



## Wellfleet Selectboard

**Note: Start Time of 6pm**

The Wellfleet Selectboard will hold a public meeting on **Tuesday, November 12, 2019, at 6:00 p.m. at the Wellfleet Senior Center, 715 Old Kings Highway, Wellfleet, MA 02667.** *It is anticipated that the meeting will be recorded by the Town. Anyone else desiring to record the meeting may do so only after notifying the chair and may not interfere with the conduct of the meeting in doing so.*

- I. Announcements, Open Session and Public Comments**  
**Note:** Public comments must be brief. The Board will not deliberate or vote on any matter raised solely during Announcements & Public Comments.
- II. Community Development Partnership – Strategic Plan Presentation**
- III. Committee Update – Marina Advisory Board**
- IV. 2019 OysterFest Report – Police Chief**
- V. Licenses**
  - A. Liquor License Renewals - Bookstore and Restaurant, The Wagner at Duck Creek, Marconi Beach Restaurant, Seaside Liquors, Wellfleet Marketplace, Wellfleet Spirits Shoppe, The Wicked Oyster, Wellfleet Harbor Actor’s Theater, PB Boulangerie Bistro, Wellfleet Preservation Hall, JB’s Pizza Bar & Grill, Blackfish Variety, C. Shore, Wellfleet Mobil.
- VI. Board/Committee Appointments**
  - A. Request medical leave of absence from the Planning Board and Energy and Climate Action Committee – David Mead-Fox
  - B. Commission on Disabilities – Kate Clemons, 3-year term
  - C. Recycling Committee – Jed Foley to alternate member and Christine Wisniewski to regular member
- VII. Use of Town Property**
  - A. Town Hall Driveway – Friends of the Library on July 5 and August 2, 2020
  - B. White Crest Beach – Kendra Luongo on June 27, 2020
- VIII. Business**
  - A. HDYLTA Trust Purchase Update [TA]
  - B. Approve 2020 Meeting Schedule
  - C. Review of Open Meeting Law Complaint Response [Wilson]
- IX. Selectboard Reports**
- X. Town Administrator’s Report**
- XI. Topics for Future Discussion**
- XII. Correspondence Report**
- XIII. Minutes**
  - A. October 15, 2019 – Work Meeting
  - B. October 22, 2019 – Regular Meeting
- XIV. Adjournment**





BOARD OF SELECTMEN

AGENDA ACTION REQUEST  
Meeting Date: November 12, 2019

II

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**COMMUNITY DEVELOPMENT PARTNERSHIP  
STRATEGIC PLAN PRESENTATION**

<b>REQUESTED BY:</b>	<b>Community Development Partnership</b>
<b>DESIRED ACTION:</b>	<b>Presentation</b>





## community development partnership

*Creating opportunities for people to live, work,  
& thrive on the Lower Cape*

*Jay Coburn, Chief Executive Officer*



## community development partnership

Founded in 1992 as the Lower Cape Cod Community Development Corporation

Mission: The Community Development Partnership (CDP) nurtures a vibrant Lower Cape region by:

- Supporting Strong Local Businesses
- Providing Safe, Stable & Affordable Housing

# Strong Local Businesses



## Small Business Training, Technical Assistance & Loans

- Workshops
  - Financial Record Keeping
  - Marketing
  - Human Resource Management
- One-on-one business consulting at Harwich Cultural Center
- Micro Loans
  - \$3.25 M in loans to over 200 small businesses



# Cape Cod Fisheries Trust

## THE PROGRAM

- Collaboration with CCCFA
- Preserves Cape's small scale fishing industry
- Below market rate leases on fishing quota
- Loans to purchase quota, gear, boat repairs, re-finance debt
- Shellfishing Loan Fund
- Business training & support

## THE IMPACT

- 200K lbs of scallop quota leased in 2019 to 11 fishermen
- 250 hours of training and education provided annually
- \$10M in gross sales generated by local fishermen recirculated into the local economy

## Safe, Stable & Affordable Housing



## Affordable Rental Homes

- 70 Units of rental housing for LMI residents
- 28 Units of Community Housing at Harbor Hill, Provincetown
- Expanding Property Management Department and seeking additional properties to manage.

## Housing Rehabilitation Program

### THE PROGRAM

- Home Repairs and upgrades for low/mod income families
- Outer Cape Regional Grant targeted to Eastham, Harwich, Truro & Provincetown
- Up to \$40,000 per household

### THE IMPACT

- 400 Homes since 1994
- Contracts to Local Builders worth \$10.5M
- Preserves affordable housing stock



# Community Housing Partnership

- Annual Housing Institute – 6-session training held each fall for elected & appointed officials and staff
  - Quarterly Peer Group Meeting
  - Quarterly Advanced Trainings
- Advocates Training
- Housing Consulting Services for Towns
- Public Media Campaign

We can't afford to lose the people who can't afford to live here

We can't afford to lose the people who can't afford to live here.



Justin Kinshaw  
Firefighter Paramedic  
Westport

Justin is a lifelong Cape resident. He dreams of giving his daughter a stable place to call home without having to move frequently. But it's hard because the cost of housing here is often more than even a firefighter can afford.

At the Community Development Partnership, we are advocating for more accessible and affordable housing options. The voice and votes of community residents are the most effective way to influence town housing policies. Use your voice and your vote, because our communities are better and stronger with people like Justin.

community development partnership  
[www.capedp.org](http://www.capedp.org)

Campaign sponsored by  
The Cooperative Bank  
of Cape Cod

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# Community Housing Partnership

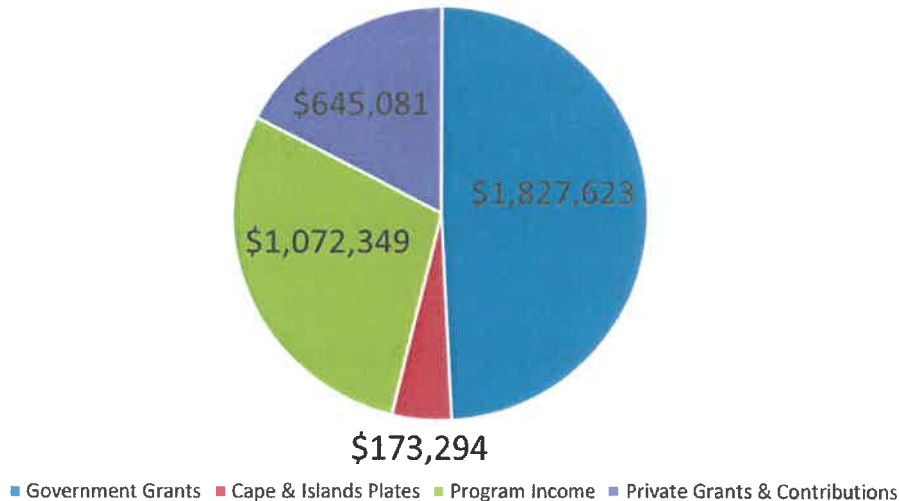
## Results

- \$15M in local funding approved for housing-related initiatives at the 2017 & 2018 Lower Cape Town Meetings
- 43 Housing Related Articles approved at 2018 Lower Cape Town Meetings
  - ADU By-laws
  - Orleans 1% for Housing
  - Establishment of Housing Trusts (Brewster, Chatham, Harwich)
  - Wellfleet & Orleans CPC Funds for a project in Eastham
- All 8 Lower Cape Towns have at least one parcel under development

## Other Housing Programs

- First Time Home Buyer Education provided to 49 participants
- Canal House – 8 bed sober living residence in Orleans

## CDP FY 2019 Revenue \$3,718,347



## 2019-2020 Strategic Plan

- Develop and implement new strategies & infrastructure for creating year-round jobs with a livable wage.
  - Expand Business Development Offices in Provincetown, Harwich & Eastham
  - Sub-regional economic development plan
  - Training & Technical Assistance to Towns to remove regulatory barriers to creating new businesses
  - Develop support programs and incentives for people to move to the Outer & Lower Cape with their jobs
  - Other Ideas?

