Wellfleet, Ma. 02663-0535
vrhall@comcast.net

Mr. Greg Mischel, MassDOT Project Manager
Marie Joyce Rose, P.E. Director of Project Management
Pam Haznar, District 5 Project Development Engineer

In response to Project file #609098
Wellfleet Pavement preservation and related work on Route 6

Dear Mr. Greg Mischel

I thank Marie Joyce Rose for her response to my comments on the project that is being proposed in front of my business of 41 years (family owned for 53 years). Due to my longevity I feel I know the area fairly well and want the project to be a success. I have added replies to responses 3 & 6.

3__Comment –“Having the Southbound Bus stop before the light offers the opposite result as larger traffic build-ups will occur. Having the bus stop remain after the southern light on the southern side where it currently is allows for traffic to continue without interruption” _

Response – Based on site constraints to the south of the existing traffic light, such as the existing topography and existing driveways for the hotel and gas station, the location to the north side of the light was selected for a bus pull-off in coordination with the Cape Cod Regional Transit Authority (CCRTA).

Reply: to Response- your response refers to the “existing driveways for the hotel & gas station”. The property at 975 Route 6, has not operated as a gas station for over three decades. It currently operates as a 40 seat restaurant. I feel that MassDot and the CCRTA should review the conditions of the proposed site. and do an in-person assessment of the area, witnessing the flow of traffic during the extremely busy summer season. I feel that they will see the problems involved with relocating the southbound bus stop before the intersection, which may result in more accidents, do to the interruption of the heavy traffic pattern.

6. Comment- _The location of the bus-stop heading in the southern direction will create more accidents than not with traffic trying to get around the bus and exiting and entering of the two established businesses.”

Response – As noted above, based on site constraints to the south of the existing traffic light such as the existing topography and existing driveways for the hotel and gas station, the location to the north side of the light was selected for a bus pull-off in coordination with the CCRTA.

Reply to response: The entrance and exit shared by Southfleet Motor Inn and Van Rensselaer's Restaurant is a busy ingress and egress onto Route 6. Relocating the crosswalk and southbound bus stop before the intersection may result in more accidents in the area, particularly when adding in the traffic out of Marconi Beach Road..

Thank you

Mr. Peter V. R. Hall



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



February 8, 2022

Subject: WELLFLEET – Pavement Preservation and Related Work on Route 6
Project File No. 609098

Mr. Peter V. R. Hall
President & General Manager
Van Rensselaer's Restaurant & Raw Bar
1019 State Highway
South Wellfleet, Ma. 02663-0535
vrhall@comcast.net
VIA EMAIL

Dear Mr. Hall,

I am writing to provide you with responses to further comments provided in your follow-up letter dated January 31, 2022, regarding the subject project in Wellfleet. Thank you for providing your further input.

Your initial letter dated January 12, 2022, included 6 comments. Your most recent letter dated January 31, 2022 provided comments related to MassDOT responses to comments 3 and 6. Responses to your follow up comments 3 and 6 are provided below.

3. Comment – “Having the Southbound bus stop before the light offers the opposite result as larger traffic back-ups will occur. Having the stop remain after the southern light on the southern side, where it currently is allows for traffic to continue without interruption.”

Response – Based on site constraints to the south of the existing traffic light, such as the existing topography and existing driveways for the hotel and gas station, the location to the north side of the light was selected for a bus pull-off in coordination with the Cape Cod Regional Transit Authority (CCRTA).

