



Wellfleet Selectboard

Note start time of 6pm

The Wellfleet Selectboard will hold a public meeting on **Monday, April 22, 2019, at 6:00 p.m. at the Wellfleet Elementary School Staff Room, at 100 Lawrence Road, Wellfleet, MA 02667.** *It is anticipated that the meeting will be recorded by the Town. Anyone else desiring to record the meeting may do so only after notifying the chair and may not interfere with the conduct of the meeting in doing so.*

I. Announcements, Open Session and Public Comments

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

II. Business

- A. Vote recommendations on Town Meeting warrant articles
- B. Approval of Herring River MOU

III. Topics for Future Discussion

IV. Minutes

- A. February 19, 2019 – Work Meeting
- B. February 25, 2019 – SAB/MSI Meeting
- C. March 4, 2019 – Warrant Review Meeting
- D. March 12, 2019 – Regular Meeting

V. Adjournment and Move into Executive Session

A. Executive session – pursuant to M.G.L.c. 30A, s21(a)

- (6) To consider the purchase, exchange, lease or value of real estate, the Chair has determined that (1) an open session will have a detrimental effect on the negotiating position of the Town, and (2) this agenda item was not reasonable anticipated 48 hours prior to the meeting on the negotiating position of the public body.
 - a. Assessor's Map 17, parcel 34 Property owned by HDYLTA Trust

SECTION II: ADDITIONAL FINANCIAL ARTICLES

ARTICLE 7: Fund Firefighters Union Contract. To see if the Town will vote to raise and appropriate and/or transfer from any available source of funds an amount of money sufficient to fund the first year of a collective bargaining agreement between the Town of Wellfleet and the Wellfleet Permanent Firefighters beginning July 1, 2019 or do or act anything thereon.

(Requested by the Board of Selectmen)

Board of Selectmen: Reserve recommendation until town meeting.

Finance Committee: Reserve recommendation until town meeting.

SUMMARY: Town Meeting approval is required to fund the 1st year of a collective bargaining agreement.

ARTICLE 8: Fund Teamsters Union Contract. To see if the Town will vote to raise and appropriate and/or transfer from any available source of funds an amount of money sufficient to fund the first year of a collective bargaining agreement between the Town of Wellfleet and the Teamsters Union beginning July 1, 2019 or do or act anything thereon.

(Requested by the Board of
Selectmen)

Board of Selectmen: Reserve recommendation until town meeting.

Finance Committee: Reserve recommendation until town meeting.

SUMMARY: Town Meeting approval is required to fund the 1st year of a collective bargaining agreement.

ARTICLE 9: Fund Communications Union Contract. To see if the Town will vote to raise and appropriate and/or transfer from any available source of funds an amount of money sufficient to fund the first year of a collective bargaining agreement between the Town of Wellfleet and the Wellfleet Communications Union beginning July 1, 2019 or do or act anything thereon.

(Requested by the Board of
Selectmen)

Board of Selectmen: Reserve recommendation until town meeting.

Finance Committee: Recommends 7-0.

SUMMARY: Town Meeting approval is required to fund the 1st year of a collective bargaining agreement.

ARTICLE 10: Non-Union and Other Personnel Salaries & Compensation. To see if the Town will vote to raise and appropriate and/or transfer from available funds such sums of money necessary to fund wage and salary adjustments for non-union and other personnel beginning July 1, 2019, or do or act anything thereon.

(Requested by the Board of
Selectmen)

Board of Selectmen: Reserve recommendation until town meeting.

Finance Committee: Reserve recommendation until town meeting.

SUMMARY: This appropriation funds wage and salary adjustments for non-union and other personnel.

ARTICLE 13: Purchase of Parcel 17 on Map 34. To see if the Town will vote to appropriate the sum of \$3,400,000, or any other sum, for the purpose of paying all costs related to the purchase of land owned by the HDYLTA Trust, for the purchase of Map 34, Lot 17, not including land owned and deeded to others within the bounds of that lot. And that to meet this appropriation the Town Treasurer, with the approval of the Selectmen, be and hereby is authorized to borrow said amount under and pursuant to M.G.L. c. 44, §7, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor; 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 M.G.L. c. 59, §21C (Proposition 2½). Any premium received 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, may be applied to the payment of costs approved by this vote in accordance with M.G.L. c. 44, §20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount. Or to take any other action in relation thereto.

Two-thirds vote required

(Requested by the Board of Selectmen)

Board of Selectmen: Reserve recommendation until town meeting.

Finance Committee: Reserve recommendation until town meeting.

SUMMARY: This article requests funding for purchase of Map 34, Lot 17, not including land owned and deeded to others within the bounds of that lot from the HDYLTA Trust to secure over 200 hundred acres in Wellfleet Harbor for shellfishing and aquaculture, as well as over a mile of beach which is accessible by a Town landing.

Effect on Property Taxes: The cost of \$3,400,000 would be borrowed and would add 14.7 cents to the tax rate in the first year and would cost the owner of a median priced (\$538,524) single-family home \$79.28. This amount could be reduced by any grants and/or gifts received towards the purchase of the property.

MEMORANDUM OF UNDERSTANDING IV BETWEEN
THE NATIONAL PARK SERVICE AND THE TOWN OF WELLFLEET
Herring River Restoration Project
April __, 2019

This fourth successive Memorandum of Understanding (“MOU IV” or the “Agreement”) is entered into by and between the NATIONAL PARK SERVICE (“NPS”), a bureau of the United States Department of Interior, acting through the Superintendent of the Cape Cod National Seashore (“CCNS”), and the TOWN OF WELLFLEET, MASSACHUSETTS, a municipal corporation, with its primary address of 300 Main Street, Wellfleet, Massachusetts, 02667 (the “Town” or “Wellfleet”), acting through its Selectboard, on this ____ day of April, 2019.

RECITALS

WHEREAS, the Herring River is a tidal river located in Wellfleet, Massachusetts that, through a tidal estuary system and more than 890 acres of Herring River floodplain, connects to the Cape Cod Bay;

WHEREAS, the Herring River estuary includes lands and waters in Wellfleet, the Town of Truro (“Truro”), and the CCNS;

WHEREAS, the NPS administers and manages the CCNS, located partially within the Wellfleet and Truro and including more than 800 acres within the Herring River floodplain; and CCNS, as a unit of the National Park System, is legally authorized by 54 U.S.C. §§ 100101 *et seq.* and 16 U.S.C. § 459b-6 to regulate and conserve CCNS lands by entering into this Agreement to facilitate the restoration of tidal flow to the Herring River estuary;

WHEREAS, Wellfleet owns the Chequessett Neck Road (“CNR”) Dike, which currently controls tidal flow to the Herring River system, and the CNR Dike has included since approximately 1909 tidal gates that artificially restrict tidal flow in and out of the Herring River;

WHEREAS, the artificial restriction of tidal flow has impaired the waters of the Herring River and the proper functioning of the tidal estuary system, including tidal wetland habitat and salt marsh;

WHEREAS, to prevent ongoing degradation of the Herring River estuary, reclaim its ecological and environmental benefits, and replace a 40-year old waterfront structure with resilient infrastructure, Wellfleet and CCNS wish to remove the existing CNR Dike and tide gates at the CNR Dike and replace them with a bridge with tide gates that can incrementally restore the natural tidal flow over time, and to take other appropriate steps to rebuild infrastructure and provide mitigation as necessary to facilitate this goal (the “Herring River Restoration Project” or the “Project”);

WHEREAS, through three previous Memoranda of Understanding (“MOUs”), Wellfleet, Truro, and CCNS have worked together, as well as with National Oceanic and Atmospheric

Administration's Restoration Center, the U.S. Fish and Wildlife Service, the U.S. Department of Agriculture's Natural Resources Conservation Service, and the Massachusetts Division of Ecological Restoration (collectively, the "Project Partner Agencies") towards planning the Project;

WHEREAS, on December 18, 2018, the Truro Select Board voted to cease its role in the Project's planning and to not participate in the future design and implementation of the Project as a proponent, permit applicant, or party to contracts, and to instead take on the role of interested municipal stakeholder, as described in Sections , 4 through 10 of Amendment No. 1 to MOUs II and III (2019); and

WHEREAS, following the Truro Select Board's vote, Wellfleet and CCNS agree that it is in the public interest to enter into this MOU IV to restate and reaffirm their efforts towards Project planning, engineering, funding, construction, implementation and operation, to clarify governance and decisionmaking responsibilities concerning the Project, and to amend and supersede existing MOUs concerning the Project.

AGREEMENT

NOW THEREFORE, in consideration of the foregoing, Wellfleet and CCNS (collectively, the "Parties") agree as follows:

1. Superseded MOU. This Agreement supersedes the three existing MOUs concerning the Project: MOU I (August 2005), MOU II (November 2007), and MOU III (2016), as those MOUs are amended. Notwithstanding the foregoing, this MOU IV does not supersede, disturb, or invalidate declarations of Project support and the intended ongoing role of Truro as an interested municipal stakeholder expressed in Sections 4 through 10 of Amendment No. 1 to MOUs II and III. Rather, in light of Truro's December 2018 vote to exit from MOU II and MOU III (to which Truro was a party), this MOU IV updates the status of the Project, identifies next steps, and clarifies governance structures going forward. Nothing in this MOU IV is intended to alter the validity of terms established, affirmations given, or decisions made under previous MOUs, but instead to build on those decisions as the Project moves forward. All Project activities and decisions hereafter shall be undertaken by Wellfleet and CCNS, consistent with this MOU IV, and shall no longer include Truro, unless as an interested municipal stakeholder.
2. Project Status. To date, the Parties, in concert with the Project Partner Agencies, have performed several significant actions in support of the Project, including but not limited to the following:
 - a. Developing Conceptual and Detailed Restoration Plans for the Project;
 - b. Undertaking comprehensive data collection, modeling and ecological assessments necessary to establish and characterize pre- and post-restoration conditions;

- c. Completing review under the National Environmental Policy Act, 42 U.S.C. § 4321 *et seq.* and the Massachusetts Environmental Policy Act (“MEPA”), M.G.L. Chapter 30, §§ 61-62I in July 2016;
 - d. Developing conceptual and detailed plans for Project-related construction and mitigation;
 - e. Obtaining in March 2019 a Scoping Decision from the Cape Cod Commission concerning Development of Regional Impact Review; and
 - f. Conducting numerous Project-related meetings and public outreach with Project abutters and the community;
 - g. Developing, as needed, mitigation plans to protect all public and private structures from any potential adverse effects related to the restoration of tidal flow.
3. Next Steps and Approach. To complete and operate the Project, the Parties agree that they will work together cooperatively, and in concert with Project Partner Agencies, to take the following steps, subject to the terms of this Agreement:
- a. Make all significant decisions concerning Project development, implementation, and operation;
 - b. Compete for, receive, and administer funding from appropriate federal, state, local, and private entities to perform the Project and related mitigation, and to take the next steps identified in this Agreement;
 - c. Develop in further detail policies and plans for governance of Project construction and Project operation;
 - d. Further refine and review the Project’s Adaptive Management Plan, and implement that Adaptive Management Plan under the technical advice of the Herring River Technical Team (“HRTT”);
 - e. Facilitate agreements with landowners that the Project may potentially affect;
 - f. Draft, review, and submit all Project permits to appropriate federal, state, and local entities;
 - g. Ensure compliance with all permit conditions, noticing requirements, and other environmental compliance obligations;
 - h. Prepare and advertise bid solicitation packages, manage and oversee competitive bidding processes, select and manage contractors, oversee construction activities, pay invoices, and comply with funder and contractor stipulations subject to the provisions of M.G.L. Chapters 30, 30B and 149, if applicable;

- i. Provide and manage professional level technical and administrative staff necessary for the completion of all Project elements;
- j. Conduct operations and maintenance of public infrastructure as stipulated in any contract agreement(s);
- k. Monitor Project progress; and
- l. Perform public outreach and education activities.

These actions may be undertaken by one or many of the Parties or Project Partner Agencies, or their designees. These actions may be accomplished through separate contracts for services or cooperative agreements, or through the services of an independent third-party organization including, but not limited to, Friends of Herring River. Any activities on federally owned property conducted by other than federal employees will require a separate agreement, license, or contract so authorizing.

- 4. Ownership of Project Infrastructure. Implementation of the Project may require development of new infrastructure and modification of existing infrastructure. The owners of existing infrastructure should continue to own any modifications, replacements or improvements to it, and the owners of the underlying land should own any new components of Project infrastructure (as described in Project planning and permitting documents) as follows:

- a. *CNR Water Control Structures:* Wellfleet should continue to own any improved or new CNR water control structures;
- b. *Pole Dike Road:* Wellfleet should continue to own Pole Dike Road and any modifications or improvements to it;
- c. *Pole Dike Culvert/Tide Gate:* If a water control structure is installed at Pole Dike Road, Wellfleet should own that structure;
- d. *Old County Road/Culverts:* Wellfleet should continue to own Old County Road and its culverts, except those that are located in Truro, and any modifications or improvements to them;
- e. *Bound Brook Road/Culverts:* Wellfleet should continue to own Bound Brook Road and its culverts and any modifications or improvements; and
- f. *High Toss Road:* High Toss Road and related improvements or modifications should continue in its present ownership and maintenance status.
- g. *Mill Creek Water Control Structures:* If a water control structure(s) is installed at Mill Creek, the NPS should own the new structure(s).

