



## Wellfleet Selectboard

### Note: Start Time of 7pm

The Wellfleet Selectboard will hold a public meeting on **Tuesday, May 10, 2022, 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 the General Court of the Commonwealth of Massachusetts. Instructions for a Zoom video conference meeting which also allows phone dial-in are given below):

1. Join the meeting hosted in Zoom by using the following link:  
<https://us02web.zoom.us/j/85689604806?pwd=blplVFFBZzViQ0xNWkZKMm9iMVdrdz09>
2. Audio, video, chat, and screen sharing functions will be disabled during the public session. Request to participate by using the “raise hand” function. **Meeting ID: 856 8960 4806 | Passcode: 611877**
  - a. Raise hand in smartphone app – touch bottom of your screen and select “more” - hit “raise hand” button
  - b. Raise hand on computer – hit “participants” button on bottom of screen – hit “raise hand” button on bottom of participants panel
  - c. Please make sure you properly identify yourself before speaking, rename yourself by selecting the participants button and choosing “more” (or by holding down on your name on a smartphone app) and selecting “rename” - full, legal names only.
  - d. Please join the meeting on time.
3. You may also listen to the meeting by calling in on a phone to +1 929 205 6099 and enter **Meeting ID: 856 8960 4806 | Passcode: 611877** Landline callers can participate by **dialing \*9 to raise their hand.**
4. You may submit questions and comments to the Town using the following email: [executive.assistant@wellfleet-ma.gov](mailto:executive.assistant@wellfleet-ma.gov) Comments made during the meeting via e-mail will be sent to Selectboard members AFTER the meeting.
5. Meeting materials are attached to this agenda, available online at Wellfleet-ma.gov. It is recommended that phone participants access materials in advance of the meeting.
6. **Please follow the following general instructions:**
  - a. Keep your phone muted at all times when not talking; no one is allowed to unmute themselves during the meeting.
    - i. Selectboard meetings are NOT interactive. If public comments are allowed that’s all, comments only, not questions.
    - ii. If the Chair is allowing comments during the meeting the number of comments will be limited and may be **no longer than one minute.**
  - b. Do not use speakerphone; do not use Bluetooth devices; mute all background noise.
  - c. Please do not speak until the Chair asks for public comments or questions and you have been recognized by the moderator and unmuted.
  - d. After the business section is complete no public comments are permitted. Future agenda items are from the Selectboard, no one else.

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

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

II. ***Annual Board Re-Organization***

A. Welcome of new Board Member/s

B. Police Officers

- **FULL TIME POLICE OFFICERS REAPPOINTMENT**

Sarah Chase

Christopher Greene

Nicholas Daley

Edward Garneau

Jerimiah Valli

Eric Daley

Michael Allen

Matthew McGue

- **SPECIAL POLICE OFFICERS REAPPOINTMENT**

Marc Spigel

Ronald L. Fissette

Desmond Keogh

C. Goal Setting for Incoming Town Administrator Rich Waldo

III. ***Consent Agenda***

A. Grace Chapel Assembly of God ~ Rev. Frank Alexander ~ Stage at the Pier ~ Sunday June 10, 2022; 4:40pm – 6:30pm.

B. Neal Nichols Jr. ~ Artist/Illustrator ~ Baker’s Field Pavilion or shaded areas around the area to accommodate tables and chairs ~ Various dates and times throughout the summer. (Please see application/packet)

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

A. Wellfleet Chamber of Commerce ~ Lara Henry ~ Wellfleet 4h of July Parade ~ Monday July 4, 2022, ~ 8am – 11am.

B. Rebecca Arnoldi ~ Be Body & Earth ~ Various programs (consisting of hikes and yoga classes) ~ Newcomb Hollow Beach, Mayo Beach, Uncle Tim’s, Cannon Hill Area, Blackfish Creek Area, and the Gut ~ Various dates and times throughout the summer months and into early fall.