# 2019-2020 Strategic Plan

- Create organizational capacity for the CDP to develop affordable and community housing independently or in partnership with off-Cape for profit and non-profit developers.
  - Position the CDP to be able to respond to future development RFP's
  - Support homeowners in creating ADUs
  - Expand Property Management
  - Other Ideas?

**Thank You!**

**Jay Coburn**

**Chief Executive Officer**

**E: [jay@capecdp.org](mailto:jay@capecdp.org)**

**P: 508-240-7873 ext. 16**

**[www.capecdp.org](http://www.capecdp.org)**





## BOARD OF SELECTMEN

AGENDA ACTION REQUEST  
Meeting Date: November 12, 2019

III

### COMMITTEE UPDATE – MARINA ADVISORY BOARD

<b>REQUESTED BY:</b>	<b>Chair</b>
<b>DESIRED ACTION:</b>	<b>Committee Update</b>







## BOARD OF SELECTMEN

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Meeting Date: November 12, 2019

IV

### 2019 OYSTERFEST REPORT – POLICE CHIEF

<b>REQUESTED BY:</b>	<b>Town Administrator</b>
<b>DESIRED ACTION:</b>	<b>Report</b>



## Town of Wellfleet Police Department

November 5, 2019

To: Selectboard  
From: Chief Michael Hurley

Subject: Oyster Festival 2019

The following is a brief report on the activity at this year's festival. The police department worked closely with event organizers to make sure we had adequate personnel and services for the festival.

### Saturday October 19, 2019

- The weather was mostly sunny with temps in the 50's throughout the day. Beginning at 9am the crowds began to build at the festival entrances with a steady stream of people all day.
- Partial List of Police Activity
  - 4:10 am, officers responded to a reported disturbance involving family members. The female party involved was transported to Cape Cod Hospital for an evaluation.
  - 12:57 pm, officers respond to a disoriented male party, subject transported to Cape Cod Hospital.
  - 1:30 pm, police and fire department personnel respond to Winslow Tavern for report of overcrowding and alcohol issues. Officers close the entrance for approximately one hour until capacity was reduced inside. In addition, officers moved patrons back onto the restaurant property.
  - 3:58 pm, officers responded to Route Six for a report of an intoxicated male subject walking in traffic. The male subject was taken into Protective Custody.
  - 7:28 pm, officers responded to Gull Pond Road for two male subjects intoxicated yelling at passing vehicles while walking in the road. The officers found a responsible party to take the subjects home.
  - 8:30 pm, officers respond to Pine Needle Road for a reported disturbance of two family members ramming each using vehicles. Officers checked the area and unable to locate individuals involved.

- There were four parking complaints called into the department during the day on various side streets around the festival.
- There were no reported motor vehicle accidents.
- Route Six experienced the expected traffic delays.
- There were two reported noise complaints on Saturday.

**Sunday October 20, 2019**

- The weather was mostly sunny with temps in the low 60's. There was a steady but smaller crowd attending the festival throughout the day.
- Partial List of Police Activity
  - 12:59 am, officers responded to Mayo beach for a report of an intoxicated female reporting her vehicle stolen. Officers found a responsible party to take the female subject home. Vehicle was not stolen but found in different location
  - 10:31 am, officers responded to the pier to removed two male parties causing a disturbance. Upon arrival, officers checked the area and could not locate the individuals involved.
  - 6:17 pm, officers working the festival responded to a report of an intoxicated male party on Main Street. Officers on scene were able to find a responsible family member to take custody.
- There were two reported parking complaints.
- There were no reported motor vehicle accidents.
- Traffic along Route Six was steady throughout the day but no major problems reported.
- There were no reported noise complaints.

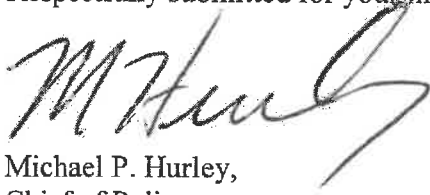
Overall this year's festival had a huge turnout and we continue to work closely with the event organizers to provide a safe environment. We had some challenges over the weekend as the events security company did not show up. This resulted in critical areas (bag checks, alcohol checkpoints, perimeter checkpoints, town hall security) not being staffed, with crowd estimates around 12,000 on Saturday and 8,000 on Sunday. In addition, as the festival continues to grow the public safety needs must be re-examined as we are not properly staffed for the event. The continued amount of alcohol consumed

during the weekend is another concern that we monitor as it results in intoxicated patrons attending the festival.

I will be working closely with the SPAT board this winter to address the Public Safety concerns observed during this past festival. Also, a review of the security plan is needed as the current one is outdated as the festival has grown in success and crowd size.

The cooperation and professionalism between the volunteers, staff organizers, members of the DPW, Health, inspectional agencies and police & fire is greatly appreciated.

Respectfully submitted for your information.

A handwritten signature in black ink, appearing to read "M Hurley", written in a cursive style.

Michael P. Hurley,  
Chief of Police

cc: Dan Hoort, Town Administrator







## BOARD OF SELECTMEN

AGENDA ACTION REQUEST  
Meeting Date: November 12, 2019

V

### LICENSES

<b>REQUESTED BY:</b>	Principal Clerk
<b>DESIRED ACTION:</b>	Renewal of Liquor Licenses
<b>PROPOSED MOTION:</b>	<p>I move to renew the liquor licenses for the following establishments for 1 year, beginning January 1, 2020 and ending December 31, 2020:</p> <p>Bookstore and Restaurant, The Wagner at Duck Creek, Marconi Beach Restaurant, Seaside Liquors, Wellfleet Marketplace, Wellfleet Spirits Shoppe, The Wicked Oyster, Wellfleet Harbor Actor's Theater, PB Boulangerie Bistro, Wellfleet Preservation Hall, JB's Pizza Bar &amp; Grill, Blackfish Variety, C. Shore, Wellfleet Mobil.</p>
<b>ACTION TAKEN:</b>	Moved By: _____ Seconded By: _____ Condition(s):
<b>VOTED:</b>	Yea _____ Nay _____ Abstain _____





## BOARD OF SELECTMEN

AGENDA ACTION REQUEST  
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VI

### BOARD/COMMITTEE APPOINTMENTS AND UPDATES – A

<b>REQUESTED BY:</b>	<b>Planning Board and Energy and Climate Action Committee</b>
<b>DESIRED ACTION:</b>	<b>Approval of medical leave of absence for David Mead Fox</b>
<b>PROPOSED MOTION:</b>	<b>I move to approve the medical leave of absence for David Mead-Fox from the Planning Board and the Energy and Climate Action Committee through December 2019.</b>
<b>ACTION TAKEN:</b>	Moved By: _____ Seconded By: _____ Condition(s):
<b>VOTED:</b>	Yea _____ Nay _____ Abstain _____



## Wellfleet Planning Board

November 7, 2019

Dear Select Board Members,

The Wellfleet Planning Board would like to make you aware our current member David Mead-Fox has missed four consecutive meetings. David has informed the board he will be out due to medical issues until the end of December. He would like to remain on the Planning Board and the Board would like to have him continue as a member. Please consider this and let us know your decision.