The Parties agree that they may revisit the proposed ownership structure set forth in this Section 4 as the Project is developed, permitted, and implemented.

5. Operation of Project Infrastructure. The owners (Wellfleet or CCNS) of the different elements of Project infrastructure set forth in Section 4 may wish to engage the services of third party entities to construct, operate and maintain Project infrastructure, or the owners may wish to perform these functions through their established governmental structures. The Project will work with other property owners, as necessary, to determine the preferred methods and funding for any Project-related infrastructure or modifications that may be needed on property not owned by the Parties. Long-term operation and maintenance responsibilities should be the responsibility of the owner of each element of Project infrastructure. The Parties agree that they may revisit the proposed operation structure set forth in this Section 5 as the Project is developed, permitted, and implemented.

6. Project Governance.

a. Herring River Executive Council.

i. Purpose and Responsibilities. The Herring River Executive Council (“HREC”) shall function as the executive group that approves all major Project decisions and activities. The HREC’s responsibilities include, but are not limited to, establishing and providing policy direction; reviewing and approving the Project’s Adaptive Management Plan; monitoring Project progress; modifying or altering Project infrastructure tide gate openings (after receiving a recommendation from the HRTT); and ensuring compliance with laws, policies and regulations of Wellfleet and CCNS.

ii. Membership and Decision-making. The HREC meets quarterly or as needed and shall consist of five members as follows:

- a) Two members of Wellfleet Selectboard and the Wellfleet Town Administrator;
- b) The Superintendent of the CCNS or his/her designee, and one additional CCNS designee.

The HREC shall operate by consensus decision-making, and authorize all decisions through a unanimous vote of the members present, provided that such unanimous vote must include at least one vote from a Town representative and at least one vote from a CCNS representative.

HREC members shall not possess any individual authority to set goals, priorities, or positions on behalf of the HREC. The Parties recognize that votes taken by the HREC may require further votes, approvals, reviews, or appropriations from Wellfleet and NPS in order to effectuate HREC decisions. The Parties further recognize that in emergency situations or unforeseen circumstances, Wellfleet and CCNS may make emergency decisions regarding Project infrastructure as provided for in applicable

laws and authority, and that other Project-related governance documents shall set forth the protocols for such circumstances in greater detail.

- iii. Term. Each representative on the HREC shall serve their term until their designating entity notifies the HREC of a change in designation.
- iv. Public Meetings. The HREC shall conduct its meetings consistent with the Massachusetts Open Meeting Law, M.G.L. Chapter 30A, §§ 18-25..

b. Herring River Technical Team.

- i. Purpose and Responsibilities. The Herring River Technical Team (“HRTT”) shall function as an informal staff technical working group formed for the purpose of providing technical input for Project-related decisions as necessary. These responsibilities include, but are not limited to planning, permitting, engineering, technical, operational and scientific coordination for the Project. The HRTT will coordinate with the Regulatory Oversight Group established through Project’s MEPA Certificate (July 15, 2016) to administer the Project consistent with the provisions of that MEPA Certificate.
- ii. Membership and Decision-making. The HRTT meets as needed and may consist of staff members from the following federal, state, and local entities: Wellfleet, CCNS, the National Oceanic and Atmospheric Administration, the U.S. Fish and Wildlife Service, the Massachusetts Division of Ecological Restoration, the U.S. Natural Resources Conservation Service, and other entities with appropriate technical knowledge to assist the Project. Participating staff members shall be designated at the sole discretion of any participating agency.

The HRTT shall operate by consensus decision-making in formulating advisory recommendations to the HREC. The HRTT does not possess any authority to make decisions that bind the Project, Wellfleet, the CCNS, or the Project Partner Agencies, and its role shall be purely advisory. The Parties disclaim any intention to create in the HRTT a public body for purposes of the Massachusetts Open Meeting Law.

7. Consultation with Stakeholder Groups and Others. In accordance with the MEPA Certificate, the HREC has formed a Herring River Stakeholder Group (“HRSG”) to provide advisory input on Project implementation issues. The HREC may consult the HRSG or other individuals or organizations for advisory input, as needed, to develop, permit, and administer the Project.

8. Governmental Provisions.

- a. Governmental Authority. As used in this Agreement, the “Town” shall mean the Town of Wellfleet as a municipal corporation, including its Board members, employees, agents, and consultants. “CCNS” shall mean the Cape Cod National

Seashore, including its employees, agents, and consultants. Project Partner Agencies, other governmental entities, non-profit groups affiliated with the Project and their employees, agents, and consultants shall not be deemed to represent Wellfleet or CCNS, and Wellfleet and CCNS make no representations or warranties that they possesses any authority to bind such entities to any of the obligations set forth in this Agreement.

Nothing in this Agreement shall be construed as (i) in any way impairing the authority of the NPS or Wellfleet to supervise, regulate, and administer its respective property and concerns under applicable laws, regulations, and management plans or policies as they may be modified from time-to-time, or (ii) inconsistent with or contrary to the purpose or intent of any Act of Congress.

- b. Finance and Approvals. No terms in this Agreement shall be construed to obligate either party or the United States of America to: (i) take any actions or approve any actions that would violate the requirements of federal, state, or local laws; (ii) approve any permit or approval applications submitted to federal or Town departments or boards in furtherance of the Project; (iii) commit any current or future funding or staffing resources to fulfill the obligations of this Agreement in advance of appropriate appropriation, administrative allocation, approval and/or vote; or (iv) spend any funds on any particular project or purpose, even if funds are available.
- c. Costs of Participation. Each party shall bear its own costs associated with its participation in this MOU IV and Project-related activities without reimbursement, and nothing contained herein shall be interpreted as obliging any payment by one party to the other, unless specifically authorized through appropriate procedures of Wellfleet or CCNS.
- d. Disclaimers of Government Endorsement. Neither Wellfleet, nor any other Project Partner, shall publicize or circulate materials (such as advertisements, solicitations, brochures, press releases, speeches, pictures, movies, articles, manuscripts, or other publications), suggesting, expressly or implicitly, that the United States of America, the Department, NPS, CCNS or any government employee endorses any business, brands, goods, services, or activities, without the express approval of the NPS. In addition, any non-Federal entity must obtain prior written approval for any public information releases that refer to the Department of Interior, any bureau, park unit, or employee (by name or title), or to this Agreement. The specific text, layout, photographs, etc., of the proposed release must be submitted with the request for approval. The NPS will make a good-faith effort to expeditiously respond to such requests.
- e. Intellectual Property. Neither party of this Agreement shall use any intellectual property (including, without limitation, trademarks, service marks, logos, and corporate and brand identification and indicia) of the other party for any purpose without the prior written consent of the other party, which consent may be withheld in such other party's sole discretion.

- f. Compliance with Law. The obligations of the Wellfleet and CCNS under this MOU IV are subject to all current and future laws, regulations, and policies governing each governmental entity.
- g. Federal Congressional Provisions.
 - i. Pursuant to 41 U.S.C. § 22, no Member of, Delegate to, or Resident Commissioner in, Congress shall be admitted to any share or part of any contract or agreement made, entered into, or adopted by or on behalf of the United States, or to any benefit to arise therefrom, unless the share or part or benefit is for the general benefit of a corporation or company.
 - ii. In carrying out, supporting, or pursuing actions under this Agreement, Wellfleet will not undertake activities, including lobbying for proposed Town or NPS projects or programs, that seek to either (1) alter the appropriation of funds included in the President's budget request to Congress for the Department of the Interior or another federal agency that holds funds for the sole benefit of the NPS under Congressionally authorized programs, including the Federal Lands Highway Program; or (2) alter the allocation of such appropriated funds by NPS or another Federal agency. Nothing in this paragraph is intended to preclude Wellfleet or another Project Partner from applying for and obtaining a competitive or non-competitive grant of Federal financial assistance from a Federal agency, or from undertaking otherwise lawful activities with respect to any Town or NPS activity, project or program included in the President's budget request to Congress. Nothing in this paragraph should be construed as NPS requesting, authorizing or supporting advocacy by nonfederal entities before Congress or any other government official. Except as provided herein and in applicable laws, nothing in this paragraph shall be construed to curtail Wellfleet's ability to interact with elected officials.
- 9. Dispute Resolution. If Wellfleet and CCNS do not agree regarding any aspect of the Project, Wellfleet and CCNS shall work cooperatively to resolve any disagreement, including but not limited to alternative dispute resolution ("ADR"), should they so agree. No aspect of this Project may proceed, however, without the specific approval of Wellfleet, unless occurring exclusively on property of the NPS.
- 10. Termination. Either party may terminate this Agreement at any time by providing ninety (90) days written notification consistent with the Notice provisions of Section 11.c. below.
- 11. Miscellaneous Provisions.
 - a. Amendments. This Agreement may be amended only by written agreement signed by authorized representatives of both Parties. It shall remain in effect until

superseded by a further MOU or inter-municipal agreement(s) to implement its purposes or terminated by either party as described above.

- a. Merger. This Agreement constitutes the Parties' entire agreement and understanding with respect to its subject matter, except as otherwise noted in Section 1.
- b. No Third Party Beneficiaries. The Parties are the sole and exclusive beneficiaries of the Agreement, subject to its terms and to all applicable law.
- c. Notices. All notices to be given pursuant to this Agreement shall be provided by email or U.S. mail. Notice shall be deemed to have been received at the time of actual receipt of any email or three (3) business days after the date of any properly addressed notice sent by mail as set forth below:

If to Wellfleet: Daniel R. Hoort
Town Administrator
Town of Wellfleet
300 Main Street
Wellfleet, MA 02667
Dan.Hoort@wellfleet-ma.gov

With a copy to: Gregor I. McGregor, Esq.
Olympia Bowker, Esq.
McGregor & Legere, P.C.
15 Court Square, Suite 500
Boston, MA 02108
gimcg@mcgregorlaw.com

If to CCNS: Brian Carlstrom
Superintendent, Cape Cod National Seashore
99 Marconi Site Road
South Wellfleet, MA 02667
brian_carlstrom@nps.gov

With a copy to: Melissa Boness, Esq.
Attorney Advisory, Boston Office
Office of the Solicitor
U.S. Department of the Interior
15 State Street, 8th Floor
Boston, MA 02109
Melissa.boness@sol.doi.gov

- d. Counterparts. This Agreement may be executed in multiple counterparts, each of which shall be deemed to be an original, but all of which together shall constitute one and the same instrument.

- e. Severability. If any provision of this Agreement or its application to any circumstances is declared invalid or unenforceable by the final ruling of a court of competent jurisdiction, the remaining provisions and their application to other circumstances shall not be affected. In place of such invalid or unenforceable provision, there shall be substituted a valid and enforceable provision that most nearly accomplishes the Parties' original intention.
- f. Authority. The signatories below represent that they are duly authorized to sign on behalf of and bind their respective parties.

IN WITNESS WHEREOF, the Parties have caused this MOU IV to be executed by their respective duly authorized representatives on the day and year indicated.

CAPE COD NATIONAL SEASHORE

TOWN OF WELLFLEET

 Brian Carlstrom, Superintendent of the
 Cape Cod National Seashore

 Janet Reinhardt
 Chair of the Town of Wellfleet Selectboard

 Date

 Date

Amendments in red.

**Work Meeting
Wellfleet Select Board Meeting
Tuesday, February 19, 2019, at 12:00 p.m.
Wellfleet Town Hall, 300 Main Street, Wellfleet MA 02667**
Select Board Members Present: Chair Janet Reinhart – Chair, Helen Miranda Wilson – Vice Chair, Justina Carlson – Clerk, Kathleen Bacon, Jerry Houk.

Also Present: Dan Hoort - Town Administrator, Courtney Butler – Executive Assistant.

Reinhart called the executive session meeting to order at 12:00 pm.

I. Reinhart asked for announcements, open session, and public comment.

- a. Houk asked about a plaque on Cannon Hill
- b. Carlson, in regard to the Room Occupancy Tax (Airbnb Tax), shared that she has spoken with real estate agents and there is a change in the trends in people renting. She said that there are \$700 taxes on a \$2,800/week rental.

II. Letter of support for Conservation Commission’s ruling on the Blasch House.

Wilson said she drafted the letter with Hilary Greenburg-Lemos. She said the date of the actual denial was in December, not November, and noted that should be changed in the letter.

Bacon did not thing the statement in the letter that reads “the applicant built in a vulnerable spot at their own risk, knowing that the existing dynamic of wave action scouring the shore would increase extreme weather events, etc.” **should be included because it might cause acrimony.** She said she knew this was based on science and part of why their application to revet was being denied. Bacon noted that the original building project was vetted by Gordan Peabody and others and wasn’t sure if this was the Board’s conjecture.