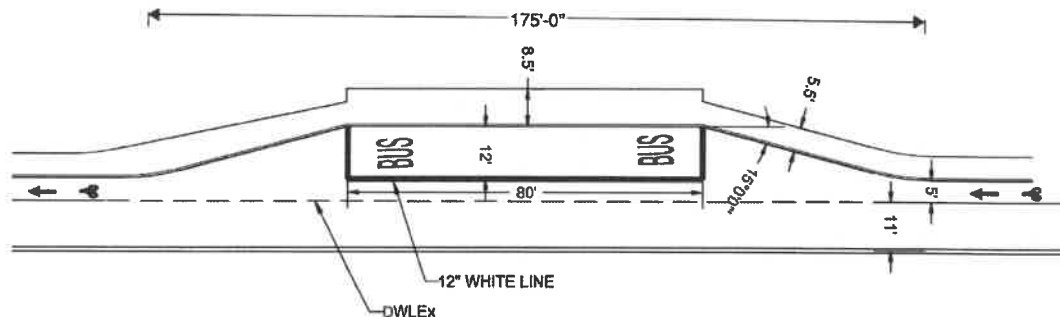
1/31/22 – Reply to Response: Your response refers to the “existing driveways for the hotel & gas station”. The property at 975 Route 6, has not operated as a gas station for over three decades. It currently operates as a 40 seat restaurant. I feel that MassDOT and the CCRTA should review the conditions of the proposed site and do an in-person assessment of the area, witnessing the flow of traffic during the extremely busy summer season. I feel that they will see the problems involved with relocating the southbound bus stop before the intersection, which may result in more accidents due to the interruption of the heavy traffic pattern.

Response – MassDOT and our design consultant have visited the site on more than once occasion during late summer and in early winter and have performed traffic counts, site observation, and the existing conditions survey, including obtaining detailed site grading information, as well as the dimensions of the existing driveway

February 8, 2022

Subject: WELLFLEET – Pavement Preservation and Related Work on Route 6
Project File No. 609098

openings, and other elements. The survey has located key site features, such as but not limited to, signage, curbing, fencing, landscape areas, signs, and apparent utilities of which all need to be considered for the design. The CCRTA requested a bus stop that allows their vehicles to pull off of Route 6 allowing traffic to safely pass by while patrons enter and exit the bus. The bus pull-off requires at least 175 linear feet of contiguous land within MassDOT's State Highway Layout (SHLO) along Route 6 where there is a relatively flat surface and without driveway and road crossings. This condition is required to allow enough room for a 12' wide bus lane plus an 8.5' wide accessible sidewalk/bus stop surface for a standard CCRTA bus to pull in, pick-up/drop-off customers, and then pull out with the proper taper lengths as prescribed by standard industry bus pull-off design criteria. Please refer to the below "typical" bus pull-off sketch. The location selected before the intersection/signal provides this required length as well as a reasonably flat slope to accommodate an accessible sidewalk for the CCRTA customers. The location selected also meets the preferred industry standard of providing a proposed crosswalk location within 200 feet or less of the bus stop for customers of all abilities to get from the bus stop and across the roadway in under a certain threshold (typically a 2–3-minute walk maximum). Please note, that we have also looked at shifting the bus stop to the other side of the traffic light as suggested and this side does not have the contiguous length needed for the bus stop (175') as there is an entrance to the Southfleet Motor Inn, Gasoline Alley (road), and the access points to Catch of the Day and Joe and Sons' Appliance Center. The existing site grading at the back of the sidewalk along Southfleet Motor Inn would not provide a relatively flat slope for accessibility and would require retaining and extensive site (fill) grading. We have performed a traffic analysis for this area in conjunction with the design and it is currently being reviewed. This analysis takes into account the data collected from the very busy summer season. Upon review of this analysis, there may or may not be a need to revisit the current design. See response to comment 6 below for additional context related to traffic/lane configuration.



February 8, 2022

Subject: WELLFLEET – Pavement Preservation and Related Work on Route 6
Project File No. 609098

6. Comment – “The location of the bus-stop heading in the southern direction will create more accidents than not with traffic trying to get around the bus and exiting & entering from the two established businesses.”

Response – As noted above, based on site constraints to the south of the existing traffic light such as the existing topography and existing driveways for the hotel and gas station, the location to the north side of the light was selected for a bus pull-off in coordination with the CCRTA.