Thank you,

Wellfleet Planning Board  
*Gerald Parent, Chair*  
*Andrew Freeman, Vice Chair*  
*Alfred Pickard*  
*Bonnie Shepard*  
*Beth Singer*  
*David Rowell*





## Courtney Butler

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**From:** Dick Elkin <dickelkin@gmail.com>  
**Sent:** Tuesday, October 29, 2019 11:44 AM  
**To:** Board of Selectmen  
**Subject:** Medical Leave for David Mead-Fox

At its October 15 meeting the Energy and Climate Action Committee voted to request that the Selectboard place David Mead-Fox on a medical leave of absence.

Regards,

*Dick Elkin*

100 Catboat Road  
PO Box 225  
S Wellfleet, MA 02663  
(508) 349 2853  
(508) 358 2461 (cell)





# BOARD OF SELECTMEN

AGENDA ACTION REQUEST  
Meeting Date: November 12, 2019

III

## BOARD/COMMITTEE APPOINTMENTS AND UPDATES – B

<b>REQUESTED BY:</b>	<b>Principal Clerk</b>
<b>DESIRED ACTION:</b>	<b>Appointment of Kate Clemons to the Commission on Disabilities</b>
<b>PROPOSED MOTION:</b>	<b>I move to appoint Kate Clemons to the Commission on Disabilities for a term expiring June 30, 2022.</b>
<b>ACTION TAKEN:</b>	Moved By: _____ Seconded By: _____ Condition(s):
<b>VOTED:</b>	Yea _____ Nay _____ Abstain _____





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

Wellfleet depends on its citizens to carry out many of our government's activities. Your community needs your help. *Please volunteer.*

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

Name Kate Clemens Date 10/28/19

Mailing Address PO Box 777  
S. Wellfleet

Phone (Home) N/A (cell) 508-237-5889

E-mail bluehousebees@yahoo.com

Please describe briefly any work experience, including volunteer service, that you feel would be useful to the Town: Career in special education since 1985.

Director Student Services at Cape Cod Tech since 2011.

Extensive experience serving on or chairing both school and community committees and boards.

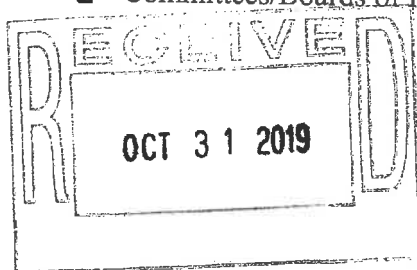
Please add any other information that you think may be useful, including education or other formal training, specialized courses, professional licenses or certifications, etc.:

BS + MS in Special Education, CAGS in Educational Leadership. Professional licenses include: special education, Teacher Administrator Special Education, Assistant Principal/Principal 9-12.

Committees/Boards of Interest: 1) Commission on Disabilities

2) \_\_\_\_\_

3) \_\_\_\_\_









## BOARD OF SELECTMEN

AGENDA ACTION REQUEST  
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# VI

### BOARD/COMMITTEE APPOINTMENTS AND UPDATES – C

<b>REQUESTED BY:</b>	Principal Clerk
<b>DESIRED ACTION:</b>	Approval of change in member status of Jed Foley and Christine Wisniewski on the Recycling Committee
<b>PROPOSED MOTION:</b>	I move to approve the change of Jed Foley to an alternate member, and Christine Wisniewski to a regular member, on the Recycling Committee, effective immediately.
<b>ACTION TAKEN:</b>	Moved By: _____ Seconded By: _____ Condition(s):
<b>VOTED:</b>	Yea _____ Nay _____ Abstain _____





**WELLFLEET RECYCLING COMMITTEE**

November 6, 2019

To the Town of Wellfleet Selectboard

At its November 5<sup>th</sup> meeting, the Wellfleet Recycling Committee approved a change in our membership:

Regular member Jed Foley to *Alternate* member

*Alternate* member Chris Wisniewski to *Regular* member

Thank you,

Christine Shreves  
Lydia Vivante  
co-Chairs

cc: Jed, Chris, Lydia, Christine

RC: Bethia Brehmer, Lonni Briggs, Jed Foley, Jaya Karlson,  
Jane Sharp, Christine Shreves, Lydia Vivante, Chris Wisniewski





## BOARD OF SELECTMEN

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# VII

### USE OF TOWN PROPERTY – A

<b>REQUESTED BY:</b>	Principal Clerk
<b>DESIRED ACTION:</b>	Approval of the use of Town Hall Driveway by the Friends of the Library
<b>PROPOSED MOTION:</b>	<p>I move to approve the use of the Town Hall Driveway on July 5, 2020 and August 2, 2010 from 7AM to 3PM, with rain dates of July 12 and August 9, by the Friends of the Library subject to the conditions, if any, listed on the application form for a fee of \$ ____**.</p> <p>** You may charge a fee for the use of town property according to the policy **</p>
<b>ACTION TAKEN:</b>	Moved By: _____ Seconded By: _____ Condition(s):
<b>VOTED:</b>	Yea ____ Nay ____ Abstain ____



APPLICATION FOR PERMIT TO USE TOWN OWNED PROPERTY

TOWN OF WELLFLEET  
300 MAIN STREET  
WELLFLEET, MA 02667

Applicant Susan Bruce

Affiliation or Group Friends of Library

Telephone Number 508-214-0250

Mailing Address 10 Salt Meadow LN

Email address Susanpbruce@mac.com

Wellfleet 02667

Town Property to be used (include specific area) Town Hall driveway and lawn

Date(s) and hours of use: 7:00 AM to 3:00 PM July 5 (rain date 7/12) August 2(9)

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

Annual booksales to benefit library. 50-75 volunteers.  
Sale runs 9:00 AM to 1:00 PM. Times above include  
set-up and take-down. No fees. Dates are Sundays.