Reinhart said even though it was vetted, and the research was done, the State needs to know it is a vulnerable site. Wilson said the ConsCom told them not to build the house there when they originally began building.

Houk discussed a 1983 report when **rubble a rip-rap revetment put there by the Town, because the coastal bank was being washed out on either side,** was removed from the Gut. He said this was done because there was the threat of a breakthrough. He said the same thing could happen at this property. He said he wasn’t sure if the ConsCom had read those reports.

Wilson said would ~~go to the Conservation Commission after this meeting, and~~ inform Greenburg-Lemos **about this.**

Bacon move to approve the letter of support for the Wellfleet Conservation Commission ruling on the Blasch house with the amendment of changing November to December.

Wilson seconded, the motion carried 5-0

Amendments in red.

Wilson noted that Doug Guey-Lee should also receive a copy for his files. Bacon asked when the letter would go out. Hoort said today.

III. Hiring a consultant to complete Local Comprehensive Plan

Carlson said she met with many organizations at the MMA conference in January **and recommended we think about doing this so as to finish the Plan.** Bacon said she supports this idea but would like Hoort to see where we left off prior to **meeting-with-the-hiring** consultants. Reinhart said that everyone would like a consultant. She noted that previous Assistant TA Brian Carlson began the Plan and that it should be finished up soon. Bacon asked Hoort to look at where the Plan was left off. She said that it is important to do their due diligence to complete this Plan.

Wilson agreed with Bacon and said a consultant **would might** be a good idea. She said she wanted to ask Joe Powers to look at the plan and see if he wanted to take this on. Reinhart said Powers would like a consultant as well. Reinhart noted that consultants are qualified to do this work and the Board could give ideas. She also suggested the Board working alongside the consultant.

Wilson asked if this would have to go out to bid. Hoort said that if it is more than \$10,000 he would ask for three qualified bids to be covered by Procurement. Wilson said the Shellfish Committee is refreshing the Shellfish Management Plan themselves. Reinhart said that annually one of the Local Comprehensive Plan committee members took it upon themselves to check with each committee to update it. She recommended continuing this and also sending a note to committees once the consultant is hired.

Wilson noted a piece in the Charter that focuses on better communication between Boards and Committees and Departments around planning issues. There was discussion about this.

Carlson agreed with Reinhart, that the Selectboard would like to look at the current plan and determine what the consultant would need to do.

Hoort said he would share the draft document from Brian Carlson as well as a status of where in the process he left off.

Wilson said the Board should take a look at the draft Comprehensive Plan as it is, so far, before hiring consultants. Bacon suggested adding a time frame to the motion to ensure the project is completed this year. There was discussion about the need of a consultant and how quickly to get the ball rolling on hiring one.

Carlson moved that the Town Administrator and Assistant Town Administrator proceed to prepare an RFP to hire a consultant to assist in finishing the Comprehensive Plan.

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

IV. Improving employees and communication, and quality of work and work place. Possibly by hiring a consultant or mediation, etc.

Amendments in red.

Reinhart said she is a big believer in communication and most of misunderstanding comes from lack of communication. She said that as a Board, it is their role to create a healthy, happy workforce environment. She said the Board is Hoort's guidance and boss and he is the main person they should be communicating with at least once a week. She said their other role is to tell people the facts and alleviate gossip in town.

Wilson agreed with Reinhart. She asked Hoort about performance reviews. Hoort said last year most of them were done and they hope to accomplish all of them this year. Wilson asked about the Department Head reports the Selectboard used to get. Hoort said that Butler would be compiling and sending them from here forward.

Wilson mentioned the Selectboard's policy on goals and Bacon asked her to read it:
Statement of Goals:

Reference: Wellfleet Town Charter 3, Section 2, Sub-Section 3-2-3

- One: To assure that all Town functions are carried on in keeping with applicable Federal and State law, Town Bylaws and the Charter.
- Two: To assure full implementation of the Town Charter and to recommend changes in it as shown appropriate by experience.
- Three: To provide prompt policy guidance to the Town Administrator and other Town bodies as appropriate, thereby supporting and facilitating their work.
- Four: To make all policy decisions, including the enactment of rules and regulations in keeping with valid Town Meeting actions and, in particular, with the statement of objectives of the Local Comprehensive Plan approved at Town Meeting.
- Five: To enhance and strengthen communication and cooperation between and among appointed Town bodies.
- Six: Through careful personnel selection and appointment and through appropriate training programs, to assure public services of the highest quality, both in terms of paid personnel and volunteers.
- Seven: To minimize, in every respect feasible, the public liability exposure of the Town, its employees and its taxpayers.
- Eight: To work closely with the Finance Committee to assure prudent use of Town revenues and that necessary projects and activities are carried out.

Reinhart asked what some action items may be to improve morale and the work environment. Hoort said that for him, the biggest thing to do is to show his employees he cares and that they are valued. He asked the Board to recommend to any employees who would like to complain to come to him.

Carlson said that she has heard positive feedback from employees regarding the work Hoort has done and his accessibility. Reinhart suggested saying thank you to all employees. Wilson said new employees and committee members need to feel welcomed and supported right away.

Amendments in red.

Carlson recommended adding to the next working meeting agenda, more specific ways to support Hoort. She also suggested working on goals and objectives after the Warrant.

Bacon said she has appreciated this meeting and getting good working ideas out on the table. She mentioned the late Lillian Frazier and wanting to name the proposed Lawrence Road housing development area after her.

Hoort agreed that this meeting was helpful. Reinhart said that while the Board does have differences in opinion they all still listen to each other and have good communication. Carlson

Houk moved to adjourn.

Wilson seconded, and the motion carried 5-0.

Meeting was adjourned at 1:12 pm.

Amendments in red.

**Wellfleet Selectboard at Shellfish Advisory Board Meeting
Monday February 25, 2019 at 7:00 pm
Wellfleet Senior Center**

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

Regrets: Jerry Houk

Also Present: Executive Assistant Courtney Butler, Shellfish Constable Nancy Civetta, members of the Shellfish Advisory Board: Chair Barbara Austin, Jacob Puffer, Brett Morse, John Duane, Zack Dixon, Jim O'Connell, Dave Seitler, and Tom Siggia

Massachusetts Shellfish Initiative (MSI) representatives: Scott Soares, Chris Schillaci, Steve Kirk, Melissa Sanderson

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

Massachusetts Shellfish Initiative Steering Committee Presentation and Questions/Comments
Representatives from the MSI introduced themselves.

Sanderson, from the Cape Cod Fisherman's Alliance, said she believes that shellfish is a part of Mass Blue Economy. She noted that wild shellfishing is at core of the tradition and should not be compromised for aquaculture. She said her goal with MSI is to provide public outreach opportunities, to bring opposing sides together. She said the MSI does not have position on near shore shellfish.

Kirk, from the Nature Conservancy, said that their interest in Massachusetts is in shellfish restoration for the good of the environment. He is interested in seeing act as a forum for different ideas to come together. He also hopes to enable more funding for Departments like the DMF to get input about ~~restoration~~ various shellfish-related activities and make sure that they are done the right way.

Soares, from the Massachusetts Aquaculture Association (MAA), also serves as the MSI consulting coordinator. He said that the MAA is non-profit to promote and serve shellfish and finfish farmers in Mass., through technology and communication channels. He said the MAA is a part of MSI because it recognizes MSI as a forum to discuss a variety of issues relative to shellfish. It is concerned with tweaks to existing state policy and resource allocation, and because farmed oysters are 3rd in landed value in Mass.

Schillaci, from the MA Department of Marine Fisheries (DMF) said the DMF wants to be prepared to address any disruptive forces and emerging challenges. He said the DMF recognizes that some changes may be needed in representation on the MSI and recognizes that there are various interests in the MSI. He said the MSI will not change the way the DMF makes policy and/or regulation. He said that DMF believes that the MSI is a good forum and the DMF is on the steering committee to make sure that it is a transparent process.

Sanderson led the presentation (**Attachment 1**)

Amendments in red.

What is MSI?

- The MSI began in 2017 with the Nature Conservancy and Fisherman's Alliance conducting a survey of 389 shellfish stakeholders.
 - They received a grant of \$100k;
- Two objectives thus far:
 1. Build capacity for shellfish;
 2. Develop a strategic state-wide plan and guidance document.
- Not a regulatory body;
- Opportunity for groups to come together.

Why MSI now?

- Increased demand for monitoring;
- Complex permitting processes;
- State and federal legislative initiatives;
- Demand for space for aquaculture business;
- Towns are using shellfish for water restoration;
- More shellfish means more opportunity for disease, needs research;
- Rapid growth of industry may mean decrease in shellfish price;
- NOAA is encouraging a national shellfish initiative. MSI may be able to get funds for Massachusetts shellfishing efforts.

MSI Task Force

- Responsible for shaping and guiding MSI process;
- Appointed and oversee MSI committees;
- Convey information;
- Task Force has more power than MAA or Nature Conservancy;
- First meeting was Jan 2, 2019:
 - created Assessment and Steering Committees, no other committees exist yet.
 - will follow Open Meeting Law **in some ways but not others.**
- Goals January - April
 - do research and community outreach;
 - provide data back to the Task Force.
- Goals After April
 - begin to define objectives based on input from shellfishermen and the public.

Sanderson requested that the towns submit the top 3 issues pertaining to shellfishing and the top 3 things they would like from MSI.

QUESTIONS/COMMENTS

Brett Morse shared concerns about 100's of acres opening in New Bedford. He asked what the cycle of shellfish from restoration areas would be. (Schillaci addressed this later.)

Dave Seitler said he appreciates the Open Meeting Law and he appreciates Wellfleet's representation on the task force. He asked what MSI does for shell fishermen as individuals.

Amendments in red.

Soares responded that it gives them a voice at the table for any recommendations that will be put forward. Seitler asked if Wellfleet couldn't do that on our own.

Schillaci noted that the DMF doesn't often see organization around emerging issues. It usually happens after something has already been drafted.

Kirk said that the MSI will add to Wellfleet's voice when competing for funds.

SAB Chair Austin commented that she was happy to see the MAA proposal to allow for statewide continuity of transferability of shellfish leases on one of the slides so that it was known publicly.

Schillaci and Soares both commented that the power of the broad community through the MSI will be an advantage to get money for research and other improvement efforts.

Seitler asked how MAA decided to get involved with MSI? Soares answered that he does not know.

Morse asked, "how does Island Creek fit in?" Sanderson answered that Chris Sherman, President of Island Creek Oysters (ICO), donated time to the effort.

Seitler asked if it is a conflict of interest that Soares is representing the MAA and the MSI as well as consulting for Island Creek Oysters, and that Chris Sherman is President of ICO. Soares answered that it is not a conflict - he is acting as the recording secretary and any input comes from the people of the shellfishing community.

John Duane asked about the process of contributing to the development of a policy process. Schillaci stated that DMF will look at information from everywhere and the process will remain the same as it is now. The DMF will make decisions based on sound research and policy. Duane asked, "Have you learned anything from SI's in other States?" Sanderson answered that they have learned to meet early and often. Most of what has come from other initiatives is large, overarching ideas/projects.

Jim O'Connell. asked Kirk if his office is working with nitrogen onshore? Kirk said he is not personally, but his office is.

Chopper Young asked if the 8,400 acres in New Bedford is commercially harvested and if any biological testing has been done? Schillaci responded that 8400 is the total acreage not the proposed aquaculture area.

Wilson asked on behalf of Damian Parkington (not present), "Why was Wellfleet left off the Task Force? Why did you not use us as a model? Why was there no substantial outreach to the Wellfleet SAB?" Sanderson answered that representative areas from throughout the state were chosen. Kirk added that it was an oversight not to include Wellfleet, but that it was done without malice.

Amendments in red.

Wilson asked who the person was that decided who would be on MSI Task Force. Sanderson answered, herself at Fisherman's Alliance and Kirk at the Nature Conservancy.

Wilson asked if it was true that the State (or the DMF) receives money from corporations, like Walmart, Schillaci answered yes, that the state seeks grant funds and gets money from a wide range of groups for a wide number of projects. Wilson asked if they got a seat at the table, Schillaci said absolutely not.

Curt Felix commented that it would be crazy if nitrogen mitigation programs (oyster reefs) were allowed to hurt the aquaculture industry by flooding the market.

Berta Bruinooge stated that she has issue with privatizing the transfer of shellfish grants because it drives out the small farmer. Shellfishing is a way that young people in Wellfleet can earn a living. Schillaci stated that the bullet point is there so that it can be discussed now, rather than later at the State House in Boston. He said that the DMF does not support that idea.

Bacon said that she would like to see the survey include more than 379 people.

Suzanne Phillips said that at the first MSI Assessment Committee meeting it was decided that it should start with input from the communities.