V. ***Public Hearings***

A. Amendment of Food Truck Regulations

- VI. ***Business***
  - A. Request to increase spending authorization for Shellfish Revolving Fund Propagation per MGL Ch. 44 sec. 53E 1\_2.
  - B. Hardship Exemption Commercial Shellfish Permit ~ Robert Wallace
  - C. Water Enterprise Budget
  - D. Budget and financial update
  - E. Contingency Budget Warrant Article
  - F. Final Review and approval of the Annual Town Meeting Warrant
  - G. 2022 Special Town Election Ballot questions
  - H. Extension of Interim Town Administrator Charlie Sumner's Contract
  - I. Newspapers Authorized to Publish Town of Wellfleet Legal Notices
  - J. Speaking on the behalf of the board ~ Wilson
  - K. Policy on Use of Public Buildings by a private individual or group ~ Board Member Wolf
- VII. ***Selectboard Reports***
- VIII. ***Town Administrator's Report***
- IX. ***Topics for Future Discussion***
  - A. List of current items outstanding
- X. ***New Business not reasonably anticipated by the Chair***
- XI. ***Correspondence and Vacancy Reports***
- XII. ***Minutes***
  - A. April 12, 2022
- XIII. ***Adjournment***



## SELECTBOARD

AGENDA ACTION REQUEST  
Meeting Date: May 10, 2022

I

### ANNOUNCEMENTS, OPEN SESSION AND PUBLIC COMMENTS

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



## SELECTBOARD

AGENDA ACTION REQUEST  
Meeting Date: May 10, 2022

II

### ANNUAL BOARD RE-ORGANIZATION

~ A ~

<b>REQUESTED BY:</b>	<b>Ryan Curley ~ Chair</b>
<b>DESIRED ACTION:</b>	<b>Welcome New Board Members</b>
<b>PROPOSED MOTION:</b>	<b>No motion is needed.</b>
<b>SUMMARY:</b>	
<b>ACTION TAKEN:</b>	Moved By: _____ Seconded By: _____ Condition(s):
<b>VOTED:</b>	Yea _____ Nay _____ Abstain _____



# SELECTBOARD

AGENDA ACTION REQUEST  
Meeting Date: May 10, 2022

II

## Police Officers

~ B ~

<b>REQUESTED BY:</b>	<b>Chief Michael Hurley ~ Police</b>
<b>DESIRED ACTION:</b>	<b>To introduce to the board and public the new full time reappointed officers and the special police officers</b>
<b>PROPOSED MOTION:</b>	<b>I move to approve the reappointment of the following Full-Time police officers from July 1, 2022, to June 30, 2023.</b> <ul style="list-style-type: none"><li>• Sarah Chase Christopher Greene</li><li>• Nicholas Daley Edward Garneau</li><li>• Jeremiah Valli Eric Daley</li><li>• Michael Allen Matthew McGue</li></ul>
<b>SUMMARY:</b>	<b>I move to approve the reappointment of the following Special Police Officers from July 1, 2022, to June 30, 2023.</b> <ul style="list-style-type: none"><li>• Marc Spigel Desmond Keogh</li><li>• Ronald L. Fisette</li></ul>
<b>ACTION TAKEN:</b>	Moved By: _____ Seconded By: _____ Condition(s): _____
<b>VOTED:</b>	Yea _____ Nay _____ Abstain _____

Town of Wellfleet  
Police Department

May 3, 2022

To: Wellfleet Select Board  
From: Chief Michael P. Hurley

Subject: FULL TIME POLICE OFFICERS REAPPOINTMENT

Full time police officers require annual appointments for the first 5 years of their career, and thereafter they are tenured and require no further appointments.

I request the following individuals be reappointed as a Full Time Police Officer:

Appointment Period:            July 1, 2022 through June 30, 2023

<u>Officer:</u>	<u>Initial Appointment</u>
Sarah Chase	2/14/2022
Christopher Greene	2/14/2022
Nicholas Daley	10/19/2017
Edward Gameau	12/04/2017
Jeremiah Valli	3/26/2018
Eric Daley	1/03/2022
Michael Allen	12/16/2019
Matthew McGue	2/17/2020

Respectfully submitted for your information and consideration.



