



Wellfleet Selectboard

Note: Start Time of 6pm

The Wellfleet Selectboard will hold a public meeting on **Tuesday, March 23, 2021, at 7:00 p.m.** **This meeting will be held via Zoom Video Conference** in accordance with the temporary suspension and enhancement of the Open Meeting Law requirements by Governor Baker. Instructions for a Zoom video conference meeting which also allows phone dial-in are given below:

1. Watch a livestream on Wellfleet's YouTube Channel located at the following link:
www.youtube.com/c/wellfleettownmedia.
2. Join the meeting hosted in Zoom by using the following link:
<https://zoom.us/j/98788085014?pwd=VjN4bGtBaml4YmtGQjNiZEFUVk1QZz09>
3. Audio, video, chat, and screen sharing functions will be disabled during the public session. Request to participate by using the "raise hand" function. **Meeting ID: 987 8808 5014 | Passcode: 063835**
 - a. Raise hand in smartphone app – touch bottom of your screen and select "more" - hit "raise hand" button
 - b. Raise hand on computer – hit "participants" button on bottom of screen – hit "raise hand" button on bottom of participants panel
 - c. Please make sure you properly identify yourself before speaking, rename yourself by selecting the participants button and choosing "more" (or by holding down on your name on a smartphone app) and selecting "rename" - full, legal names only.
 - d. Please join the meeting on time.
4. You may also listen to the meeting by calling in on a phone to +1 929 205 6099 and enter **Meeting ID: 987 8808 5014 | Passcode: 063835** Landline callers can participate by **dialing *9 to raise their hand.**
5. You may submit questions and comments to the Town using the following email:
executive.assistant@wellfleet-ma.gov Comments made during the meeting via e-mail will be sent to Selectboard members AFTER the meeting.
6. Meeting materials are attached to this agenda, available online at Wellfleet-ma.gov. It is recommended that phone participants access materials in advance of the meeting.
7. **Please follow the following general instructions:**
 - a. Keep your phone muted at all times when not talking; no one is allowed to unmute themselves during the meeting.
 - i. Selectboard meetings are NOT interactive. If public comments are allowed that's all, comments only, not questions.
 - ii. If the Chair is allowing comments during the meeting the number of comments will be limited and may be **no longer than one minute.**
 - b. Do not use speakerphone; do not use Bluetooth devices; mute all background noise.
 - c. Please do not speak until the Chair asks for public comments or questions and you have been recognized by the moderator and unmuted.
 - d. After the business section is complete no public comments are permitted. Future agenda items are from the Selectboard, no one else.
8. 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. Covid-19 Updates and Recommendations

A. Wellfleet Health Agent Hillary Greenberg-Lemos to give and update on vaccines.

III. Public Hearings

A. Updated Beach Rules and Regulations – Beach Director Suzanne Grout Thomas

B. Aquaculture License Extension (Indian Neck) – Michael DeVasto

IV. Licenses

A. Seasonal Liquor License Renewals:

Wellfleet Beachcomber

Winslow's Tavern

Bocce Italian Grill

Wellfleet Motel and Lodge

VRs

Maurice's Campground

Wellfleet Marketplace

Chequessett Yacht & Country Club

Flying Fish Café

Wellfleet Flea Market

Macs Shack

Harbor Stage Company

Bob's Sub n Cone

Ceraldi

Chequessett Yacht & Country Club (boathouse)

Liquor n More

Wellfleet Hotel and Lodge

V. Board/Committee Appointments and Updates

A. Appointment to the Barnstable County Home Consortium – Richard Ciotti

B. Reappointment to the Cape Cod Commission – Richard Elkin

C. Appointment to the Natural Resources Advisory Board – James Falcone

D. Appointment to the Natural Resources Advisory Board – Herb Gstalter

VI. Business

A. Block and Tackle to change reopening date to April 1, 2021.

B. Continued outdoor seating approval for:

Mac's Shack

Pearl Restaurant

The Wellfleet Beachcomber

The C Shore

The Wicked Oyster

- All have been approved by Wellfleet Police, Wellfleet Fire, and Wellfleet Health Departments

C. To discuss and vote to not issue Seasonal Recreational Shellfishing Permits for the summer of 2021 – Shellfish Constable Nancy Civetta

D. 370 Coles Neck Road/Dump Road Ameresco Solar Panel Contract – Town Administrator Broadbent

E. 925 Chequessett Neck Road Easement Agreement – Town Administrator Broadbent

F. Discussion and possible vote on Credit Card/Electronic Checks/ACH Fees – Administrator Broadbent & Town Accountant Michaud

G. Town of Wellfleet Master Fee Schedule – Town Accountant Michaud/Administrator Broadbent

H. Discussion and Vote to finalize the dates for Annual Town Meeting to be June 5, 2021 with rain dates included and to vote the change of date for the Annual Town Election to June 14, 2021 in accordance with recent amendments to the election laws.

I. Discussion and possible vote on proclaiming the Month of May as Herring River Month – Friends of Herring River

- J. Discuss and possible vote on designating receipts for short term rental tax for housing purposes – Harry Terkanian.
- K. Send a letter in relation to the proposed fee increase by the Provincetown Public Pier Corporation – Selectboard Member Curley
- L. Discuss and vote to give the Wellfleet Marketplace Employees free beach and transfer station stickers for the 2021 season in appreciation of all their hard work through the pandemic– Susan Spear.
- M. Discussion on Eversource to spray the powerlines – Selectboard Member Wilson

VII. Selectboard Reports

VIII. Town Administrator’s Report

- A. *see packet for full report.

IX. Topics for Future Discussion

X. Correspondence and Vacancy Reports

XI. Minutes

- A. March 9, 2021

XII. Adjournment



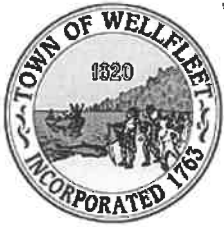
SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: March 23, 2021

II

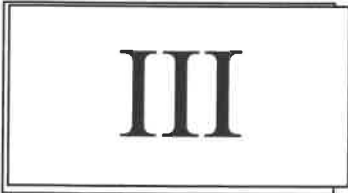
COVID-19 UPDATES AND RECOMMENDATIONS

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



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: March 23, 2021



PUBLIC HEARING - A

REQUESTED BY:	Director of beaches Suzanne Grout Thomas/Selectboard Member Curley
DESIRED ACTION:	To discuss and approve the amendments to the Wellfleet Beach Rules and Regulations
PROPOSED MOTION:	I move to approve and adopt the amendments made to Wellfleet's Beach Rules and Regulations and approved by appropriate department heads dated March 5, 2021.
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____

TOWN OF WELLFLEET
PUBLIC HEARING

The Board of Selectmen will hold a virtual public hearing on Tuesday, March 23, 2021 at 6:00 pm to discuss amendments to the Beach Rules and Regulations. Proposed changes will be available in the Selectmen's 3/23/21 packet. WELLFLEET BOARD OF SELECTMEN

**TOWN OF WELLFLEET
BEACH RULES AND REGULATIONS**

**Amended 12/18/00, 02/24/03, 01/27/04, 05/11/04, 06/13/06, 06/26/07, 03/24/09, 1/26/10, 2/22/11,
8/14/2012, 2/26/2013, 4/22/2014, 5/10/2016, 4/11/2017, 1/23/2018, 6/11/2019, 1/12/2021 __/__/2021**

1. Authority

The Board of Selectmen of the Town of Wellfleet, MA, has adopted the following rules and regulations pertaining to the use of all Town-owned landing places and beaches within the Town of Wellfleet pursuant to the provisions of Mass. General Laws, Chapter 88, Section 19, Chapter 21, subsection (1) and Chapter 90B, Section 15(b) and any amendments thereof.

2. Purpose and Intent

The purpose and intent of these regulations is to establish requirements for the orderly use of the bathing beaches and associated parking areas owned by the Town of Wellfleet to protect the health and safety of the public and to preserve and protect the resource areas covered by these regulations. A list of the applicable bathing beaches within the Town of Wellfleet is attached hereto and incorporated by reference herein.

3. Definition: “Summer season” is the period between the third Saturday in June through Labor Day between the hours of 9:00 am and 5:00 pm. (amended 02/27/07)

4. Parking

Any motor vehicle parked at a Town landing place or beach or on Nauset Road in the marked area during the summer season must clearly display a valid parking permit.

- Newcomb Hollow
- Cahoon Hollow
- White Crest
- Maguire Landing at LeCount Hollow
- Gull Pond
- Great Pond
- Long Pond
- The terminus of Chequessett Neck Road aka The Gut
- Duck Harbor
- Powers Landing
- Mayo Beach (no Beach Sticker required)
- Indian Neck
- Nauset Road (designated area)
- Burton Baker Beach

A The permit must be attached to the upper part of the exterior of the rearmost side window on the driver’s side of the vehicle.

B Any motor vehicle without a rear side window shall clearly display its permit on the upper portion of the driver’s side window.

C. Vehicles that remove soft tops and side doors may put the sticker on the lower corner of the windshield in front of the driver.

D. Parking permits will not be issued to Dealer Plates.

- E. Parking without a valid permit may be authorized only by the Director of Community Services. (amended 02/24/03, 01/27/04, 11/20/09)
- F. All Town landing places and beaches shall be closed to parking between the hours of midnight and one half hour before sunrise each day from June 1 to October 1 except to those persons actively engaged in fishing.
- G. No trailers or overnight campers are allowed to park in beach areas or Town parking areas between midnight and one half hour before sunrise from June 1 to October 1 except for those persons actively engaged in fishing.

5. Prohibitions

- A. Fishing or surf casting, water skiing and use of personal watercraft are prohibited within 500 feet of all Town landing areas during the summer season. Personal watercraft are prohibited in any Town-owned parking lots or on any Town- owned beaches (amended 01/27/04)
- B. Surfing is prohibited during the summer season on the guarded portion of the beaches at Newcomb Hollow, Cahoon Hollow or Maguire Landing at LeCount Hollow when the lifeguards are on duty. Surfing is permitted during the summer season on the guarded portion of the beach at White Crest. (amended 03/24/06)
- C. Hang gliding and para-gliding are prohibited at any Town beach or landing, adjacent dunes and parking lots from April 15th through October 1. (amended 06/26/07)
- D. **Vessels and personal watercraft may not be stored on coastal banks.**
- E. Using, launching, landing or operating an unmanned aircraft from, above or on land, or waters associated with any of the Town of Wellfleet bathing beaches is prohibited at all times by private individuals and entities except as approved in writing by the Town Administrator. The term “unmanned aircraft” means a device that is used or intended to be used for flight in the air without the possibility of direct human intervention from within or on the device and the associated operational elements and components that are required for the pilot or system or system operator in command to operate or control the device (such as cameras, sensors, communication links). This term includes all types of devices that meet this definition (e.g. model airplanes, quadcoptors, drones) that are used for any purpose including recreation or commerce.
- F. Garbage, litter and recycling of all kinds must be deposited in the specified containers or carried from the area with you.
- G. The use of soap, shampoo, detergents or cleaning substances is prohibited in all fresh water ponds.
- H. Nudity is not permitted at any time on Town of Wellfleet beaches and landings. (amended 01/12/2021)
- I. No rafts or other floatation devices may be used at any ocean beach without the permission of the lifeguard(s) on duty during the summer season. (amended 01/27/04)
- J. Climbing on all dunes and coastal banks is prohibited except along designated access routes to the beach.
- K. Alcoholic beverages are prohibited on all Town property. (General By-Laws, Article VII, Section 19)
- L. **No parking at anytime may occur on the Sewell’s Gutter landing or the town owned land adject thereto without the authorization of the Director of Community Services.**

6. Animals

- A. No domesticated animals may be not be left unattended in any parked vehicle in any beach parking lot or in any beach area or on Nauset Road from May 1st to October 1st.
- B. The owner or person in charge of any domesticated animal that defecates on any Town of Wellfleet owned property shall promptly remove the fecal matter and dispose of it in a place where it will not cause pollution either directly or indirectly of any pond, wetland, groundwater or coastal water.
- C. All domesticated animals must be leashed at all times on Town beaches and landings where they are permitted.
- D. Domesticated animals are not allowed on the lifeguarded portions of Newcomb Hollow, Cahoon Hollow, White Crest and Maguire Landing at LeCount Hollow between the hours of 9am and 5pm during the summer season except to walk from the parking lot to a point beyond the end of the guarded beach.
- E. Domesticated animals are never allowed on the following salt water beaches and landings: Burton Baker, Indian Neck and Nauset Road, Mayo Beach and Powers Landing.
- F. Domesticated animals shall be kept away from bathers at all town landings and beaches at all times.
- G. Domesticated animals are not allowed in the following freshwater ponds or on the beaches of these ponds: Gull Pond, Long Pond, Great Pond, Duck Pond, Higgins Pond, the Sluiceway, Spectacle Pond, or Dyer Pond from May 15th through October 15th. (amended 03/24/09)

7. Lessons and Events

A. Permission to Use Town Property must be obtained from the Wellfleet Board of Selectmen to use a Town beach or landing for the purposes of:

- giving lessons of any kind
- conducting canoe, SUP Board or kayak tours or lessons
- holding events
- .conducting a private rental business of canoes, kayaks and SUP boards in which the agent of the business drops off the vessels at Town Landings for use by private individuals for a fee.

Liability insurance naming the Town of Wellfleet as an additional insured in the amount of \$1,000,000 is required. A fee may be required by the Selectboard. All surfing lessons and surfing competitions shall be limited to White Crest Beach and adjacent parking lots. (amended 06/13/06, 03/24/09) B. Activities at Gull Pond are limited to:

- Swimming Lessons conducted by the Recreation Department
- Extended Day Summer Recreation conducted by the Recreation Department
- Supervised canoe and kayak tours by the Cape Cod National Seashore or by the Mass Audubon

8. Enforcement Penalties

A. Whoever violates any provision of these rules and regulations may, in the discretion of officers of Wellfleet Police Department, the Director of Community Services, Harbormaster, Assistant Harbormaster, Shellfish Constable, Deputy Shellfish Constables and Animal Control Officer be penalized by a non-criminal complaint pursuant to the provisions of M.G.L Chapter 40, Section 21D and be subject to a fine according to the schedule listed below. If the payment for such a fine is not received by the Town within three weeks from the date of the violation, the violator shall lose the right to obtain or use a Wellfleet Beach Fire Permit and a Wellfleet Beach Parking Permit until the following calendar year and only upon proof that the required payment has been received by the Town. A violation of each specific rule or regulation shall be deemed a separate offense, and each day on which a violation occurs or continues shall be deemed a separate offense, subject to the penalties stated herein. **Personal Watercraft improperly stored on coastal banks are subject to immediate removal by the Harbormaster, the Director of Community Services or the Conservation Agent, and applicable fines applied. Each vessel shall be counted as a separate offense.** (03/24/09. 1/26/10, 8/14/2012, 6/11, 2019, 1/12/2021 __/__/2021)

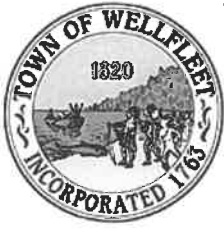
Schedule of Fines

For All Sections with the exception of Section 6 **\$75 per offense**

Section 6 – Schedule of Fines

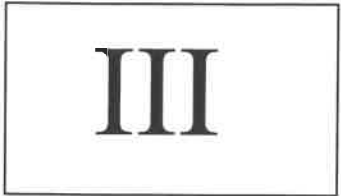
First Offense	\$50
Second Offense	\$100
Third Offense	\$300
Fourth or subsequent offense	\$500

MGL Part 1, Title XX, Chapter 140 Section 173A



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: March 23, 2021



PUBLIC HEARINGS - B

REQUESTED BY:	Michael DeVasto
DESIRED ACTION:	To approve an aquaculture license extension
PROPOSED MOTION:	I move to approve the aquaculture license extension grant 855c (to the south and west of grant 855b) as described on Map 1 in the selectboard packet, to Michael DeVasto in accordance with Massachusetts General Law chapter 130, section 57 and subject to certification by Massachusetts Division of Marine Fisheries and licensing by the Army Core of Engineers
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____

TOWN OF WELLFLEET
PUBLIC HEARING

In accordance with MGL Chapter 130 Sections 52, 57, 58, 60, and 68 and all applicable Town Shellfish Regulations, notice is hereby given that the Wellfleet Board of Selectmen will hold a virtual public hearing on Tuesday, March 23, 2021 at 6:00 p.m. to consider the following:

Application received from Michael DeVasto for an approximate 1.3 acre extension to Grant License # 855.

Recommendation of the Shellfish Constable will be available in the 03/23/21 Selectman packet.

WELLFLEET BOARD OF SELECTMEN

2/7/2021

Dear Wellfleet Selectboard,

I'm formally requesting an aquaculture license extension in accordance with the town of Wellfleet's shellfish regulations sections 7.6, 7.8.1, and 7.12.4 and in accordance with MGL, Chapter 130 section 57.

I am requesting a license extension for use of the area described on Map-1. This area has previously been deemed suitable, feasible and legally permissible for aquaculture use by the shellfish constable.

I currently operate a 2 acre farm that provides 4 year-round incomes, and seasonal employment. The farm has been in my family since 1985, first run by my uncle David Ramsdell then by my uncle Michael Ramsdell. I began working out there in high school around 1997 and took over operating it in 2012. The grant size is below the average size in the town as well as the state and is far below the maximum size of 7 acres.

Under normal circumstances growing on this site is challenging. The sedimentation flow from revetments has filled the inner section of the grant with sand, making it more shallow each year. This has forced us to primarily utilize the outer acre for grow out. The farm is at a high density and as result requires intensive labor and efficiency to maintain a steady volume on a small site. The pandemic has caused a 48% revenue loss due to lower pricing and lack of sales. It has also created an overstock of product that has resulted in lack of functional space for grow-out and room for the incoming seed. Oysters take 2-3 years to reach maturity and require a long outlook and successive planting. This is a balancing act and seed must be planted now to harvest 3 years from now. It's imperative to grow oysters at the proper densities to avoid disease, mortality and unmarketable product. This extension will be utilized efficiently, improve the health of the harbor and contribute to the nitrogen mitigation required by the DPH. We have removed an estimated 630kgs of Nitrogen in the last 5 years.

The requested area would allow the farm to maintain its current operation and facilitate a small amount of growth in the future to ensure that we can retain employees despite falling prices. As we all, know economic opportunity in Wellfleet is difficult and housing costs are extremely high. With this modest extension I believe I can increase local employment, and scratch out a modest living for myself and my family.

I appreciate the opportunity to be successful and raise my family in the town I grew up in. I hope that the board sees fit to approve my application for an extension. Please review the attached documents to see that the site is situated in a suitable area and will have minimal impact on recreation and navigation.

Sincerely,

Michael DeVasto

Aquaculture license extension plan 855-C:

Benthic Conditions:

The proposed area is currently unproductive and has dynamic sedimentation. There is no visible shellfish habitat or vegetation. The shifting sedimentation will not allow the area to be naturally productive. There is a long sandbar that has an elevation above mean low water that runs across the channel creating a natural impediment to navigation. The sandbar is visible on maps 1 and 2 and has an elevation higher than the proposed site. The proposed area 855C area is primarily above the mean low water mark and is not considered navigable channel by the Army Corp of Engineers. The benthic conditions are unable to support natural shellfish habitat.

Proposed species to be grown:

Eastern oyster (*Crassostrea virginica*)- Wellfleet

Proposed Method:

Off bottom production - Rack and bag method.

5 year plan of use:

Since this site is slightly deeper it will be utilized for the final stage of grow out. This will allow the farm to have a dedicated nursery area where seed won't compete with larger oysters. The intensity of use and overall densities will be able to be reduced in order to meet best practices for the overall health and the growth rate of the animals.

The dynamic sedimentation will limit use beyond production of oysters. With climate change and the potential for excess mortality this additional space will allow for irregularities in production as well as moderate growth in production. The site will contribute to the overall health of the harbor, maintain or add year round jobs and contribute to nitrogen reduction. We estimate that we have removed over 600 KGs of nitrogen from the harbor in the last five years. Each year the farm will do its best to adapt to and forecast market conditions to grow sustainably.

Year 1. Final grow-out of slower growing native caught seed at lower density moved from 855. Approximately 250 Racks at 1200 oysters per rack. This will allow us space to grow at a low density and manage the overstock.

Year 2. Primary area for final grow out depending on market conditions. No new racks or gear due to Covid adjustments.

Year 3. 10 -15% increase in production back to pre covid levels. No additional gear purchase.

Year 4. 10-15% increase in gear to accommodate lower densities.

Year 5. Maintain production levels from year 4.

Access to the premises will be across license sites 855 and 855B, which about the extension.

*All planning is subject to change due to market conditions, mortality, natural oyster set, and extenuating circumstances.

Shellfish Regulations

7.6. Process for Approval of Aquaculture Licenses

The Board of Selectmen will accept and process applications for area licenses in accordance with MGL Chapter 130; Section 57, and the application procedure of the Town.

7.8. Issuance of Licenses for Aquaculture

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

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

7.8.5. Limit on Size of Grant

No licensee shall hold a license for, or have use of, more than seven (7) acres in total. Each person named on a license as a licensee shall be charged with the total acreage covered by that license. (See Section 7.3 Annual License Fee.) Individuals holding more than seven (7) acres prior to the adoption of the establishment of this limit will not be required to accept a license for a lesser acreage, but will not be eligible for a license for any additional acreage.

7.12.4. Extension of Licensed Area (Grant): Investment and Production

In the event of an extension being granted to a presently licensed area, the same level of effort per acre for the newly licensed, abutting section is required as described above in Sections 7.12.1 Minimum Levels of Investment and Production and 7.12.2 Failure to Meet Production Levels.