Diane Brent commented that she doesn't think that Massachusetts shellfishing needs a centralized solution to local problems and that the Wellfleet Shellfish Department (WSD) does a good job of addressing problems.

Aaron Francis asked where the money is coming from now and where it will come from in the future. Sanderson answered that a grant from National Fish and Wildlife Foundation (funded by NOAA and private foundations) will fund the MSI for another year.

Schillaci added that we are no better prepared for shellfish disease than we were 15 years ago. Groups like this will help to address existing and emerging issues. This is a good way to put issues on the table and get funding for them as well as to get meaningful input from the shellfishing community. **He said that there had been big cuts in the agency's funds.**

Seitler asked why the state is not better at funding the DMF? Kirk answered that he hopes that is one of the things that MSI will present to the state.

Richard Blakely said that he is concerned about Wellfleet fishery's historical standing and that he is terrified that there is talk of privatizing aquaculture leases.

Bob Wallace said that there is a lot of paranoia in the room. The fear is that if every coastal town has a restoration project the market will become oversupplied. Sustainability should be paramount in what the MSI is trying to accomplish.

Jude Ahearn said that she is most concerned that there is very little transparency with this group. She brought up conflict of interest with regard to the constable and SPAT and The Fisherman's Alliance. Sanderson refuted the MSI's conflict of interest.

Amendments in red.

Wayne Clough commended Nancy Civetta and WSD. He brought up the fuel tanks at the Marina that are close to the end of their life. He recommended finding out about funding from the state program for replacing those tanks.

Seitler asked what MSI does for the Fisherman's Alliance and the Nature Conservancy. Sanderson answered that the FA represents wild shell fisherman and they also have an investment in ARC, so they want to see a healthy aquaculture industry. Kirk said that Nature Conservancy is always looking to partner with people to achieve common environmental goals.

Nathan Davis asked how MSI planned to get money for the 208 Plans and how transparency will be achieved. Schillaci said that is partly why the DMF is on the Steering Committee and that private interests are not lost on them. Wilson added that the Town will get any wastewater funds **from the State directly.**

Craig P. and Schillaci. discussed the Orleans mitigation project and how many oysters from that were harvested commercially.

Brad Morse said he was concerned because of his experience with sea clam regulations in the 1980's that put a lot of people out of business.

Ginny Parker mentioned the formation of the Wellfleet Shellfishermans' Association and the appointment of someone from Wellfleet to the Task Force

Mike Devasto said we should all be wary because the oysters from mitigation projects will go into the market.

Chris Merl asked how many members were in the MAA and if it were representative of the shellfishing community as a whole. His main concern is the MAA's privatizing proposal and stated that it should be taken off the table. He also said it should have been brought to the community first to avoid confusion and fear.

Next meeting scheduled for March 11 at 6 p.m.

Meeting adjourned at 9:30 pm

ATTACHMENT 1 - MSI Presentation

Amendments in red.

Wellfleet Selectboard Meeting
Joint Meeting with Finance Committee
Monday, March 4, 2019 at 6pm
Wellfleet Senior Center

Selectboard Members Present: Chair Janet Reinhart; Kathleen Bacon, Justina Carlson, Jerry Houk, Helen Miranda Wilson

Regrets:

Also Present: Town Administrator Dan Hoort; Assistant Town Administrator/Town Clerk Joseph Powers, Chief Richard Pauley, Harbormaster Mike Flanagan, and Shellfish Constable Nancy Civetta; Members of the Finance Committee (FinCom): Janet Lowenstein, Steven Polowczyk, Kathy Granlund, Fred McGee, and Jeff Tash

Chair Reinhart called the meeting to order at 6:00 p.m.

ANNOUNCEMENTS, OPEN SESSION AND PUBLIC COMMENT

- Reinhart welcomed and thanked the Finance Committee for coming to the meeting tonight.
- Lowenstein suggested rescheduling the December meeting of the Selectboard and Finance Committee to a later date next budget season.
- Polowczyk announced that the Finance Committee meetings are now being video recorded and will be available online.
- Wilson noted Daylights Savings Time on Sunday, March 10th and subsequently the change in meeting times, starting next week on March 12th at 7pm.

2019 ANNUAL TOWN MEETING WARRANT

The Board discussed proposed Article 1. Article 1 is the FY 2020 Operating Budget.

Hoort said both committees had agreed on the same operating budget, with one exception – the Recreation budget. The FinCom reduced this by \$6,400 in the salary and wages line item, which is related to the acceptance of a gifted van from the school district. Hoort said the FinCom felt the gift should have been discussed in advance of acceptance as it will incur additional costs.

Wilson said she attended the Finance Committee meeting where this was discussed. She said the Board had similar questions to those posed by the FinCom. Reinhart said the van is meant to provide transportation to community events and programs for students.

Lowenstein said the van does not have an infinite life and will need to be replaced at some point. Polowczyk asked if an official gift had been submitted. Hoort said no. Carlson said she felt transportation needs were not being met. She said the van will provide transportation to youth who are at risk. Bacon said she is in support of the van and it is an added benefit to the Recreation Department. She said she also understood the FinCom's position on having associated costs with owning a van.

Reinhart suggested asking the Recreation Director to come back and explain the van more and make estimates of how much and where the money would come from.

There was discussion about the purchasing of vehicles that appear later in the Warrant.

Amendments in red.

Bacon moved to recommend Article 1, FY 2020 Operating Budget, and insert it in the Warrant. Wilson seconded, and the motion carried 5-0.

The Board discussed proposed Article 2. Article 2 is for FY 2019 Year Transfers.

Wilson asked why the Housing Authority was requesting for \$15,000 for counsel. Hoort said the Housing Authority is funded through the budget of \$5,000 and that they are currently defending a lawsuit, which is using all of the \$5,000.

Bacon moved to recommend Article 2, FY 2019 Year Transfers, and insert it in the Warrant. Carlson seconded, and the motion carried 5-0.

The Board discussed proposed Article 3. Article 3 is the FY 2020 Capital Budget.

Lowenstein said the FinCom has not voted on this Article. Hoort said that items on the budget that say “borrow” are on their own Warrants. The rest are all included in this Article. Wilson said she added up all the vehicles included in the Capital Budget this year and it came to \$1,502,915. She said there was a Selectboard policy that if vehicle change-overs have to be vetted in a certain way and asked if this had happened. Polowczyk said yes, they were vetted. Lowenstein said there have been postponements made in the purchase of these vehicles and this is why there are so many this year.

Bacon said she would like to insert the Article but wait on the recommendation until the final recommendation from the FinCom is received.

Bacon moved to insert Article 3, FY 2020 Capital budget, in the Warrant and reserve recommendations for Town Meeting.

Wilson seconded, and the motion carried 5-0.

The Board discussed proposed Article 4. Article 4 is the FY 2020 Marina Enterprise Budget.

Reinhart said the FinCom recommended this Article 8-0. There was no further discussion.

Wilson moved to recommend Article 4, FY 2020 Marina Enterprise Budget, and insert it in the Warrant.

Bacon seconded, and the motion carried 5-0.

The Board discussed proposed Article 5. Article 5 is the FY 2020 Water Enterprise Budget.

Amendments in red.

Reinhart noted that the FinCom recommends this Article 7-1. Wilson asked to hear from the minority voter. Polowczyk said he wished the Water Enterprise Fund could use the Bay Service Fee feature of their current rules and regulations for the Municipal Water supply system. He said this Town has a pretty good deal, in terms of a water supply system. He said this operates similarly to what co-ops do when they have a shortfall, which is to divide the shortfall by the number of units and increase their bills.

Carlson moved to recommend Article 5, FY 2020 Water Enterprise Budget, and insert it in the Warrant.

Wilson seconded, and the motion carried 5-0.

The Board discussed proposed Article 6. Article 6 is Prior Year Invoices.

Reinhart said the FinCom recommended this Article 8-0.

Carlson moved to recommend Article 6, Prior Year Invoices, and insert it in the Warrant.

Wilson seconded, and the motion carried 5-0.

The Board discussed proposed Articles 7, 8, 9, and 10. Articles 7, 8, 9, and 10 address Union Contracts

Hoort said he would not have a dollar amount yet, and the Board could withhold their recommendations. Lowenstein said the FinCom is also withholding their recommendations.

Wilson moved to insert Articles 7, 8, 9, and 10, Union Contracts, in the Warrant, as printed in this draft Warrant.

Bacon seconded, and the motion carried 5-0.

The Board discussed proposed Article 11. Article 11 is Additional Fire Department Staff.

Hoort said that he and Pauley suggested that one firefighter could be funded through the ambulance fund, and one could be funded through an override. Pauley said that it is not uncommon to tap into ambulance fund to hire additional staff, but that Wellfleet has not done this in the past. He said the fund has been used to balance the operating budget and to replace supplies. He suggested trying this and will expect to see the ambulance fund increase and they will not need to replace an ambulance for a few more years. He said he would rework this Article for an override and create an additional Article to pay for a position out of the ambulance fund. He said he likes the public to know they are adding a position and get their buy-in.

Bacon asked Pauley how the SAFER grant played in. Pauley said the grant is not guaranteed, however if the grant is received then these two positions would be hired, and the grant would take care of ~~them~~ paying for them in part, for the first three years: 75% for the first year, 75% for the second year, 35% for the third year. After that, the Town would pay for all of it. Bacon asked if he had applied for this grant before. Pauley said yes, and that he got it.

Amendments in red.

Houk asked how many paramedics had been lost in the last year. Pauley said yes, 2 within the last fourteen months. Houk asked if there was money left from their salaries. Pauley said there is a little bit of money, but it will be absorbed by overtime because they have to backfill shifts.

There was discussion of the open positions in the department. Pauley said there is one paramedic position open.

Wilson noted that the Article only included funding for Firefighter/Paramedic, not Firefighter/EMT. Chief Pauley said he would request from Hoort that it be reworded to include that language.

Hoort suggested taking no action on this tonight and said that he and Pauley would bring back two Articles.

Article 11, Additional Firefighter Staff, will seek no action tonight.

The Board discussed proposed Article 12. Article 12 is Chapter 90 Road Repairs.

Lowenstein said the FinCom was awaiting a final number on this. Hoort said one will be forthcoming, but not tonight. Lowenstein said the FinCom would withhold their recommendation until Town Meeting.

Wilson moved to insert Article 12, Chapter 90 Road Repairs, into the Warrant.

Bacon seconded, and the motion carried 5-0.

The Board discussed proposed Article 13. Article 13 is a Capital Improvement for the sum of \$525,000 for the purchase of a ladder =/pumper truck for the Fire Department.

Lowenstein said the FinCom voted to recommend this Article. Pauley said ~~he is trying to purchase what we have now is~~ a 1986 used ladder truck, purchased in 2000. He said he has been searching for another used truck for the last two years. He said there is a strong possibility that there is one that is in good shape and he reworked this Article. He said the new cost is \$285,000.

Bacon suggested regionalizing the labor force for police and fire. She asked about the possibilities of sharing a ladder truck. Pauley said the issue is that every other community has one, and it is not unheard of that one of them is out of service for a period of time. Bacon thanked Pauley for his research and for finding a cheaper option.

Hoort said this would be reworded to say a “used aerial ladder pumper truck.”

Carlson moved to recommend Article 13, Capital Improvement – ladder/pumper truck, and insert it in the Warrant.

Wilson seconded, and the motion carried 5-0.

The Board discussed proposed Article 14. Article 14 is a Capital Improvement in the sum of \$265,000 for the purchase of a street sweeper for the Department of Public Works.

Amendments in red.

Bacon asked if the FinCom approved the Article. Lowenstein said yes, they moved to recommend it.

Carlson asked if this was going to be a used truck. Hoort said it would be new, it was originally \$320,000 and the DPW Director has been able to find one for \$265,000. Lowenstein said it would not make sense to purchase a used streetsweeper.

Carlson asked the depreciation schedule for the sweeper. Wilson said the one the Town has now is 10 years old. Lowenstein said the recommended time for replacement is 5-7 years. Polowczyk said this vehicle cannot be leased.

Bacon moved to recommend Article 14, Capital Improvement – street sweeper, and insert it in the Warrant.

Wilson seconded, and the motion carried 5-0.

The Board discussed proposed Article 15. Article 15 is a Capital Improvement for the purchase of a front-end loader for the Department of Public Works for the sum of \$220,000.

Lowenstein said this is essentially the same issue as Article 14. She said the vehicle was purchased in 2005 and cannot be leased.

Bacon moved to recommend Article 15, Capital Improvement – front-end loader, and insert it in the Warrant.

Reinhart seconded, and the motion carried 5-0.

The Board discussed proposed Article 16. Article 16 is a Capital Improvement for the purchase of a 100-yard refuse/recycling trailer for the Department of Public Works for the sum of \$75,000.

Wilson asked what this trailer was for. Hoort said that the trailer is what trash gets dumped into and hauled off-Cape. Carlson asked if it had a dual purpose. Hoort said depending on the flow, of trash versus recycling, it could be used for either.