1/31/22 - Reply to response: The entrance and exit shared by Southfleet Motor Inn and Van Rensselaer’s Restaurant is a busy ingress and egress onto Route 6. Relocating the crosswalk and southbound bus stop before the intersection may result in more accidents in the area, particularly when adding in the traffic out of Marconi Beach Road.

Response - As mentioned in the response above (comment 3), a traffic analysis has been conducted for this area and is currently being reviewed. During peak season the CCRTA bus typical schedule (Pre-COVID) runs hourly from 6:00am to Midnight from Monday to Sunday and every two hours from 6:00am to 8:00pm during the off-season. The proposed lane reconfiguration currently being reviewed as part of the traffic analysis is intended to improve safety conditions in the area. The single bus per hour during peak season that will enter and exit from a proposed dedicated bus pull-off ahead of the Marconi Beach Intersection (and traffic turning left onto Route 6 west from Marconi Beach Road) is not anticipated to negatively impact crash numbers in the area. Currently, buses use the entrance/access at Gasoline Alley and or the Daily Catch where they interact with other vehicles at these points as well as compete to return to RT.6 travel lane with the vehicles turning left from Marconi Beach Road. MassDOT anticipates the dedicated bus pull-off will provide a more safe and efficient area for the buses and customers of all abilities to use the transit system.

I want to thank you again for your input and comments on this important project. Should you have any additional questions regarding this information, please feel free to contact Mr. Greg Mischel, MassDOT Project Manager, at gregory.mischel@state.ma.us.