Part I ADMINISTRATION OF THE GOVERNMENT

Title XIX AGRICULTURE AND CONSERVATION

Chapter 130 MARINE FISH AND FISHERIES

Section 57 SHELLFISH AQUACULTURE LICENSES

Section 57. The city council or mayor of any city, or the selectmen of any town, may upon written application, accompanied by plans sufficient to show the intended project and project area to be licensed, and after public notice and hearing pursuant to section sixty, grant to any person a shellfish aquaculture license.

Said license shall authorize said licensee in such city or town at all times of the year, in, upon, or from a specific portion of coastal waters of the commonwealth, of tidal flats or land under coastal waters: (1) to plant and grow shellfish, bottom/off bottom culture; (2) to place shellfish in or under protective devices affixed directly to the tidal flats or land under coastal waters, such as boxes, trays, pens, bags, or nets; (3) to harvest and take legal shellfish; (4) to plant cultch for the purpose of catching shellfish seed; and (5) to grow shellfish by means of racks, rafts or floats.

After receipt of a written application by the city council or selectmen, and after the notice and public hearing requirements of this section are satisfied and the licensing authority approves the application, the director shall, after inspection of the intended project area, certify that issuance of a shellfish aquaculture license and operation thereunder will cause no substantial adverse effect on the shellfish or other natural resources of the city or town. Upon such certification by the director, the city council or selectmen may issue the license, provided, however, that no license shall be issued for any areas then or within two years prior thereto, closed for municipal cultivation under the provisions of section fifty-four. Failure of the director to so certify shall be deemed a denial of the shellfish aquaculture license. The director's certification or refusal to certify shall be reviewable in accordance with section fourteen of chapter thirty A.

Licenses under this section shall be granted or denied in writing within sixty days after receipt of the written application and shall be issued upon forms supplied by such cities and towns and upon such terms and conditions and subject to such terms, conditions or regulations as the city council or selectmen issuing the same shall deem proper, but not so as to impair the private rights of any person or to materially obstruct navigable waters, and

said license shall describe by metes and bounds the waters, flats or creeks covered thereby. Shellfish aquaculture licenses pursuant to this section shall be subject to any rules and regulations promulgated by the director, including those concerning the use and scope of predator controls in the intertidal zone, and said licenses may be further conditioned by the director as he deems necessary and appropriate, including species to be propagated and the source and movement of seed shellfish.

Said license shall be for a period of not more than ten years and may be renewed for similar periods. Said license may be revoked by the city council, selectmen or the director for failure to comply with any terms, conditions or regulations set forth by these entities, or for lack of substantial use of the licensed area. Said licensee shall have the right to the exclusive use of the lands and waters for the purposes of growing shellfish thereon, and the licensee shall plainly mark the boundaries of said area. The selectmen or city council shall permit, as a condition of the license, such public uses of said waters and lands as are compatible with the aquacultural enterprise.

Whoever without the consent of the licensee, unless otherwise permitted by the terms and conditions of said license: (1) takes shellfish from the licensed lands or waters or from said racks, rafts or floats; (2) disturbs the licensed area or the growth of the shellfish thereon in any way; (3) discharges any substance which may directly or indirectly injure the shellfish; (4) willfully injures, defaces, destroys, removes or trespasses upon said racks, rafts, or floats; or (5) willfully injures, defaces, destroys, removes or trespasses upon said protective devices affixed directly to the tidal flats, such as boxes, trays, pens, bags, or nets shall be liable in tort for treble damages and costs to the licensee injured by such act.

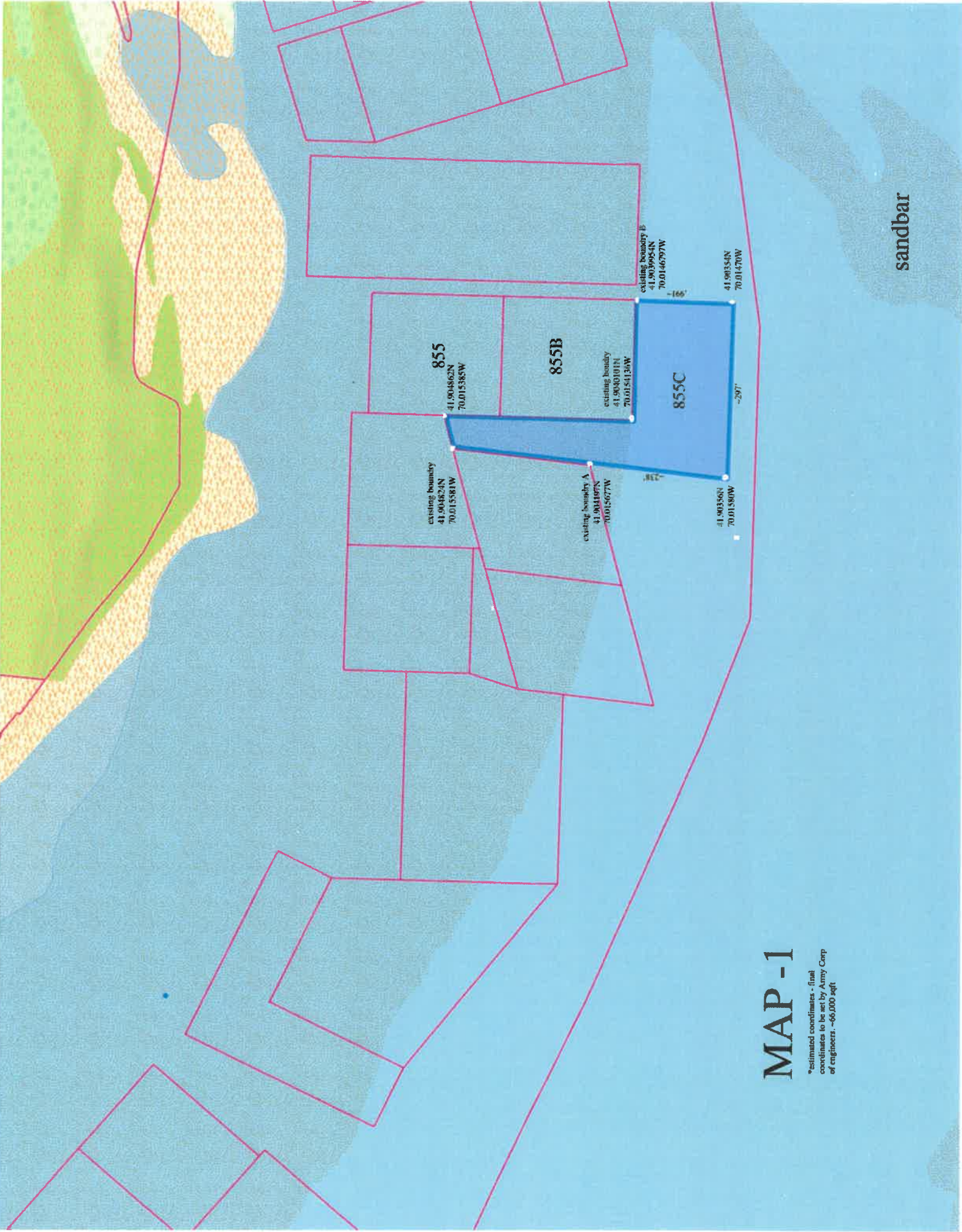
Nothing in this section shall be deemed to affect the validity, conditions, or terms of any license granted under the corresponding provisions of earlier laws and in full force upon the effective date of this section. Nothing in this section shall excuse the licensee from complying with other laws of the commonwealth, including environmental laws and laws concerning interference with navigation.

Said shellfish aquaculture license may be transferred pursuant to section fifty-eight and all rights and privileges enjoyed by the licensee shall be assumed by the transferee.

Any license issued under the provisions of this section shall, upon the death of the licensee, continue in full force and effect, subject to the same terms, conditions, and regulations imposed upon the original license, for the balance of the unexpired term, or one year whichever is longer, for the use of the

members of the immediate family of the deceased licensee. For the purposes of this section, immediate family shall mean the spouse, son, daughter, mother, father, brother and sister of said deceased licensee.

Nothing in this section shall be deemed to affect the validity, conditions, or term of any license granted under corresponding provisions of earlier laws and in full force upon the effective date of this section.



MAP -1

*estimated coordinates - final coordinates to be set by Army Corp of engineers. -90,000 sqft

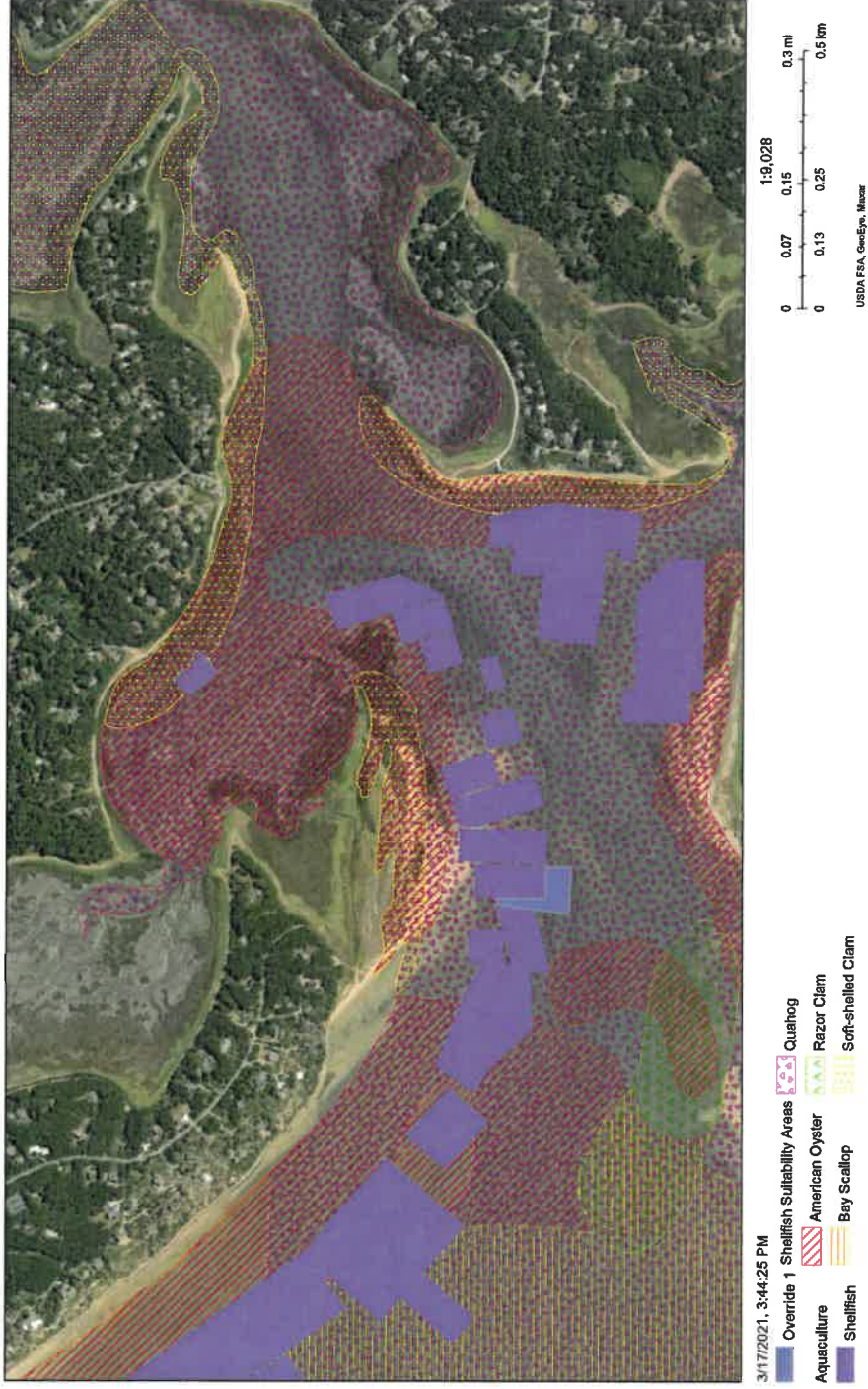
sandbar

INDIAN NECK



MAP #2

Permit Application Map-3



USDA FSA, GeoEye, Maxar | NOAA Office of Coast Survey | Connecticut Department of Agriculture Bureau of Aquaculture (CT DAQA), Connecticut Department of Environmental Protection (CT DEP), Massachusetts Division of Marine Fisheries (MA DMF), Massachusetts Office of Geographic Information

Michael DeVito

HIGHEST AND BEST USE

Highest and Best Use, according to The Dictionary of Real Estate Appraisal (Appraisal Institute), is defined as:

The reasonably probable use of property that results in the highest value. The four criteria that the highest and best use must meet are legal permissibility, physical possibility, financial feasibility, and maximum productivity.⁸

Tests of Highest and Best Use Tests. There are four tests of highest and best use as summarized below.

Legally Permissible. Highest and best use is affected by legal constraints. This analysis includes consideration of uses permitted - and not permitted - by applicable zoning and land use regulations and the effect of any known special covenants, restrictions, moratoriums, etc.

Physically Possible. This analysis includes examination of which uses are possible and physically appropriate in light of property and site characteristics, including but not limited to topography, ingress/egress, availability of utilities, etc.

Financially Feasible. Uses, both physically possible and legally permitted, are evaluated to ascertain which will produce the greatest economic return in light of market conditions as of the effective date.

Maximally Profitable. Among financially feasible uses, this opinion reflects the most profitable utilization of the property and results in the highest property value. This use - which could include more than one - represents the highest and best use.

Among all reasonable, alternative uses, the use that yields the highest present land value, after payments are made for labor capital, and coordination represents the highest and best of the property as if vacant. The use of a property based on the assumption that the parcel of land is vacant or can be made vacant by demolishing any improvements.⁹

Highest and Best Use as Vacant. The current use represents the highest and best use. This is due to the physical character of the property, which limits improved development, and regulations that govern the use of the property.

Land Yield. The following shows land yield summaries and the sources. These areas are utilized in the following valuation.

Effective (Net) Areas	
Acres	Land Type
3.44	Beach Lots (per assessor parcels)
56.06	Shell Fish Grants (Coastal)
4	Grant expansion area (Shellfish Constable)
47.8	Beach/Marsh (Coastal)
31.45	Salt Marsh (Coastal)
142.75	Effective Land Area for Valuation purposes

⁸ Appraisal Institute, *The Dictionary of Real Estate Appraisal*, 6th Edition (Chicago: Appraisal Institute, 2010)

⁹ *Ibid*

Notes.

- The additional grant area acreage represents an adjustment to the area calculated by Coastal Engineering. The adjustment was based on discussion with Nancy Civetta, the Town's Shellfish Constable, who is intimately familiar with the property and potential grant expansion.

The detail from the plan follows.



- The beach lot areas are based on assessing records.
- Beach/Salt Marsh areas are based on Coastal Engineering's input.

Highest and Best Use as Improved

N/A. The subject contains no significant structures.

Highest and Best Use - Conclusion. The current uses represent the highest and best use of the property. No other uses meet the criteria of highest and best use. The property has no significant improvements; thus, the highest and best as improved is not relevant in a traditional sense.

This conclusion is utilized as the premise for analysis of comparable data in the valuation section of this report.

A typical buyer would be a land holding entity..



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: March 23, 2021

IV

LICENSES

REQUESTED BY:	Principal Clerk
DESIRED ACTION:	To approve the renewal of seasonal liquor license
PROPOSED MOTION:	I move to approve the seasonal liquor licenses for the: Wellfleet Beachcomber VR's Winslow's Tavern Maurice's Campground Bocce Italian Grill Wellfleet Marketplace Wellfleet Motel and Lodge Macs Shack Harbor Stage Company Bob's Sub n Cone Ceraldi Liquor n More Chequessett Yacht & Country Club (boathouse) Wellfleet Hotel and Lodge
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____

Seasonal Renewals:

Wellfleet Beachcomber

Winslow's Tavern

Bocce Italian Grill

Wellfleet Motel and Lodge

VRs

Maurice's Campground

Wellfleet Marketplace

Chequessett Yacht & Country Club

Flying Fish Café

Wellfleet Flea Market

Macs Shack

Harbor Stage Company

Bob's Sub n Cone

Ceraldi

Chequessett Yacht & Country Club (boathouse)

Liquor n More

Wellfleet Hotel and Lodge

Appointment/Reappointment

Richard Ciotti	Barnstable County Home Consortium	Appointment	3 years
Richard Elkin	Cape Cod Commission	Reappointment	3 years
James Falcone	NRAB	Appointment	complete term

Business

Block and Tackle Change reopening date to April 1

Continue outdoor seating approval for Mac's Shack, Pearl Restaurant, The Wellfleet Beachcomber, The C Shore and The Wicked Oyster. All have approval from Police, Fire, Building and Health Departments.



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: March 23, 2021

V

BOARD/COMMITTEE APPOINTMENTS & UPDATES

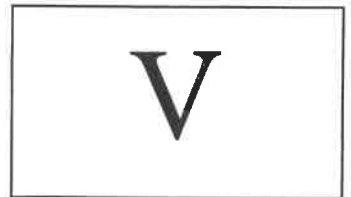
A

REQUESTED BY:	Principal Clerk
DESIRED ACTION:	To appoint Richard Ciotti to the Barnstable County Home Consortium
PROPOSED MOTION:	I move to approve Richard Ciotti to the Barnstable County Home Consortium for the term of 3 years.
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: March 23, 2021



BOARD/COMMITTEE APPOINTMENTS & UPDATES

B

REQUESTED BY:	Principal Clerk
DESIRED ACTION:	To approve the reappointment of Richard Elkin to the Cape Cod Commission
PROPOSED MOTION:	I move to approve the reappointment of Richard Elkin to the Cape Cod Commission for another 3 year term.
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____

3225 MAIN STREET • P.O. BOX 226
BARNSTABLE, MASSACHUSETTS 02630



CAPE COD
COMMISSION

(508) 362-3828 • Fax (508) 362-3136 • www.capecodcommission.org

March 2, 2021

Michael DeVasto
Chair, Board of Selectmen
Town of Wellfleet/Town Hall
300 Main Street
Wellfleet, MA 02667

RE: Wellfleet Representative to the Cape Cod Commission

Dear Selectmen:

As you know, towns are requested to appoint a representative to the Cape Cod Commission for a term of three years. After reviewing our records, we noted that your town's appointment, Richard Elkin is due to expire on April 24, 2021.

At this time, I would ask your Board to either reappoint Richard Elkin or make a new appointment for the **three-year term effective April 25, 2021 through April 24, 2024**. According to legislation, all appointments are for three years and all members must be residents and registered voters in Barnstable County.

As you consider your appointment for this position, please know that I am available at your convenience to discuss this with you. Enclosed for your review are the *"Roles and Responsibilities of Cape Cod Commission Members."*

Please forward all appointment letters to Lisa Dillon at the Cape Cod Commission office at the address above.

Thank you for your prompt attention to this matter.

Sincerely,

A handwritten signature in black ink that reads "Harold W. Mitchell". The signature is written in a cursive, slightly slanted style.

Harold W. Mitchell, Chairman

Enclosure

cc: Richard Elkin, Wellfleet Representative



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: March 23, 2021



BOARDS/COMMITTEE APPOINTMENTS & UPDATES

C

REQUESTED BY:	Principal Clerk
DESIRED ACTION:	To Approve the appointment of James Falcone To the Natural Resources Advisory Board
PROPOSED MOTION:	I move to approve the appointment of James Falcone to the Natural Resources Advisory Board for a complete term of 3 years
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____



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

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

FILL OUT THE FORM BELOW and mail it to:

Wellfleet Selectmen's Office, Town Hall, 300 Main Street, Wellfleet, MA 02667

Name Jim Falcone Date 3/16/2021

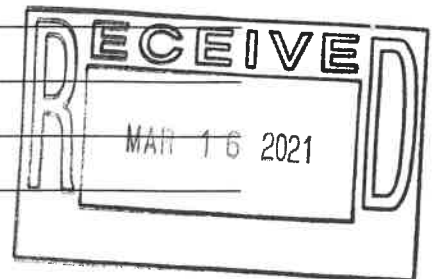
Mailing Address 76 Sea Pine RD

Phone (Home) _____ (cell) 774-722-1446

E-mail clamalot@aol.com

Please describe briefly any work experience, including volunteer service, that you feel would be useful to the Town: _____

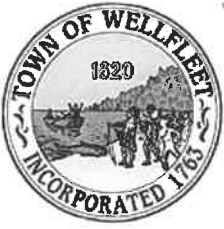
Please add any other information that you think may be useful, including education or other formal training, specialized courses, professional licenses or certifications, etc.:



Committees/Boards of Interest: 1) NRAB

2) _____

3) _____



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: March 23, 2021

V

BOARDS/COMMITTEE APPOINTMENTS & UPDATES

D

REQUESTED BY:	Principal Clerk
DESIRED ACTION:	To Approve the appointment of Herb Gstalder to the Natural Resources Advisory Board
PROPOSED MOTION:	I move to approve the appointment on Herb Gstalder to the Natural Resources Advisory Board for a term of three years.
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____



TOWN OF WELLFLEET
APPLICATION FOR TOWN BOARDS & COMMITTEES MEMBERSHIP

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

FILL OUT THE FORM BELOW and mail it to:

Wellfleet Selectmen's Office, Town Hall, 300 Main Street, Wellfleet, MA 02667

Name HERBERT GSTALDER Date 3/2/21

Mailing Address P.O. Box 1000

SOUTH WELLFLEET MA 02663

Phone (Home) 508 344 3472 (cell) 917 273 1672

E-mail HERB@GSTALDER.COM

Please describe briefly any work experience, including volunteer service, that you feel would be useful to the Town:

PRESIDENT GULL POND AREA CONSERVATION ASSOCIATION (GUPACA)

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

WORKING WITH GUPACA I HAVE MONITORED AND WORKED ON ISSUES OF THE GULL POND CHAIN OF PONDS SINCE 1983.

Committees/Boards of Interest: 1) NATURAL RESOURCES ADVISORY COM.