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

None

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

Action by the Board of Selectmen:

\_\_\_\_\_ Approved as submitted

\_\_\_\_\_ Approved with the following condition(s): \_\_\_\_\_

\_\_\_\_\_ Disapproved for following reason(s): \_\_\_\_\_

Date: \_\_\_\_\_

Processing Fee: \$50.00 paid

Fee: \_\_\_\_\_

**APPLICANT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND INSPECTIONS**

<p><b>Police Department:</b> <i>[Signature]</i> 10/9/19</p> <p><b>Comments/Conditions:</b> OK</p>	<p><b>Fire Department:</b> <i>[Signature]</i></p> <p><b>Comments/Conditions:</b> 10/16/19</p>
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<p><b>DPW:</b> <i>[Signature]</i> 10/23/19</p> <p><b>Comments/Conditions:</b> OK</p>	<p><b>Town Administrator:</b> <i>[Signature]</i></p> <p><b>Comments/Conditions:</b></p>
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## BOARD OF SELECTMEN

AGENDA ACTION REQUEST  
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# VII

### USE OF TOWN PROPERTY – B

<b>REQUESTED BY:</b>	Principal Clerk
<b>DESIRED ACTION:</b>	Approval of the use of White Crest Beach by Kendra Luongo
<b>PROPOSED MOTION:</b>	I move to approve the use of the White Crest Beach by Kendra Luongo on June 27, 2020 from 3PM to 7PM, subject to the conditions, if any, listed on the application form, for a fee of \$110.
<b>ACTION TAKEN:</b>	Moved By: _____ Seconded By: _____ Condition(s):
<b>VOTED:</b>	Yea _____ Nay _____ Abstain _____





**APPLICANT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND INSPECTIONS**

<b>Health/Conservation Agent:</b> <i>[Signature]</i> Comments/Conditions: <i>[Signature]</i> Permits/Inspections needed:	<b>Inspector of Buildings:</b> Comments/Conditions: Permits/Inspections needed:
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<b>Police Department:</b> <i>[Signature]</i> Comments/Conditions: <i>OK</i> <i>9/30/19</i>	<b>Fire Department:</b> <i>[Signature]</i> Comments/Conditions: <i>OK</i> <i>10/14/19</i>
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<b>DPW:</b> <i>Jane L. Notts</i> Comments/Conditions <i>Applicant is responsible for trash removal</i> <i>10/23/19</i>	<b>Community Services Director:</b> <i>St Thomas</i> <i>(OK)</i> Comments/Conditions: <i>1 - Bathrooms will be open</i> <i>2 - Parking is as available -</i> <i>charging until 5 \$30/vehicle</i> <i>no reserved spots</i>
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<b>Harbormaster:</b> Comments/Conditions <i>X</i>	<b>Shellfish:</b> Comments/Conditions <i>X</i>
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<b>Recreation:</b> Comments/Conditions <i>X</i>	<b>Town Administrator:</b> <i>Daniel R. Hood</i> Comments/Conditions
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## BOARD OF SELECTMEN

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# VIII

### BUSINESS – A

<b>REQUESTED BY:</b>	<b>Town Administrator</b>
<b>DESIRED ACTION:</b>	<b>HDYLTA Trust Purchase Update</b>
<b>PROPOSED MOTION:</b>	<b>None - update</b>
<b>ACTION TAKEN:</b>	Moved By: _____ Seconded By: _____ Condition(s):
<b>VOTED:</b>	Yea _____ Nay _____ Abstain _____





## BOARD OF SELECTMEN

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# VIII

### BUSINESS – B

<b>REQUESTED BY:</b>	<b>Executive Assistant</b>
<b>DESIRED ACTION:</b>	<b>Approve 2020 Meeting Schedule</b>
<b>PROPOSED MOTION:</b>	<b>I move to approve the 2020 meeting schedule as printed in the packet/as amended.</b>
<b>ACTION TAKEN:</b>	Moved By: _____ Seconded By: _____ Condition(s):
<b>VOTED:</b>	Yea _____ Nay _____ Abstain _____





## 2020 SELECTBOARD MEETING SCHEDULE TOWN OF WELLFLEET

6:00 PM JANUARY 14 – FEBRUARY 25 & NOVEMBER 10 – END OF YEAR

7:00 P.M. MARCH 10 – OCTOBER 27

ON THE SECOND AND FOURTH TUESDAY OF THE MONTH

AT THE COUNCIL ON AGING (715 OLD KING'S HIGHWAY) UNLESS OTHERWISE NOTED.

2020 Board of Selectmen Meeting Dates	Time and Location of Meeting	Filing Deadline for Board Agenda Items
January 14	6pm - COA	January 10
January 28	6pm - COA	January 24
February 11	6pm - COA	February 7
February 25	6pm - COA	February 21
March 10	7pm - COA	March 6
March 24	7pm - COA	March 20
April 14	7pm - COA	April 3
April 28 (ATM)	6pm - School	April 17
May 12	7pm - COA	May 8
May 26	7pm - COA	May 22
June 9	7pm - COA	June 5
June 23	7pm - COA	June 19
July 14	7pm - COA	July 10
July 28	7pm - COA	July 24
August 11	7pm - COA	August 7
August 25	7pm - COA	August 21
September 8	7pm - COA	September 4
September 22	7pm - COA	September 18
October 13	7pm - COA	October 9
October 27	7pm - COA	October 23
November 10	6pm - COA	November 6
November 24	6pm - COA	November 20
December 8	6pm - COA	December 4
December 16 (with FinCom)	6pm - COA	December 14

*ADDITIONAL MEETINGS MAY BE SCHEDULED AS NEEDED.*

### LEGAL HOLIDAYS TOWN HALL WILL BE CLOSED

January 1, 2020 New Year's Day	Jan 20, 2020 Martin Luther King Day	Feb 17, 2020 Presidents' Day
April 20, 2020 Patriots' Day	May 25, 2020 Memorial Day	July 4, 2020 Independence Day
September 7, 2020 Labor Day	October 12, 2020 Columbus Day	November 11, 2020 Veterans Day
Nov 26, 2020 Thanksgiving Day	Nov 27, 2020 Friday after Thanksgiving Day	December 25, 2020 Christmas Day

(APPROVED \_\_\_\_\_)





# BOARD OF SELECTMEN

AGENDA ACTION REQUEST  
Meeting Date: November 12, 2019

# VIII

## BUSINESS – C

<b>REQUESTED BY:</b>	<b>Wilson</b>
<b>DESIRED ACTION:</b>	<b>Review of OML Complaint Response from Town</b>
<b>PROPOSED MOTION:</b>	<b>None – review</b>
<b>ACTION TAKEN:</b>	Moved By: _____ Seconded By: _____ Condition(s):
<b>VOTED:</b>	Yea _____ Nay _____ Abstain _____





# BOARD OF SELECTMEN

AGENDA ACTION REQUEST  
Meeting Date: November 12, 2019

IX

## SELECTBOARD REPORTS

<b>Reported by:</b>	<b>Topic:</b>





## BOARD OF SELECTMEN

AGENDA ACTION REQUEST  
Meeting Date: November 12, 2019

X

### TOWN ADMINISTRATOR'S REPORT

To: Board of Selectmen  
From: Dan Hoort, Town Administrator  
Subject: Town Administrator's Report  
Date: November 8, 2019

This report is for the period October 19, 2019 through November 8, 2019.