Michael P. Hurley,  
Chief of Police

cc: Charles Sumner, Interim Town Administrator  
Jennifer Congel, Town Clerk

Town of Wellfleet  
Police Department

May 3, 2022

To: Wellfleet Select Board  
From: Chief Michael P. Hurley

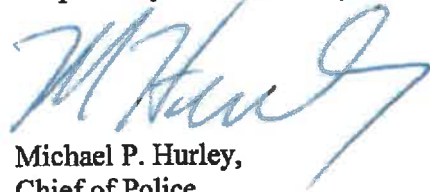
Subject: SPECIAL POLICE OFFICERS REAPPOINTMENT

I request the following individuals be reappointed as a Special Police Officer:

Appointment Period: July 1, 2022 through June 30, 2023

Marc Spigel                      Desmond Keogh  
Ronald L. Fisetto

Respectfully submitted for your information and consideration.



Michael P. Hurley,  
Chief of Police

cc: Charles Sumner, Interim Town Administrator  
Jennifer Congel, Town Clerk





## SELECTBOARD

AGENDA ACTION REQUEST  
Meeting Date: May 10, 2022



### GOAL SETTING FOR INCOMING TOWN ADMINISTRATOR

~ C ~

<b>REQUESTED BY:</b>	<b>Ryan Curley ~ Chair</b>
<b>DESIRED ACTION:</b>	<b>The board will discuss goal they would like to set for the new Town Administrator Rich Waldo</b>
<b>PROPOSED MOTION:</b>	<b>If goals are decided the board will make motions at the time of the meeting</b>
<b>SUMMARY:</b>	
<b>ACTION TAKEN:</b>	Moved By: _____ Seconded By: _____ Condition(s):
<b>VOTED:</b>	Yea _____ Nay _____ Abstain _____



# SELECTBOARD

AGENDA ACTION REQUEST

Meeting Date: May 10, 2022

III

## CONSENT AGENDA

<b>REQUESTED BY:</b>	Various entities
<b>DESIRED ACTION:</b>	The following will be approved without objection
<b>SUMMARY:</b>	<p>A. I move to grant the use of the stage at the Wellfleet Pier to Grace Chapel Assembly of God ~ Rev. Frank Alexander ~ Sunday June 10, 2022, ~ 4:15pm – 6:45pm for a fee of \$110</p> <p>B. I move to grant the use of Baker’s Field Pavilion and immediate areas adjacent thereto Neal Nichols Jr. from July 18-25, Aug 1-5, Aug 8-12 from 3:30pm to 5pm and August 22-26 from 9-11 fro a fee of \$110</p>
<b>VOTED:</b>	Yea _____ Nay _____ Abstain _____

APPLICATION FOR PERMIT TO USE TOWN OWNED PROPERTY

TOWN OF WELLFLEET  
300 MAIN STREET  
WELLFLEET, MA 02667

508 349 9323  
718 771 9317 cell

Applicant Rev. Frank Alexander

Affiliation or Group Grace Chapel Assembly of God

Telephone Number 508-349-9323

Mailing Address P.O. Box 625

Email address frankalex@netzero.com

So. Wellfleet Ma 02663

Town Property to be used (include specific area) Stage at the Town Pier

Date(s) and hours of use: Sunday June 12, 2022 4:30-6:30 pm

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

Gospel Concert - 20 helpers. Sound System Equipment  
Speakers - microphones (etc)

Parking at the Pier and Mayo Boeck - No Food - No Beverages

Would have to have a selectmen to greet the people as they did  
last year.

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

We need Electricity turned on at the stage.