2) _____

3) _____



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: March 23, 2021

VI

Business - A

REQUESTED BY:	Principal Clerk
DESIRED ACTION:	To approve the change of opening date for Block and Tackle
PROPOSED MOTION:	I move to approve the change of opening date for the restaurant Block and Tackle from March 1, 2021 to April 1, 2021
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: March 23, 2021

VI

Business - B

REQUESTED BY:	Principal Clerk
DESIRED ACTION:	To approve the restaurants listed below to continue outdoor dining for the 2021 season
PROPOSED MOTION:	I move to approve Macs Shack, Pearl Restaurant, The Wellfleet Beachcomber, The C Shore, and The Wicked Oyster to continue their outdoor seating for the summer of 2021. All Restaurants have been approved by Wellfleet Police, Fire and Health Departments
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: March 23, 2021

VI

Business - C

REQUESTED BY:	Shellfish Constable Nancy Civetta
DESIRED ACTION:	To vote to Not sell seasonal recreational shellfishing permits for the 2021 summer season
PROPOSED MOTION:	I move to Not sell recreational shellfishing permits for the 2021 summer season
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____



Wellfleet Shellfish Department



300 Main Street, Wellfleet, Massachusetts 02667

MEMORANDUM

Date: March 15, 2021
To: Town of Wellfleet Selectboard
From: Nancy Civetta, Shellfish Constable
RE: 2021 Seasonal Recreational Shellfishing Permits

Dear Selectboard members:

Given our productive discussion about our proposal for a recreational shellfishing tax insert (and to not do it this year), the reality of the continuing COVID-19 pandemic and our careful review of our 2020 shellfishing numbers, the Wellfleet Shellfish Department is recommending that the town not sell seasonal recreational shellfishing permits in 2021.

We do not expect many changes in COVID circumstances this summer as opposed to last. If anything, reports are talking about an increase in visitors from the summer of 2020. Last year, we sold 100 less recreational permits overall, made \$500 more in revenue and saw an increase in usage on the flats of 36%. That resulted in an 11% increase of recreational oyster harvest and an 85% increase in recreational quahog harvest from 2019 numbers. This increase in activity stretched the department's resources, both in trying to make sure ample shellfish was available for harvest and staffing to conduct propagation and enforcement due to this growing usage.

We are proposing that you vote that the Town does not sell seasonal recreational shellfishing permits in 2021. Annual permits are still available for all to purchase.

Thank you for your consideration.

A handwritten signature in cursive script, appearing to read "Nancy Civetta".

Shellfish Constable

wellfleet-ma.gov/shellfish-department

Phone (508) 349-0325



Fax (508) 349-0305



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: March 23, 2021

VI

Business - D

REQUESTED BY:	Administrator Broadbent
DESIRED ACTION:	To discuss and vote to sign the Easement for 370 Coles Neck Road Wellfleet (Panels)
PROPOSED MOTION:	I move to approve and have the selectboard sign the easement for the solar panels located at 370 Coles Neck Road Wellfleet MA
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea ____ Nay ____ Abstain ____



TOWN OF WELFLEET

300 MAIN STREET WELFLEET, MASSACHUSETTS 02667

Office of the Town Clerk

Townclerk@wellfleet-ma.gov

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

Wellfleet-ma.gov

ARTICLE 1: Lease of Landfill for Solar Photovoltaic Facility

Ms. Reinhart moved and it was seconded that the Town transfer the care, custody, and control of the parcel of land known as the Wellfleet landfill and located at 370 Cole's Neck Road, Wellfleet, MA, as shown on Assessor's Map 7 as Parcel 28, from the board or official having care, custody and control jointly to such board or official for the purposes for which such parcel is currently held, and to the Select Board for the purpose of leasing and granting easements on, over or under such parcel for the installation of a solar photovoltaic facility on such parcel; and to authorize the Select Board to lease, through a written lease agreement, all or a portion of such parcel of land for the installation of a solar photovoltaic facility for a period of up to 20 years and to grant such easements on, over or under such parcel of land as necessary or convenient to serve the facility; and take any actions and execute any other documents or ancillary agreements necessary, convenient, or appropriate to accomplish the foregoing and to implement and administer the lease agreement and easements, all of which agreements, easements and documents shall be on such terms and conditions and for such consideration as the Select Board deems in the best interests of the Town.

The Select Board voted 5-0, the Finance Committee voted 8-0 and the Energy Committee voted 5-0 to recommend adoption of the main motion.

A two-thirds majority is required for adoption. The Moderator declared the motion carried on a two-thirds voice vote.

I hereby certify that the above article was presented to the voters at the 2018 Special Town meeting held on Monday September 24, and that the Moderator declared the motion carried on a on a two-thirds voice vote.

Attest:

Jennifer M. Congel
Town Clerk
March 02, 2021

EASEMENT
WO#2281067 – P#272/4, 272/5, & 272/4PB
370 Coles Neck Road/Dump Road - Wellfleet

KNOW ALL MEN BY THESE PRESENTS, that:

TOWN OF WELLFLEET, a municipal corporation duly established under the laws of the Commonwealth of Massachusetts, whose address is 300 Main Street, Wellfleet, Massachusetts 02667,

hereinafter referred to as the Grantor, for the nominal consideration of One Dollar (\$1.00), grants to

AMERESCO, a solar development company, with a principal address of 111 Speen Street, Suite 410, Framingham Massachusetts 01701, Tenant, under a Lease Agreement with the Town of Wellfleet dated November 27, 2018 (the “Lease Agreement”) and **NSTAR ELECTRIC COMPANY**, d/b/a Eversource Energy, a Massachusetts corporation, having its principal place of business at 800 Boylston Street, Boston, Massachusetts 02199, its successors, assigns and licensees, hereinafter together referred to as the Grantees,

with quitclaim covenants, the right and easements (as more particularly described below) for overhead lines for distribution of electricity, and lines for control, relay and communication purposes over, across, upon and under a certain parcel of land owned by Grantor (the “Premises”) located at **370 Coles Neck Road/Dump Road, in Wellfleet, Massachusetts.**

For title reference by virtue of documents known as “Order of Taken by the Selectmen of Wellfleet” recorded in Certificate #67583, dated May 28, 1987, and recorded with the Barnstable County Registry of Deeds.

The premises are shown as Lot 3, on Land Court Plan #29786-B, dated October 15, 1975, prepared by Nickerson & Berger, Inc., Surveyor and recorded in Barnstable County Registry of Deeds Land Court.

The easement rights granted herein are more particularly described as the right, from time to time, (i) to install, construct, reconstruct, alter, extend, operate, inspect, maintain, repair, replace and remove, within the Premises, (a) utility poles and associated overhead wires, cables, insulators, fittings and fixtures, and all necessary cross-arms, guys, braces, foundations, anchors, and other supporting appurtenances deemed necessary by Grantees for the purposes specified above; (b) pedestals, concrete pads, transformers, switchgear and apparatus cabinets with the necessary wires, cables, terminals, fixtures and appurtenances deemed necessary by Grantees for the purposes specified above (hereinafter (a) and (b) are collectively referred to as “Equipment”),

and (ii) to enter upon the Premises, including vehicular access for construction and maintenance purposes, as may be necessary from time to time for all of the foregoing purposes, utilizing existing paved ways and parking areas on the Premises to the extent practicable.

All Equipment shall be installed in conformance with NSTAR Electric Company's "Information & Requirements for Electric Service," as issued by NSTAR Electric Company from time to time. Any Equipment installed by Ameresco shall be maintained by Ameresco, and if Ameresco fails to repair or maintain such Equipment, NSTAR Electric Company reserves the right to do so at Ameresco's sole cost and expense.

All Equipment shall be installed in locations mutually agreed upon by Grantor and Grantees. To the extent that no location is determined in advance, the location of the easement shall be fixed by the actual installation of the Equipment, and, unless specified otherwise, shall be 15 feet in width, centered on the Equipment as installed.

Grantor may at any time, at its sole cost and expense, prepare and submit to Grantees for review and approval an "as built" plan of the Equipment in recordable form. Upon approval of such plan, and concurrently with the recording of such plan, the parties shall execute and record an amendment to this instrument, fixing the location of the easements granted hereunder to the locations and dimensions shown on such plan; provided, that the Grantees shall have the right of access over the remainder of the Premises for all purposes contemplated by this agreement.

Grantor will not erect or permit any structures or obstructions which in the reasonable judgment of the Grantees might interfere with the safe operation and maintenance of the Equipment. Grantees shall have the right to cut down and keep trimmed all trees, bushes, underbrush and growth as the Grantees may from time to time deem reasonably necessary for the safe operation and maintenance of the Equipment.

All work by the Grantees under this Easement shall be done in a good and workmanlike manner by competent personnel or contractors, in conformity with all applicable permits, licenses, ordinances, laws and regulations, and free from any liens for labor or materials. The party performing the work shall be responsible for obtaining all applicable permits.

Except in the event of emergency, prior to commencing any work at the Premises, the Grantees shall endeavor to provide Grantor with such notice as may be practicable under the circumstances, which may consist of telephone or other verbal notification.

The Grantees shall restore the surface of the Premises (by grading, paving or reseeding) wherever damaged by the Grantees by reason of its work as closely as reasonably practicable to the condition of such surface before such work.

In the conduct of all work, neither party shall unreasonably interfere with the business, operations or access of the other party, its employees, invitees or contractors, or any other person having an interest in the Premises.

The Grantees shall indemnify, defend and hold harmless the Grantor, its successors and assigns, from and against any claim, cost, loss or liability incurred by Grantor for physical damage or

injury resulting from the negligence or willful misconduct of the Grantees, its employees, agents and contractors in the conduct of the work at the Premises pursuant to this Easement. Nothing herein shall be construed to impose on the Grantees any liability for indirect, consequential, punitive or other special damages.

Grantor or Ameresco may request that NSTAR Electric Company relocate any of the Equipment installed by NSTAR Electric Company to another location on the Premises acceptable to NSTAR Electric Company. Such relocation shall be at the sole cost and expense of Ameresco and/or the Grantor, as the case may be.

In the event the Lease Agreement between Ameresco and the Town of Wellfleet is terminated, Ameresco agrees to remove the Equipment and restore the Premises pursuant to the terms of the Lease Agreement with the Town at no cost to NSTAR Electric Company or the Town.

Grantor shall have the right to use the Premises, and the right to grant to others the right to use the Premises, for all purposes that do not unreasonably interfere with the rights granted to the Grantees hereby or with the use or operation of the Equipment.

All Equipment installed within the Premises by NSTAR Electric Company pursuant to this Easement shall remain the property of NSTAR Electric Company and NSTAR Electric Company shall pay all taxes assessed thereon.

This Easement is executed pursuant to, and shall be subject to, NSTAR Electric Company's Terms and Conditions of Service, as filed with and approved by the Massachusetts Department of Public Utilities from time to time.

This Easement is executed pursuant to the vote taken under Article 1 of the September 24, 2018 Special Town Meeting, a certified copy of which is attached hereto.

[Signature Page Follows]

EXECUTED as an instrument under seal this ____ day of March, 2021.

Town of Wellfleet,
By its Selectboard,

Michael DeVasto, Chair

Helen Miranda Wilson

Justina Carlson

Janet Reinhart

Ryan Curley

COMMONWEALTH OF MASSACHUSETTS

Barnstable, ss.

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

Notary Public Signature

My Commission Expires: _____

Print Notary Public Name

SPECIAL TOWN MEETING MINUTES

September 24, 2018

In accordance with the Warrant, Daniel Silverman, Town Moderator, brought the meeting to order at 7:07p.m at the Wellfleet Elementary School Gymnasium at 100 Lawrence Road. The quorum requirement of 6% of the 2,823 registered voters was met with 295 voters present.

A moment of silence was given to those who served the town and passed away since the last Town Meeting: Ralph Bratberg, Sarah Paine Curley, Clifford Dalby, Elaine LaChapelle, Don Palladino and Barbara Stevens as well as for Arthur Medici who passed away at Newcomb Hollow Beach on September 15, 2018.

The Moderator recognized the following town employees who recently retired as Police Department Dispatchers: Donna Holloway, Cheryl Mulligan and Jan Worthington.

The Moderator asked for and Town Meeting accepted by unanimous consent a limit on speeches to three minutes per speaker.

The following people were appointed Tellers by the Moderator:

Moe Barocas
Yvonne Barocas
Bill Carlson
Lucas Scott

The warrant and return of service was read into the record by the Moderator and Town Meeting proceeded to the business at hand.

ARTICLE 1: Lease of Landfill for Solar Photovoltaic Facility

Ms. Reinhart moved and it was seconded that the Town transfer the care, custody, and control of the parcel of land known as the Wellfleet landfill and located at 370 Cole's Neck Road, Wellfleet, MA, as shown on Assessor's Map 7 as Parcel 28, from the board or official having care, custody and control jointly to such board or official for the purposes for which such parcel is currently held, and to the Select Board for the purpose of leasing and granting easements on, over or under such parcel for the installation of a solar photovoltaic facility on such parcel; and to authorize the Select Board to lease, through a written lease agreement, all or a portion of such parcel of land for the installation of a solar photovoltaic facility for a period of up to 20 years and to grant such easements on, over or under such parcel of land as necessary or convenient to serve the facility; and take any actions and execute any other documents or ancillary agreements necessary, convenient, or appropriate to accomplish the foregoing and to implement and administer the lease agreement and easements, all of which agreements, easements and documents shall be on such terms and conditions and for such consideration as the Select Board deems in the best interests of the Town.

The Select Board voted 5-0, the Finance Committee voted 8-0 and the Energy Committee voted 5-0 to recommend adoption of the main motion.

A two-thirds majority is required for adoption. The Moderator declared the motion carried on a two-thirds voice vote.

ARTICLE 2: PILOT Agreements for Solar photovoltaic Facilities

Ms. Wilson moved and it was seconded to authorize the Select Board to enter into one or more agreements for payment in lieu of taxes and to take any actions and execute any other documents or ancillary agreements necessary, convenient, or appropriate to accomplish the foregoing and to implement and administer such

SPECIAL TOWN MEETING MINUTES

September 24, 2018

PILOT agreements, all of which agreements and documents shall be on such terms and conditions and for such consideration as the Select Board deems in the best interests of the Town as printed in article 2 in the warrant.

The Select Board voted 5-0, the Finance Committee voted 8-0 and the Energy Committee voted 5-0 to recommend adoption of the main motion.

The Moderator declared the motion was adopted on unanimous voice vote.

ARTICLE 3: Solar Power Purchase Agreement

Ms. Carlson moved and it was seconded to authorize the Select Board to enter into one or more net solar power purchase agreements with the owner(s) of solar photovoltaic facilities for periods of up to 20 years, and take any actions and execute any other documents and ancillary agreements necessary, convenient, or appropriate to accomplish the foregoing and to implement and administer such agreements, all of which agreements and documents shall be on such terms and conditions and for such consideration as the Select Board deems in the best interests of the Town as printed in article 3 in the warrant.

Majority Vote Required

(This article was requested by the Energy Committee)

Select Board: Recommends 5-0

Finance Committee: Recommends 8-0

Energy Committee: Recommends 5-0

7:43pm Ms. Carlson moved and it was seconded that

7:44pm Unanimous voice vote

ARTICLE 4: Prior Year Invoices

Motion: **MOTION BY JERRY HOUK**

I move to transfer \$21,720 from the beach fund for the purpose of paying fiscal year 2018 unpaid bills as printed in the warrant.

9/10 Vote Required

(This article was requested by the Select Board)

Select Board: Recommends 5-0

Finance Committee: Recommends 8-0

7:44pm Mr. Houk moved and it was seconded that

7:45pm Unanimous voice vote

ARTICLE 5: Authorization to fund new full-time firefighter/paramedic/emt

Motion: **MOTION BY KATHLEEN BACON**

I move to transfer funds from the FY 2019 Fire Department call fire fighter budget to the salaries and wages, full-time staff budget in order to hire an additional full-time fire fighter/paramedic/EMT.

THE COMMONWEALTH OF MASSACHUSETTS

EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS



Department of Agricultural Resources

251 Causeway Street, Suite 500, Boston, MA 02114
617-626-1700 fax: 617-626-1850 www.mass.gov/agr



CHARLES D. BAKER
Governor

KARYN E. POLITO
Lt. Governor

KATHLEEN A. THEOHARIDES
Secretary

JOHN LEBEAUX
Commissioner

Notice

Pursuant to the provisions of the Rights-of-Way Management Regulations, 333 CMR 11.00, to apply herbicides to control vegetation along rights-of-way (ROW), a five year Vegetation Management Plan (VMP) and a Yearly Operational Plan (YOP) must be approved by the Department of Agricultural Resources (DAR). Eversource Energy, Eastern MA (Central, Eastern, and Southeastern MA) holds a current VMP, therefore, notice of receipt of a YOP and procedures for public review is hereby given as required by Section 11.06 (3).

Eversource Energy, Eastern Ma has submitted a YOP to DAR in February 2021.

In 2021 Eversource Energy, Eastern MA will conduct an Integrated Vegetation Management (IVM) program on their transmission and distribution lines. The intended vegetation control program will be consistent with Eversource Energy, Eastern MA's VMP (approved by DAR in 2018). In accordance with the guidelines set forth in Eversource Energy, Eastern MA's VMP for Cape Cod and Martha's Vineyard and YOP, herbicides will be selectively applied to target vegetation by licensed/certified applicators carrying backpack or hand held application equipment for the IVM program.

Eversource Energy, Eastern MA's YOP identifies the following 12 municipalities as locations where they intend to use herbicides to treat their electric Rights-of-Way in 2021:

Massachusetts East (EMA) municipalities:					
Barnstable	Chatham	Eastham	Harwich	Orleans	Wellfleet
Brewster	Dennis	Edgartown	Oak Bluffs	Tisbury	Yarmouth

Eversource Energy, Eastern MA will only use herbicides recommended by DAR for use in regulated sensitive areas for their IVM program. Pursuant to 333 CMR 11.04, no herbicides will be sprayed within any designated "no spray sensitive area" instead mechanical only methods will be used to control vegetation.

Public notification, by certified mail, will be provided to each "affected" municipality at least twenty-one days prior to any herbicide application.

In accordance with 333 CMR 11.06 (2), Eversource Energy, Eastern MA's YOP for Cape Cod and Martha's Vineyard includes the identification of target vegetation; methods of identifying, marking and protecting regulated sensitive areas; application techniques; the herbicides, application rates, carriers and adjuvants proposed for use; alternative control measures, a list of the application companies and YOP supervisor; procedures for handling, mixing and loading herbicides; emergency resources including local, state and federal emergency telephone numbers; maps of the ROWs which included regulated sensitive areas, and herbicide fact sheets and labels.

PUBLIC REVIEW

The DAR seeks to verify the location of regulated Sensitive Areas defined in Section 11.02 reported in the YOP. DAR itself has a limited ability to survey the geography, land use and water supplies in all the communities through which ROWs pass. Municipalities have most of this information readily available, and the particular knowledge with which to better certify the regulated Sensitive Areas in their communities. DAR, therefore, requests, and urges the assistance of the "affected" municipalities in reviewing the completeness and accuracy of the maps contained in the submitted YOP.

The YOP may be viewed online at the following websites:

<http://www.mass.gov/eea/agencies/agr/pesticides/vegetation-management-and-yearly-operation-plans.html>

<https://www.eversource.com/content/ema-c/about/about-us/doing-business-with-us/municipal-officials/transmission-vegetation-management>

DAR has established the following procedures for this review:

Copies of the YOP and this *Notice* will be sent by the applicant to the Conservation Commission, Board of Health (or designated health agent), and the Head of Government (Mayor, City Manager, Chair of the Board of Selectman) of each municipality where herbicides are to be applied during the 2021 calendar year; and if applicable to the Natural Heritage Endangered Species Program of the Massachusetts Department of Fisheries and Wildlife, the Massachusetts Water Resource Authority and the Massachusetts Department of Conservation and Recreation. Municipal agencies and officials will have forty-five days, following receipt of the YOP, to review its map for inaccuracies and omissions in the location of "regulated sensitive areas not readily identifiable in the field."

Municipal agencies and officials are requested to forward the YOP to the appropriate official(s) in their municipality qualified to certify the accuracy of the regulated sensitive areas indicated on the maps. The maps should then be "corrected" and returned to the applicant and a copy should be sent to DAR at the address listed below within the forty-five day review period.

If a city or town needs more time to carry out this review, it should send a written request for an extension to DAR and cite why there is a "good cause" for requesting additional time.

The applicant is required to make all corrections and the corrected maps will be sent back to the city/town that requested the disputed changes within fifteen days of receipt of the request. DAR will decide whether or not the YOP should be approved without the requested changes. DAR will consider the "final approval" of a YOP individually for each municipality.

The twenty-one day public review period of the Municipal ROW Notification Letter may serve concurrently with the forty-five day YOP review period in order to provide public notifications as required by 333 CMR 11.07, if the applicant has an approved VMP and if all the requisite city-town offices that received copies of the YOP completed their review and all corrections were duly made by the applicant and approved by DAR.

A failure by the city/town to respond to the applicant's submission of the YOP within the forty-five day period will be automatically considered by DAR to indicate agreement by the municipal officials with the regulated Sensitive Area demarcations provided by the applicant in their YOP.