Carlson moved to recommend Article 16, Capital Improvement – refuse/recycling trailer, and insert in the Warrant.

Bacon seconded, and the motion carried 5-0.

The Board discussed proposed Article 17. Article 17 is a Capital Improvement for the purchase of a police cruiser for the sum of \$40,000.

Lowenstein said the Police Department has always had a very careful schedule for replacement of vehicles. She said she believed this would be paid for out of existing funds. Hoort said these funds would actually be borrowed.

Wilson asked how many vehicles the department had. Bacon said six. Wilson asked if they get a new one every six years. Lowenstein said yes.

Amendments in red.

Bacon moved to recommend Article 17, Capital Improvement – police cruiser, and insert it in the Warrant.

Reinhart seconded, and the motion carried 5-0.

The Board discussed proposed Article 18. Article 18 is a Capital Improvement to purchase and install a new awning over the bandstand at the Pier for the sum of \$25,175.

Lowenstein said the FinCom is withholding their recommendations until Town Meeting. She said they wanted to know who was installing it, if it was needed at all. Polowczyk wanted to know if the family who donated it wanted to have some say.

Bacon asked Hoort if this could be paid for out of Community Preservation Funds. Hoort said yes, possibly next year. Lowenstein said she thought those funds needed to be used for a permanent structure, not an awning. Audience member, Gary Sorkin, Chair of CPC, was present. He said yes, it must be a capital expenditure. He suggested considering a permanent structure, as opposed to temporary. Reinhart suggested getting more information first.

There was discussion about the circumstances surrounding the acceptance of a gift.

Article 18, Capital Improvement – bandstand awning, will seek no action tonight.

The Board discussed proposed Article 19. Article 19 is a Capital Improvement for the purchase of paying the costs of buildings and grounds improvements to the Town Hall and Library, for the sum of \$50,000.

Wilson asked if the FinCom voted on this. Lowenstein said that the FinCom voted to recommend it. Wilson said she was unhappy that these two properties were being put on the same Article for this amount of money. She said she didn't think that either property was in enough disrepair to spend this amount of money on. Bacon asked if this was a borrowing Article. Hoort said yes.

Reinhart said there is \$30,000 for Town Hall basement floor replacement, \$8,000 for library restrooms, and \$8,000 for the parking lot and sidewalk at the library. Wilson said she understood the \$8,000 for library restrooms but did not have any issues with the current flooring in the Town Hall basement. Polowczyk said he thought the basement had a water issue and this would be preventative maintenance and this money would prevent bigger issues down the line.

Carlson asked for more information as to why it was necessary for the Town Hall basement flooring to be replaced and asked if the Board wanted to take no action. Hoort said he thought the cost was reasonable. He said the maintenance staff is trying to be proactive and maintain the building.

Reinhart said that even though the basement floor seems fine to Wilson, a lot of people meet there and recalled how nice it was when the linoleum on the first floor was replaced. Houk said the parking lot at the library certainly needs to be redone and he supports this Article

Wilson said she would suggest not swallowing this Article whole. Reinhart said the FinCom recommends 8-0. Granlund said the FinCom looked at the cost of not doing this, which could cost more down the line. She said the FinCom considered the cost of \$8,000 and the cost of not spending \$8,000. Lowenstein said sometimes the fiscally responsible thing to do is to spend money.

Amendments in red.

Bacon moved to recommend Article 19, Capital Improvement – buildings and grounds improvements, and insert it in the Warrant.

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

The Board discussed proposed Article 20. Article 20 is a Capital Improvement for the cost of replacing the equipment on the forestry truck for the Fire Department.

Pauley said the original intent was to replace the 2007 forestry truck through the Capital Budget and not need an override. He suggested withdrawing the Article. He said it does need to be replaced but this is a heavy Warrant and he is trying to be respectful of all the expenses.

Reinhart asked if there was money for this purchase. Polowczyk said he had confidence in the Town's ability to raise and appropriate cash. Wilson said that the current equipment is not fully working, she would not pinch pennies on this item, and that it should be kept in the Warrant.

Pauley thanked Wilson for her support, but his main focuses this year are the two additional staff and the ladder truck. He said that the Town could wait a year to get this truck. Bacon said the Cape Cod National Seashore has this truck if the Town were ever in a pinch.

Lowenstein said the FinCom puts a lot of stock in the department head's fiscal responsibility. Reinhart agreed.

Article 20, Capital Improvement – forestry truck, was withdrawn.

The Board discussed proposed Article 21. Article 21 is CIP – Fuel Storage Tank for Marina in the sum of \$250,000.

Reinhart said she would like the tanks underground, for appearances. Wilson said she was not in favor of underground tanks. She asked Flanagan where he would put the tanks above ground. Flanagan said he would place them behind the store at 3 Kendrick Avenue, but since the Town does not own that property, then to place them where the underground tanks are currently and move them if need be. Bacon suggested the aboveground tanks be placed next to the men's bathroom at the pier. Flanagan said that was a possibility.

Lowenstein asked if the amount requested in the Article included the tanks. Flanagan said in total, including equipment and tools, the tanks would cost \$232,100. Reinhart said the amount in the Article needs to be changed, as it originally had the amount of \$250,000.

Reinhart asked if they should postpone this Article. Hoort asked Flanagan if he thought this proposal would change at all. Flanagan said no. Granlund asked if the \$95,000 for 20% contingency would not have to be spent if there was no issue with construction. Lowenstein asked if the work would be done by the DPW or a contractor. Flanagan said a contractor. Lowenstein asked who provided the appraisal, Flanagan said an engineer did.

Wilson asked if it was one or two tanks. Flanagan said it is one tank that has two compartments – for diesel and gas. Wilson said that the insurance company does not usually insure tanks that are over 30 years old. She asked to change it to “tanks”, rather than “tank”.

Amendments in red.

Wilson moved to recommend Article 21, CIP – Fuel Storage Tanks for the Marina for \$608,584 and insert it in the Warrant.

Bacon seconded, and the motion carried 5-0.

The Board discussed proposed Article 22. Article 22 is Other Post-Employment Benefits (OPEB) Appropriation in the sum of \$200,000.

There was no discussion.

Bacon moved to recommend Article 22, Other Post-Employment Benefits (OPEB), and insert it in the Warrant.

Wilson seconded, and the motion carried 5-0.

The Board discussed proposed Article 23. Article 23 is Other Post-Employment Benefits (OPEB) Appropriation – Nauset Regional School District in the sum of \$53,492.

There was no discussion.

Bacon moved to recommend Article 23, OPEB – School, and insert it in the Warrant.

Houk seconded, and the motion carried 5-0.

The Board discussed proposed Article 24. Article 24 is the Marina Enterprise Stabilization Fund.

Reinhart read the Article, that said “to see if the Town will vote to raise and appropriate and/or transfer from the Marina parking fund the sum of \$10,000, for the purpose of contributing to the Marina Enterprise Stabilization Fund.

Bacon clarified that \$10,000 would be taken from the Parking Fund and put it into the Enterprise Stabilization fund and was not going to be borrowed. Hoort confirmed.

Bacon moved to recommend Article 24, Marina Enterprise Stabilization Fund, and insert it in the Warrant.

Reinhart seconded, and the motion carried 5-0.

The Board discussed proposed Article 25. Article 25 is the Transfer to Stabilization Fund in the sum of \$40,000.

There was no discussion.

Carlson moved to recommend Article 25, Transfer to Stabilization Fund, and insert it in the Warrant.

Wilson seconded, and the motion carried 5-0.

Amendments in red.

The Board discussed proposed Article 26. Article 26 is the Transfer to LCCATV Fund in the amount of \$114,000.

Reinhart said the FinCom voted to recommend the Article. There was no further discussion.

Bacon moved to recommend Article 26, Transfer to LCCATV Fund, and insert it in the Warrant.

Wilson seconded, and the motion carried 5-0.

The Board discussed proposed Articles 27 through 32. Articles 27 through 32 are for Community Preservation.

Bacon suggested recommending and inserting Articles 27 through 32 at once, for the sake of time. She noted the Articles are always well vetted and CPC provided a presentation to them already. Lowenstein said the FinCom voted to recommend all Articles.

Bacon moved to recommend Article 27 through 32, Community Preservation, and insert it in the Warrant.

Carlson seconded, and the motion carried 5-0.

The Board discussed proposed Article 33. Article 33 is for Universal Preschool, for the sum of \$100,000.

This Article would provide funding for tuition vouchers for 3-year-old children in the community to attend preschool. Wilson said Suzanne Grout Thomas gave a very good presentation in support of this program at the FinCom meeting she attended. She agreed that the Board should be supportive of families in town. Reinhart agreed.

Lowenstein said the FinCom did not vote yet on this. Polowczyk said they were waiting for additional information. Hoort read an email from Grout Thomas providing that information. The email said the current balance in the fund as of 12/31/2018 was \$41,179.60, and that 19 children were funded last year at a cost of \$5,623 per child.

Bacon agreed with Wilson that supporting this Article is an investment in sustainable community in the future. Houk said he was also in support of the Article. Wilson noted that if this Article was passed, then there would be seamless childcare in Wellfleet, as there are tuition vouchers provided for Sea Babies and 4-year-olds as well.

Bacon moved to recommend Article 33, Universal Preschool, and insert it in the Warrant.

Wilson seconded, and the motion carried 5-0.

The Board discussed proposed Article 34. Article 34 is for the Shellfish Revolving Fund.

Reinhart asked for the FinCom's recommendation. Lowenstein said they recommended it at 5-0, with 1 abstention. Reinhart asked what the Shellfish Advisory Board voted. Civetta said they voted

Amendments in red.

to recommend the Article at their September meeting. Reinhart asked if it was unanimous, Civetta said she thought so but would confirm.

Hoort said the concept is that eventually the Town will take any new receipts, for licenses or fees, that come in and place them in here, and they will be dedicated to propagation. He said it will be a direct way of saying to the shellfish industry that if fees are increased, they are being invested right back. He said once this is accomplished, there will no longer be an item for propagation in the Operating Budget. Lowenstein asked if this was a borrowing Article. Hoort said no.

Reinhart said Civetta was proposing to take 75% of the revenues and dedicate them to be available for other use. Civetta said the Article at Town Meeting will create the actual fund. She said that the Article, as written now, would be an annual vote by the Board. Civetta said the fund should be used for the propagation, cultivation, protection, and study of shellfish. She said the fund could be used to fund salaries for propagation employees, as long as fringe benefits are included, in the future. She said she is aware of 2 other towns that use their funds to pay employees.

Reinhart suggested postponing the Article. Bacon said this concept made sense and was a logical way to fund the department. She asked Hoort who would oversee and maintain the fund. Hoort said it would be maintained by the Town Accountant with oversight from the Shellfish Department and the Town Administrator.

Wilson asked Hoort to explain the difference between a revolving fund and an enterprise fund. Hoort said an enterprise fund is self-supporting and the budget needs to be approved annually at Town Meeting. A revolving fund has limits set by the Selectboard and the appropriations can be spent without further action at Town Meeting.

Civetta said each year there is a cap set for the fund by the Board. She is asking for \$50,000 for this year, but she didn't know that they would collect that much in receipts this year.

Article 34, Shellfish Revolving Fund, will seek no action tonight.

The Board discussed proposed Article 35. Article 35 is for a Water Resources Director in the sum of \$145,000.

Reinhart said that of the \$145,000, \$95,000 is for compensation and \$50,000 for benefits and other funding. Lowenstein said FinCom is withholding recommendation until Town Meeting. They are waiting for more information. She said she would be meeting with the Health Agent to discuss it.

Polowczyk said it would be good to get an estimate of the revenue coming from the new Airbnb tax, as it would be good to use to fund the position. Reinhart asked when the funds would be available from the state. Hoort said the state sends revenue collected quarterly, and it would come again in September. Bacon said she was in support of the Article and it is imperative to get ahead of the curve with the 208-plan. She said the revenue will be there in the future from the tax, but she would like to get it inserted and recommended in this Warrant to begin the hiring process.

Wilson said there is no final 208-plan proposal that is ready for submittal to the DEP yet. She said she was open to this position, last year **but in the end felt it wouldn't accomplish what was needed.** She said that conflating two separate responsibilities into one position is not a good idea. She said the employee will never be a decider but will offer advice and expertise. She also noted that the

Amendments in red.

Personnel Board would need to weigh in on this Article, along with several other boards and committees.

Audience member Alex Hay, Chair of the Comprehensive Wastewater Management Planning Committee, was present. He said that the Committee is looking at the position like an operating position. He also said the Cape Cod Commission said this would be a good position to have in town. He said the goal is to be well-suited moving forward with the 208-plan by having this position.

Carlson said she supports the position and the Water Commission would be happy to get any management support. She said the Wastewater Committee has done extraordinary work in helping the Town avoid needing a sewer system and they should be staffed. Hay said not building a sewer is not guaranteed but having someone knowledgeable to assist the Town would be beneficial.