1. General

- none

2. Fiscal Matters

- FY 2021 CIP delivered to BOS and FinCom
- FY 2021 Budget in progress

3. Meetings

- October 22 - Selectboard meeting
- October 23 – Meeting at Center for Coastal Studies regarding CZM grant
- October 23 – Finance Committee meeting
- October 24 – WEA union negotiations
- October 24 – Herring River Executive Committee meeting
- October 25 & 28 – Vacation day
- November 2 – Wellfleet Harbor Conference
- November 4 – Staff Department Head meeting
- November 6 – Budget meeting
- November 6 – Budget meeting
- November 7 – Budget meeting

4. Complaints.

- Jude Ahern - multiple

5. Personnel Matters:

- none







## BOARD OF SELECTMEN

AGENDA ACTION REQUEST  
Meeting Date: November 12, 2019

# XII

## CORRESPONDENCE REPORT

*As of Thursday, November 7, 2019*

### Letters (emails):

10/23	John Duane	Amendment 8 comments Wellfleet NRAB
10/24	Dan Hoort	Cape Light Compact Annual Report
10/24	Cape Light Compact	Quarterly Report
10/25	Rebecca Noble	DCR Bike Path and Meeting
10/26	Helen Miranda Wilson/Tim Sayre	Landmark Website Accessibility Case
10/27	Wellfleet Shellfishermen's Association	Legislative Update with Sarah Peake & Julian Cyr on 11/1/19
10/28	Dan Hoort	DCR Public Meeting
10/28	Jude Ahern	Public Records Request: HDYLTA Appraisal (2)
10/29	Richard Elkin	David Mead-Fox Medical Leave
10/29	Beverly Callistini	5G Installation
10/29	Dan Hoort/Ann Teft	Meet Jack McCarthy, MSBA
10/29	Jude Ahern	Gerry Parent dog on beach
10/29	K.C. Meyers	Email from Barbara Jacobs re: Wellfleet Fire Dept.
10/30	Emily Holt	Conservation & Management Permit Amendment – 250 Meadow Ave
10/31	Peter Noble	Bike Path
11/3	Peter Noble	Cyclist Struck and Injured on Route 6 Near Way 112
11/4	Dan Hoort	Subpoena of HCA materials
11/4	Dan Hoort	Gift to the Town – Map 16 Lot 117
11/4	Jude Ahern	Public Records Request – Letters to/from DA
11/4	Jude Ahern	HDYLTA Purchase



## BOARD OF SELECTMEN

AGENDA ACTION REQUEST  
Meeting Date: November 12, 2019

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### Letters(emails) continued:

11/4	Jennifer Congel	Response to Jude Ahern Records Request
11/5	Jude Ahern	Multiple, related to meeting postings, recordings, OML complaints, and public records requests
11/5	Helen Wilson	HRTT not subject to OML
11/6	Helen Wilson	Meet with Rep. Peake on 11/15
11/6	Bike and Walkways Committee	DPW Work
11/6	Jude Ahern	Public Records Request – HDYLTA Work File
11/7	Dr. Ethan Estey	Letter of Support for Herring River Project
11/7	Dan Hoort	Tree Planting update from Tim Callis

### Applications:

10/23	Friends of the Library	Use of Town Property 7/5 & 8/2/2020
10/31	Kate Clemons	Commission on Disabilities

### Notices:

10/17	ZBA	Notice of Hearing: Davis's Corner LLC
10/17	ZBA	Notice of Hearing: 210 Kendrick Ave.

### Legal:

10/25	Jude Ahern	Open Meeting Law Complaint re: 9/24/19 Meeting, Planning Board Letter
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# BOARD OF SELECTMEN

AGENDA ACTION REQUEST  
Meeting Date: November 12, 2019

# XIII

## MINUTES

<b>REQUESTED BY:</b>	<b>Executive Assistant</b>
<b>DESIRED ACTION:</b>	<b>Approval of meeting minutes</b>
<b>PROPOSED MOTION:</b>	<ul style="list-style-type: none"><li>• <b>I move to approve the minutes of the October 15, 2019 work meeting as amended.</b></li><li>• <b>I move to approve the minutes of October 22, 2019 as amended.</b></li></ul>
<b>ACTION TAKEN:</b>	Moved By: _____ Seconded By: _____ Condition(s):
<b>VOTED:</b>	Yea _____ Nay _____ Abstain _____



**DRAFT**

**Wellfleet Selectboard Meeting  
Work Meeting  
Tuesday, October 15, 2019 at 2:00pm  
Town Hall Basement Hearing Room**

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

**Also Present:** Dan Hoort, Town Administrator; Michael Hurley, Police Lieutenant

**Call Meeting to Order**

Chair Reinhart called the meeting to order at 2:05pm

**Announcements, Open Session and Public Comment**

- Wilson announced that, according to Representative Peake and Chris Schillaci of the Department of Marine Fisheries, the Cutler Bill (with regard to aquaculture licenses) is being returned for study and not being acted on on October 29.

**Discussion of Selectboard's Policy on Marijuana Establishments**

Hoort provided an updated draft of the policy to the Board. Bacon said she was fine with the proposed policy, saying that Hoort took the Board's concerns and vetted them with KP Law. She said she was not sure where this left a licensed agent with regard to edible products or a café. Reinhart said this was a matter that the Board could discuss.

Wilson said she would like to have an additional section that says edibles are not permitted. She said she was unsure if that could be in the policy, however, and that it could be limited. Hoort said this policy was just for a Host Community Agreement (HCA), for someone who wants to sell or grow marijuana in Town. He said that if there are restrictions or language the Board would like to add, he would talk to Town Counsel about them.

Carlson said the annotated comments from the lawyers were great. She reviewed their delineation of the plan, which she said was important because 1) the Board has gotten itself into an agreement with people and then those people left the company; and 2) that if the Board was going to deny any agreement they would need to have "objective criteria". Carlson said using the lawyer's checklist of criteria needed in the application would serve the Board well when issuing HCAs. Reinhart asked Carlson to read the list of objective criteria. Carlson read the following:

- Knowledge and understanding of licensing procedures
- Prior cannabis experience or relevant experience of management team.
- Quality of business plan
- Proposed development timeline
- Parking and traffic management
- Financial commitments and other inducements to the Town
- Geographic diversity in proposed locations
- Provides opportunity for women-owned or minority-owned businesses, economic empowerment/social justice applicants.

Reinhart said it was a good idea to have this information included.

## DRAFT

Wilson noted that some of these items are good and some of them are already covered in what is provided, so they should not be repeated. She said some of the items were none of the Board's business, that they are for the Zoning Board of Appeals (ZBA) to use for deciding. The items that Wilson was referring to, that are between the applicant and the ZBA, are:

- Evidence of compliance with local zoning
- Security Plan
- Traffic and parking plan
- Proposed building design and signage
- Plans for external nuisance mitigation (light, noise, emissions, odor, debris, solid waste disposal)

Wilson said that the Security Plan was between the application and the State. She said that the "business summary of proposed business" should include the necessary information, and that the Board can deem if it is sufficient or not. Wilson suggested having just the business summary and the text summarizing the presentation be provided to the Board. She was also unsure if the Board can ask for "Non-monetary inducements, incentives or other benefits to the municipality."