Any questions or comments on the information provided in this *Notice* and the procedures established for the municipal review outlined above should be addressed to:

Clayton Edwards
Director of Rights-of-Way Programs
Massachusetts State Pesticide Bureau
251 Causeway Street, Suite 500
Boston, MA 02114-2151

Any questions or comments regarding the YOP should be addressed to:

William Hayes, Supervisor
Eversource Energy
Vegetation Management
247 Station Drive, SE-370
Westwood, MA 02090-9230
781-441-3837 (office)

COMMENT PERIOD ENDS AT THE CLOSE OF BUSINESS 5pm, Friday, April 9, 2021



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: March 23, 2021

VI

Business – E

REQUESTED BY:	Town Administrator Broadbent
DESIRED ACTION:	To Discuss and vote on and sign the easement for 925 Chequessett Neck Road Wellfleet, MA
PROPOSED MOTION:	I move to approve and have the selectboard sign the easement as written for 925 Chequessett Neck Road Wellfleet
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea ____ Nay ____ Abstain ____

PROPERTY ADDRESSES:

BENEFITED PROPERTY:

925 CHEQUESSETT NECK ROAD, WELLFLEET

BURDENED PROPERTY:

CHEQUESSETT NECK ROAD, WELLFLEET

EASEMENT AGREEMENT

This Easement Agreement (this "Agreement") is entered into on this ____ day of _____, 2021, by and between the **Town of Wellfleet** (the "Town"), a Massachusetts municipal corporation, acting by and through its Select Board, pursuant to the vote taken under Article 29 of the _____, 2020 Annual/Special Town Meeting, a certified copy of which is attached hereto and incorporated herein, having an address of 300 Main Street, Wellfleet, MA 02667, and **Stephen F. Douglass, Trustee of the Stephen F. Douglass Trust, dated October 11, 2006 and Laura G. Douglass, Trustee of the Laura G. Douglass Trust, dated October 10, 2006** (the "Grantees"), having an address of 460 N. Washington Road, Lake Forest, IL 60045.

Whereas, the Grantees are the owners of property located at 925 Chequessett Neck Road, Wellfleet, Massachusetts, which property is described in a Quitclaim Deed, dated January 8, 2020, being Certificate of Title 221783 filed with the Barnstable County Registry District of the Land Court, and shown on Land Court Plan 10669-2 and Land Court Plan 10669-V (the "Grantee Property");

Whereas, the Town is the owner of a public way, known as Chequessett Neck Road in the Town of Wellfleet, Massachusetts (the "Town Property");

Whereas, the Grantees intend to utilize a well located on property of Chequessett Yacht and Country Club Trust, situated at 680 Chequessett Neck Road, Wellfleet, Massachusetts, described in a deed dated May 25, 1979, being Certificate of Title 78460 filed with the Barnstable County Registry District of the Land Court;

Whereas, the Grantees have requested that the Town grant the Grantees an access and utility easement on a portion of the Town Property for the benefit of the Grantee Property; and

Whereas, the Town is amenable to granting the Grantees an access and utility easement on a portion of the Town Property on the terms and conditions set forth herein.

Now, Therefore, for consideration paid of One Dollar (\$1.00), the parties hereby agree as follows:

1. Easement; Permitted Uses. (a) The Town hereby grants the Grantees a perpetual non-exclusive easement, appurtenant to the Grantee Property, in, on, and under an approximately ten (10) foot wide strip of land, which is shown as "Well and Waterline Easement" (the

“Easement Premises”) on a plan entitled “Well & Waterline Easement for Pierce,” dated December 16, 2019, prepared by Coastal Engineering Co., 260 Cranberry Highway, Orleans, MA 02653, attached hereto as Exhibit A and incorporated herein, solely for the purposes of constructing, installing, maintaining, repairing and replacing a water line under the Easement Premises to a well at the property of Chequessett Yacht and Country Club Trust. In no event will the water line or any appurtenances thereto (the “utilities”) be placed above ground unless the Town grants its prior written consent. The rights granted hereunder are for the sole benefit of the Grantee Property and not for the benefit of any other property, regardless of when acquired.

(b) The Town makes no warranty or representation that the Town Property, including the Easement Premises, is suitable for the Grantees’ use and the Grantees accept the Town Property, including the Easement Premises, in its current “AS IS” condition, at their sole risk. The Town shall have no obligation to maintain, improve, repair, replace or secure the Easement Premises or the Town Property, including, without limitation, any obligation to remove snow or ice therefrom, and shall not be responsible for any loss or damage to the utilities within the Easement Premises.

2. Plans and Specifications. No additional utilities shall be constructed, installed or placed within the Easement Premises, and no material modifications and/or alterations of the utilities shall be permitted, unless the Grantees have given the Town written notice thereof at least thirty (30) days prior thereto, and obtained the Town’s written consent, which consent may be denied in the Town’s absolute discretion (the “Approved Plan”). Notwithstanding the foregoing, the Grantees may repair, maintain and replace the utilities, subject to the terms of Paragraph 3 hereof. The Grantees’ notice shall include a description of and schedule for the work and include plans and specifications showing and describing the work to be done in sufficient detail for the Town to make an informed decision on the work presented. All work shall be done substantially in accordance with the Approved Plan.

3. Construction. All future work done within or to the Easement Premises shall be done in a good and workmanlike manner, using materials of good quality, and in compliance with any and all applicable permits, licenses or other approvals, copies of which shall be provided to the Town at the Town’s request. The Grantees shall use commercially diligent efforts to complete its work in an expeditious manner and to minimize interference with the use of the rest of the Town Property by the Town and others entitled thereto, including following any directives from the Town relative to traffic control, and shall, if required, pay for a police detail to direct vehicles on Chequessett Neck Road during any such work. The Grantees shall remove all construction debris or rubble from the Easement Premises on a daily basis during any construction period. The Grantees shall forthwith repair and restore any damage or disturbance caused by the Grantees and/or their agents, employees, invitees and/or any one acting by, through or under the Grantees (with the Grantees, the “Grantee Parties”) to the rest of the Town Property and/or any improvements made thereto by the Town to their condition prior to such disturbance or damage, at the Grantees’ sole expense.

4. Liens. The Grantees shall not permit any mechanics’ liens or similar liens to remain upon the Town Property for labor and material furnished to the Grantees in connection with work of any character performed at the direction of the Grantees and the Grantees shall cause any such lien to be released of record forthwith without cost to the Town.

or bring, nor cause any third party to assert or bring, any claim, demand, lawsuit or cause of action against the Town in any way relating to or arising from the utilities, the Town Property, and/or the Grantees' exercise of its rights hereunder.

10. Insurance Coverages. Before the Grantees or any of the other the Grantee Parties enters the Easement Premises for any reason, the Grantees shall procure, at their sole cost and expense, the following insurance: (a) commercial general liability insurance with a minimum coverage amount of One Million Dollars (\$1,000,000) per occurrence and Two Million Dollars (\$2,000,000) aggregate limit. The policy shall include blanket contractual liability insurance for all written contracts, and shall include coverage for products and completed operations liability and independent contractor's liability, coverage for property damage from perils of explosion, collapse or damage to underground utilities; (b) automobile liability insurance for owned and non-owned automobiles and trucks, and/or rented automobiles and trucks, in the amount of One Million Dollars (\$1,000,000); (c) workers compensation in the minimum amount of the statutory limit; and (d) umbrella liability in the minimum amount of Three Million Dollars (\$3,000,000) per occurrence and Three Million Dollars (\$3,000,000) aggregate over all other insurance required by this Agreement. The Town shall have the right to require the Grantees to increase the amount of the coverage required hereunder from time to time if the same is then required or recommended for properties similar to the Town Properties in Barnstable County.

11. General Insurance Requirements. All insurance required hereunder shall name the Town as an additional insured (except workers compensation), and shall be issued by insurers authorized to transact insurance business in the Commonwealth of Massachusetts and having an A or better financial rating from a recognized insurance accreditation institution (such as A.M. Best Company). All insurance policies and certificates shall include a provision requiring thirty (30) days' (10 days in the case of cancellation for non-payment of premium) written notice to the Town of any cancellation or reduction. At least annually, and at such other times as the Town may reasonably request, the Grantees shall provide the Town with a certificate evidencing the coverages required hereunder. The Grantees' failure to obtain, procure and/or maintain the required insurance at all times shall constitute a material default hereunder. The Grantees' obligations to the Town under this Agreement shall not be limited by the requirement for, or existence or amount of, insurance coverage.

12. The Town's Rights. The Grantees acknowledge and agree that the Town has the right to use the Town Property, including the Easement Premises, at any and all times for any and all purposes, including, without limitation, the right to pass and repass by foot and vehicles, pave, repair, alter and/or improve the Easement Premises, and install utilities and other improvements in, on, and under the Easement Premises as the Town deems necessary or convenient, provided that the Town does not materially interfere with the Grantees' use thereof for the purposes set forth herein.

13. Miscellaneous:

(a) During the exercise of the rights hereby granted, the Grantees shall not, and shall not permit any of the other the Grantee Parties to interfere unreasonably with the operations of the Town in its use of the Town Property, including the Easement Premises, or the operation and/or use by others entitled thereto.

5. Utilities. The Grantees shall be solely responsible for obtaining and paying for any utilities installed and/or used by the Grantees within the Easement Premises. The parties agree that the utilities shall at all times remain the property and responsibility of the Grantees and the Grantees shall pay all taxes, if applicable, and other fees and charges thereon or therefor.

6. Maintenance. The Grantees shall be solely responsible for the maintenance, repair, and/or replacement of the utilities, all at their sole cost and expense, and shall maintain the utilities and the Easement Premises in good, clean, safe and passable order and condition, including, without limitation, all at their sole cost and expense. In no event shall the Town be responsible for the condition or maintenance of the Easement Premises, provided, however, that the Town shall repair any damage to the utilities caused by the gross negligence or willful conduct of the Town.

7. Relocation. The Grantees agree that if the Town intends to use the Easement Premises for Town purposes and/or to maximize its use of the Town Property, the Town may, at its sole cost and expense, relocate the Easement Premises, including any utilities within said Easement Premises, to another portion on the Town Property that is functionally comparable to the original Easement Premises, provided the Town gives the Grantees at least thirty (30) days prior written notice thereof.

8. Hazardous Materials. The Grantees shall not, nor permit anyone else to, bring onto, store, use, release or dispose of any hazardous materials, hazardous substances, oil or other toxic materials (as set forth in G.L. c. 21E and other applicable federal and state law or regulations, "Hazardous Materials") on the Town Property, and shall defend, indemnify, defend and hold harmless the Town from and against any and all claims, causes of action, administrative actions, administrative penalties, damages, fines, judgments, penalties, costs, liabilities or losses (including, without limitation, any and all costs associated with the removal and clean-up of Hazardous Materials, attorneys' fees, consultant and expert fees) arising by reason of or relating to the presence, use, storage, generation or disposal of Hazardous Materials by the Grantees or any of the other the Grantee Parties in, on or about the Town Property.

9. Indemnification; Release. (a) The Grantees and their successors and assigns shall defend, indemnify and hold harmless the Town from and against any and all claims, demands, suits, actions, costs, expenses, judgments and/or liabilities (including without limitation reasonable attorney's fees) which may be imposed upon, incurred by, or asserted against the Town by reason of, or in consequence of any personal injury, death, or property damage or other liability occurring in or around the Town Property caused by, related to, or in connection with the Grantees' exercise of the rights hereunder, the utilities, any failure by the Grantees to comply with the provisions hereof or of any applicable laws, rules, regulations, and bylaws, and/or the act, omission, negligence and/or intentional misconduct of the Grantees or any of the other Grantee Parties.

(b) The Grantees, for themselves and their successors and assigns, release the Town, its agents, employees, contractors, consultants, board members, officers and those acting by or through the Town (collectively, with the Town, the "Town Parties"), from any and all loss, damage, harm, expense, and/or liability related to the condition or use of the Town Property, including the Easement Premises, except to the extent caused by the direct gross negligence or willful conduct of the Town Parties. Except as provided otherwise, the Grantees shall not assert

(b) Any notice required or given under this Agreement shall be deemed duly served if hand-delivered, mailed by registered or certified mail, return receipt requested, postage prepaid, or sent by recognized overnight delivery, addressed to the parties at the addresses set forth above, which may be changed with like notice.

(c) This Agreement shall be governed by and construed in accordance with the laws of the Commonwealth of Massachusetts, and any and all legal actions brought in connection with this Agreement shall be brought in courts within the Commonwealth of Massachusetts.

(d) This Agreement contains the entire agreement of the parties and there are no other agreements or understandings between the parties regarding the subject matter of the Agreement. This Agreement may not be modified except in writing, duly executed by both parties.

(b) The captions and headings throughout this Agreement are for convenience of reference only and the words contained therein shall in no way be held or deemed to define, limit, explain, modify, amplify or add to the interpretation, construction or meaning of any provisions of, or the scope or intent of this Agreement, nor in any way affect this Agreement, and shall have no legal effect.

14. Authorization of Trustees. The undersigned Grantee Trustees certify under the penalties of perjury that the Grantee Trusts have not been terminated or altered except by instrument registered with the Barnstable Registry District of the Land Court, that the Trustees have the authority to execute and deliver the within instrument, that all beneficiaries of the said Trusts are of adult age and competent, and that all beneficiaries have authorized and directed the Trustees to execute and deliver the within instrument.

[Signature Page Follows]

IN WITNESS WHEREOF, the parties have executed this Easement Agreement as of the date first written above.

TOWN OF WELLFLEET,
By its Select Board

GRANTEES

STEPHEN F. DOUGLASS TRUST

Michael DeVasto, Chair

By: _____
Stephen F. Douglass, Trustee of the
Stephen F. Douglass Trust

Janet Reinhart, Vice Chair

Ryan Curley, Clerk

LAURA G. DOUGLASS TRUST

Justina Carlston

By: _____
Laura G. Douglass, Trustee of the
Laura G. Douglass Trust

Helen Miranda Wilson

COMMONWEALTH OF MASSACHUSETTS

Barnstable, ss.

On this _____ day of _____, 2021, before me, the undersigned Notary Public, appeared _____, member of the Wellfleet Select Board, who proved to me through satisfactory evidence of identification, which was _____, to be the person whose name is signed on the preceding document, and acknowledged to me that he/she/they signed it voluntarily for its stated purpose on behalf of the Town of Wellfleet.

Notary Public
My Commission Expires:

COMMONWEALTH/STATE OF _____

_____, ss.

On this _____ day of _____, 2021, before me, the undersigned Notary Public, appeared Stephen F. Douglass, Trustee of the Stephen F. Douglass Trust, who proved to me through satisfactory evidence of identification, which was _____, to be the person whose name is signed on the preceding document, and acknowledged to me that he signed it voluntarily for its stated purpose as said Trustee and that all statements are true to the best of his knowledge and belief.

Notary Public
My Commission Expires:

COMMONWEALTH/STATE OF _____

_____, ss.

On this _____ day of _____, 2021, before me, the undersigned Notary Public, appeared Laura G. Douglass, Trustee of the Laura G. Douglass Trust, who proved to me through satisfactory evidence of identification, which was _____, to be the person whose name is signed on the preceding document, and acknowledged to me that she signed it voluntarily for its stated purpose as said Trustee and that all statements are true to the best of her knowledge and belief.

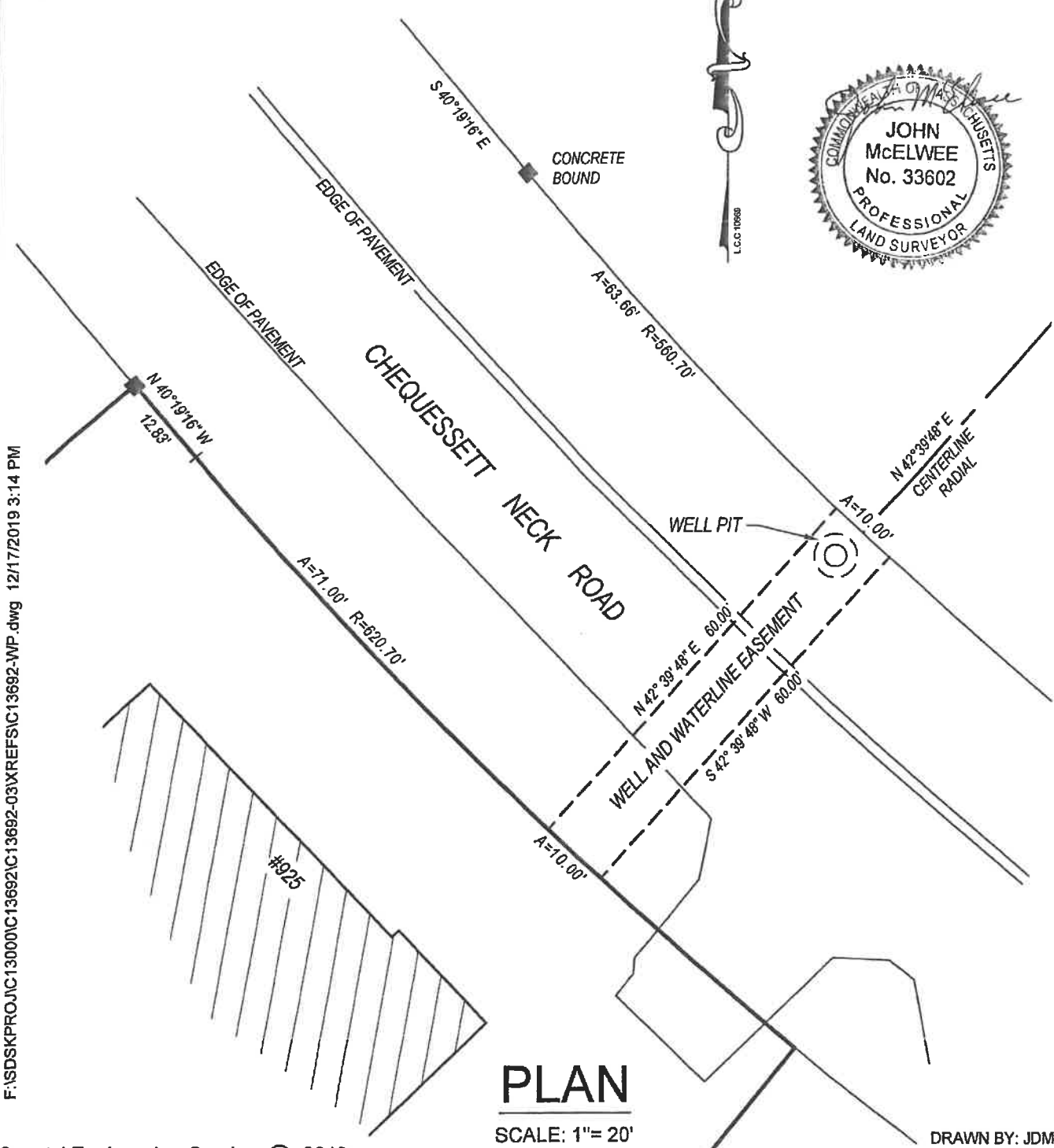
Notary Public
My Commission Expires:

EXHIBIT A

Plan

REFERENCE:

ASSESSORS MAP 19, PARCEL 100
LAND COURT CASE 10669



PLAN

SCALE: 1" = 20'

DRAWN BY: JDM
C13692-WP.dwg

F:\SDSKPROJ\C13000\C13692\C13692-03\XREFS\C13692-WP.dwg 12/17/2019 3:14 PM

Coastal Engineering Co., Inc. © 2019



**WELL & WATERLINE EASEMENT
FOR
PIERCE**

925 CHEQUESSETT NECK RD. WELLFLEET, MA

SHEET NO.

SKC-1

PROJECT NO.
C13692.03

SCALE
1"=20'

DATE
12/16/19



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: March 23, 2021

VI


BUSINESS - F

REQUESTED BY:	Administrator Broadbent & Town Accountant Heather Michaud
DESIRED ACTION:	To discuss and vote on credit card/electronic checks & ACH fees
PROPOSED MOTION:	I move to approve Wellfleet's Administration recommendations as follows: 1. To offer electronic check or ACH transaction options when available 2. To assess all credit card and electronic check and ACH transaction fees to the customer Town Departments 3. To direct Administration to streamline all payment processing onto a single platform
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____



Memo

To: Members of the Selectboard & Finance Committee

From: Heather Michaud, Town Accountant 

cc: Maria T. Broadbent, Town Administrator

Date: 02/25/2021

Re: Credit Card Fees

The Town of Wellfleet, like a multitude of communities, has been migrating to online payments for customers to access a variety of items. With this relatively new manner of doing business came an unforeseen impact on the Town's revenues given the nature of merchant services processing. As the Town continues to expand the option for consumer payment types across other departments, the fee impacts will systematically reduce anticipated revenues by minimally 3.0% for credit cards and \$0.50 for electronic checks. Further analysis of fee impacts between FY 2018/2019 and the current fiscal year to date charges depict an average of 3.02%, totaling a \$71,243.72 reduction to revenue applied over four departments: Beach, Shellfish, Marina, and Recreation.

The Town of Truro recently performed a similar review of their merchant services charges, noting a total loss in revenue of \$42,044.62 during the same analysis period (FY 2018/2019 through present fiscal year to date). Additionally, Truro collected survey data on how 12 different Cape towns addressed these issues. The data offered an assortment of solutions, though it was inferred, towns were quickly moving to reassess these costs making them a customer obligation.

Administration has reviewed this relevant information and is recommending the following solutions be adopted by the Town of Wellfleet beginning April 1, 2021:

- 1) Offer electronic check or ACH options, when available, to provide a lower cost transaction fee (presently \$0.50 per transaction).
- 2) All credit card and electronic check or ACH fees, town wide, are directed to the customer.
- 3) The Accounting and Treasury Departments work towards streamlining all payment processing onto a single platform. (This action is expected to have a longer implementation schedule than April 1.)