Sincerely,



Marie Joyce Rose, P.E.
Director of Project Management

MJR/gam

cc: Pam Haznar, District 5 Project Development Engineer

From	Subject	Received	Size
Today			
Helen Mirand...	Wildlife Protection Bylaw docs. for 2/8/2022 Sb packet . Please note that bird feeders are allowed in this draft. <end>	Fri 2/4/2022 11:4...	197 KB
Yesterday			
Ryan Curley	Fwd: Monday, February 7th at 7:00 p.m., Duxbury Board of Selectmen ... Get Outlook for Android <https://aka.ms/AAb9ysg>	Thu 2/3/2022 1...	5 MB
MA Municipa...	MMA Muni Workshop Webinars: What's ahead for week of Feb. 7 View in browser	Thu 2/3/2022 9...	55 KB
Wednesday			
Jack Peak	Peak Time: Death- It's Not Optional Hello Friends, Well, this was a tough topic. Discussing death makes most of us uncomfortable even though we all share the same	Wed 2/2/2022 ...	22 KB
William lacu...	Re: FW: [Wellfleet MA] Poorly Plowed Roads (Sent by Bill lacuessa, bill... Dear Mr Norton, Thank you for taking the time to address my concern of the roads. There certainly were extenuating circumstances	Wed 2/2/2022 ...	30 KB
Regine Desir	Re: D.P.U. Eversource Energy - Notice of Filing, Public Hearings and Pr... Hi Janea , I had to make a correction . Here are the two link for the posted hearings	Wed 2/2/2022 ...	47 KB
Regine Desir	Re: D.P.U. Eversource Energy - Notice of Filing, Public Hearings and Pr... Good Morning Janea The following meeting has been posted	Wed 2/2/2022 ...	46 KB
Regine Desir	Re: D.P.U. Eversource Energy - Notice of Filing, Public Hearings and Pr... Good Morning Janea, Can you send the word doc for this posting please ? Best, Regine	Wed 2/2/2022 ...	47 KB
Janea Dunne	D.P.U. Eversource Energy - Notice of Filing, Public Hearings and Proce... On behalf of NSTAR Electric Company, d/b/a Eversource Energy, attached please find the Company's Notice of Filing, Public Hearings	Wed 2/2/2022 ...	167 KB
Tuesday			
MA Municipa...	Here's your February Issue of The Beacon from the MMA <https://www.informz.net/admin31/images/spacer.gif>	Tue 2/1/2022 6:...	49 KB
Jay Norton	FW: [Wellfleet MA] Poorly Plowed Roads (Sent by Bill lacuessa, billjac... Mr. lacuessa, Thank you for reaching out. I'd like to briefly explain what we dealt with over the weekend to educate you (this isn't	Tue 2/1/2022 5:...	29 KB
Rebekah Eldr...	correspondence This came into the office and I wanted you to have it in your correspondence report. Rebekah L. Eldridge Executive Assistant to the	Tue 2/1/2022 2:...	290 KB
Rebekah Eldr...	email Hi there,	Tue 2/1/2022 2:...	37 KB
Contact form...	[Wellfleet MA] Poorly Plowed Roads (Sent by Bill lacuessa, billjacuess... Hello bos@wellfleet-ma.gov <mailto:bos@wellfleet-ma.gov> ,	Tue 2/1/2022 1:...	18 KB
Monday			
Charles Sum...	FW: 612540 Truro-Wellfleet - Shared-Use Path Along Route 6 (Outer C... Good afternoon everyone,	Mon 1/31/2022...	34 KB
Bill Biewenga	Fwd: HRSRG Reminder Message Dear HRSRG members, Just a reminder that we will be meeting on Wednesday, from 3-5 for the Herring River Stakeholder Group	Mon 1/31/2022...	487 KB
MA Municipa...	Muni Workshop Webinar Series continues this week – register now View in browser	Mon 1/31/2022...	51 KB
dmf.shellfish...	DMF Shellfish Emergency Reopening Notice for Massachusetts 1-31-2... Good morning, Please see the attached notice for all coastal waters in the Commonwealth of Massachusetts, effective as of sunrise	Mon 1/31/2022...	36 KB
Sunday			
Nancy Civetta	Wellfleet Waters Open to Shellfishing as of Sunrise Tomorrow, Januar... ATTENTION ALL RECREATIONAL SHELLFISHERMEN IN THE TOWN OF WELLFLEET: The Commonwealth of Massachusetts Division of	Sun 1/30/2022 ...	20 KB
Nancy Civetta	Wellfleet Waters Open to Shellfishing as of Sunrise Tomorrow, Januar... The Commonwealth of Massachusetts Division of Marine Fisheries (DMF) is re-opening Wellfleet waters to shellfish harvesting as of	Sun 1/30/2022 ...	22 KB
lfeexercises	RE: Final Update Thank you, everyone! Janet Reinhart Sent from my Verizon, Samsung Galaxy smartphone	Sun 1/30/2022 ...	22 KB
Ryan Curley	Re: Final Update Thx get some shut eye if you can.	Sun 1/30/2022 ...	19 KB
Jennifer Wer...	Re: Final Update Greetings, Regardless of Nauset schools being closed, the Library will be open tomorrow. Best, Jennifer Sent from my iPhone	Sun 1/30/2022 ...	25 KB
Rebekah Eldr...	Re: Final Update Ditto to what Nancy said! You guys truly are amazing!! ♡♡ Thank you all Get Outlook for iOS <https://aka.ms/o0ukef>	Sun 1/30/2022 ...	26 KB
Nancy Civetta	RE: Final Update You guys truly rock! I have even more respect for our police officers knowing now what incredible community service they provide	Sun 1/30/2022 ...	21 KB