Wilson, in reference to the list Carlson read, was unsure if the Board could require the following:

- Knowledge and understanding of licensing procedures
- Prior cannabis experience or relevant experience of management team.

Reinhart said the Board just wants to know that the applicant has thought about their plan, and it is not a fly-by-night idea. Carlson said the Board did not have to reject the application if the applicant did not meet all of the criteria. She said the business summary of the proposed business is very vague, and the Board should require a more in-depth business plan.

DeVasto agreed with Carlson. He said that, while there are items that are under the ZBA's jurisdiction, the Board could still ask to see them. Reinhart said she would like to know if applicant's have been to other boards such as the ZBA and the Planning Board. She said she liked the criteria being in the policy. DeVasto said he would like to see financial projections also.

DeVasto asked if the Board could require all businesses to be open 10 months of the year, saying he was concerned about having a lot of dispensaries in Town who make all their money within 3 months of the year and then leave. Wilson noted that the draft policy states "The Town will give priority to applicants that commit to be open a minimum of ten months of the year."

Wilson said it is important that the Board understand that this is about giving priority, not a yes or no. She then read the policy's paragraph stating "Further, if the Selectboard determines that an applicant's business plan does not sufficiently meet the priorities...the Board reserves the right to decline to enter into a Host Community Agreement." saying that the Board should be able to look at the big picture of their priorities when deciding on whether or not to issue an HCA.

Reinhart said it is up to the ZBA to look at the site plan and provide approval, prior to an applicant coming to the Selectboard. Bacon agreed with Reinhart about the process. She said the draft policy with Carlson's comments with regard to a business plan takes the ambiguity out of a business summary. Bacon also agreed with DeVasto's comment about seeing the businesses open 10 months of the year.

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Hoort said that, once the policy is approved, he intends to create a checklist for applicants to follow. Carlson said she was in favor of the 10-month requirement, however the Board has already approved 5 and was unsure of where that leaves the Board. Reinhart said Hoort's checklist would be a way for applicants to know the Board's expectations of them as a business in Town.

Wilson said she wanted Counsel to look at the line "The Town will give priority to applicants with connections to the Outer Cape." She was unsure if the Board had that authority. Hoort said he has asked Counsel and was awaiting a response.

DeVasto suggested asking for a written commitment from the applicant to stay open for 10 months. Hoort said the requirement for providing a written commitment could be in the HCA, and therefore if the applicant breaks the written commitment is breaking the HCA.

Reinhart said the State does not have any requirements about being a year-round business, that it is left up to the localities. DeVasto said the use of the word "priority" means nothing to the applicant.

Wilson said the criteria list gives the Board discretion and flexibility. She said the applicant has to be able to be more preferable than another applicant. Reinhart said there was a lot of back and forth happening and that the bottom line was that the Board would prefer the businesses to be open 10 months a year. Hoort said he would find out if the Board could require this or not. Hoort suggested saying that the Town will give "highest priority", rather than just priority. There was further discussion.

Reinhart asked about having a review of HCAs after 1 or 2 years. Bacon agreed that 1 year is ample. Wilson said 2 years because of the State's guidelines. Hoort noted that the HCA is a 5-year agreement, but once an HCA is approved a business has 2 years to get up and running.

Hoort noted that the group for Old Wharf Road has until July 2020. Bacon said she is concerned about the group taking space next to Dunkin' Donuts. Bacon said she heard that the 2 HCAs, one at the Old Bank (on the corner of Main St and Route 6) and the South Wellfleet General Store, have been licensed by the State. Reinhart asked Bacon where she got this information; Bacon did not respond.

Carlson the Board had a responsibility to make sure the applicants were good stewards of the community and she wanted to see a process to act if they are not. Hoort said he would ask Counsel. She noted that people might congregate at the businesses if there are no marijuana retail establishments in their own towns. There was further discussion about what to do in the event there is congregating on the business properties.

Lt. Hurley said that the business owner could call the Police Department and could ask the customer to be removed if they were acting in an inappropriate manner. He also noted that consumption is not allowed on the properties. He noted that "protective custody" is only for someone who is under the influence of alcohol. He said an individual could be sent to the

## **DRAFT**

hospital in protective custody if under the influence of a substance other than alcohol. Hurley said it was up to the State to change that law.

Carlson asked about limiting the number of establishments in Town. Wilson noted it is in the draft policy, stating “Pursuant to Article VII, Section 46 of the Wellfleet General Bylaws, the Selectboard has the discretion to limit the number of adult use Retail Marijuana Establishments in the town already in existence in the town and/or in the surrounding area.”

DeVasto asked if there was language requiring the applicants to go to the ZBA prior to coming to the Board. Bacon said it could be in the check list; Hoort agreed but said that if the Board would like this to be a requirement, it should be in the policy. Reinhart said she did not think this should be a requirement. Hoort reviewed the Board’s changes.

Hoort said he would reach out to all current HCA holders and ask for an update. Carlson asked about public safety issues, regarding if there are nuisance customers or neighbor complaints about an establishment. Hoort said the Town does not have the authority to pull the license, that the State does, and if there was a bad actor in the community, the Town would contact the State. Bacon said it looks as if Provincetown will have the first establishment open, providing an example to follow.

There was further discussion.

Reinhart asked the Board their opinion on cafes. DeVasto said he was in favor of them. Carlson said she was in favor of them but wanted to take things one step at a time.

Reinhart asked their opinion on edibles: Bacon said she wanted edibles if it was only for prescription purposes. Reinhart was not in favor. DeVasto said there are edibles of all different potencies all over currently and the State law would control the amount of CBD or THC in an item and have the items be properly labeled, stating the potency in Colorado is very low. DeVasto said he did not think the Board could tell an establishment to sell edibles or not, but that the State would regulate the products. Wilson agreed with Bacon but said it is very hard to judge how it will affect different people; she said there should be no restriction. Carlson said it is safer for the State to regulate the production, than people making edibles themselves. There was further discussion. Hoort said he would check with KP Law on all of the concerns addressed.

- Carlson moved to approve the draft policy with the recommended amendments.
- Bacon seconded, and the motion carried 5-0.

### **Adjournment**

- Bacon moved to adjourn.
- DeVasto seconded.

Meeting was adjourned at 3:43pm.