Attachments: *Credit Card Charges Analysis*

Town of Truro Merchant Services Fee Survey Results (February 2021)

Town of Wellfleet
Credit Card Charges Analysis
(FY 2018/2019 through YTD FY 2020/2021)

FY 2018/2019					
Department	Gross Sales	Assessed Credit Card Fees	Refunds/Disputes	Net Receipt	% Reduction in Revenue
Beach / Shellfish	149,760.00	(14,585.48)	0.00	135,174.52	9.74%
Marina	229,165.80	(6,691.64)	0.00	222,474.16	2.92%
Recreation	0.00	0.00	0.00	0.00	0.00%
Total	378,925.80	(21,277.12)	0.00	357,648.68	5.62%

FY 2019/2020					
Department	Gross Sales	Assessed Credit Card Fees	Refunds/Disputes	Net Receipt	% Reduction in Revenue
Beach / Shellfish	1,048,133.92	(23,382.41)	(540.00)	1,024,211.51	2.28%
Marina	262,733.40	(5,545.71)	0.00	257,187.69	2.11%
Recreation	4,220.00	(219.39)	0.00	4,000.61	0.00%
Total	1,315,087.32	(29,147.51)	(540.00)	1,285,399.81	2.26%

FY 2020/2021					
Department	Gross Sales	Assessed Credit Card Fees	Refunds/Disputes	Net Receipt	% Reduction in Revenue
Beach / Shellfish	513,421.00	(16,517.05)	(3,045.00)	493,858.95	3.81%
Marina	131,911.62	(3,563.88)	(253.25)	128,094.49	2.89%
Recreation	19,333.25	(738.16)	(5.00)	18,590.09	0.00%
Total	664,665.87	(20,819.09)	(3,303.25)	640,543.53	3.63%

Total Lost Revenue 07/01/2018 through 02/22/2021

71,243.72	3.02%
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Town of Truro Merchant Services Fee Survey Results (February 2021)

Town	Absorbed By Town Budget	Passed on to Customer	Notes
Sandwich	x	x	Fees for In-person transactions at Transfer Station absorbed by Town; fee tacked onto transaction for online payments (roughly 2.95%)
Falmouth		x	ACH charged flat fee, credit cards charge a percentage.
Harwich	x	x	In-person credit cards accepted at golf department absorb fees. All other departments use Invoice Cloud and the % transaction fee is tacked on to the transaction.
Bourne		x	\$2.50 flat fee per transaction.
Brewster	x	x	Credit card fees to TransFirst for the Recreation Department's programs and the Golf Pro Shop for merchandise and Tee times, etc. paid by Town. For all other payments made via credit card the processing expense is passed to the payer (taxes, water rates and services, parking tickets, beach/transfer station stickers, mooring permits and golf memberships). We use Invoice cloud for taxes, water and parking and there is a 2.95% fee added. Stripe is used for beach/transfer station and mooring permits and they charge 4.5% or \$1.50 (whichever is greater). UniPay Gold is used for golf memberships and it is a flat fee, depending on the price, ranging from \$2.50 to \$100.00.
Provincetown	x	x	Invoice Cloud used for online credit card processing. They charge 2.95% for credit card payments and the Town pays the \$0.40 charge for online check payments. Transaction Resources Inc. used for parking lots/meters and Town pays the associated fees offset by the parking rates.
Chatham	x	x	Most departments pass the transaction fee onto the customer by telling the customer what the new total is if they pay by credit card. Due to COVID, transaction fees associated with beach receipts are presently absorbed by the Town.
Wellfleet	x	x	The Town absorbs all fees for online and in-person credit card transactions, with the exception of tax payments made by credit card.
Eastham		x	Offers ACH and credit card. All fees are passed onto the customer as part of the transaction. From a PCI compliance/security standpoint, this method was preferred.
Orleans	x	x	Paid by cardholder: tax payments (real estate, personal property, MV excise, boat excise), permits (beach, shellfish, mooring, dock, commercial shellfish, transfer station, building, plumbing and gas), ambulance/ EMS billing. Absorbed by Town: recreation program fees (revolving account), Nauset Beach retail store, Fire Dept burn permits, Transfer Station daily gate receipts. For transactions passed onto the cardholder, the convenience fee is stated at the outset of the transaction. One has the option (either online or in person) to incur such a fee, or go with the fee-free option, which is to pay by check (either by mail or in person). We make no distinction or different procedure whether paying with credit card through an online platform or in person. Nearly all such convenience fees are a fixed percentage, unless the transaction is below a certain dollar amount, at which point a flat fee (minimum charge) applies in place of the percentage.
Dennis		x	Customer pays all fees (taxes, beach stickers, etc). For in-person credit card use, there are postings that have the credit card fees listed for each transaction type (as determined by credit card company). Also offer ACH for online transactions, which is \$.50 charge passed on through transaction.
Truro	x	x	The Town absorbs all fees for online and in-person credit card transactions, with the exception of tax payments made by credit card.



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: March 23, 2021

VI


BUSINESS - G

REQUESTED BY:	Town Accountant Heather Michaud/Administrator Broadbent
DESIRED ACTION:	To approve Wellfleet's Administration recommendation to accept and establish the FY 2021/2022 Master Fee Schedule
PROPOSED MOTION:	I move to approve that Wellfleet's Administration recommendation to accept and establish the FY 2021/2022 Master Fee Schedule as presented effective April 1, 2021
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____



Memo

To: Members of the Selectboard & Finance Committee

From: Heather Michaud, Town Accountant 

cc: Maria T. Broadbent, Town Administrator

Date: 03/18/2021

Re: FY 2021/2022 Master Fee Schedule

As a part of Administrations review of Town revenue, Department Heads were asked to provide any fees assessed to customers. This information was then compiled into a Master Fee Schedule, which will be maintained centrally moving forward. Additionally, Administration believes clearly transmitting and publishing an annual, all inclusive fee schedule to be an integral part of the budget process, as well as it provides further transparency of Town generated revenues for the public. Attached you will find the final product for the FY 2021/2022 Master Fee Schedule, which will take effect April 1, 2021 for several seasonal programs.

Administration recommends annually adopting a Master Fee Schedule; however, it should be noted, changes to fees may need to be addressed on a case-by-case basis should immediate adjustment be required.

Attachments: *FY 2021/2022 Master Fee Schedule*

Town of Wellfleet
Master Fee Schedule - FY 2021/2022

Department	Permit / Fee Type	Description	FY 2021/2022 Fee	Notes
* All Departments	Credit Card Fees	Credit Card - Assessed as % per Transaction	% per transaction	*Amount is subject to change based on the Town's contract with merchant services institutions.
* All Departments	ACH / eCheck Fees	ACH / eCheck - Assessed as \$0.50 per Transaction	\$0.50 per transaction	
Administration	Business License Filing Fee	Business License Filing	\$50.00	
Administration	Use of Town Property Filing Fee	Use of Town Property Filing	\$50.00	
Administration	Noise Bylaw Waiver Fee	Noise Bylaw Waiver	\$50.00	
Administration	Registration Fee	Registration	\$25.00	
Administration	Taxi Cab Permit	Taxi Cab	\$75.00	
Administration	Taxi Operator / Driver Permit	Taxi Operator / Driver	\$50.00	
Administration	Auctioneers Permit	Auctioneers (One Year Duration)	\$40.00	
Administration	Auctioneers Permit	Auctioneers (One Day Duration)	\$35.00	
Administration	Automatic Amusement Permit	Automatic Amusement	\$30.00	
Administration	Junk Collector Permit	Junk Collector	\$30.00	
Administration	Entertainment Permit	Entertainment (One Day Duration)	\$50.00	
Administration	Entertainment Permit	Entertainment (Sunday Duration)	\$90.00	
Administration	Entertainment Permit	Entertainment (Weekday Duration)	\$75.00	
Administration	General Retail Permit	General Retail	\$75.00	
Administration	Common Victualer Permit	Common Victualer	\$100.00	
Administration	Innholder Permit	Innholder	\$100.00	
Administration	Class II Permit	Class II (Gas Stations Selling Used Vehicles)	\$125.00	
Administration	Class IV Permit	Class IV (Gas Stations)	\$75.00	
Administration	Flea Market Permit	Flea Market	\$550.00	
Administration	Charter Boat Booth Permit	Charter Boat Booth	\$100.00	
Administration	Liquor License Filing Fee	Liquor License Filing	\$50.00	
Administration	All Alcohol Restaurant Permit	Annual - All Alcohol Restaurant	\$1,500.00	
Administration	All Alcohol Restaurant Permit	Annual - All Alcohol Package Store	\$1,500.00	
Administration	Beer & Wine Restaurant Permit	Annual - Beer & Wine Restaurant	\$1,375.00	
Administration	Beer & Wine Restaurant Permit	Annual - Beer & Wine Package Store	\$1,375.00	
Administration	Beer & Wine Package Store Permit	Seasonal - All Alcohol Innholder (Apr 1 - Nov 30)	\$1,600.00	
Administration	All Alcohol Innholder Permit	Seasonal - All Alcohol Restaurant (Apr 1 - Nov 30)	\$1,600.00	
Administration	All Alcohol Package Store Permit	Seasonal - Beer & Wine Restaurant (Apr 1 - Nov 30)	\$1,600.00	
Administration	Beer & Wine Restaurant Permit	Seasonal - Beer & Wine Package Store (Apr 1 - Nov 30)	\$1,450.00	
Administration	Beer & Wine Package Store Permit	Seasonal - Beer & Wine Package Store (Apr 1 - Nov 30)	\$1,450.00	
Administration	License Extension Permit	Seasonal License Extension (Apr 1 - Nov 30)	\$125.00	
Administration	Beer & Wine Permit	One Day Beer & Wine	\$100.00	
Administration	All Alcohol Permit	One Day All Alcohol	\$150.00	
Assessor	Photocopies	Photocopy 8.5x11 (Per Single-Sided Sheet)	\$0.10	
Assessor	Photocopies	Photocopy 8.5x11 (Per Double-Sided Sheet)	\$0.15	
Assessor	Abutters Listing Fee	Abutters List	\$15.00	
Assessor	Street Map Fee	Street Map	\$5.00	
Assessor	Database Fee	Database Report	\$25.00	
Assessor	Reduced-Size Atlas Fee	Reduced-Size Atlas	\$25.00	
Beach	Beach Permit	Resident	\$30.00	
Beach	Beach Permit	Seasonal	\$325.00	Traditionally the Town has raised Resident Beach Permits every 5 years
Beach	Beach Permit	2 Week Visitor	\$190.00	and Visitor Beach Permits every other
Beach	Beach Permit	1 Week Visitor	\$100.00	

Board of Health / Transfer Station	Beach Permit	3 Day Visitor	Year.
Board of Health	Beach Permit	Daily Parking Fee	\$65.00
Board of Health	Commercial Septic Construction Permit	New Construction	\$30.00
Board of Health	Commercial Septic Construction Permit	Variance	\$150.00
Board of Health	Commercial Septic Construction Permit	Upgrade	\$250.00
Board of Health	Commercial Septic Construction Permit	Simple Repair	\$100.00
Board of Health	Residential Septic Construction Permit	New Construction	\$75.00
Board of Health	Residential Septic Construction Permit	Variance	\$125.00
Board of Health	Residential Septic Construction Permit	Upgrade	\$200.00
Board of Health	Residential Septic Construction Permit	Simple Repair	\$75.00
Board of Health	Real Estate Transfer Fee	Septic Waiver	\$50.00
Board of Health	Real Estate Transfer Fee	Oil Tank Waiver	\$100.00
Board of Health	Septic Re-Inspection Fee	Septic Re-Inspection	\$150.00
Board of Health	Well Construction / Replacement Permit	Well Construction / Replacement Permit	\$50.00
Board of Health	Soil Evaluation Fee	Peric Test	\$50.00
Board of Health	Installer's Exam	Installer's Exam	\$100.00
Board of Health	Housing Inspection / Field Determination Fee	Per Unit	\$25.00
Board of Health	Food Establishment Permit	D-50 Seats	\$60.00
Board of Health	Food Establishment Permit	51-100 Seats	\$100.00
Board of Health	Food Establishment Permit	Over 100 Seats	\$150.00
Board of Health	Temporary Food Establishment Permit	Daily Fee	\$200.00
Board of Health	Frozen Dessert Manufacturer Permit	Frozen Dessert Manufacturer	\$25.00
Board of Health	Mobil Food Service Vendor Permit	Prepared Foods	\$25.00
Board of Health	Mobil Food Service Vendor Permit	Packaged Foods	\$100.00
Board of Health	Retail Food Permit	Retail Food	\$75.00
Board of Health	Retail Food / Food Service Establishment Permit	Retail Food / Food Service Establishment	\$100.00
Board of Health	Septic Installer Fee	Septic Installer	\$150.00
Board of Health	Septage Hauler Fee	Septage Hauler	\$100.00
Board of Health	Refuse Hauler Fee	Refuse Hauler	\$100.00
Board of Health	Commercial Pool Permit	Commercial Pool	\$100.00
Board of Health	Residential Pool Installation Permit	Residential Pool Installation	\$100.00
Board of Health	Tobacco Permit	Tobacco	\$50.00
Board of Health	Funeral Director Fee	Funeral Director	\$100.00
Board of Health	Animal Permit	Per Animal or Per 3 Fowl	\$100.00
Board of Health	Stable Permit	Stable	\$3.00
Board of Health	Tanning Facility Permit	Tanning Facility	\$25.00
Board of Health	Body Art Establishment Permit	Body Art Establishment	\$200.00
Board of Health	Body Art Practitioner Permit	Body Art Practitioner (Per Person)	\$600.00
Board of Health / Transfer Station	Residential Waste Disposal Sticker Fee	1st Vehicle	\$400.00
Board of Health / Transfer Station	Residential Waste Disposal Sticker Fee	2nd Vehicle	\$25.00
Board of Health / Transfer Station	Residential Waste Disposal Sticker Fee	3rd Vehicle	\$10.00
Board of Health / Transfer Station	"Pay As You Throw" Bags Fee	Large (approx. 33 Gallons)	\$35.00
Board of Health / Transfer Station	"Pay As You Throw" Bags Fee	Medium (approx. 15 Gallons)	\$1.50
Board of Health / Transfer Station	"Pay As You Throw" Bags Fee	Small (approx. 8 Gallons)	\$1.00
Board of Health / Transfer Station	One Time User Fee	Single Use Per Bag (up to 35 Gallons)	\$0.50
Board of Health / Transfer Station	Commercial Business Disposal Sticker Fee	Small Vehicle (<1 Ton)	\$5.00
Board of Health / Transfer Station	Commercial Business Disposal Sticker Fee	Large Vehicle (>1 Ton)	\$65.00
Board of Health / Transfer Station	Commercial Refuse Fee	"Pay As You Throw" Bags	\$95.00
Board of Health / Transfer Station	Commercial Refuse Fee	Other Bags Per Ton	Free
Board of Health / Transfer Station	Commercial Refuse Hauler Sticker Fee	Commercial Refuse Hauler	\$120.00
Board of Health / Transfer Station	Commercial Refuse Hauler Residential Refuse Fee	Commercial Refuse Hauler Residential Refuse Per Ton	\$95.00
Board of Health / Transfer Station	Commercial Refuse Hauler Residential Refuse Fee	Commercial Refuse Hauler Residential Refuse Per Ton	\$30.00

Board of Health / Transfer Station	Construction & Demolition Disposal Fee	Construction & Demolition Disposal Per Ton	\$270.00
Board of Health / Transfer Station	Bulk Metal Disposal Fee	Bulk Metal Disposal Per Ton	\$40.00
Board of Health / Transfer Station	Appliance Disposal Fee	Per Item	\$10.00
Board of Health / Transfer Station	Carpet Disposal Fee	Per Item	\$10.00
Board of Health / Transfer Station	50 Gallon Drum Disposal Fee	Per Item	\$5.00
Board of Health / Transfer Station	Mattress & Box Spring Disposal Fee	Per Item	\$20.00
Board of Health / Transfer Station	Petroleum Tank Disposal Fee	Per Item (300 Gallons)	\$30.00
Board of Health / Transfer Station	Propane Tank Disposal Fee	Per Item (20 lb. Capacity)	\$3.00
Board of Health / Transfer Station	Propane Tank Disposal Fee	Per Item (>20 lb. Capacity)	\$20.00
Board of Health / Transfer Station	Sofa & Chairs Disposal Fee	Per Item	\$10.00
Board of Health / Transfer Station	Television & Computer Monitor Disposal Fee	Per Item	\$10.00
Board of Health / Transfer Station	Care Tire Disposal Fee	Per Item	\$2.00
Board of Health / Transfer Station	Truck Tire Disposal Fee	Per Item	\$5.00
Board of Health / Transfer Station	Water Tank Disposal Fee	Per Item	\$5.00
Board of Health / Transfer Station	Toilet Disposal Fee	Per Item	\$5.00
Board of Health / Transfer Station	Fire Extinguisher Disposal Fee	Per Item	\$6.00
Board of Health / Transfer Station	Other Bulky Item Disposal Fee	Per Item	\$10.00
Building Department	Residential / Commercial New Construction Permit	New Structures & Additions (\$0.65 per sq ft or \$65. minimum)	\$65.00
Building Department	Residential / Commercial Existing Structures Permit	Alterations & Repairs (\$0.65 per sq ft or \$65. minimum)	\$65.00
Building Department	Residential / Commercial Deck Permit	Decks (\$0.55 per sq ft or \$65. minimum)	\$65.00
Building Department	Residential / Commercial Shed Permit	Sheds (120 sq ft and under)	\$65.00
Building Department	Residential / Commercial Window & Exterior Door Permit	Window & Exterior Door *+1% of construction value	\$50.00
Building Department	Residential / Commercial Re-Roofing or Re-Siding Permit	Re-Roofing or Re-Siding *+1% of construction value	\$50.00
Building Department	Residential / Commercial Re-Roofing & Siding Combination Permit	Re-Roofing & Siding Combination *+1% of construction value	\$80.00
Building Department	Residential / Commercial Re-Roofing or Re-Siding & Window/Door-Combination Permit	Re-Roofing or Re-Siding & Window/Door *+1% of construction value	\$80.00
Building Department	Residential / Commercial Re-Roofing & Re-Siding & Window/Door Combination Permit	Re-Roofing & Re-Siding & Window/Door Combination *+1% of construction value	\$120.00
Building Department	Residential / Commercial Swimming Pool - Above Ground Permit	Swimming Pool - Above Ground	\$100.00
Building Department	Residential / Commercial Swimming Pool - In Ground Permit	Swimming Pool - In Ground	\$200.00
Building Department	Residential / Commercial Solar Panel Permit	Solar Panel *+1% of construction value	\$55.00
Building Department	Residential / Commercial Wind Generation Permit	Wind Generation *+1% of construction value	\$55.00
Building Department	Residential / Commercial Signs Home Occupation Permit	Signs Home Occupation * + \$25 per sq ft over 24 sq	\$50.00
Building Department	Residential / Commercial Mechanical / Duct Work / Exhaust Hood Permit	Mechanical / Duct Work / Exhaust Hood	\$65.00
Building Department	Residential / Commercial Retaining Wall / Trench Permit	Retaining Wall / Trench	\$65.00
Building Department	Residential / Commercial Awning, Tent, Temporary Construction Trailer	\$65.00	\$65.00
Building Department	Residential / Commercial Demolition Permit	300 sq ft and under	\$65.00
Building Department	Residential / Commercial Demolition Permit	301 sq ft and over	\$180.00
Building Department	Residential / Commercial Chimney, Wood Stove, Fireplace Permit	Chimney, Wood Stove, Fireplace	\$65.00
Building Department	Residential / Commercial Fire Sprinkler Permit	Fire Sprinkler	\$65.00
Building Department	Residential / Commercial Weatherization Permit	Weatherization	\$55.00

Building Department	Residential / Commercial Re-Inspection Fee	Re-Inspection	\$55.00
Building Department	Residential / Commercial Foundation Only Permit	Foundation Only	\$300.00
Building Department	Commercial Cell Tower Permit	Cell Tower * + \$50 per linear foot	\$250.00
Building Department	Commercial Cell Antenna Change or Add Permit	Cell Antenna Change or Add * +1% of construction value	\$65.00
Building Department	Commercial Signs Permit	Commercial Signs * + \$50 per sf over 24sf * + \$5 per room	\$125.00
Building Department	Commercial Certificate of Occupancy - Hotels / Motels Permit	Certificate of Occupancy - Hotels / Motels * + \$5 per room	\$55.00
Building Department	Commercial Annual Inspection Fee	Commercial Annual Inspection	\$50.00
Building Department	Electrical / Wiring Residential / Commercial Inspection Fee	Electrical / Wiring Inspection (Per Inspection)	\$70.00
Building Department	Electrical / Wiring New & Temporary Service Permit	Electrical / Wiring New & Temporary Service	\$70.00
Building Department	Electrical / Wiring Re-Inspection Fee	Electrical / Wiring Re-Inspection	\$70.00
Building Department	Electrical / Wiring - Extra Inspection Fee	Electrical / Wiring Extra Inspection	\$50.00
Building Department	Electrical / Wiring Emergency, Off Hour, Weekend Inspection Fee	Electrical / Wiring Emergency, Off Hour, Weekend Inspection	\$120.00
Building Department	Electrical / Wiring Solar Installation Fee	*All Solar Installations Require 2 Inspections (\$70 each) Plumbing Residential & Commercial * + \$10 per fixture	\$70.00
Building Department	Plumbing Residential / Commercial Permit	Plumbing Re-Inspection	\$70.00
Building Department	Plumbing Re-Inspection Fee	Plumbing Emergency, Off Hour, Weekend Inspection	\$120.00
Building Department	Plumbing Emergency, Off Hour, Weekend Inspection Fee	Plumbing Residential & Commercial * + \$10 per fixture	\$70.00
Building Department	Gas Residential / Commercial Permit	Gas Re-Inspection	\$70.00
Building Department	Gas Re-Inspection Fee	Gas Re-Inspection	\$120.00
Building Department	Gas Emergency, Off Hour, Weekend Inspection Fee	Gas Emergency, Off Hour, Weekend Inspection	\$90.00
Building Department	Gas & Water Heater Combination Permit	Gas & Water Heater Combination * Requires Both Permits @ \$45.00 Each	\$35.00
Building Department	Replacement of Building Sign Off Card Fee	Replacement of Building Sign Off Card	\$50.00
Building Department	Building Commissioner Opinion Letter Fee	Building Commissioner Opinion Letter	\$50.00
Building Department	Building Permit Amended Fee (all departments)	Building Permit Amended (all departments)	\$85.00
Building Department	ZBA Application Change in Use Only Fee	ZBA Application Change in Use Only (no construction)	\$85.00
Building Department	ZBA Application Affordable Accessory Dwelling Unit Fee	ZBA Application Affordable Accessory Dwelling Unit	\$85.00
Building Department	ZBA Application Residential Change in Use Fee	ZBA Application Residential Change in Use	\$195.00
Building Department	ZBA Application Commercial / Business Change in Use Fee	ZBA Application Commercial / Business Change in Use	\$90.00
Building Department	ZBA Application Construction of Any Sort Fee	Between \$0 - \$1,000	\$145.00
Building Department	ZBA Application Construction of Any Sort Fee	Between \$1,001 - \$10,000	\$195.00
Building Department	ZBA Application Construction of Any Sort Fee	Between \$10,001 - \$50,000	\$295.00
Building Department	ZBA Application Construction of Any Sort Fee	Between \$50,001 - \$100,000	\$395.00
Building Department	ZBA Application Construction of Any Sort Fee	Between \$100,001 - \$250,000	\$495.00
Building Department	ZBA Application Construction of Any Sort Fee	Between \$250,001 - \$500,000	\$1,045.00
Building Department	ZBA Application Construction of Any Sort Fee	Between \$500,001 - \$1,000,000	\$1,545.00
Building Department	ZBA Application Construction of Any Sort Fee	Between \$1,000,001 - \$1,500,000	\$2,045.00
Building Department	ZBA Application Construction of Any Sort Fee	Between \$1,500,001 - and above	\$90.00
Building Department	ZBA Application Amendment to Active Special Permit Fee	ZBA Application Amendment to Active Special Permit	\$95.00
Building Department	ZBA Application Request for Extension to Special Permit Fee	ZBA Application Request for Extension to Special Permit	\$95.00
Collector	ZBA Application Appeal as Person Aggrieved Fee	ZBA Application Appeal as Person Aggrieved	\$50.00
Collector	Certificate of Liens Fee	Unimproved Land Over 1 Acre	\$100.00
Collector	Certificate of Liens Fee	Residence of Four or More Families Fee	\$150.00
Collector	Certificate of Liens Fee	Commercial Property	\$25.00
Conservation	Request for Determination of Applicability Fee	All Other Properties	\$50.00
Conservation	Request for Determination of Applicability Fee	Request for Determination of Applicability	\$300.00
Conservation	Request for Determination of Applicability Fee	After-the-Fact	\$100.00
Conservation	Notice of Intent Fee	Notice of Intent	\$100.00