Reinhart agreed that this is an important position. She said Town Meeting will need full details and that it does not seem like it would be a full-time position at first. She asked Hay to work with the Town Administrator and other staff to further develop the position description.

Wilson said she agreed with Hay that an entity should be included in the 208-plan who could act as the authority. Hay said the question is whether the Town hires an employee or hires a consultant. He said the Committee is recommending a paid position. There was further discussion about the Town's need for a position like this.

Bacon said she hoped Scott Horsely would come back to Town Meeting to provide expertise. Reinhart asked Hoort for his recommendations. Hoort said that this position would not be funded using existing funds, it would be voted on at Town Meeting and at the ballot box. Reinhart asked his thoughts about compensation, he said that sometimes we rely on a Committee too much.

McGee said the challenge in making the decision between hiring an individual or a consultant is knowing whether this position is advisory or managerial. There was discussion about creating a full-time position versus a consultant. Powers noted the Personnel Board is in place and the proposal needs to be evaluated if this were to be a new position. He said the Board would also be able to determine if the position would be better filled by hiring a consultant.

There was discussion about the water system. Carlson said responsibility needs to be taken for the system and the Board. Polowczyk agreed. He said that the Article currently describes two positions, and the secretary for the Water Commissioners should be removed. Hay said he would work with the Committee to reframe the Article and position description. Reinhart suggested beginning with a consultant and then moving into a paid position in the future.

Wilson said she spoke with the Health Agent and that she had agreed that she could provide the oversight needed. Wilson and Hay discussed this possibility. Granlund said it is the FinCom's role to determine the best way to fund the position, but it needs to be presented more clearly.

Houk agreed that there needs to be an updated job description and that it is an important position for the Town to comply with the 208 Plan.

~~Wilson said she would like to meet with Hay~~ Reinhart suggested that Wilson, Hay, and Hilary Lemos-Greenburg, the Health/Conservation Agent, meet to adjust the wording of the Article.

Bacon moved to recommend Article 35, Water Resources Director, and insert it in the Warrant with amended language.

Amendments in red.

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

Wilson moved to reconsider the previous motion.

Reinhart seconded, and the motion failed 2-3, with Houk, Bacon, and Carlson opposed.

The Board discussed proposed Article 36. Article 36 is for Old Shellfish Shack Renovations in the sum of \$42,000.

Hoort said this is the maximum amount that can be done without total overhaul. Lowenstein said the FinCom voted not to recommend this Article 5-0-1. She said they do not see the Shack being used currently. Reinhart said it is used by Shellfish Department. Lowenstein said it is being used as storage. Civetta said everything is currently at the sand pit and a workspace and storage area would be ideal. Polowczyk said the Shack has no historical value and is in a compromised zone.

Wilson said that in the fall, the Board voted to get paperwork from the DPW and Building Inspector that broke down the cost to fix the building. She said that there was nothing being stored in the building and it was not being used during her last visit a few months ago. She asked if any money should be put into anything that is in the floodplain at this point. Civetta said it is used in the summer, closed off in the fall, and that the best use of it will be a workshop area.

Hoort said that DPW and Building Inspector Justin Post gave him the estimate of \$42,000 for supplies and work to be done by DPW. Bacon said the \$42,000 was a small amount to fix the shack. She also hopes guests to Wellfleet can visit the shack and learn about shellfishing.

Bacon moved to recommend Article 36, Old Shellfish Shack Renovations, and insert it in the Warrant.

Houk seconded, and the motion carried 5-0.

The Board discussed proposed Article 37. Article 37 is for the Acquisition of Property at 3 Kendrick Avenue in the sum of \$898,000.

Lowenstein said that the FinCom voted not to recommend the Article.

There was no further discussion.

Article 37, Acquisition of Property at 3 Kendrick Avenue, will seek no action tonight.

The Board discussed proposed Article 38. Article 38 is for Funding for Medic Training Program in the sum of \$10,000.

Lowenstein said that she spoke with Chief Pauley and that he feels that the best use of this money is to use this as a scholarship for an employee to attend Paramedic training as a potential recruitment tool. Lowenstein said the FinCom has not voted on this item.

Amendments in red.

Chief Pauley said that he hopes to use the funds to assist one or two employees in furthering their medical training.

Houk said he brought this Article forward, and he does not like the language. He would like to limit the personnel to be from a town between Provincetown and Eastham. He also suggested the employees work for the town for a certain number of years and they repay the town the funds for the training at some point. Houk asked if it should be for “medic” or “paramedic” training. Chief Pauley said Paramedic. Hoort said all of these would be in the Article once the Warrant is finalized and presented to the Board.

Houk moved to recommend Article 38, Funding for Medic Training Program, and insert it in the Warrant.

Bacon seconded, and the motion carried 5-0.

The Board discussed proposed Article 39. Article 39 is for the Disposition of Town Land to Conservation Commission on Map 46, Parcel 19.

Article 39, Disposition of Town Land to Conservation Commission – Map 46, will seek no action tonight.

The Board discussed proposed Article 40. Article 40 is for the Disposition of Town Land to Conservation Commission at Map 40, Parcels 81, 170, 171, 176, and 184.

Article 40, Disposition of Town Land to Conservation Commission – Map 40, will seek no action tonight.

The Board discussed proposed Article 41. Article 41 is for the Disposition of Town Land to Housing Authority at Map 14, Parcels 112 and 119.

Hoort said he was still awaiting recommendations from the Planning Board. Wilson asked if the Board of Health and Conservation Commission got back to Hoort. Hoort said no.

Bacon moved to insert Article 41, Disposition of Town Land to Housing Authority, in the Warrant and reserve recommendations for Town Meeting.

Wilson seconded, and the motion carried 5-0.

The Board discussed proposed Article 42. Article 42 is the Disposition of Town Owned Property – Long Term Lease.

Amendments in red.

Gary Sorkin, from the Housing **Partnership Authority**, was present. He said Hoort provided a draft Article that showed the Town retaining ownership of the land and 4-6 acres would be reserved for the development of community housing. These 4-6 acres would be leased.

Reinhart asked for clarification of the first paragraph, which said that the Article would “transfer care, custody, and control of land located at 95 Lawrence Road from the Board or official having care”. Hoort said this paragraph gives control to the Board. Hoort noted that the second paragraph gives the Board the power to issue a lease for no less than 4, but no more than 6 acres.

Bacon asked if there would be a sample map at Town Meeting. Sorkin said yes.

Sorkin mentioned that the Wellfleet Forum will host a session on Monday, March 18, at 7pm at the COA to discuss the proposed development at 95 Lawrence Road.

Bacon asked which committees had already sent forward recommendations. Sorkin said the Planning Board voted to recommend and the FinCom deferred. There was discussion about which other committees should give recommendations.

Wilson asked if the lot would have to be subdivided. Sorkin said the lots would not be subdivided.

Powers said the Planning Board would be discussing all four Articles at their next meeting.

Carlson said this would be an inspiring project for Wellfleet. She asked if it were possible to get 40 units, would they try to also get a community center. Sorkin said this was premature but the Authority hope to have a visioning effort with community members to make that decision.

Bacon moved to recommend Article 42, Disposition of Town Owned Property – Long Term Lease, and insert it in the Warrant.

Wilson seconded, and the motion carried 5-0.

The Board discussed proposed Article 43. Hoort withdrew Article 43, as it was an error.

Wilson, as an aside, mentioned that revenue received from the room tax will be placed in Free Cash and the Town can decide how to spend the money. Hoort said it could be designated for different uses, but the Town is at least a year away from this.

The Board discussed proposed Articles 44 through 49. Articles 44 through 49 are Standard Annual Articles.

Bacon moved to recommend Articles 44 through 49, Standard Annual Articles, and insert them in the Warrant.

Wilson seconded, and the motion carried 5-0.

RELEASE OF EXECUTIVE SESSION MINUTES
January 22, 2019, January 29, 2019, and February 1, 2019.

Amendments in red.

Wilson moved to release Executive Session minutes from January 22, 2019, January 29, 2019, and February 1, 2019 as amended.

Reinhart seconded, and the motion carried 5-0.

Houk moved to adjourn.

Wilson seconded, and the motion carried 5-0.

The meeting adjourned at 9:25pm.

Respectfully submitted,

Courtney Butler,
Secretary

Amendments in red.

**Wellfleet Selectboard Meeting
Tuesday, March 12, 2019 at 7pm
Wellfleet Senior Center**

Selectboard Members Present: Chair Janet Reinhart; Kathleen Bacon, Justina Carlson, Jerry Houk, Helen Miranda Wilson

Also Present: Town Administrator Dan Hoort; Assistant Town Administrator/Town Clerk Joseph Powers, Executive Assistant Courtney Butler; Fire Chief Richard Pauley; Police Chief Ronald Fisette; Shellfish Constable Nancy Civetta

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

ANNOUNCEMENTS, OPEN SESSION AND PUBLIC COMMENT

- Reinhart asked for a moment of reflection and silence in memory of the two people who lost their lives in the fire on Lt. Island. Reinhart commended the Fire Department for their efforts and the audience applauded.
- Reinhart thanked the Fire Department and Harbormaster and Assistant Harbor Master for their efforts in assisting a ship that sunk in the harbor earlier this morning. Chief Pauley thanked Reinhart for her words. Pauley tipped his hat to the Assistant Harbor Master for their haste and work ethic in the rescue this morning.
- Bacon reminded viewers of the Elderly Check-in program and encouraged residents to sign up. The Police Department will contact residents to make sure everything is OK.
- Chief Fisette informed viewers that the Citizen's Police Academy was starting on Monday, March 18.
- Fisette also informed the Selectboard that two special officer appointments would be on their March 26 agenda. He may not be able to be present due to a scheduling conflict.
- Audience member Dick Elkin told viewers that the Wellfleet Community Forum would be holding a housing forum on Monday, March 18th at the Senior Center at 7pm. Discussion of 95 Lawrence Road would headline the evening.
- Wilson thanked Charles Thibodeau, Lou Schwartz and Jack Neuwirth **who had submitted their resignations** for their service on the Recycling, Cultural Council and Bike and Walkways Committees respectively.
- Constable Civetta thanked all of those involved in the rescue of the two shellfishermen earlier in the week that brought the two men to safety and back to their families.
- Civetta also announced that both she and Assistant Shellfish Constable John Mankevetch had attended the Constable training for two weeks and that they both passed the exam.

PUBLIC HEARINGS

Request to Close the well from April 22nd to May 5th

The request was withdrawn.

Shellfish Grant Renewal – Bradley Kaplan

Application received January 22, 2019 from Bradley Kaplan to renew shellfish grant licenses #2002-01 and #2002-01 ext. for a ten-year period.

Amendments in red.

Civetta and Kaplan presented Kaplan's application for renewal. Civetta said she met with Kaplan and he has a great plan including the purchase of seed. Bacon asked Kaplan how long he had the grant. Kaplan said since 2002.

Wilson moved to approve the renewal of shellfish grant licenses #2002-01 and #2002-01 extension for a ten-year period.

Bacon seconded, and the motion carried 5-0.

One Day Beer and Wine License

Application received January 22, 2019 from Mass Audubon for a one-day beer and wine license at the Wellfleet Bay Wildlife Sanctuary on July 18, 2019 from 6:00 to 10:00pm.

Sheila Hooegeboom, Mass Audubon, presented the application. She said this is the 10th Anniversary of Wild, Wild, Wellfleet fundraiser. It will celebrate Wellfleet Bay turning 60 years old and proceeds help fund education programs for 2100 students on the Lower and Outer cape.

Reinhart and Wilson reminded Hooegeboom to obtain a tent permit, as recommended by the Building Inspector.

Carlson moved to approve a one-day beer and wine license for Mass Audubon at the Wellfleet Bay Wildlife Sanctuary on July 18, 2019 from 6:00 to 10:00pm.

Bacon seconded, and the motion carried 5-0.

LEGAL DISCUSSION

Opioid Lawsuit

Carolyn Murray from KP Law presented the lawsuit against the opioid industry that many other towns have joined. Murray said KP Law was approached by the conglomerate of firms backing the lawsuit a year and a half ago. The civil suit is against those legally responsible for the wrongful distribution of prescription opiates and damages caused thereby.

Murray said that if the Town joined, a suit would be filed also on behalf of the Town of Wellfleet. She said this would be one of 600 cases nationwide. Murray said the opioid industry has attempted to file a motion to dismiss, which was denied. She mentioned the Attorney General's lawsuit and said that any damages collected go to the State and the funds may or may not go to towns. If Wellfleet filed a lawsuit, any damages would come to the Town.

Murray said there is no cost and it is done on a contingency basis. She said if there is a settlement proposal, the Board would then decide where to go with it. Murray said if the Town were to get involved and there was a settlement, only then would KP Law take a portion of those funds.

Murray said there has been a recent development where manufacturers such as Walgreens and CVS are named directly. She said this comes after evidence has shown that the truth about opioid addiction was covered up and FDA policies were not always adhered to. She also noted there are about 10 other Towns on the Cape, plus Nantucket, that are involved in the lawsuit.