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

Action by the Board of Selectmen:

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

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

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

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

Processing Fee: \$50.00

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

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

<b>Health/Conservation Agent:</b>  Comments/Conditions: <i>NA</i>  Permits/Inspections needed:	<b>Inspector of Buildings:</b>  Comments/Conditions:  Permits/Inspections needed:
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<b>Police Department:</b> <i>ok - per chief Harley</i> Comments/Conditions:	<b>Fire Department:</b> <i>OK - per chief Pauley</i> Comments/Conditions:
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<b>DPW:</b> <i>ok - per Jay Norton</i> Comments/Conditions	<b>Community Services Director:</b> <i>ok per Suzanne</i> Comments/Conditions: <i>Grant - Thomas</i>
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<b>Harbormaster:</b> <i>ok - per Will Sullivan</i> Comments/Conditions	<b>Shellfish:</b> <i>N/A</i> Comments/Conditions
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<b>Recreation:</b> <i>ok per Becky Rosenberg</i> Comments/Conditions	<b>Town Administrator:</b> <i>N/A</i> Comments/Conditions
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APPLICATION FOR PERMIT TO USE TOWN OWNED PROPERTY

TOWN OF WELFLEET  
300 MAIN STREET  
WELFLEET, MA 02667

Applicant NEAL NICHOLS JR Affiliation or Group ILLUSTRATOR/ARTIST

Telephone Number 774-722-2358 Mailing Address PO BOX 738

Email address GEOGRAPHYGAMESHOW@YAHOO.COM N. EASTHAM, MA 02651

Town Property to be used (include specific area) BAKER'S FIELD PAVILLION, AND/OR OTHER  
SHADED AREAS TO ACCOMMODATE TABLE AND CHAIRS

Date(s) and hours of use: 18-22 JUL, 1-5 AUG, 8-12 AUG (M-F 330-5PM) 22-26 AUG (M-F 9-11AM)

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

DRAWING CLASSES; AVERAGE ENROLMENT 2-5 STUDENTS; NON-PREDICTABLE; FOLD TABLE AND CHAIRS (EQUIPMENT); STUDENTS ARE DROPPED OFF AND PICKED UP BY PARENTS; NO FOOD/BEVERAGE SERVICES; AVERAGE FEE \$200 PER WEEK; M-F CLASS; MATERIALS INCLUSIVE, (SEE ATTACHED)

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

NO ADDITIONAL SERVICES; "CLASS" CONSISTS OF A FOLDING TABLE AND CHAIRS; DRAWING MATERIALS; AND IS ENTIRELY PORTABLE'

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

Action by the Board of Selectmen:

Proof of Insurance Required  
 Approved as submitted  
 Approved with the following condition(s): \_\_\_\_\_



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


Date: \_\_\_\_\_ Processing Fee: \$50.00 pd 4-25-22  
Fee: \_\_\_\_\_ RLE

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

<b>Health/Conservation Agent:</b>  Comments/Conditions:  Permits/Inspections needed:	<b>Inspector of Buildings:</b>  Comments/Conditions:  Permits/Inspections needed:
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<b>Police Department:</b> <i>ok - per chief Hurley</i> Comments/Conditions:	<b>Fire Department:</b> <i>ok per Chief Pauley</i> Comments/Conditions:
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<b>DPW:</b> <i>ok per Jay Norton</i> Comments/Conditions	<b>Community Services Director:</b> <i>ok per - Suzanne Groot-Thomas</i> Comments/Conditions:
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<b>Harbormaster:</b> <i>N/A</i> Comments/Conditions 	<b>Shellfish:</b> <i>N/A</i> Comments/Conditions
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<b>Recreation:</b> <i>ok per Becky Rosenberg</i> Comments/Conditions	<b>Town Administrator:</b>  Comments/Conditions
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NEAL NICHOLS, JR.: WELFLEET, MA

EACH YEAR SINCE 2006, I HAVE OFFERED DRAWING AND PERSPECTIVE ART LESSONS TO FAMILIES AT BAKERS FIELD TENT/PAVILION, AS A CHILD HAVING GROWN UP IN WELFLEET AND INTERESTED IN ART, IT HAS BEEN MY INTEREST TO CREATE AND OFFER DRAWING INSTRUCTION AT AN AFFORDABLE RATE TO ALL INCOME LEVELS, WHEREAS I MYSELF WAS RAISED WITH SIX SIBLINGS HENCE LIMITED ACCESS TO SEVERAL EXTRACURRICULAR OPPORTUNITIES. IN SEVERAL SITUATIONS, "FREE, OR REDUCED PRICING" IS; AND WAS GRANTED THROUGHOUT THE YEARS.