Conservation	Notice of Intent Fee	After-the-Fact	\$1,000.00
Conservation	Certificate of Compliance Fee	Certificate of Compliance	\$15.00
Conservation	Amended Order of Conditions Fee	Amended Order of Conditions	\$50.00
Conservation	Coastal Engineering Structure Fee	Per Linear Foot	\$2.00
Conservation	Dock Fee	Per Linear Foot	\$2.00
Conservation	Re-Issuance of a Permit Fee	Jurisdictional Opinion	\$20.00
Conservation	Jurisdictional Opinion Fee	Per Vessel	\$15.00
Conservation	Small Vessel Permit	Per Additional Hearing	\$50.00
Conservation	Continuance After 2 Hearings	Refundable Deposit	\$5.00
Council on Aging	Building Use Rental Fee	Great Pond Per Day (>4 Hours)	\$160.00
Council on Aging	Building Use Rental Fee	Long Pond Per Day (>4 Hours)	\$310.00
Council on Aging	Building Use Rental Fee	Duck Pond Per Day (>4 Hours)	\$235.00
Council on Aging	Building Use Rental Fee	Health Room Per Day (>4 Hours)	\$235.00
Council on Aging	Building Use Rental Fee	Conference Room Per Day (>4 Hours)	\$185.00
Council on Aging	Building Use Rental Fee	Great Pond Per Hour (<4 Hours)	\$185.00
Council on Aging	Building Use Rental Fee	Long Pond Per Hour (<4 Hours)	\$55.00
Council on Aging	Building Use Rental Fee	Duck Pond Per Hour (<4 Hours)	\$55.00
Council on Aging	Building Use Rental Fee	Health Room Per Hour (<4 Hours)	\$55.00
Council on Aging	Building Use Rental Fee	Conference Room Per Hour (<4 Hours)	\$55.00
Department of Public Works	Curb Cut Application Fee	Curb Cut Application	\$25.00
Department of Public Works	Road Cut Application Fee	Road Cut Application	\$35.00
Library	Photocopies	Photocopy 8.5x11 (Per Single-Sided Sheet)	\$0.10
Library	Photocopies	Photocopy 8.5x11 (Per Double-Sided Sheet)	\$0.15
Library	Photocopies	Photocopy 11x17 (Per Single-Sided Sheet)	\$0.20
Library	Printing Fee	Photocopy 11x17 (Per Double-Sided Sheet)	\$0.30
Library	Printing Fee	Black & White 8.5x11 (Per Single-Sided Sheet)	\$0.10
Library	Printing Fee	Black & White 8.5x11 (Per Double-Sided Sheet)	\$0.15
Library	Printing Fee	Color 8.5x11 (Per Single-Sided Sheet)	\$0.20
Library	Printing Fee	Color 8.5x11 (Per Double-Sided Sheet)	\$0.30
Library	Fax Fee	Fax Per Page	\$1.00
Library	Fax Fee	Fax In Total (If Toll Free Number)	\$1.00
Library	Lost / Damaged Book Fee	Lost / Damaged Book Fee	
Marina	Slip Fee - Recreational	Taxpayer Boat Footage A ≤ 25'	\$1,810.00
Marina	Slip Fee - Recreational	Taxpayer Boat Footage B ≤ 35'	\$1,990.00
Marina	Slip Fee - Recreational	Taxpayer Boat Footage C ≤ 30'	\$1,810.00
Marina	Slip Fee - Recreational	Taxpayer Boat Footage D ≤ 40'	\$2,171.00
Marina	Slip Fee - Recreational	Taxpayer Boat Footage E ≤ 45'	\$2,351.00
Marina	Slip Fee - Recreational	Non-Taxpayer Boat Footage A ≤ 25'	\$2,483.00
Marina	Slip Fee - Recreational	Non-Taxpayer Boat Footage B ≤ 35'	\$2,664.00
Marina	Slip Fee - Recreational	Non-Taxpayer Boat Footage C ≤ 30'	\$2,483.00
Marina	Slip Fee - Recreational	Non-Taxpayer Boat Footage D ≤ 40'	\$2,846.00
Marina	Slip Fee - Recreational	Non-Taxpayer Boat Footage E ≤ 45'	\$3,018.00
Marina	Slip Fee - Recreational	Taxpayer Outboard Slips: Boat Footage ≤ 20'	\$1,281.00
Marina	Slip Fee - Recreational	Taxpayer Dinghy / Boe Tie Up: Boat Footage ≤ 16'	\$378.00
Marina	Slip Fee - Recreational	Taxpayer Dinghy Tie Up	\$288.00
Marina	Slip Fee - Recreational	Taxpayer Ace Moorings (Marina)	\$79.00
Marina	Slip Fee - Recreational	Taxpayer Waterways Moorings (Greater Harbor)	\$328.00
Marina	Slip Fee - Recreational	Non-Taxpayer Outboard Slips: Boat Footage ≤ 20'	\$1,810.00
Marina	Slip Fee - Recreational	Non-Taxpayer Dinghy / Boe Tie Up: Boat Footage ≤ 16'	\$488.00
Marina	Slip Fee - Recreational	Non-Taxpayer Dinghy Tie Up	\$285.00

Marina	Slip Fee - Recreational	Non-Taxpayer Ace Moorings (Marina)	\$107.00
Marina	Slip Fee - Recreational	Non-Taxpayer Waterways Moorings (Greater Harbor)	\$328.00
Marina	Slip Fee - Recreational	Transient Dockage Per Night (May 15 - Oct 15) *Additional \$2.00 Per Foot Charge > 30'	\$60.00
Marina	Slip Fee - Recreational	Transient Mooring Per Night (May 15 - Oct 15) *Additional \$2.00 Per Foot Charge > 30'	\$44.00
Marina	Slip Fee - Recreational	Off Season Transient Dockage Per Night (Oct 16 - May 14) *Additional \$2.00 Per Foot Charge > 30'	\$25.00
Marina	Slip Fee - Recreational	Off Season Transient Mooring Per Night (Oct 16 - May 14) *Additional \$2.00 Per Foot Charge > 30'	\$8.00
Marina	Slip Fee - Recreational	Off Season Transient Dockage Per Week (Oct 16 - May 14) *Additional \$2.00 Per Foot Charge > 30'	\$142.00
Marina	Slip Fee - Recreational	Off Season Transient Mooring Per Week (Oct 16 - May 14) *Additional \$2.00 Per Foot Charge > 30'	\$36.00
Marina	Electricity Fee	Transient Dockage Per Night	\$4.00
Marina	Electricity Fee	Transient Dockage Per Week	\$16.00
Marina	Launch Ramp Fee - Recreational	Off Season Per Launch (Oct 16 - May 14)	\$10.00
Marina	Launch Ramp Fee - Recreational	Seasonal (May 15 - Oct 15)	\$200.00
Marina	Launch Fee - Commercial	Per Commercial Operation	\$820.00
Marina	Slip Fee - Recreational	Lunch Dockage / Mooring For 2 Hours (May 15 - Oct 15) * \$10.00 Per Hour After 2 Hours	\$20.00
Marina	Parking Fee	Overnight / Event Parking Per Instance	\$25.00
Marina	Parking Fee	Seasonal (May 15 - Oct 15)	\$1,500.00
Marina	Slip Waiting List Fee	Slip Waiting List Per Person Annually	\$20.00
Marina	Mooring Waiting List Fee	Mooring Waiting List Per Person Annually	\$20.00
Marina	Slip Fee - Commercial	Taxpayer South Bulkhead (May 15 - Oct 15)	\$2,107.00
Marina	Slip Fee - Commercial	Non-Taxpayer South Bulkhead (May 15 - Oct 15)	\$2,763.00
Marina	Slip Fee - Commercial	Taxpayer L-Pier / Mosquito Dock Per Foot (May 15 - Oct 15)	\$42.00
Marina	Slip Fee - Commercial	Non-Taxpayer L-Pier / Mosquito Dock Per Foot (May 15 - Oct 15)	\$53.00
Marina	Slip Fee - Commercial	Taxpayer F/V, Floats & Rafts Per Night (May 15 - Oct 15)	\$42.00
Marina	Slip Fee - Commercial	Non-Taxpayer F/V, Floats & Rafts Per Night (May 15 - Oct 15)	\$55.00
Marina	Slip Fee - Commercial	F/V Unloading (May 15 - Oct 15)	\$250.00
Marina	Slip Fee - Commercial	Off Season F/V > 25' (Apr 1 - May 14 / Oct 16 - Dec 1)	\$150.00
Marina	Slip Fee - Commercial	Off Season F/V < 25' (Apr 1 - May 14 / Oct 16 - Dec 1)	\$750.00
Marina	Slip Fee - Commercial	Winter Dockage F/V > 25' (Oct 16 - May 14)	\$500.00
Marina	Slip Fee - Commercial	Winter Dockage F/V < 25' (Oct 16 - May 14)	\$1,500.00
Marina	Slip Fee - Commercial	Winter Storage (Oct 16 - May 14)	\$1,500.00
Shellfish	Recreational Shellfishing Resident or Taxpayer Permit	Escrow	\$60.00
Shellfish	Recreational Shellfishing Senior Resident or Taxpayer Permit	Annual (Jan. 1 - Dec. 31)	\$20.00
Shellfish	Recreational Shellfishing Non-Resident or Non-Taxpayer Permit	Annual (Jan. 1 - Dec. 31) Over 65 Years Old	\$210.00
Shellfish	Recreational Shellfishing Massachusetts Resident Veteran Permit	Annual (Jan. 1 - Dec. 31)	\$60.00
Shellfish	Recreational Shellfishing Massachusetts Senior Resident Veteran Permit	Annual (Jan. 1 - Dec. 31) Over 65 Years Old	\$20.00
Shellfish	Recreational Shellfishing Town of Wellfleet Employee	Annual (Jan. 1 - Dec. 31)	\$60.00
Shellfish	Recreational Shellfishing Senior Town of Wellfleet Employee	Annual (Jan. 1 - Dec. 31) Over 65 Years Old	\$20.00
Shellfish	Recreational Shellfishing Resident or Taxpayer Permit	Seasonal (June 1 - Sept. 30)	\$40.00
Shellfish	Recreational Shellfishing Non-Resident or Non-Taxpayer Permit	Seasonal (June 1 - Sept. 30)	\$85.00
Shellfish	Recreational Shellfishing Massachusetts Resident Veteran Permit	Seasonal (June 1 - Sept. 30)	\$40.00
Shellfish	Recreational Shellfishing Massachusetts Senior Resident Veteran Permit	Seasonal (June 1 - Sept. 30)	\$40.00
Shellfish	Commercial / Recreational Shellfishing Replacement Permit	Replacement Permit	\$20.00
Shellfish	Commercial Shellfishing Resident Permit	Annual (Dec. 1 - Jan. 31)	\$310.00
Shellfish	Commercial Shellfishing Senior Resident Permit	Annual (Dec. 1 - Jan. 31) Over 65 Years Old	\$60.00
Shellfish	Commercial Shellfishing Junior Resident Permit	Annual (Dec. 1 - Jan. 31) 14-16 Years Old	\$110.00

Shellfish	Commercial Shollifishing Eel Permit	Annual (Dec. 1 - Jan. 31)	\$3.00	*Fee mandated by the state, presently the cost is \$25.00.
Shellfish	Grant Fee	Per License Holder Per Acre	\$25.00	
Town Clerk	Vital Records Copy Fee	Vital Records Copy	\$10.00	
Town Clerk	Business Certificate Fee	Business Certificate	\$70.00	
Town Clerk	Marriage License Fee	Marriage License	\$90.00	
Town Clerk	Vital Records Amendment Fee	Vital Records Amendment	\$20.00	

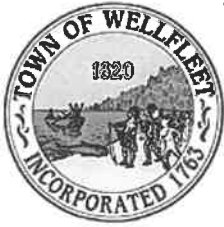
Notes for Building Department Fees:

Fees for any work not listed above will be determined by the Building Commissioner.

Fees are non refundable once permit is issued. (All Departments)

Records requests that will take more than 20 minutes will be charged at Department Assistant pay rate.

Fees double for all work started without a permit. (All Departments)



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: March 23, 2021

VI

BUSINESS - H

REQUESTED BY:	Town Clerk/Town Moderator
DESIRED ACTION:	Discussion and vote to finalize the dates for the Annual Town Meeting, rain dates and Annual Town Election
PROPOSED MOTION:	I move to approve that Wellfleet's Annual Town Meeting be held on Saturday June 5, 2021 at 10am with the rain dates of Sunday June 6, 2021 and Monday June 7, 2021 and vote to change Wellfleet's Annual Town Election on Monday June 14, 2021 in accordance with recent amendments to the election laws
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____



Board of Selectmen

Request for Placement on Agenda

Name: Town Clerk/Moderator _____

Address: 300 Main st _____

Company or Organization Representing: _____

Phone Number: 508-349-0301 _____

Email Address: townclerk@wellfleet-ma.gov _____

Specific Request: Discussion and Vote to finalize the dates of our ATM to June 5th with
rain dates, and a vote to change the date of our ATE in accordance with recent amendments to the
election laws. Suggested date is Monday June 14, 2021.

To be Filed out by Dept.

Applicant Notified: _____ Date of Hearing: _____

Date Request Completed: _____



TOWN OF WELLFLEET

300 MAIN STREET WELLFLEET, MASSACHUSETTS 02667

Office of the Town Clerk

Townclerk@wellfleet-ma.gov

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

Wellfleet-ma.gov

March 18,2021

To: Selectboard

From: Town Clerk

Re: Vote to change the date Annual Town Election 2021.

Dear Selectboard,

On March 16,2021 I was notified by the Secretary of the Commonwealths office's that Chapter 5 of the Acts of 2021 had just passed which basically provided for extensions to many provisions of Chapter 45 of the Acts of 2020 that allowed municipalities to change the date of any Annual Town Election scheduled before June 30,2021 to a new date as long it is on or before August 01,2021.

Since the board has already voted to have our Annual Town Meeting on June 5th, it is my opinion (and agreed upon by the Town Administrator) that by moving our ATE to June 14th, after the date of ATM, we will circumvent the need for a Special Town Election to vote for ballot questions that ordinarily correlate after Town meeting.

This would save both time, money, and in my opinion confusion on behalf of the voters.

Also, for your information, it was communicated to me from the State that the legislation. only allows you to move the date of the election, but the deadlines remain tied to the original election date.

Thank you for your consideration,

Jennifer M. Congel
Town Clerk



The Commonwealth of Massachusetts

William Francis Galvin, Secretary of the Commonwealth
Elections Division

MEMORANDUM

TO: Local Election Officials

FROM: Michelle K. Tassinari, Director and Legal Counsel, Elections Division

DATE: March 16, 2021

RE: Changes to State Election Laws: Chapter 5 of the Acts of 2021

The purpose of this memo is to provide information on temporary changes to the Massachusetts state election laws contained in Chapter 5 of the Acts of 2021. This new law essentially provides extensions of provisions already set in Chapter 45 of the Acts of 2020 (as amended by Chapter 92 of the Acts of 2020) and Chapter 255 of the Acts of 2020.

As you may recall, in response to the pandemic, Chapter 45 of the Acts of 2020 was enacted which allowed municipalities to delay the date of their town election and/or town meeting and also allowing early voting by mail. Chapter 92 of the Acts of 2020 amended that to allow a municipality to eliminate a municipal caucus. The provisions in these Acts applied to 2020. Chapter 255 of the Acts of 2020 allowed for early voting by mail and other changes relative to designating polling places and appointing poll workers in addition to allowing in-person early voting for elections held on or before March 31, 2021.

The law itself only refers back to these other session laws. Below please find an overview of each section. We have also included the existing laws with the changes at the end of this document.

SECTIONS 1 and 2 amend section 1(a) Chapter 45 of the Acts of 2020. This section allows a city or town with a municipal caucus or annual or special election scheduled before **June 30, 2021** to postpone the date to a new date, which must be on or before **August 1, 2021**.



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: March 23, 2021

VI

BUISNESS - I

REQUESTED BY:	Friends of Herring River
DESIRED ACTION:	To discuss and possibly vote on proclaiming the month of May as Herring River Month
PROPOSED MOTION:	I move to approve that the month of May be proclaimed as Herring River Month for the Town of Wellfleet
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____

March 12, 2021

To Rebekah Eldridge for the Wellfleet Select Board
From: Friends of Herring River

Please allow a representative of Friends of Herring River Board of Directors to appear before the Wellfleet Select Board to request a vote by the Board to proclaim

MAY IS HERRING RIVER MONTH.

May coincides with the river's annual herring run, and we focus on presenting a number of programs for outreach and education about the importance of the Herring River, its estuary and its watershed, to the local ecosystem.

We have a vibrant number of programs planned for May:

- First Annual Herring River Run 5K (virtual)
- Step in to Spring with guided socially-distanced walks and talks about various aspects of the river and the river basin including the history and environment
- "Voices of the River" – a call for poetry submissions of poems inspired by the restoration of the Herring River in honor of national Poetry Month, April 2021. Submissions will be published in the Friends of Herring River newsletter and the Wellfleet Library newsletter.

The Board of Friends of Herring River thanks you for your continuing interest and support,

Sincerely,

Dale Rheault
Chair, Friends of Herring River.



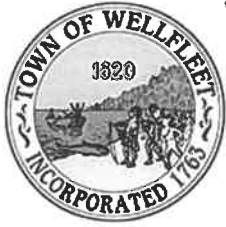
SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: March 23, 2021

VI

BUSINESS – J

REQUESTED BY:	Harry Terkanian
DESIRED ACTION:	Discuss and possibly vote on designating receipts for short term rental tax for housing purposes
PROPOSED MOTION:	I move to approve the request that 80% of Wellfleet's receipts from the tax on short term rentals be designated to the Affordable Housing Trust for the purpose of creation, preservation and support of housing be brought to town meeting
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____



TOWN OF WELFLEET

300 MAIN STREET WELLFLEET MASSACHUSETTS 02667
Tel (508) 349-0300 Fax (508) 349-0305
www.wellfleetma.org

To: Maris Broadbent, Town Administrator
From: Harry Sarkis Terkanian
Subject: Designation of Receipts for Short Term Rental Tax for Housing Purposes
Date: March 18, 2021
CC: Wellfleet Affordable Housing Trust Board of Trustees

Dear Ms. Broadbent:

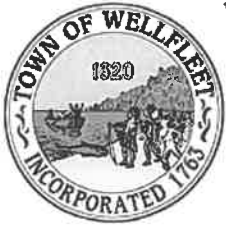
On behalf of the Trustees of the Wellfleet Affordable Housing Trust I am requesting consideration by the Selectboard of the Trust's request to designate eighty (80%) percent of Town of Wellfleet receipts from the tax on short term rentals to the Affordable Housing Trust for "creation, preservation and support of housing." Such a request would likely require town meeting approval.

It is without question that Wellfleet has serious housing problem. Affordable housing is extremely limited in availability. In addition to "affordable housing" which is housing for families whose incomes that fall below 100% of the "area median income" (AMI) as defined by HUD, the same challenges exist for families whose income falls just above this limit. Compounding the problem, while there are some funding sources and tax credits available for development of affordable housing, there is essentially no funding for addressing the needs of those who fall just above this limit.

It is clear that a major factor in the scarcity of affordable housing is the financial attractiveness of renting properties for short term seasonal use. A property owner can generate more rental income, the property sustains less wear and tear, and the property remains available for owner use much of the year. The short term rental tax is a revenue stream that is linked directly to short term rentals and is therefore an appropriate candidate for allocation by the Town to address the housing shortages arising from seasonal short term rental use of otherwise available year round housing.