From	Subject	Received	Size
Michael Hurley	Final Update	Sun 1/30/2022 ...	21 KB
Final storm update:			
Eric Martinson	U.S. Senate panel discussion: "COVID-19: A Second Opinion"	Sun 1/30/2022 ...	19 KB
To whom it may concern in the Town of Wellfleet: As the prevailing Covidian narrative crumbles around us, the more rabid defenders			
Chris Schwartz	Re: Wellfleet Gardeners Plant Sale; May 28,2022	Sun 1/30/2022 ...	17 KB
Way to go, Karen!!			
Michael Hurley	FW: Situational Awareness Statement #7- Winter Storm Update on Ma...	Sun 1/30/2022 ...	2 MB
Good morning everyone, please see the latest update from MEMA below. In addition, this message was pushed out this morning on			
Last Week			
Nancy Civetta	RE: Situation Report #2 - Winter Storm Response Update	Sat 1/29/2022 ...	417 KB
I can help drive folks with one of our 4-wheel drive trucks. I should have offered yesterday! Please let me know! Nancy Civetta			
Michael Hurley	Fwd: Situation Report #2 - Winter Storm Response Update	Sat 1/29/2022 ...	2 MB
Good evening. Sorry for the delayed response getting this information out, the impacts of the storm have overwhelmed Public			
Karen Kamin...	Wellfleet Gardeners Plant Sale; May 28,2022	Sat 1/29/2022 ...	16 KB
Dear Select persons Thank you for approving the Wellfleet Gardeners' application to hold our annual fundraiser, a plant sale, on			
Michael Hurley	FW: Situational Awareness Statement #5 - Winter Storm – Power Outa...	Sat 1/29/2022 ...	3 MB
Good morning. Please see below the latest update from MEMA. In addition, here is the latest social media update to the			
Owen Fletcher	Barnstable County Assembly of Delegates 02/02/22 Regular Meeting ...	Sat 1/29/2022 ...	887 KB
As attached in PDF and available on the web at			
Thomas Siggia	Fwd: SAB proposed revisions to Section 7.23 (Boundary discussion)	Sat 1/29/2022 ...	34 KB
>			
Owen Fletcher	Barnstable County Assembly of Delegates 02/02/22 Regular Meeting ...	Fri 1/28/2022 4...	495 KB
As attached in PDF and available on the web at			
dmf.shellfish...	MA DMF Shellfish Emergency Statewide Closure Notice 1-28-2022	Fri 1/28/2022 3...	332 KB
Good afternoon, Please see the attached statewide emergency closure notice. Jeff Kennedy			
Peter Simon	Re: All State Waters Closed to Shellfishing as of Sunset Tonight, Janua...	Fri 1/28/2022 3...	19 KB
Thank you for letting us know. Peter			
Nancy Civetta	All State Waters Closed to Shellfishing as of Sunset Tonight, January 2...	Fri 1/28/2022 3...	20 KB
ATTENTION ALL RECREATIONAL SHELLFISHERMEN IN THE TOWN OF WELLFLEET: The Commonwealth of Massachusetts Division of			
Nancy Civetta	All State Waters Closed to Shellfishing as of Sunset Tonight, January 2...	Fri 1/28/2022 2...	27 KB
The Commonwealth of Massachusetts Division of Marine Fisheries (DMF) is implementing a state-wide precautionary storm closure			
Melissa Yow	Letter for 2/22 Meeting	Fri 1/28/2022 2...	55 KB
Members of the Selectboard, Please find the attached letter for your consideration. I am requesting that this letter be added to the			
Nancy Civetta	Shellfish Crier: Commercial shellfishing permit deadline, grant holder remin...	Fri 1/28/2022 12...	37 KB
Town Shellfish Crier January 28, 2022			
Cape Cod Co...	Cape Cod Commission 2021 Year in Review	Fri 1/28/2022 7...	43 KB
Massachuset...	Reminder: Action Alert UPDATED: Pilgrim Nuclear radioactive water di...	Fri 1/28/2022 7...	57 KB
Please Take Action on this important matter			
MA Municipa...	Register: Virtual MSA Business Meeting January 28	Thu 1/27/2022 ...	47 KB
Virtual MSA Annual Business Meeting Jan. 28			
MA Municipa...	Muni Workshop Webinar Series continues this week – register now	Thu 1/27/2022 ...	54 KB
View in browser			
Massachuset...	MMA Alert: Governor's Budget Released, Call Legislators For Increase ...	Wed 1/26/2022...	65 KB
<https://www.informz.net/admin31/images/spacer.gif>			
MA Division ...	Prohibition on Setting of Lobster Trawls in Gosnold Waters is Eliminated	Wed 1/26/2022...	44 KB
Havino trouble viewing this email?			
U.S. DOT Fed...	FHWA Reminder Training Announcement - Transportation Innovation	Wed 1/26/2022...	25 KB
Wellfleet Cul...	2022 Cultural Council Grant Announcement	Wed 1/26/2022...	65 KB
Building Community Through Cultural Engagement			
MA Municipa...	Muni Workshop Webinar Series continues this week – register now	Wed 1/26/2022...	51 KB
View in browser			
Executive As...	FW: Duck Harbor / Mosquito Meeting Materials for Select Board Meet...	Tue 1/25/2022 ...	1 MB
This just came into my email.			
Helen Miran...	Fwd: ARC's shellfish lease in the 80s	Tue 1/25/2022 ...	804 KB
From the BOS minutes!! Thank you Melissa.			