Public Records Materials:

1. Draft policy from KP Law



**DRAFT**

**Wellfleet Selectboard Meeting  
Tuesday, October 22, 2019 at 7pm  
Wellfleet Senior Center**

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

**Also Present:** Town Administrator Dan Hoort; Executive Assistant Courtney Butler; Police Chief Fisetite; Town Clerk Jennifer Congel

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

**ANNOUNCEMENTS, OPEN SESSION AND PUBLIC COMMENTS**

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

- Wilson thanked Brita Tate for her service to the Cultural Council.
- Audience member Will Sullivan addressed the issue of the Town purchase of the HDYLTA Trust. Wilson and DeVasto recused themselves and left the room. Sullivan said he was concerned about the lack of public discussion on the matter. He said he learned of a discrepancy in the amount of acreage and felt the matter was being rushed. Sullivan asked the Board to make the appraisal and survey available to the subject, and to hold a new Town vote. Reinhart noted that the Board cannot comment on the matter, because the Town is in ongoing negotiations until October 28; at that time the Town will be informed.
- Audience member Don Themis asked about a public meeting between the Selectboard, the DCR, and the DOT regarding the Bike Trail project. Reinhart said she is in the process of contacting the DCR to hold that meeting. Themis asked if the Board would record the meeting. Reinhart said the public would be aware of the meeting when it is scheduled. Wilson noted that there will be a public hearing in the future with the DOT.
- Audience member Curt Felix said the Wellfleet Community Forum is planning a forum on the Bike Trail project.

**LICENSES**

***Extension of Liquor License – Flying Fish***

Sarah Robin, owner of the Flying Fish, presented the request. She said she is requesting an extension to be open for the Holly Folly Event on December 7, 2019. Bacon asked if she wanted the extension to only go through the 7<sup>th</sup> then? Robin said the 8<sup>th</sup> would be sufficient.

- Bacon moved to approve the extension of the Liquor License for the Flying Fish Café through to December 8, 2019.
- Carlson seconded, and the motion carried 5-0.

**BOARD/COMMITTEE APPOINTMENTS AND UPDATES**

***Council on Aging Advisory Board – Blanca Ferisin***

Ferisin was not present. Wilson said she did not know Ferisin and would like to have Ferisin present to meet the Board. Reinhart said she would also like to see a comment from the Board or Committee in which the applicant is requesting to be appointed to.

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- No action taken.

### ***Planning Board – David Rowell***

Wilson thanked Rowell for applying to join the Board. Bacon asked when the last time the Planning Board met was; Hoort said they met recently. Bacon asked if Rowell would be the 5<sup>th</sup> or 6<sup>th</sup> member; Hoort said the 5<sup>th</sup>.

Wilson said she would like to hear what a Board or Committee thinks in regard to an applicant but would not base her decision to appoint on that Board or Committee's comment.

Carlson asked Rowell if he would show up ready to work; Rowell said yes.

- Wilson moved to appoint David Rowell to the Planning Board for a term to expire on June 30, 2024.
- Bacon seconded, and the motion carried 5-0.

## **BUSINESS**

### ***Approval of Acting Police Chief contract***

Wilson provided Butler with amendments prior to the meeting, which Wilson read aloud. Wilson noted a change from "Board of Selectmen" to "Selectboard". She also suggested a change from the word "preclude" to "avoid" in the 3<sup>rd</sup> paragraph under Section 1.

Wilson said the word "preclude", in the 4<sup>th</sup> paragraph, which means to "prevent from happening, make impossible", should be substituted with "avoid". She also requested that the word "unusual", in the same sentence, be removed. Wilson said "unusual" is very subjective and the Board should just say "best efforts and do what is obvious" during any given circumstance.

DeVasto agreed with Wilson's changes. Bacon and Carlson disagreed, saying the contract was vetted by the lawyers and has been used previously.

DeVasto said that just because it was drafted by a lawyer, does not mean that it is absolute.

- Carlson moved to approve the Acting Police Chief contract and Authorize the Town Administrator and Selectboard to sign it.
- Bacon seconded, and the motion carried 3-2, with Wilson and DeVasto.

### ***Discussion of and vote to change Wellfleet's method of counting votes from wooden box to tabulator***

Congel and Joel Bergeron, co-manager for ALS Associates, presented the request. Bacon asked how much the equipment cost; Bergeron said \$5,200. Bacon asked if there was required service; Bergeron said there is an annual service and a 2-year warrantee.... Bacon asked if the majority of Towns were using this; Bergeron said his company has a little over 250 communities using their equipment. Congel noted that 82% of the Towns in Massachusetts are using some form of electronic tabulator.

Reinhart asked what would happen to the wooden hand-cranked box. Congel said she would like to use it for the children or put it on display, so it is not forgotten.

## DRAFT

Audience member Irene Daitch asked if the Town would lose the use of paper ballots. Congel said no, the ballots would still be paper, and the machine would count the votes rather than having the human volunteers count the votes.

Wilson asked about write-in votes; Bergeron said the machine would detect if there is a write-in bubble filled in and would place those ballots in a separate compartment to be tallied later. Wilson asked about training; Bergeron said there is a 4-hour training included for anyone who would like to take part.

Daitch asked if this was a matter that the Town should vote on. Hoort said it was approved as a Capital Improvement Plan at the 2015 Town Meeting and there is money set aside for the purchased.

DeVasto noted the wooden box, and its nostalgia and that it was not an obsolete machine. He asked if this tabulator would need to be upgraded in future years. Reinhart noted that the crank sometimes does not work. Reinhart also noted that the staff who count the votes were doing so until 3AM for the last presidential election, even though they get paid minimum wage and are provided food. She said there is also probably room for more human error than computer error.

Congel said at the 2016 election, there was 2300 ballots which was a lot to process. She said the machine is nearly 100% accurate, which could not be said for the staff that is there all evening counting votes.

Carlson said she understands nostalgia, but that the Board owes it to the hardworking volunteers and staff to catch up with the times. She also said that the machine would not necessarily have to be replaced every time an upgrade arises.

Daitch said the issue of nostalgia was condescending. She said that people would like to have paper ballots still, she noted the staff who counts the ballots do so with a sense of community and pride. Reinhart explained that the paper ballots would still be in use and this was already voted on in 2015. She also said that nostalgia was a good thing.

Wilson said she completely supports always keeping paper ballots. She asked about Towns that have had 100% accuracy during recount audits. Bergeron said he based the number off of the number of machines he has, which is roughly 4,000 to 5,000. Wilson said she is not nostalgic at all about the equipment that is being used currently. She said she was not sure if the Town wanted to switch yet, or not until the parts for the wooden box cannot be purchased any longer.

Bacon said this issue goes back to the former Town Clerk and asked to retire the issue and give the electronic tabulator a try.

- Bacon moved that the Board votes in favor of purchasing one (1) Dominion ImageCast Precinct Optical Scan Tabulator through LHS Associates, thereafter discontinuing the current voting system of hand crank ballot boxes, beginning in March 2020 and until future notice.
- Carlson seconded, and the motion carried 3-2, with Wilson and DeVasto opposed.

### ***Update on Electric Vehicle Charging Stations***

Hoort said the stations were received as a donation, originally to the Park Service, but the Seashore did not have a good way to track the financial resources. He said the stations are now up and running behind Town Hall in the parking lot. Hoort said it is \$0.25 per 15 minutes, or \$1 per hour of connection.

## DRAFT

Hoort shared an idea to take any extra revenues that may come from the stations and put it into a revolving fund for action against climate change. He said that this could occur, for example, if it only costs \$0.75/hour to pay for the electricity that the Town was charging \$1/hour to use.