Amendments in red.

Reinhart said she fully supports this and that it sends a good message. Carlson agreed and said that we all understand that the epidemic is serious. Carlson asked Murray if this would affect someone who needed to obtain a prescription for pain that they need. Murray said she didn't know at this point if there would be any impact on prescribing individuals medicine for pain. She said the purpose of the litigation was not to take all prescription pain medicine off the market but to regulate them better.

Wilson said she was grateful for KP Law taking this on. She asked if the Town would be billed if they lost the suit, Murray said no. Wilson read a line from the first paragraph of the contract that states that Town agrees to join the lawsuit "to pursue all civil remedies against those in the chain of distribution of prescription opiates responsible for the opioid epidemic which is plaguing the Town" Wilson said this was true, that the epidemic is plaguing the Town and region, but that was too general a statement.. Wilson asked if the suit was going after distributors, rather than manufactures. Murray said yes. Wilson asked Murray's thoughts on the contract and Murray said she felt it was broad enough to cover the issues the complaints are pointed at and that adding the language about manufacturers could be possible.

Bacon thanked Murray for her direction and said she hoped the Town and the Board would join this lawsuit for the citizens and to stand in solidarity with other Cape towns. Wilson asked if damage would need to be proved through data. Murray said 60-90 days after filing, the Town will receive a Plaintiff's Fact Sheet to input budget, ambulance service, personnel training, and other data.

Murray said because this is a multidistrict litigation, that the vast majority of cases will not go to trial; that probably only 2 cases would. Murray said possible damages that could be received could be monetary or materialistic. She said some Towns have mentioned asking for inpatient facilities or a 20-year supply of Narcan rather than money. She said it was unlikely that Wellfleet would go to trial, but it could.

Bacon moved that the Town of Wellfleet retain the law firm LEVIN, PAPANTONIO, THOMAS, MITCHEL, RAFFERTY & PROCTOR, PA on a contingent fee basis, to pursue all civil remedies against those in the chain of distribution of prescription opiates responsible for the opioid epidemic which is plaguing the Town including, but not limited to, filing a claim for public nuisance to abate, enjoin, recover and prevent the damages caused thereby.

Carlson seconded, and the motion carried 5-0.

APPOINTMENTS/REAPPOINTMENTS

Planning Board, Personnel Board, or Conservation Commission

William Warren presented his reasons for wanting to be on a town committee.

Warren was not present, and the appointment was postponed.

Dredging Task Force

Alfred Pickard was not present, but Reinhart said she would take the motion. **That he was known to all.**

Amendments in red.

Wilson moved to appoint Alfred Pickard to the Dredging Task Force, as a regular member, for a term to expire June 30, 2021.

Houk seconded, and the motion carried 5-0.

Planning Board

Bonnie Shepard presented her reasons for wanting to join the Planning Board.

Wilson asked Shepard if she had familiarized herself with any materials or attended a meeting. Shepard said that she had reviewed past minutes and other materials on the Committee's webpage.

Carlson moved to appoint Bonnie Shepard to the Planning Board for a term to expire June 30, 2022.

Bacon seconded, and the motion carried 5-0.

Energy Committee

John Cumbler presented his reasons for wanting to be on the Energy Committee.

Wilson said this would be an appointment for an alternate member. Cumbler said he understood that he would not be able to vote.

Audience member Dick Elkin said that as the Chair of the Energy Committee he thought Cumbler would be an excellent addition.

Wilson moved to appoint John Cumbler as an alternate member of the Energy Committee for a term to expire June 30, 2022.

Carlson seconded, and the motion carried 5-0.

Cape Cod and Islands Water Protection Fund Board

Reinhart said she would like to nominate Carlson. She read about the Fund, which was signed into law in 2018 and is funded through a percentage of funds from the short-term rental bill.

Wilson thanked Carlson and clarified that she'd be getting funds to bring back to Town. Carlson agreed.

Audience member Jude Ahearn asked what the role of the Water Protection Fund Board is. Reinhart said each Town represented by the Cape Cod Commission will have representation on the Board. It will ensure that money from the Fund is spent only for the purposes defined in the Act. Hoort said the Act was passed through legislation and the Board that Carlson is being nominated for decides how the Fund will allocate that money. He read from the Memo "Chapter 337 which stipulates that the Board's duties include 1) determining the method for subsidy allocation, including but not limited to, an equitable distribution among participating municipalities; and 2) ensuring that money from the Water Protection Fund is spent only for purposes identified in the Act." Hoort said the Board, once formed, will have to decide how to achieve that.

Reinhart said each Town will be represented individually and will each get their own due. Ahearn said they make decisions about spending the rental tax income money as well as grants. Reinhart said no, they just manage the rental tax income. Ahearn asked if we knew how much income that was and

Amendments in red.

noted that Curt Felix said it would be between \$500,000-\$1 million. Reinhart said she heard between \$6 and \$8 million. Ahern said we shouldn't generalize.

There was discussion about the Fund's Board and processes. Audience member Curt Felix said he obtained his estimate that the Airbnb tax would generate \$500,000 to \$1 million for the Town annually was from the Cape Cod Commission.

Wilson ~~noted-asked if~~ this would be 1-town, 1-vote, rather than a weighted vote. Hoort said nothing in the legislation noted a weighted vote system, so yes, this is 1 vote-1 town. Bacon said she did read the information provided and that she believes Carlson will represent the Town well. She also said Carlson will have some administrative duties on the Fund Board. Houk agreed.

There was further discussion about the board.

Bacon moved to appoint Justina Carlson to the Cape Cod and Islands Water Protection Fund Board. Wilson seconded, and the motion carried 4-0-1, with Carlson abstaining.

USE OF TOWN PROPERTY

Uncle Tim's Bridge on April 28, 2019

Sheryl Jaffee from the Wellfleet Historical Society presented the Society's request for use of Uncle Tim's Bridge on April 28, 2019 from 6 to 8pm. Jaffee is the Museum Coordinator for the Society.

The Society will have a participatory event on the 28th, starting at 6pm, to fold paper lanterns and learn about the history of Uncle Tim's Bridge. It will be the 175th anniversary of the bridge. The lanterns will have battery-operated lights in them and they will be carried from the Society to the bridge and line the bridge. Participants will be able to take the lanterns home with them after.

Bacon asked if it could be video recorded. Jaffee said she would look into it. Bacon asked about parking and suggested the lot by the Masonic Lodge. Jaffee said participants could park at Town Hall and walk to the Society and then everyone will walk to the bridge together. Bacon suggested reaching out to the Churches in Town for parking.

Wilson asked about the fee that should be charged by the Town. Hoort noted it is usually \$100. Bacon said she would like to waive the \$100 fee since they already paid \$50 to file their application.

Wilson moved to approve the use of Uncle Tim's Bridge by the Wellfleet Historical Society on April 28, 2019 from 6 to 8 pm subject to the conditions, if any, as listed on the application form. No fee will be charged.

Bacon seconded, and the motion carried 5-0.

BUSINESS

Opening and Closing of Herring River to Shellfishing

Civetta said water quality testing ~~is still needs to be done~~ ~~around-this-time~~ ~~by the Division of Marine Fisheries before the area can be declared open~~. She suggested opening the Herring River next

Amendments in red.

Tuesday, March 19 at sunrise and close it at sunset on August 31, conditional upon an acceptable quality result. She said she and the Board would receive this as soon as it is ready.

Wilson moved to declare the Herring River Area open to the harvest of shellfish by commercial permit holders, as per section 6.4.3 of the Wellfleet Shellfish Regulations, from sunrise on March 19th to sunset on August 31st conditional upon receiving a good water test from the DMF. Bacon seconded, and the motion carried 5-0.

Cape Cod Commission Extension Agreement

Hoort said this is the 4th Extension of the public hearing period, and the Town has done this before. Bacon asked Wilson where the permitting process was. Wilson said she, Reinhart, and Hoort were at the Commission's preliminary scoping process. She said this was essentially a checklist of what the Town needs to do to obtain a permit. She commended Hoort's presentation at this meeting.

Hoort said he would like to take credit, but Friends of Herring River wrote and provided the highlight points. He thanked them. Wilson said there would be a hearing soon.

Bacon moved to approve the 4th Extension Agreement of the DRI Public Hearing Period and authorize the Chair to sign the extension agreement. Carlson seconded, and the motion carried 5-0.

Celebration of May as Herring River Month

David Koonce from Friends of Herring River presented the organization's proposal to celebrate the month of May as "Herring River Month". He said the river is an environmental treasure with great historic importance to the town. As part of their outreach and education mission, and to celebrate the Herring River, they have planned two lectures at the Wellfleet Public Library at 6:30 PM, plus a kayaking trip.

Other events include:

- "From River to Table in the 1800s: Food and Recipes from the Herring River" co-sponsored with the Wellfleet Historical Society on May 8.
- "From the Upper Reaches of Herring Pond to Rt. 6: An armchair video and photographic tour of the Herring River" presented by Dr. Ethan Estey, Wellfleet Herring Warden on May 22.
- "Mouth of the Herring River Kayak Trip" co-sponsored with Audubon's Wellfleet Bay Wildlife Sanctuary. On Saturday, June 1, Kayakers will look at the existing dike from the harbor side, learn about turtle habitat in the dunes there, and venture out toward Egg Island for further discussion of the river's mouth.

Carlson said this sounds wonderful.

Carlson moved to proclaim May as "Celebrate Herring River" month. Bacon seconded, and the motion carried 5-0.

Discussion of Meeting Start Time

Reinhart said some members thought the Board should wait to switch back to starting at 7. She suggested to the Board starting meetings at 6 PM until May 1.

Amendments in red.

Wilson said the public needs to understand and be used to the schedule as well which is why the Board chose to change the meeting time in accordance with Daylight Savings Time (DST). Bacon agreed that the Board decided to follow DST for a reason. Both Bacon and Wilson noted personal reasons for wanting the meeting to start later during DST.

Reinhart noted it might be easier for Town staff and guests to get to the meetings earlier. Bacon disagreed. Houk suggested waiting for the new member to join and see what they would like to do. Carlson noted that meetings can run late as it is, without starting an hour later. She said she could attend either way.

There was discussion of starting at 6pm versus 7pm. Wilson noted the schedule cannot be switched all the time.

Reinhart asked who wanted to keep the meeting at 6, and she and Carlson raised their hands. Bacon and Wilson raised their hands for 7 and Houk didn't respond. Reinhart said the meetings would stay as is.

Carlson moved to start the meetings at 6pm until May 1st.
Houk seconded, and the motion carried 5-0.

2019 April Annual Town Meeting Warrant articles

Hoort said these are the articles not acted upon yet, as well as petitioned articles.

Article 3: FY20 Capital Budget

Hoort said this was inserted into the Warrant but was not recommended. Wilson asked if the Shellfish Revolving Fund came from the Shellfish Department. Hoort said any receipts received by the Department would go into the fund.

Bacon asked why this wasn't recommended at their March 4 meeting. Hoort said he did not have all the information at that time that he wanted the Board to see before making their recommendation.

Wilson asked about the Septic Fund. She said she thought it was to help people with their septic systems. Hoort said **that in the past**, this provided loans and that those loans are currently being repaid **so the fund is being kept open for that**. He said the funds can only be used if appropriated by Town Meeting.

Bacon moved to recommend article 3, FY 20 Capital Budget, as printed in the draft Warrant. Carlson seconded, and the motion carried 5-0.

Current Article 11: Additional Fire Department Staff funded by Ambulance Fund

Reinhart noted that Chief Pauley spoke of this at the March 4th meeting. Hoort said it was originally one article and is now being broken down into two.

Carlson moved to recommend current article 11, Additional Fire Department Staff to be funded through the Ambulance Fund in the amount of \$79,000 and to insert the article into the Warrant. Bacon seconded, and the motion carried 5-0.

Amendments in red.

Current Article 12: Additional Fire Department Staff funded by Proposition 2 ½ Override.

Bacon moved to recommend current article 12, Additional Fire Department Staff to be funded through a Proposition 2 ½ override in the amount of \$79,000 and to insert the article into the Warrant.

Current Article 13: Chapter 90 Funds

Hoort said this is a standard article and now they have the actual amount.

Bacon moved to recommend current article 13, FY 20 Chapter 90 Funds, in the amount of \$243,219, as printed in the draft Warrant.

Wilson seconded, and the motion carried 5-0.

Current Article 19: Bandstand Awning

Hoort said the awning was donated in honor of someone by their family. He said the FinCom asked if the family would mind waiting a year for the installation. He said no motion is necessary and that in the interim, the Town will speak to the family and Community Preservation.

The Recreation Director has determined that this article may be delayed a year. During the course of the upcoming year the Department will attempt to seek alternate funding for the replacement.

No vote is required. The Board has not previously inserted the article into the warrant.

Current Article 26: LCCATV Funds

Lower Cape Community Access Television. Hoort said this was recommended originally with a different amount.