! D	From	Subject	Received	Size	V
	Massachuset...	Action Alert UPDATED: Pilgrim Nuclear radioactive water discharge	Tue 1/25/2022 ...	57 KB	
		Please Take Action on this important matter			
	Jude Ahern	Fwd: ARC is not a non-profit	Tue 1/25/2022 ...	737 KB	
		This was when SPAT was trying to portray ARC as a non-profit. I noticed. Again, what is ARC exactly now?			
	Jude Ahern	Fwd: ARC grant	Tue 1/25/2022 ...	964 KB	
		nancy did not mention Section 58 at the SAB meeting nor that she had already consulted DMF about it. I read it is continued to be			
	Bill Biewenga	Herring River Stakeholder Group Meeting	Tue 1/25/2022 ...	393 KB	
		Good Afternoon,			
	Melissa Yow	Fwd: ARC's shellfish lease in the 80s	Tue 1/25/2022 ...	800 KB	
		For your consideration			
	Nancy Civetta	revised motion for moving 5 deep water grants in for tonight's meeting	Tue 1/25/2022 ...	142 KB	
		Thank you. Nancy Civetta Shellfish Constable Town of Wellfleet			
	MA Municipa...	Register: Virtual MSA Business Meeting January 28	Tue 1/25/2022 ...	47 KB	
		Virtual MSA Annual Business Meeting Jan. 28			
	Wellfleet Cha...	Selectboard meeting tonight, January 15 at 6:00pm	Tue 1/25/2022 ...	83 KB	
	Ryan Curley	Town Lawn	Tue 1/25/2022 ...	14 KB	
		Hi all Jay had a bug last week and has asked to have the town Lawn be moved to our next meeting. Just FYI <end>			
	Capital Strat...	VIDEO: Watch this discussion on operational assistance with snow and ...	Tue 1/25/2022 ...	56 KB	
		We engaged with leaders in Public Works to...			
	U.S. DOT Fed...	FHWA Announces \$17.8 Million for Tribal Technical Assistance Progra...	Tue 1/25/2022 ...	28 KB	
	Jude Ahern	Fwd: the value of their lease increases exponentially if they are the ON...	Tue 1/25/2022 ...	9 MB	
		Here is the MSI Assessment Committee final report which is the only place one can find the details. <end>			
	Jude Ahern	Fwd: your IRS returns	Tue 1/25/2022 ...	19 KB	
		I want answers to these questions tonight.			
	Jude Ahern	Fwd: ARC grant	Tue 1/25/2022 ...	265 KB	
		Nancy lied at the SAB meeting last week when she said she didn't know and she just "inherited" this situation and I find it very			
	John Wolf	shellfish agenda item	Tue 1/25/2022 ...	15 KB	
		Greetings, everyone: I hope everyone can find the time to watch Wednesday's SAB meeting on the town YouTube channel in advance			
	Michael Hurley	FW: Follow-up information related to energy emergencies	Mon 1/24/2022...	713 KB	
		Please see the attached email on the municipal officials meeting and Q&A from Eversource regarding the Load Shedding issue.			
	Ryan Curley	Fwd: FW: Wellfleet Media Services Report and Evaluation	Mon 1/24/2022...	40 KB	
		----- Forwarded message -----			
	Karen A. LaV...	Re: Wellfleet - Chequessett Neck Water Line Easement	Mon 1/24/2022...	75 KB	
		Hi Katie: The Easement looks good to me. I agree that the escrow should be in a non-interest bearing account. Please make that			
	Capital Strat...	VIDEO: Watch this discussion on operational assistance with snow and ...	Mon 1/24/2022...	56 KB	
		We engaged with leaders in Public Works to...			
	Rebekah Eldr...	Disclosure of Appearance of Conflict of Interest	Mon 1/24/2022...	328 KB	
		Hi everyone,			
	Nancy Civetta	Nancy Civetta disclosure form: appearance of COI	Mon 1/24/2022...	178 KB	
		Dear BOS members, In advance of tomorrow's public hearing, I hereby file my form G.L. c. 268A, § 23(b)(3) - Appearance of undue			
	Katharine L. ...	RE: Wellfleet - Chequessett Neck Water Line Easement	Mon 1/24/2022...	176 KB	
		Karen: Attached please find my proposed revisions to the Chequessett Neck Road easement deed. Katie Katharine Lord Klein KP			
	Wellfleet Cha...	Buy Direct from Wellfleet Shellfishermen & Women	Mon 1/24/2022...	84 KB	
		Order by midnight 1/26 for pickup 1/29			
	Irving	arc meeting letter	Mon 1/24/2022...	73 KB	
		Please find attached letter to be read into the record on Tuesday's meeting. Thank you! <end>			
	MA Municipa...	Muni Workshop Webinar Series starts today - register now	Mon 1/24/2022...	47 KB	
		View in browser			
	Karen A. LaV...	Re: Wellfleet - Chequessett Neck Water Line Easement	Mon 1/24/2022...	46 KB	
		Hi Katie: Can you advise when revised easement might be available for review? We are all set on our end with escrow funds. Thank			
	Ryan Curley	Data on the Cape's New Homeowners	Mon 1/24/2022...	15 KB	
		https://capecodcommission.org/about-us/newsroom/detailing-data-on-cape-cods-new-homeowners			
	Ryan Curley	Fwd: Load Shedding	Mon 1/24/2022...	947 KB	
		----- Forwarded message -----			
	Ryan Curley	Fwd: FW: Herring River	Mon 1/24/2022...	1 MB	
		On the agenda for Feb 8			