Wilson asked to have a list of all the charging stations in Wellfleet posted by the stations. Butler noted that people use their phones or an app to locate charging stations in their area. She also noted that at some point, the Town would continually be updating the sign every time a new station was added.

Bacon asked Hoort...

Carlson asked if a \$1 donation could be added to the tax insert. Hoort said....

Wilson said she would like to have more than a \$1 donation, she would like to see action. Hoort said this was just in the idea stage now and he would bring it back to the Board for further discussion.

### ***Discussion of fee for long-term use of Town-owned property***

Hoort said this discussion arose from a request to have this as a “topic for future discussion”. He said the Board was discussing 2 businesses that currently use Town-owned property but do not pay anything for that use. Hoort said ideally the Town would like to treat everyone equally. He said the conversation could be discussed at a future work meeting and could include discussion of the use of property by nonprofits.

Wilson said the most recent policy on the Use of Town-Owned Property and Fees was good. She said she felt that even if someone is using Town property in an ongoing way, they should be vetted the same as everyone else. Wilson said the current language does not need to change. Reinhart asked Wilson if she had any fees in mind; Wilson said the current ones were enough. Wilson said everything in the policy would be considered and added to an agreement that the Town and the user will sign.

Carlson said there are inconsistencies in the policy and there are grounds for the Board to review the 2 situations Hoort mentioned. She noted that when the Town is charging a small business, such as a yoga instructor, \$100 to \$250 and assesses the conditions of their usage that it does not hold other users to the same conditions.

DeVasto said the current policy allows the Board to charge whatever amount they want, but people are not applying for the long-term use of Town-owned property. He noted that the current policy allows the charging of \$0 to \$1000 per day, per parcel. DeVasto said it was an issue of people applying for that use.

Wilson said there should not be a fixed fee. She said the Board should review the policy

Bacon suggested to table the discussion to a future work meeting. She agreed with DeVasto, saying there are people not coming to the Board for use of Town property.

Audience member Felix asked how many people are currently using Town-owned property on a long-term basis without a contract. Hoort said he only knew of 2.

Carlson said the policy should address OysterFest as well. DeVasto noted that SPAT applies for the Use of Town-owned Property and is charged a fee for that use. He noted that the application arises every year and that is the opportunity for the Board to review the fee being charged.

## **DRAFT**

Reinhart asked Butler to set a work meeting to discuss the matter. DeVasto and Wilson did not see the need for a work meeting. Wilson said she would like to have the discussion recorded and have a contract drafted for the Board to review.

There was further discussion.

Reinhart said she would like to see a contract, an application, and a map depicting the area to be used. Wilson said she felt this matter would be better suited to have a lease, rather than a contract.

Carlson said the policy is not enough. She said that she would be interested to hear OysterFest's thoughts on the matter. Reinhart said she would like to discuss the option for lease or contract for 2 or 5 years; a map, a maintenance plan, an application, and insurance at a work meeting. Wilson asked to include a current copy of the Preservation Hall lease and the current Selectboard Policy on the Use of Town-owned Property in the packet for that work meeting.

DeVasto noted that Preservation Hall is a nonprofit. He said he didn't think that this was a matter to be addressed in the form of a lease for a business.

### **SELECTBOARD REPORTS**

- Wilson reported that she attended the Shark Mitigation Study meeting and the Cape Cod Commission Climate Mitigation meeting.
- Wilson said she attended a Comprehensive Wastewater Planning Committee meeting and it was good. She said they discussed trying to have a meeting on November 14 with the DEP during business hours.
- Bacon reported that the 95 Lawrence Road Task Force is still working on the Request for Proposals (RFP) for developers.
- Reinhart reported that she and Carlson attended the Cape Cod and Islands Selectmen's meeting about transportation.

### **TOWN ADMINISTRATOR'S REPORT**

This report is for the period October 5, 2019 through October 18, 2019.

1. General
  - Bids for the Pavilion at Baker Field received October 16<sup>th</sup>
2. Fiscal Matters
  - FY 2021 CIP delivered to BOS and FinCom
  - FY 2021 Budget in progress
  - FY 2020 tax rate has been set
3. Meetings
  - October 7 – Took Police Chief out to lunch for retirement
  - October 7 – Selectboard meeting
  - October 8 – Meeting between DOT and Rte 6 abutters
  - October 11 – Vacation day
  - October 14 – Holiday
  - October 15 – Selectboard meeting
  - October 16 – Regional meeting with Nauset School Superintendent
  - October 16 – Release of Shark Mitigation study



## **DRAFT**

- October 16 – Press conference regarding Shark Mitigation study
  - October 17 – Public forum on Shark Mitigation study
4. Complaints.
- Jude Ahern - multiple
5. Personnel Matters:
- none

Hoort said the Shark Mitigation Study is released and the information is available to the public. Reinhart asked Hoort if he would be meeting with other stakeholders; Hoort said the 6 town managers and the Seashore meet regularly.

### **TOPICS FOR FUTURE DISCUSSION**

- Bacon asked to get a date with the DCR for a public meeting.
- Bacon requested to invite SPAT to provide a report of OysterFest at the next meeting.
- Bacon asked to have the 95 Lawrence Road Task Force provide an update on their RFP findings.
- Bacon asked to hear updates from all Boards and Committees over the next few months.
- Wilson asked to discuss the marijuana policy.
- Wilson asked to have the Recycling Committee suggest ways to clean up garbage in Town to possibly make a profit.
- Wilson asked to discuss 3 Kendrick Avenue at an Executive Session meeting.
- Reinhart asked to discuss changing Columbus Day to Indigenous People's Day.
- Reinhart asked to discuss the ban of Round-up.
- Reinhart asked to have a climate-mitigation-themed meeting.

### **CORRESPONDENCE REPORT**

No comments.

### **MINUTES**

*October 7, 2019*

Wilson provided amendments to Butler and the Board.

- Wilson moved to approve the minutes of the October 7, 2019 as amended.
- Bacon seconded, and the motion carried 5-0.

### **ADJOURNMENT**

- Bacon moved to adjourn.
- Wilson seconded, and the meeting adjourned at 8:29 pm.

Respectfully submitted,

Courtney Butler,  
Secretary

### **Public Records Material as of 10/18/19**

1. Extension of Liquor License request from the Flying Fish Café

**DRAFT**

2. Appointment papers for Blanca Ferisin and David Rowell
3. Police Chief Contract
4. Agenda placement request from Town Clerk and corresponding memo re: Electronic Vote Tabulator
5. Electronic Tabulator Information provided by LHS Associates
6. Town Administrator's Report
7. Correspondence Report
8. Draft minutes for October 7, 2019







## BOARD OF SELECTMEN

AGENDA ACTION REQUEST  
Meeting Date: November 12, 2019

# XIV

## ADJOURNMENT

<b>REQUESTED BY:</b>	<b>Executive Assistant</b>
<b>DESIRED ACTION:</b>	<b>Adjournment</b>
<b>PROPOSED MOTION:</b>	<b>I move to adjourn.</b>
<b>ACTION TAKEN:</b>	Moved By: _____ Seconded By: _____ Condition(s):
<b>VOTED:</b>	Yea _____ Nay _____ Abstain _____