Earmarking this revenue stream for this purpose would supplement the funds available for affordable housing and would provide a source of financial resources for addressing the significant needs of those just above the HUD limits, for which only limited resources are presently available.

Wellfleet has a long history of allocating revenue streams to purposes related to the activities which give rise to the revenue. For example, At the 1966 annual town meeting the town voted, under article 47, to establish a "Beach Fund" and to assign to that fund revenue generated by the sale of beach stickers. Similarly the Town has established an Ambulance Fund, a Recreation Fund, two enterprise funds (water and marina), a Shellfish Revolving Fund and perhaps others.



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: March 23, 2021

VI

BUSINESS – K

REQUESTED BY:	Selectboard Member Curley
DESIRED ACTION:	To vote to send a letter in relation to the to the proposed fee increases by the Provincetown Public Pier Corporation
PROPOSED MOTION:	I move to approve and send a letter as written dated March 23, 2021 to the Provincetown Selectboard and the Provincetown Public Pier Corporation
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____

Proposed Letter

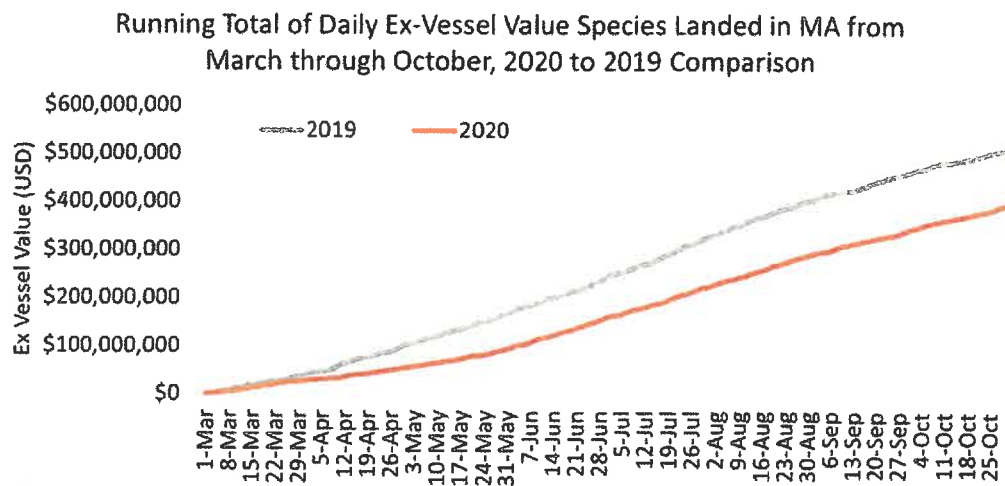
March 23, 2021

Dear Members of the Provincetown Select Board & Provincetown Public Pier Corporation,

We write today in recognition that MacMillan Wharf is a valuable regional asset and urge you to carefully consider the direct and indirect impacts of the Provincetown Pier Corporation’s proposed fee increases. Provincetown is the only deepwater harbor serving the Outer Cape. The proposed fee increases will have a detrimental impact on the dock tenants, their crews, the families of those individuals, and the broader community and local economy.

Provincetown is the seventh-ranked port in Massachusetts for “ex-vessel value.”¹ The impacts of the fishing industry are far-reaching and vital to the Outer Cape and beyond. The fishing industry in Provincetown provides direct benefits to the community in the form of year-round employment of local residents and a food source for the greater community. The industry also supports many onshore economic activities, specifically in the foodservice industry that supports many jobs². To that end, it is imperative to protect the local fishing industry and heritage.

The ex-vessel value of commercial and aquaculture landings in the Commonwealth during March and April declined over 30% compared to the prior five-year average and experienced a sustained 23% decline from March to October.³ The proposal of a nearly fifty percent rate increase for dockage fees will push the local fishing fleet deeper into economic ruin.



¹ https://www.mass.gov/doc/draft-report-port-by-port-profiles-and-analysis-of-the-massachusetts-commercial-fishery/download?_ga=2.226665685.930307975.1614786212-1933361823.1570452321

² <https://provincetown-ma.gov/DocumentCenter/View/8905/Economic-Conditions---UMass-Dartmouth-Report>

³ <https://www.mass.gov/news/fisheries-relief-provided-through-the-2020-cares-act-and-other-assistance-programs>

The Wellfleet Selectboard understands the importance of charging fees to offset the Pier's operational costs. The Selectboard urges that The Pier Corp institutes a 12-month moratorium on commercial fee increases. Additionally, The Pier Corp should use those twelve months to conduct a professional analysis of its fee structure. Any commercial fee increases need to be implemented gradually over several years. The Town of Wellfleet has instituted a gradual 15% price increase for our marina. These fees will be increased over a three-year period, and there will be no increase in commercial fees this year in recognition of the COVID-19 economic impact experienced in the sector.

The Wellfleet Select Board acknowledges that there are difficult decisions that need to be made to ensure The Pier Corp's fiscal health. It is critical to the Outer Cape that the facility is well maintained and available to support commercial activities. We urge that any rate increases be carefully deliberated and justified.



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: March 23, 2021

IV

BUSINESS - L

REQUESTED BY:	Susan Spear – Wellfleet Well Line
DESIRED ACTION:	To approve the gifting of beach and transfer stickers to the year-round Wellfleet Marketplace employees in gratitude for their hard work and dedication during the past year
PROPOSED MOTION:	I move to approve that the Wellfleet Marketplace year-round employees shall receive a beach and transfer sticker free of charge in gratitude for their hard work and dedication during the pandemic over the past year
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____

Rebekah Eldridge

From: Susan Spear <spearsus@gmail.com>
Sent: Thursday, March 18, 2021 2:50 PM
To: Rebekah Eldridge
Cc: Board of Selectmen; Dennis Cunningham; Kristen Shantz; Dale Rheault; Karen
Subject: Re: Thanks

Rebekeh,

Would it be possible to have the Select Board vote at its next meeting to authorize beach/transfer station stickers for the Wellfleet Market employees.

Many thanks for all your help.

The Wellfleet Well Line

On Fri, Mar 12, 2021 at 10:44 AM Susan Spear <spearsus@gmail.com> wrote:

Do you have a suggestion for how to get the Select Board to take the action necessary for the stickers to happen?
Thank you for any help.

Susan

On Wed, Mar 10, 2021 at 9:26 AM Susan Spear <spearsus@gmail.com> wrote:

Yes, of course. They would love it.
Any way to make the stickers happen?
Thanks for your support.

Susan

On Wed, Mar 10, 2021 at 9:23 AM Rebekah Eldridge <Rebekah.Eldridge@wellfleet-ma.gov> wrote:

Hi,

You did great and I don't think it was technical difficulties on your end, zoom was giving me issues all day

No action which they usually don't but I think I will make a big thank you card to the marketplace and walk over and give it to them Would it be okay if I glued your letter onto the card?

Rebekah

From: Susan Spear <spearsus@gmail.com>
Sent: Wednesday, March 10, 2021 6:08 AM
To: Rebekah Eldridge <Rebekah.Eldridge@wellfleet-ma.gov>
Subject: Thanks



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: March 23, 2021

VI

Business - M

REQUESTED BY:	Selectboard Member Wilson
DESIRED ACTION:	To discuss the spraying of chemicals by Eversource around the powerlines
PROPOSED MOTION:	No action needed
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____

THE COMMONWEALTH OF MASSACHUSETTS

EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS



Department of Agricultural Resources

251 Causeway Street, Suite 500, Boston, MA 02114
617-626-1700 fax: 617-626-1850 www.mass.gov/agr



CHARLES D. BAKER
Governor

KARYN E. POLITO
Lt. Governor

KATHLEEN A. THEOHARIDES
Secretary

JOHN LEBEAUX
Commissioner

Notice

Pursuant to the provisions of the Rights-of-Way Management Regulations, 333 CMR 11.00, to apply herbicides to control vegetation along rights-of-way (ROW), a five year Vegetation Management Plan (VMP) and a Yearly Operational Plan (YOP) must be approved by the Department of Agricultural Resources (DAR). Eversource Energy, Eastern MA (Central, Eastern, and Southeastern MA) holds a current VMP, therefore, notice of receipt of a YOP and procedures for public review is hereby given as required by Section 11.06 (3).

Eversource Energy, Eastern Ma has submitted a YOP to DAR in February 2021.

In 2021 Eversource Energy, Eastern MA will conduct an Integrated Vegetation Management (IVM) program on their transmission and distribution lines. The intended vegetation control program will be consistent with Eversource Energy, Eastern MA's VMP (approved by DAR in 2018). In accordance with the guidelines set forth in Eversource Energy, Eastern MA's VMP for Cape Cod and Martha's Vineyard and YOP, herbicides will be selectively applied to target vegetation by licensed/certified applicators carrying backpack or hand held application equipment for the IVM program.

Eversource Energy, Eastern MA's YOP identifies the following 12 municipalities as locations where they intend to use herbicides to treat their electric Rights-of-Way in 2021:

Massachusetts East (EMA) municipalities:					
Barnstable	Chatham	Eastham	Harwich	Orleans	Wellfleet
Brewster	Dennis	Edgartown	Oak Bluffs	Tisbury	Yarmouth

Eversource Energy, Eastern MA will only use herbicides recommended by DAR for use in regulated sensitive areas for their IVM program. Pursuant to 333 CMR 11.04, no herbicides will be sprayed within any designated "no spray sensitive area" instead mechanical only methods will be used to control vegetation.

Public notification, by certified mail, will be provided to each "affected" municipality at least twenty-one days prior to any herbicide application.

In accordance with 333 CMR 11.06 (2), Eversource Energy, Eastern MA's YOP for Cape Cod and Martha's Vineyard includes the identification of target vegetation; methods of identifying, marking and protecting regulated sensitive areas; application techniques; the herbicides, application rates, carriers and adjuvants proposed for use; alternative control measures, a list of the application companies and YOP supervisor; procedures for handling, mixing and loading herbicides; emergency resources including local, state and federal emergency telephone numbers; maps of the ROWs which included regulated sensitive areas, and herbicide fact sheets and labels.

PUBLIC REVIEW

The DAR seeks to verify the location of regulated Sensitive Areas defined in Section 11.02 reported in the YOP. DAR itself has a limited ability to survey the geography, land use and water supplies in all the communities through which ROWs pass. Municipalities have most of this information readily available, and the particular knowledge with which to better certify the regulated Sensitive Areas in their communities. DAR, therefore, requests, and urges the assistance of the "affected" municipalities in reviewing the completeness and accuracy of the maps contained in the submitted YOP.

The YOP may be viewed online at the following websites:

<http://www.mass.gov/eea/agencies/agr/pesticides/vegetation-management-and-yearly-operation-plans.html>

<https://www.eversource.com/content/ema-c/about/about-us/doing-business-with-us/municipal-officials/transmission-vegetation-management>

DAR has established the following procedures for this review:

Copies of the YOP and this *Notice* will be sent by the applicant to the Conservation Commission, Board of Health (or designated health agent), and the Head of Government (Mayor, City Manager, Chair of the Board of Selectman) of each municipality where herbicides are to be applied during the 2021 calendar year; and if applicable to the Natural Heritage Endangered Species Program of the Massachusetts Department of Fisheries and Wildlife, the Massachusetts Water Resource Authority and the Massachusetts Department of Conservation and Recreation. Municipal agencies and officials will have forty-five days, following receipt of the YOP, to review its map for inaccuracies and omissions in the location of "regulated sensitive areas not readily identifiable in the field."

Municipal agencies and officials are requested to forward the YOP to the appropriate official(s) in their municipality qualified to certify the accuracy of the regulated sensitive areas indicated on the maps. The maps should then be "corrected" and returned to the applicant and a copy should be sent to DAR at the address listed below within the forty-five day review period.

If a city or town needs more time to carry out this review, it should send a written request for an extension to DAR and cite why there is a "good cause" for requesting additional time.

The applicant is required to make all corrections and the corrected maps will be sent back to the city/town that requested the disputed changes within fifteen days of receipt of the request. DAR will decide whether or not the YOP should be approved without the requested changes. DAR will consider the "final approval" of a YOP individually for each municipality.

The twenty-one day public review period of the Municipal ROW Notification Letter may serve concurrently with the forty-five day YOP review period in order to provide public notifications as required by 333 CMR 11.07, if the applicant has an approved VMP and if all the requisite city-town offices that received copies of the YOP completed their review and all corrections were duly made by the applicant and approved by DAR.

A failure by the city/town to respond to the applicant's submission of the YOP within the forty-five day period will be automatically considered by DAR to indicate agreement by the municipal officials with the regulated Sensitive Area demarcations provided by the applicant in their YOP.

Any questions or comments on the information provided in this *Notice* and the procedures established for the municipal review outlined above should be addressed to:

Clayton Edwards
Director of Rights-of-Way Programs
Massachusetts State Pesticide Bureau
251 Causeway Street, Suite 500
Boston, MA 02114-2151

Any questions or comments regarding the YOP should be addressed to:

William Hayes, Supervisor
Eversource Energy
Vegetation Management
247 Station Drive, SE-370
Westwood, MA 02090-9230
781-441-3837 (office)

COMMENT PERIOD ENDS AT THE CLOSE OF BUSINESS 5pm, Friday, April 9, 2021



TOWN OF WELLFLEET
Health & Conservation Department

220 West Main Street
Wellfleet, MA 02667
508-349-0308 ♦ fax 508-349-0327

Hillary H. Greenberg
Health & Conservation Agent
Hillary.Lemos@wellfleet-ma.gov

March 17, 2021

William Hayes
Supervisor Vegetation Management
Eversource Energy
247 Station Drive, SE-370
Westwood, MA 02090-9230

RE: 2021 Yearly Operating Plan

Dear Mr. Hayes:

The Wellfleet Board of Health has reviewed the 2021 Yearly Operating Plan and offers the following comments. We strongly believe that the maintenance of the power line rights of ways using herbicides presents an unnecessary risk to the residents of Wellfleet, their aquifer, and the environment. As you know, Wellfleet has extremely sandy soils that are highly permeable and allow contaminants to easily leach through to groundwater. Wellfleet residents rely solely on groundwater for all their potable water needs.

We have confidence that the other methods for vegetation management would be more beneficial to our residents and the environment. We strongly urge you to remove herbicide application from the tool box and rely on methods such as manual removal of vegetation, selective planting, fire, grazing, and meadowscaping to maintain the power line right of way in our community and on Cape Cod.

In Wellfleet, there are thirteen properties with private drinking water wells near the Way, some as little as ten (10) feet away from the edge of the easement. The municipal well field is located less than 400 feet from Way 301. Right of Way 301 also crosses very valuable wetlands including the Herring River, Hatches Creek, Silver Spring Brook and Fresh Brook, and is located within rare plant and species habitat.

Out of concern for public health and the environment the Board of Health's preference is for an herbicide free Right of Way.

Yours,

Hillary Greenberg

cc: Conservation Commission
Board of Selectmen



**TOWN OF WELLFLEET
CONSERVATION COMMISSION
220 West Main Street
Wellfleet, MA 02667**

March 17, 2021

William Hayes
Supervisor Vegetation Management
Eversource Energy
247 Station Drive, SE 370
Westwood, MA 02090-9230

RE: 2021 Yearly Operation Plan

Dear Mr. Hayes:

The Wellfleet Conservation Commission has reviewed the 2021 Yearly Operation Plan and offers the following comments. We strongly believe that the maintenance of the power line rights of ways using herbicides presents an unnecessary risk to the residents of Wellfleet, their aquifer, and the environment. As you know, Wellfleet has extremely sandy soils that are highly permeable and allow contaminants to easily leach through to groundwater. Wellfleet residents rely solely on groundwater for all their potable water needs.

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Out of concern for public health and the environment the Conservation Commission's preference is for an herbicide free Right of Way.

Yours,

Hillary Greenberg



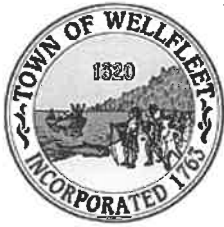
SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: March 23, 2021

VII

SELECTBOARD REPORTS:

Reported by:	Topic:



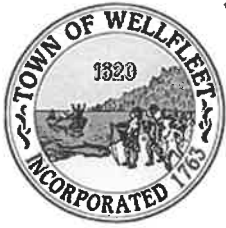
SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: March 23, 2021

VIII

TOWN ADMINISTRATOR REPORT

Please see attached report



TOWN OF WELFLEET

300 MAIN STREET WELLFLEET MASSACHUSETTS 02667
Tel (508) 349-0300 Fax (508) 349-0305
www.wellfleetma.org

To: Board of Selectmen
From: Maria T. Broadbent, Town Administrator
Subject: Town Administrator's Report
Date: March 19, 2021

This report is for the period March 6, 2021 through March 19, 2021.

1. General

- Town Hall remains closed to the public, except by appointment only, as precaution to the COVID-19 virus. Town staff is available by appointment.
- Supervisors continue to monitor the safety of staff and to encourage work from home when appropriate.
- In order to keep information flowing to the community about COVID vaccines and other related matters, Emergency Management Team meetings have been expanded to twice a month on the first and third Tuesdays at 10 am. The Selectboard will also include an update at the beginning of their meetings, held the second and fourth Tuesdays at 6 pm. A link to both these meetings, held via Zoom, can be found on the Town of Wellfleet's website.

2. Fiscal Matters

-The FY 2019/2020 audit began Monday, 2/8/2021 and is coming to a closure with the final review of the Management Letter being performed the week of 03/15/2021. Administration is anticipating a conference call with the audit team next week to discuss their findings and recommendations. Following this step, Administration will share the full contents of the letter with the Selectboard and Finance Committee as well as their thoughts surrounding systematic mitigation of the concerns raised through this annual process.

-On Monday, March 15, Treasury received the full proceeds of the Bond totaling \$9,314,054.53, which enabled the Town to pay off the prior BAN totaling \$3,002,368.33. Additionally several other procurements and projects may now commence or continue given the available funding to include: Lt. Island Road Repair (\$150,000), Fire & Rescue Equipment on Forestry 90 (\$40,000), Wellfleet Elementary School Fire Suppression Engineering (\$110,000), Water System Upgrade (\$1.34M), Harbor Dredging (\$7.5M), and EMS Equipment (\$80,000).

-The Town Accountant has been researching more appropriate financial systems to support the Town's growing operating needs from a technological and systems perspective. The environment dictated by COVID has forced daily business in a new direction, one that requires robust integrated systems, both internally and customer facing, to continually provide outstanding customer service in conjunction with more

TOWN ADMINISTRATOR'S REPORT TO THE SELECTMEN

efficiently operating the Town. Vadar is ill-equipped to offer desperately needed purchasing, receiving, budgeting, payroll and human resources functionalities, all areas that are anticipated to receive significant deficiency reports from the auditors. In addition, more advanced information systems offer customer portals to transact applications and process payments simultaneously developing accountability matrices, clear workflows and customer convenience. A vendor has been identified as holding a current contract with the State of Massachusetts, thus meeting procurement requirements, and two initial discovery meetings have taken place to determine if this company is able to offer superior service and products addressing the litany of needs expressed by Town employees.

-The Town Accountant has been working with the IRS Agent assigned to the case for several weeks. The audit has continued to focus on fuel acquisition at the Marina in 2018, of which all documentation has been provided to the best of our ability. The Agent has informed the Town Accountant he will be in touch by Wednesday, March 24 for a full update.

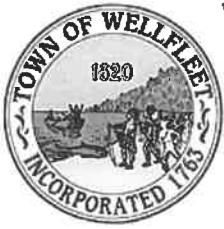
-As a proactive measure to the financial health of Wellfleet, Administration has formed an "Internal Finance Solutions Committee" with a diversified group of ten employees being selected to participate, providing wide department and expertise representations. Further information will be presented in the future, but Administration is excited to embark on this multi-dimensional strategy in which to address Wellfleet's future as an exemplar community in finance.

3. Meetings – Most meetings are via conference call/Zoom

- March 10-Herring River project status – Carole Ridley
- March 10 -FinCom
- March 16 - Emergency Management Team Meeting
- March 17-Herring River Construction Management Kickoff Meeting
- March 18-OpenGov-financial software discussion with vendor
- March 18-February 17-Standard & Poor's-bond rating

4. Personnel Matters:

- Interviews for the Assistant Town Clerk, Committee Secretary to the planning Board, Board of Water Commissioners, Finance Committee, and Water Clerk position have been conducted. A candidate has been identified and references are being checked.



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: March 23, 2021

IX

TOPICS FOR FUTURE AGENDAS

Requested by:	Topic:	Requested to be on:



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: March 23, 2021

X

CORRESPONDENCE AND VACANCY REPORTS

- **Letter from Christine Woods and immediate abutter for 1065 State Highway Route 6. Stating her concern for the project to move forward.**
- **Letter from Shellfish Constable Nancy Civetta asking to postpone the public hearing for two weeks**

Rebekah Eldridge

From: Christine Woods <cmurphywoods@gmail.com>
Sent: Thursday, March 18, 2021 11:01 PM
To: Christine Bates; Maria Broadbent; hillary.lemox@wellfleet-ma.gov; Board of Selectmen
Subject: Letter from Abutter - 1065 State Highway Route 6 Proposed Project....
Attachments: Letter to Wellfleet ZBA.docx; 25 Wixom #1 Great White Realty Project Impact 1.jpg; 25 Wixom #1 Great White Realty Project Impact 2.jpg; 25 Wixom #1 Great White Realty Project Impact 3.jpg

To: Wellfleet Zoning Board of Appeals

From: Christine M. Woods – Immediate Abutter – 25 Wixom Ave., #1 and #2

Re: 1065 State Highway Route 6 Project

Date: 18 March 2021

I received the plans for this project in response to my request to ZBA administrator Christine Bates, and I reviewed them thoroughly. My initial concerns were exacerbated when the details revealed themselves. I attach three photos to this email to show you how closely this project is already affecting us. Note that the large piles of sand and dirt tower over our home at 25 Wixom Avenue #1, which is located just on the other side of the fence. It is a visual affront to our right to enjoy a good quality of life on our property. I have outlined below specific concerns against allowing this project to go forward as conceived at the 1065 State Highway Route 6 location.