! D	From	Subject	Received	Size	
	Ryan Curley	County ARPA funds	Mon 1/24/2022...	14 KB	
	Hi all,				
	Steven Levin	Hey there, get the building materials and finishes you need - when yo...	Mon 1/24/2022...	71 KB	
	Are you building, renovating, or purchasing building materials and finishes during pandemic? You're gonna want to see this.				
	Rebekah Eldr...	added item	Sun 1/23/2022 ...	9 MB	
	Good Afternoon, I hope you are enjoying your weekend. Chief Hurley reached out to me and was concerned that his police officer				
	Jude	Fwd: Letter	Sun 1/23/2022 ...	26 KB	
	As Janet and Helen know, questions are not threats and thankfully our district attorney agrees. Again, what is the relationship				
	Two Weeks Ago				
	Jude	What IS ARC exactly?	Sat 1/22/2022 ...	1 MB	
	ARC is an investment company based in Delaware not wellfleet. Our shellfish Constable was instrumental in setting this up in her role				
	Jude	Fwd: Tuesday night you need to explain your role in ARC investment c...	Sat 1/22/2022 ...	17 KB	
	And Janet, I want you to ask your personal attorney Bruce Bierhans why SPAt gave a for-profit investment company, \$125k two years				
	Rebekah Eldr...	new item added to the agenda	Fri 1/21/2022 6...	9 MB	
	I have added a section of the Shellfish Regulations. It is in the packet online but not in your paper packets. I have attached the				
	Massachuset...	Women Elected Municipal Officials January Update	Fri 1/21/2022 4...	44 KB	
	WEMO January Update				
	Rebekah Eldr...	change in packet.	Fri 1/21/2022 3...	9 MB	
	Hi, I was wrong on the fee for the race so I corrected it in the packets and on line but I wanted you to have the correct packet in your				
	Rebekah Eldr...	Agenda and Packet	Fri 1/21/2022 2...	9 MB	
	Happy Friday! ☺ I have attached your agenda and packet for Tuesday's meeting. Thank you and have a nice weekend. Stay War...				
	Nancy Civetta	Per request for your 1-25-2022 ARC public hearing packet	Fri 1/21/2022 1...	3 MB	
	Nancy Civetta	Shellfish Constable Town of Wellfleet			
	Lilli Green	Fwd: FW: U.S. Department of Treasury issues important Final Rule for ...	Fri 1/21/2022 1...	808 KB	
	Dear Selectboard members, FYI, I received this email yesterday. Have a nice weekend. Regards, Lilli	Good afternoon Delegates,			
	Wellfleet Cha...	Winter Blue Lights to shine through March	Fri 1/21/2022 1...	73 KB	
	<https://r20.rs6.net/on.jsp?ca=3451c936-97b8-4a5e-b6ac-e926f662043c&a=1112873798651&c=176496d0-bfb9-11e3-9e33-...				
	Thomas Siggia	ARC - domicile (BOS meeting Jan 25th)	Fri 1/21/2022 1...	15 KB	
	Last night the SAB had a zoom meeting on the topic of Aquaculture Research Company (ARC) grant number 792 and the question of				
	MA Municipal ...	43rd MMA Annual Meeting begins this morning! You can still register for vir...	Fri 1/21/2022 8:1...	56 KB	
	View in browser				