Reinhart moved to reconsider the Selectboard's vote to recommend current article 26 into the Warrant.

Carlson seconded, and the motion carried 5-0.

Bacon moved to recommend the current article 26, the transfer of funds from the Cable Access Receipts Fund, in the amount of \$180,269.

Carlson seconded, and the motion carried 5-0.

Current Article 34

Bacon moved to recommend current article 34, the creation of a Shellfish Revolving Fund, and insert the article into the Warrant.

Carlson seconded, and the motion carried 5-0.

Wilson discussed Article 35, Water Resources Director. She said she was attending a meeting with Alex Hay and Hilary Greenburg-Lemos to draft some amendments to the Article. Carlson asked when the meeting was and if she could attend. Wilson said it would be on Thursday, March 14 and that yes, Carlson could attend.

Bacon asked when the Warrant would be going to print. Hoort said the Warrant will be finalized on March 26 and will go to print on March 27.

Articles 39 and 40

Amendments in red.

Hoort said this was not voted on previously because they were waiting for a Planning Board recommendation.

Bacon moved to recommend articles 39 and 40, the Disposition of Town Owned Land to the Wellfleet Conservation Commission and insert the articles into the Warrant.

Carlson seconded, and the motion carried 5-0.

Current Article 41

Local Housing Authority and Local Housing Partnership have recommended removing Parcel 119 from this Article. Bacon said this came at her suggestion since the Board has not received a recommendation from the Conservation Commission. She said it could be added next year if they receive that recommendation.

Bacon moved to reconsider the Board of Selectmen's vote to insert current article 41 into the Warrant.

Houk seconded, and the motion carried 5-0.

Bacon moved to recommend article 41, the Disposition of Town Owned Land, Map 14, Parcel 112, to the Wellfleet Housing Authority and insert the article into the Warrant.

Wilson seconded, and the motion carried 5-0.

Request from Recycling Committee

Hoort said the Recycling Committee requested this be added to the Warrant. Wilson noted that there was a loophole that allowed balloons on private land and said that it was fixed by the Bylaw Review Committee.

Bacon moved to accept the request of the Recycling Committee and recommend the Wellfleet Balloon Reduction Bylaw, as amended by the Bylaw Committee, and insert the article into the Warrant.

Wilson seconded, and the motion carried 5-0.

Reinhart said that at some point there will need to be a Town-wide discussion about plastic.

Petitioned Article A

No one was present to advocate for the Article.

Petitioned Article A is "To see if the Town will vote to direct the Board of Selectmen to place the following question on the next election ballot: "Shall the Town of Wellfleet, Massachusetts petition the General Court of the Commonwealth of Massachusetts, and the Congress of the United States, for greater local control to mitigate the growing Cape Cod seal overpopulation problem, as well as the expanding and menacing Great White Shark problem?"

Wilson asked about "mitigation". Bacon said it meant to cull. Wilson said this was illegal. Reinhart said yes, and she thought this was to petition Congress to change laws with regard to culling. Powers said this is open for interpretation, but, as **Town Clerk** he cannot interpret it. He said that if the intent was to put a question on a local election ballot, the question would not appear until the Annual Election in 2020 and would be considered a nonbinding advisory question.

Amendments in red.

Bacon asked why it would have to wait until 2020. Powers said that the deadline for questions on this year's ballot has passed. Bacon said that as she understood, from scientists, that if the seal population was culled that another 50,000 seals would travel here from the Sable Islands.

There was discussion about seals and the seal population.

Powers said that because these are petitioned articles, they will be inserted. Hoort said the Board just needs to vote to recommend them or not.

Wilson moved to not recommend the petitioned article A regarding local control of seal and shark populations.

Bacon seconded, and the motion carried 5-0.

Petitioned Article B

Petitioned Article B is "To see if the Town will vote to request that the Board of Selectmen, the Conservation Commission, and the Planning Board consider alternate routes for the Bike Trail Extension and to ask the appropriate agencies of the Commonwealth to halt any planning or construction beyond Old County Road until those deliberations have occurred."

Reinhart said she would move not to recommend. Wilson said the State should be looking at alternate routes **and that was already in the works**. Carlson agreed.

Bacon moved to not recommend the petitioned article B regarding the Bike Trail Extension. Carlson seconded, and the motion carried 5-0.

Reinhart suggested to viewers, who petition articles, to be present at Selectboard meetings to explain and defend their articles.

Petitioned Article C

Petitioned Article C is "To see if the Wellfleet Selectboard will change the name of the Wellfleet Energy Committee to the Wellfleet Energy and Climate Change Committee, increase the committee membership to seven (7) members and two (2) alternates, and modify its charge."

Bacon asked Elkin why the Committee submitted an article, rather than just come to the Selectboard. Elkin said timing was the problem, that the Committee wanted to meet in time to meet the petitioned article deadline.

Bacon said she thought this would tax the residents who attend Town Meeting by having this article. Wilson reminded Elkin that the Selectboard, **not Town Meeting**, is the appointing authority and they are supportive of the change. She noted that the Board had asked him to present a charge and had said they would approve it. Elkin asked to withdraw the article. Powers said it cannot be withdrawn but can be indefinitely postponed.

Bacon moved to recommend the indefinite postponement of article C from the Energy Committee. Wilson seconded, and the motion carried 5-0.

Petitioned Article D

Amendments in red.

Petitioned Article D is “To see if the Town will vote to recommend the adoption of a Municipal Plastic Bottle Ban Policy.”

Bacon said this article is from the Recycling Committee is meant to ban plastic beverage containers. She said it may take time to implement this, but it will be very well supported at Town Meeting.

Carlson asked the Committee if they had talked to the Marketplace and other stores that might be impacted. Audience member Lydia Vivante, a Committee member, said that it is for municipal procurement and not business.

Bacon moved to recommend the petitioned article D regarding a Municipal Plastic Bottle Reduction policy.

Wilson seconded, and the motion carried 5-0.

Powers discussed the Citizens Petition process with the Board. He recommended citizens reach out to the Board or any board to seek support prior to submission. Wilson asked where policies, **that are not Selectboard polices**, go after they are approved, in reference to article D. She said the Selectboard could adopt it as its own policy. Audience member Christine Shreves, Recycling Committee, said they approached Powers about approving this as a Selectboard policy.

Bacon asked if this was binding, should it pass at Town Meeting. Powers said that the process to make this a policy could begin now. Wilson said this is a great suggestion and asked the Committee to come to the Board first. Vivante said they felt support from Town Meeting was going to make a difference. Carlson said it was good for the community to rally and make up their own minds. Wilson said she would like to initiate the first step in the policy process at their next meeting. Bacon said this is a feel-good article and that residents will be thrilled the Selectboard is supporting it.

Order of Articles

Hoort noted that nothing had changed, except for moving Chapter 90 Funds being moved to before the Fire Department articles.

Houk asked that article 37, Paramedic Training, be moved to follow the other Fire Department articles.

Bacon asked about Article 36, 3 Kendrick Avenue. Hoort said that he would hold an Executive Session prior to their next meeting to discuss it. Ahern asked Hoort if they could discuss it tonight. She said she heard at the Shellfish Advisory Board that employees had been directed to pursue the idea. Hoort said that in the past 10 days he met with the owners of the property. Ahern said the public has not heard anything about this. Hoort said he asked employees to come up with ideas for use of the property. Ahern said she didn't understand why time was being wasted. Reinhart said there has been no action so no time has been wasted.

Wilson said she appreciated Ahern's love for transparency and that the Board is diligent about releasing minutes as soon as an issue is resolved. Reinhart said this was on last year's Special Town Meeting Warrant and nothing new has come up since then and there have been no negotiations. Ahern further questioned the Board and the process. Hoort said that this conversation would be appropriate for Town Meeting.

Amendments in red.

Houk moved to insert the Current Article 37, Paramedic Training Program, and to be placed after the CIP-Fire Ladder Truck as the new article 15.

Bacon seconded, and the motion carried 5-0.

Discussion of Disposition of Room Occupancy Tax Receipts

In reference to a letter received from the APCC and some real estate groups, Hoort said it contained recommendations as to how the Town should use the funds from the tax. He said he asked why outside entities would tell the Town how to use the funds, but the Town does not know how to use the funds and the input is valuable. He said he asked why outside entities would tell the Town how to use the funds, but the Town does not know how to use the funds and the input is valuable. He said this money would become Free Cash and, in a year, we will have a better sense of how much money will be received, at which point, the Town will be able to make a better, well-informed decision.

Bacon said the bylaw proposed by the entities was a good bylaw. She noted that Hoort responded that Wellfleet may spend the money differently than other Towns, and she agreed. Hoort noted his and the Board's passion for Housing and said that it and dredging as the Town's two biggest issues.

Wilson discussed wastewater and using funds for that. Hoort noted that the Cape Cod and Islands Water Protection Fund is dedicated to that.

Felix said the money coming from the Airbnb tax is annual, unencumbered revenue for the Town and suggested using this for wastewater. He said the Fund, 2.75% tax revenue, must be applied for as a grant, or can be borrowed, to be used for capital investments and non-operating expenses.

Habitat for Humanity Fee Waiver

There was no discussion.

Wilson moved to waive the fees related to the Health and Fire Departments for Habitat for Humanity on their 2082 State Highway project.

Carlson seconded, and the motion carried 5-0.

TOWN ADMINISTRATOR'S REPORT

This report is for the period February 23, 2019 through March 8, 2019.

1. General
 - Draft ATM warrant has been posted on Town's web site.
2. Fiscal Matters
 - Nauset School Budget will be presented during March 26th meeting
3. Meetings
 - February 26 – Meeting with resident regarding AADU program
 - February 26 – Read at WES program
 - February 26 – Select board meeting
 - February 27 – Meeting in Boston with Outer Cape Town Managers/Administrators and legislative delegation to discuss shark issues.
 - February 28 – Housing Chair Gary Sorkin
 - March 4 – Select board meeting
 - March 6 - Finance Committee meeting

Amendments in red.

- March 7 – Herring River presentation to Cape Cod Commission regarding DRI Scope in Hyannis
- 4. Complaints.
 - none.
- 5. Miscellaneous.
 - none
- 6. Personnel Matters:
 - Open position: DPW Facilities Manager
 - Soon to be open position: Town Accountant

Hoort noted the Nauset Regional School District presentation will be at the March 26th meeting. Hoort also noted the February 27th meeting in Boston of the Outer Cape Town Managers/Administrators with a delegation from the legislature to discuss shark issues. He said everyone was there to hear the issues towns are facing and to provide help. Hoort noted the lack of reliable phone service at the beaches and the possibility of fiber optic. The fiber optic would also help residents in the area. He said the meeting was productive and Lt. Governor Polito said she would like to come out in May to meet again.

Bacon asked if this could be added to the website to inform community members of the Town's efforts on this issue. Hoort said he is compiling all of the efforts to place on the website and as an information flyer. He agreed the word needs to get out to the community. Bacon said fiber optics was mentioned in the Vulnerability Preparedness meeting she attended earlier.

Carlson mentioned the use of social media by the Town as a means of communication.

TOPICS FOR FUTURE CONCERN

- Wilson stated that Wellfleet needs a representative on the Barnstable County H.O.M.E. organization.
- Wilson stated the Town needs to send a letter to Eversource regarding pesticide spraying.
- Houk would like the Board to discuss the need for a Town Planner.
- Reinhart would like the Board to re-visit remote participation.
- Reinhart would like the Board and staff to look into ways to reduce paper use.
- Reinhart requested that the Correspondence Report be included in the Select board's packet.
- Reinhart requested that an ongoing agenda item "Selectboard Reports" be included in all agendas going forward.

MINUTES

February 12, 2019

Wilson moved to approve the minutes of February 12th, 2019 as amended. Reinhart seconded, and the motion carried 4-0. Houk was absent for the vote.

February 26, 2019

Wilson moved to approve the minutes of February 26th, 2019 as amended. Bacon seconded, and the motion carried 4-0. Houk was absent for the vote.

Amendments in red.

ADJOURNMENT

Bacon moved to adjourn.

Wilson seconded, and the meeting adjourned at 10:01 pm

Respectfully submitted,

Courtney Butler,
Secretary

Public Records Material of 3/12/19

1. Shellfish Grant Renewal Application for grants #2002-01 and #2002-01 ext.
2. One Day Beer and Wine License for MA Audubon on July 18, 2019
3. Engagement to Represent – Town of Wellfleet, MA Civil Suit Against Those Legally Responsible for the Wrongful Distribution of Prescription Opiates and Damages Caused Thereby
4. Appointment Papers for William Warren, Bonnie Shepard, Alfred Pickard, and John Cumbler
5. Cape Cod Commission information about the Cape Cod and Islands water Protection Fund Board
6. Use of Town Owned Property Application – Wellfleet Historical Society
7. 2019 Draft Annual Town Meeting Warrant articles as of March 6, 2019
8. Letter from Future Cape Cod Coalition regarding rental tax revenue
9. Town Administrator's Report
10. Correspondence and Vacancy Report