Safety

- 10 children will regularly occupy the four homes directly abutting the project (25 Wixom Ave., #1, #2, #3 and #4), five of whom are under the age of three, creating a need for vigilance.
- Stone dust and loam particles from the operation may make the air unhealthy; ground run-off and diesel fuel from heavy equipment may permeate our nearby wells making the water undrinkable; and fill brought in from other locations may contaminate the local soil. All are potential hazards.
- Increased traffic on Old Wharf Road will be a complication for both automobile traffic and to little ones on bicycles. Turning on to Route 6 already is challenging, and a contractor's yard with heavy equipment entering and exiting will worsen this and transform it from an annoyance to a real traffic danger.
- Wixom Avenue is not only a residential street, it is a thriving place for families to live and recreate. The development that is proposed behind our homes there will be a danger to our health and safety. We implore the ZBA to consider our rights as residents in their decision. Business is good, but not at the expense of residents' safety. We want to continue to keep the neighborhood safe and hospitable.

Quality of Life

- Noise – the business seeks to grind gravel and screen loam at the site. It is irrelevant for them to say that this operation will occur in the off-season only. We live here year-round, and will have to listen to the sounds of the gravel crunching and the noisy loam screening machine as we go about our daily lives. It will be a constant reminder that residential peace is gone for us. We must be pro-active to protect our peace.
- Diesel engines will be starting up early in the morning as equipment fires up to go to worksites. Equipment will return throughout the day to disrupt and disturb. There will be no end to the noise.

Aesthetics/Property Values

- The site is already an eyesore, having been cleared of most vegetation without a single permit in place. Sand piles loom over adjacent properties. Heavy equipment storage will be unsightly for residents, as well as negatively impacting diners at the adjacent restaurant and the motel guests who are relaxing poolside.

Rebekah Eldridge

From: Nancy Civetta
Sent: Friday, March 19, 2021 1:48 PM
To: Board of Selectmen
Subject: Request re: Shellfish Grant License Extension Hearing for Michael DeVasto

Dear Selectboard members:

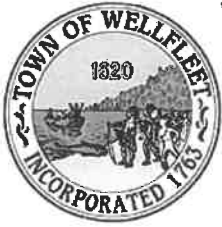
I only found out about this hearing yesterday morning from Mike himself. I was not notified about it from Town Hall. Therefore, I have not been able to conduct a site visit to the proposed grant extension to walk the bottom (with Asst. Constable John Mankevetch), check that the buoys marking the current grant are in the accurate locations, and understand the proposed extension's proximity to the Blackfish Creek channel (with Harbormaster Will Sullivan), etc.

I imagine that you would want some input from the Shellfish Department about this. I would like to request that at your meeting on Tuesday, you continue the hearing until your next meeting, so that I can make a site visit and develop a memo for consideration in your decision-making. The hearing would not need to be re-advertised if you continue it at your meeting on Tuesday.

Thank you for your time.

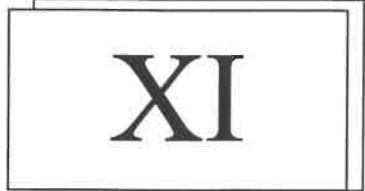
Sincerely,
Nancy

Nancy Civetta
Shellfish Constable
Town of Wellfleet
C: 617-901-7193
O: 508-349-0325
E: nancy.civetta@wellfleet-ma.gov
300 Main St.
Wellfleet, MA 02667
Check for news and updates on [Facebook](#).



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: March 23, 2021



MINUTES

REQUESTED BY:	Executive Assistant
DESIRED ACTION:	Approval of meeting minutes for March 9, 2021
PROPOSED MOTION:	I move to approve the minutes of March 9, 2021 as printed in draft.
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____

**Wellfleet Selectboard
Virtual Meeting ~ Zoom
Tuesday March 9, 2021; 6PM
Meeting Minutes**

Members Present: Michael DeVasto, Chair; Janet Reinhart, Vice-Chair; Justina Carlson, Ryan Curley, Helen Miranda-Wilson

Others Present: Maria Broadbent, Town Administrator; Rebekah Eldridge, Executive Assistant; Michael Hurley, Chief of Police; Lynne Welsh, Financial Advisor for the town of Wellfleet; Jay Norton, Wellfleet DPW; Susan Spear, Member of the Wellfleet Well Line; Hillary Greenberg-Lemos, Wellfleet Health Agent; Paul Fowler, Building Commissioner; Will Sullivan, Harbormaster; Carole Ridley, Ridley & Associates; Mia Baumgarten, Cable Advisory Board Chair; Mark Vincent, Wellfleet DPW; Ellaine McIlroy, 95 Lawrence Rd. Project; Gary Sorkin, 95 Lawrence Rd. Project; Kathleen Bacon,

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.

- Chief Hurley informed the board and public that he wanted to thank a few of his two lead investigators Sgt. Paul Clark and Detective Nick Daley for their hard work and dedication on the drug investigation and arrest of two individuals, getting a lot of drugs off the streets.
- Chief Hurley also informed the board that his Lt. applied for a grant from the department of Public Safety, this will be a sign to inform people to slow speeding cars.
- Spear read a letter to the board and public expressing their gratitude for the employees of the Wellfleet Marketplace and the Well Line would like to see the employees get free beach and transfer stickers for the 2021 season.

II. COVID-19 Updates and Recommendations

- Lemos stated that she did not have many updates for the board. She stated she is still trying to get the vaccine down to this part of the cape. She explained she is moving ahead along with the COA and the fire and police to get the homebound residents to get them vaccinated.

She reported that Wellfleet currently has 3 active Covid cases.

Chair DeVasto spoke out about how disappointed he is in the state knowing that Wellfleet is the number one tourist destination for people he stated the state needs to move quickly on getting vaccine down here so the residents and people who come here to work can be safe. Chair DeVasto stated the town should withhold their tax revenue from the state until all the residents are vaccinated.

Board Member Carlson agreed with Chair DeVasto. Board Member Wilson expressed her concern and dismay that many of the Wellfleet marketplace employees have not been vaccinated. Lemos explained that she has been in constant contact with the state and has been very demanding about getting the vaccine to this end of the cape. She explained she is trying hard but unfortunately it is falling on deaf ears.

Chair DeVasto stated he feels that the selectboard should write a letter to the state explaining how important it is to get the vaccine to the cape as the tourist season will soon begin to ramp up. They continued discussion on staff being vaccinated and when they will be vaccinated.

III. Public Hearings

A. *Discuss and Vote on a new fee schedule at the Wellfleet Marina – William Sullivan, Harbormaster*

Sullivan began explaining that he went to the Marine Advisory Board asking for a slight increase as there has not been any increase in fees in many years. He explained to the board how the increases will go over the next few years. He explained that he did not raise the commercial fees this year due to the pandemic but next year they will increase with the rest of the fees. He also explained that the marina fees are comparable to surrounding towns. The board expressed their gratitude for this well thought out plan.

Selectboard Member Reinhart moved, Selectboard Member Wilson seconded; and it was voted to approve the Wellfleet Marina updated Fee schedule as listed in the selectboard packet dated March 4, 2021 5-0.

IV. Board/Committee Appointments and Updates

A. *Disclosure of Appearance of Conflict of Interest – Olga Kahn, Planning Board*

Kahn explained to the board that she is on the Planning Board and is helping to draft a bylaw on Accessory Dwelling Unit. She stated she has a Accessory Dwelling unit and told them what she makes regarding income. She stated she would like to continue as a citizen/Planning Board Member. Chair DeVasto stated that if something arises in a discussion where she is uncertain about being a conflict of interest, she should contact the Lawyer of the Day at the courthouse and follow what he or she recommends.

Selectboard Member Reinhart moved, Selectboard Member Carlson seconded; and it was voted that the Selectboard has determined that the financial interest of Olga Kahn is not so substantial as to be deemed likely to affect the integrity of the services which the town may expect from her as a member of the Wellfleet Planning Board. This disclosure is dated February 19, 2021. 4-1-0 (Wilson Recused)

B. *Appointment of Al Mueller as an alternate member to the Zoning Board of Appeals – Principal Clerk*

Al Mueller was present for the meeting. Chair DeVasto explained that the board likes to hear from the applicant as to why he would like to be part of the of the Zoning Board of Appeals. He explained he has been living full time in Wellfleet since 2006 and he has worked with maps in the past and he would like to serve the community. The board discussed with Mueller his duties as a member and gave him a summary of the rules.

Reinhard moved, Wilson seconded; and it was voted to approve the appointment of Al Mueller as an alternate to the Zoning Board of Appeals. 5-0

C. *Appointment of Elisabeth Salén to the Local Housing Partnership – Principal Clerk*

Salén has asked that this be moved to a future Selectboard meeting.

No Action Taken

V. **Business**

A. *2021 ATM Article Bond Issuance – Town Administrator Broadbent/Miriam Spencer/Heather Michaud*

Administrator Broadbent introduced Spencer and the financial advisor who represented the town through the bond sale. Welsh gave a summary to the board of how the process went in obtaining the bond for the town. She informed the Board that there is a 20-year bond for Wellfleet with a low interest rate. The town was offered a premium and they were able to resize the bond. Wellfleet was given a AAA rating. She continued to explain this process and how it worked. Miriam stated that the documents needed to be personally signed by the board in the following day so they could be mailed out.

Selectboard Member Reinhart moved, Selectboard Member Curley seconded; and it was voted to approve the 2021 the bond issued votes as provided in the Selectboard packet and listed below, dated March 9, 2021.

5-0

FULL VOTE BELOW:

Further Voted: that the sale of the \$8,500,000 General Obligation Municipal Purpose Loan of 2021 Bonds (Unlimited Tax) of the Town dated March 15, 2021 (the "Bonds"), to Piper Sandler & Co. at the price of \$9,314,054.53 and accrued interest, if any, is hereby approved and confirmed. The Bonds shall be payable on March 15 of the years and in the principal amounts and bear interest at the respective rates, as follows:

<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>	<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>
2022	\$475,000	5.00%	2032	\$405,000	2.00%
2023	\$475,000	5.00%	2033	\$405,000	2.00%
2024	\$475,000	5.00%	2034	\$405,000	2.00%
2025	\$465,000	5.00%	2035	\$405,000	2.00%
2026	\$465,000	5.00%	2036	\$405,000	2.00%
2027	\$425,000	5.00%	2037	\$405,000	2.00%
2028	\$425,000	5.00%	2038	\$405,000	2.00%
2029	\$415,000	5.00%	2039	\$405,000	2.00%
2030	\$415,000	2.00%	2040	\$405,000	2.00%
2031	\$415,000	2.00%	2041	\$405,000	2.00%

Further Voted: that in connection with the marketing and sale of the Bonds, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated February 23, 2021, and a final Official Statement dated March 2, 2021 (the "Official Statement"), each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.

Further Voted: that the Bonds shall be subject to redemption, at the option of the Town, upon such terms and conditions as are set forth in the Official Statement.

Further Voted: that the Town Treasurer and the Selectboard be, and hereby are, authorized to execute and deliver a continuing disclosure undertaking in compliance with SEC Rule 15c2-12 in such form as may be approved by bond counsel to the

Town, which undertaking shall be incorporated by reference in the Bonds for the benefit of the holders of the Bonds from time to time.

Further Voted: that we authorize and direct the Town Treasurer to establish post issuance federal tax compliance procedures and continuing disclosure procedures in such forms as the Town Treasurer and bond counsel deem sufficient, or if such procedures are currently in place, to review and update said procedures, in order to monitor and maintain the tax-exempt status of the Bonds and to comply with relevant securities laws.

Further Voted: that any certificates or documents relating to the Bonds (collectively, the "Documents"), may be executed in several counterparts, each of which shall be regarded as an original and all of which shall constitute one and the same document; delivery of an executed counterpart of a signature page to a Document by electronic mail in a ".pdf" file or by other electronic transmission shall be as effective as delivery of a manually executed counterpart signature page to such Document; and electronic signatures on any of the Documents shall be deemed original signatures for the purposes of the Documents and all matters relating thereto, having the same legal effect as original signatures.

Further Voted: that each member of the Selectboard, the Town Clerk and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes.

B. *Selectboard to decide to recommend or not recommend school renovation project – Chair DeVasto.*

Chair DeVasto stated he put this on the agenda knowing they had already discussed this subject in the past but wanted to have the selectboard weigh in the school project. He asked each board member their thoughts and opinions. Each member gave their thoughts and opinions for the school renovation, all members were in favor of this project stating the school is top rated in the state and it needs to be updated. Chair DeVasto also discussed the fact that there are millions of dollars that are being granted to this project and he stated its money that they will not be able to get back if this project doesn't go forward. **Selectboard Chair DeVasto moved, Selectboard Member Reinhart seconded; and it was voted to recommend the Nauset School Renovation project as written. 5-0**

C. *Herring River Restoration/High Toss Road Approved Article – Town Administrator Broadbent/Carole Ridley*

Ridley gave an update on the project and some background information to the Board. She explained that the Town's Counsel was asked to look into who was the owner of High Toss Road, counsel recommended that the original article be deferred to this year. Selectboard Member Curley asked if the administration was in contact with the abutters. Administrator Broadbent explained that they would be looking to KP Law for their guidance. They further discussed some details. Wilson will send the maps to Board Members regarding this area. **Selectboard Chair DeVasto moved, Selectboard Member Wilson seconded; and it was voted to place the article to accept High Toss Road as printed in the Selectboard packet dated March 9, 2021. 5-0**

Selectboard Member Reinhart moved, Selectboard Member Carlson seconded; and it was voted to recommend the acceptance of High Toss Road to Duck Harbor Road to the town. 5-0

D. *Spring Tax Insert – Wellfleet Cable Advisory Committee*

Baumgarten explained to the Board that the cable advisory board would like to have this insert informing residents that they may be eligible to receive cable if they are not receiving it now. They discussed this further. They came to the agreement that if there is room in the tax bill, they felt this is important.

Selectboard Chair DeVasto moved, Selectboard Member Reinhart seconded; and it was voted to approve the tax insert informing Wellfleet residents of their eligibility for Comcast coverage as long there is room for the insert. 5-0

E. *Opening and Closing of Herring River – Shellfish Constable Civetta*

Civetta explained to the Board that she had received the water quality test back from the state and passed with flying colors. She asked that in the board's motion they open and close the Herring River all in one motion, so it does not have to come before the board again. This is a requirement of the Division of Marine Fisheries

Selectboard Chair DeVasto moved, Selectboard Member Wilson seconded; it was voted to open the Herring River one half hour before sunrise Monday March 15, 2021 and close the river one half hour after sunset Tuesday August 31, 2021 as directed by the Division of Marine Fisheries. 5-0

F. *Lt. Island Bridge Repairs – Mark Vincent/Jay Norton*

Vincent informed the board that they have chosen the winning bid for the bridge project received by Aetna Bridge Company and have spoken with all the references provided. He stated he is hoping to begin the work this spring. There were a few questions regarding the details of the bridge. Vincent explained that the bridge will have to meet different codes but will look the same.

Selectboard Chair DeVasto moved; Selectboard Member Reinhart seconded; and it was voted to approve the bid from Aetna Bridge Company for the Lt. Island Road Bridge repair project and authorize the clerk for the Selectboard Ryan Curley to sign on behalf of the Selectboard. 5-0

G. *Approval of final RFP for the 95 Lawrence Project – 95 Lawrence Road Task Force*

Mcllroy informed the board that after a lot of time they have acquired the final RFP for this project and would like to get it approved and then sent to town counsel. The Board discussed the RFP and the timeline that goes along with this process. They discussed with Sorkin and Mcllroy at great length when this would go into effect. There was some concern about the contract and when the RFP would go out. Chair DeVasto explained that the timeline for this does not start until the contract is signed. Mcllroy explained the deadline for submissions

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for developers is August 2021. Bacon spoke in favor of this draft and urged the Board to accept the draft as written. The Board continued to discuss the requirements at great length.

Selectboard Member Reinhart moved, Selectboard Member Wilson seconded; and it was voted to approve the final RFP 95 Lawrence Road project dated February 19, 2021. 5-0

Selectboard Chair DeVasto moved, Selectboard Member Reinhart seconded; and it was voted to approve to appoint the Town Administrator work with the task force for any future amendments that need to be made to the RFP for the 95 Lawrence Rd project dated February 19, 2021 with a preference that it be brought before the Board if feasible. 5-0

H. *Establishing a real property transfer fee for the Town of Wellfleet – Selectboard Member Wilson*

Chair DeVasto stated this was on the warrant for 2017. Selectboard Member Wilson explained she spoke with representative Sarah Peake and this needs to be changed and updated. This needs to be brought before Town Meeting on the warrant. She continued to explain that many towns in the state of Massachusetts are looking to change this too. Selectboard Member Curley gave more details stating that Wellfleet is asking for .5% and that the city of Boston was asking for 2%. He gave more information to the board and stated that he felt it should be 2%, which would bring more revenue to the town. Chair DeVasto stated his issues with the price of the home being set at five-hundred thousand dollars. The Board discussed this at great length. The concern with this was that it might have a negative effect on families or individuals with modest means. There was discussion with of having the rate set with the median home price. The Board discussed having this placed on the town warrant; they felt that this was too big of a discussion for them to place or vote on this subject tonight. They discussed that they would need to talk and learn more about second home versus first home, not knowing all the details.

No Action was Taken.

I. *Approval of a Warrant Article for Town Meeting to exempt the Town of Wellfleet from Prevailing Wages on small projects – Selectboard Member Curley*

Selectboard Member Curley explained to the Board the Article he would like to be brought to town meeting. He stated that Sarah Peake filed this for another town on the cape; this is for projects up to \$50,000. Chair DeVasto stated he did not have any issues having this on the warrant and feels it should be put to the residents of Wellfleet.

Selectboard Member Wilson moved, Selectboard Member Carlson seconded; and it was voted to recommend and place the article petitioning the General Court Exempting the Town of Wellfleet from prevailing wages on small projects as written. 5-0.

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VI. Selectboard Reports

Selectboard Member Curley informed the Board he attended the Wastewater committee meeting earlier that day.

Selectboard Chair informed the board that he is a member of the MSI taskforce and is on the working group, he attended their meeting where they went through public comments which they take seriously to put into their draft issued. He gave the website where the meeting can be listened to.

Selectboard Member Wilson informed the board that she and Broadbent met with an attorney and a retired judge regarding use of private ways and subdivisions. She continued stating that the questions were addressed and asked for a written response so she could give it to the rest of the Board. She stated she learned that almost never can you use a private way to get to a public property. Chair DeVasto stated that was not how he read it and understood it.

Selectboard Member Reinhart stated she attended a meeting via zoom mass municipal association meeting with discussions on ADU's and what the state is doing with housing. She stated that she emailed the link to watch the meeting and she felt it was very informative.

Selectboard Member Wilson questioned the meeting time for upcoming meetings.

VII. Town Administrator's Report

Administrator Broadbent went over her report with the board. Giving credit to the town accountant Michaud for getting two grants from the state. She informed them that the audit is close to ending and they will have the report in front of them. She is looking to bring to the Board a fee schedule of all the town fees in one place, so they are easy to access. She continued that they are looking to expand the system away from the town's financial system Vadar and moving to better system that is easier to use. Broadbent was questioned about town hall and the opening of town hall and the coverage. Eldridge explained that the principal clerk is in the office Monday, Tuesday's; Eldridge is in the office Wednesday's and Thursday's and they alternate every other Friday.

VIII. Topics for Future Discussion

A. All restaurants and businesses that plan to change seating for the upcoming season do need to get permission from Fire, Police, and Health. Make sure the policy that was written last year has not expired.

B. Public Safety Concerns at Cahoon Hollow Beach

C. Schedule a time for the Wastewater committee to come before the selectboard.

D. Advertise in paper for Beach Rules and Regulations for Public Hearing at the March 23rd Selectboard Meeting.

E. Discussion on the Management of Beach Parking Lots during the summer, White Crest in particular

F. United States Department of Commerce looking for Selectboard comments.

G. Town Administrator Broadbent 6-month review – Selectboard

H. **NEWLY ADDED - Selectboard Member Reinhart discussed the letter that the Planning Board asking to discuss climate change, she stated it needs to be on a future agenda.**

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I. NEWLY ADDED – Broadbent’s six-month review the board came to the decision that they would like a working meeting to discuss the process of the how to go about conducting the review.

J. NEWLY ADDED – Selectboard Member Carlson stated that she had been asked by the wastewater committee to have a joint meeting. To be scheduled at a later date

K. NEWLY ADDED – Selectboard Member Curley would like to look at the small vessel regulations.

L. NEWLY ADDED – Selectboard Member Wilson would like to find out when the final warrant needs to go to the printer.

IX. Correspondence and Vacancy Reports

- Selectboard Chair DeVasto stated that the town received a letter from the historical society informing them that they will be putting stairs behind town hall. This was discussed at a previous meeting where the Selectboard approved the stairs to be built. Selectboard Member Wilson stated that it needs to be more official. This letter and the notes need to be sent to town counsel for review.
- There was discussion about a complaint from a resident of Wellfleet regarding ATV’s.

X. Minutes

A. February 23, 2021 – Selectboard Member Reinhart moved, Selectboard Member Carlson seconded; and it was voted to approve the minutes as written in draft. 4-0-1 (Wilson abstained)

XI. Adjournment

- **Selectboard Member Reinhart moved, Selectboard Member Carlson seconded; and it was voted to adjourn the meeting. 5-0**
- **Meeting adjourned at 9:10PM**

Respectfully submitted by Rebekah Eldridge



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: March 23, 2021

XII

ADJOURNMENT

REQUESTED BY:	Chair Devasto
DESIRED ACTION:	Adjournment
PROPOSED MOTION:	I move to adjourn.
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____