Date: February 2, 2022
To: Board of Selectmen
From: Jeanne Maclauchlan
Re: Vacancies on Town Boards

Bike and Walkways Committee (5 members)

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

Requesting Appointment: No applications on file

Board of Assessors (3 members, 1 alternate)

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

Requesting Appointment: No applications on file

Board of Health (5 members, 2 alternates)

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

Requesting Appointment: No applications on file

Board of Water Commissioners

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

Requesting Appointment: No applications on file

Building and Needs Assessment Committee (5 Members)

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

Requesting Appointment: No applications on file

Cable Advisory Committee (5 Members)

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

Requesting Appointment: No applications on file

Commission on Disabilities (up to 5 Members)

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

Requesting Appointment: No applications on file

Conservation Commission (7 Members + 2 alternates)

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

Requesting Appointment: No applications on file

Council on Aging (11 Members)

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

Requesting Appointment: No applications on file

Dredging Task Force (7 Members)

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

Requesting Appointment: No applications on file

Housing Authority (5 Members)

Vacant Positions	Appointing Authority	Length of Term
1 Position	Commonwealth of MA	5 years

Requesting Appointment: No applications on file

Natural Resources Advisory Committee (7 Members)

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

Requesting Appointment: No application on file

Personnel Board (4 members + TA + FinCom Rep)

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

Requesting Appointment: No applications on file

Planning Board (7 members + 2 alternates)

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

Requesting Appointment: No applications on file

Recreation Committee (7 Members)

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

Requesting Appointment: No applications on file

Recycling Committee (7 Members + 2 Alternates)

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

Requesting Appointment: No applications on file

Shellfish Advisory Board (7 members + 2 Alternates)

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

Requesting Appointment: No applications on file

Zoning Board of Appeals (5 Members, 4 Alternates)

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

Requesting Appointment: No applications on file



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: February 15, 2022

X

ADJOURNMENT

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