UNLIKE ORGANISATIONS SUCH AS "CASTLE HILL", OR "PAAM", MY PROGRAM FEES ARE AVERAGED AT \$200 PER WEEK, MONDAY THROUGH FRIDAY, INCLUSIVE OF MATERIALS; (EST. \$35 PER STUDENT) OTHER VENUES ARE UPWARD OF \$450, LESS CLASS TIME AND NON-INCLUSIVE OF MATERIALS. ENROUMENT SIZE IS NON-PREDICTABLE, AS IT HAS BEEN IN PAST YEARS; SOME CLASSES ARE OF TWO STUDENTS, SOME AVERAGE THREE TO FIVE STUDENTS. IN THE EVENT OF AN ASSESSED FEE TO HOST DRAWING CLASSES IN PUBLIC LAND, PLEASE CONSIDER AN AFFORDABLE RATE; OR A PERCENTAGE PER ENROUMED STUDENT BASIS. AVERAGE AGE OF STUDENTS ARE 5-14 YEARS OLD, HOWEVER, IN THE PREVIOUS YEARS; IVE TAUGHT STUDENTS AGED 3 TO 89 YEARS OLD,

THESE CLASSES HAVE NO NEED FOR ADDITIONAL SERVICE OR SUPPLY; AS PARENTS DROP OFF AND PICK UP STUDENTS, OFTEN IT REQUIRES A FOLD-TABLE AND CHAIRS TO ACCOMMODATE THE CLASS, AND THE SET UP IS NON-INVASIVE TO ANYONE. AT THE PAVILION, IT IS NOT "EXCLUSIVE USE" AS OTHERS MAY GATHER IN AREA. IN THE EVENT OF OTHER AREA ACTIVITIES THAT REQUIRE THE SPACE; MY DRAWING CLASS IS EXTREMELY PORTABLE, AND CAN BE SET UP IN ALTERNATE AREAS IN THE PARK.

INTENDED CLASSES:

18-22 JUL	M-F	3:30-5 PM
1-5 AUG	M-F	3:30-5 PM
8-12 AUG	M-F	3:30-5 PM
22-26 AUG	M-F	9:00-11 AM

THANK YOU FOR REVIEWING AND CONSIDERING MY APPLICATION TO CONTINUE TEACHING ART AT BAKERS FIELD THIS SUMMER.

RESPECTFULLY SUBMITTED:

NEAL NICHOLS, JR.





## SELECTBOARD

AGENDA ACTION REQUEST  
Meeting Date: May 10, 2022

IV

### USE OF TOWN PROPERTY

~ A ~

<b>REQUESTED BY:</b>	Wellfleet Chamber of Commerce ~ Lara Henry & Bob Morrill
<b>DESIRED ACTION:</b>	To approve the annual Wellfleet 4 <sup>th</sup> of July Parade
<b>PROPOSED MOTION:</b>  <b>Summary:</b>	<b>I move to approve the 4<sup>th</sup> of July Parade to be held around Wellfleet Monday July 4, 2022, from 8am to 11am. All town property that is used for this event shall be returned to pre-parade conditions to the satisfaction of the DPW director. Following all department recommendations</b>
<b>ACTION TAKEN:</b>	Moved By: _____ Seconded By: _____  Condition(s):
<b>VOTED:</b>	Yea _____ Nay _____ Abstain _____



APPLICATION FOR PERMIT TO USE TOWN OWNED PROPERTY

TOWN OF WELFLEET
300 MAIN STREET
WELFLEET, MA 02667

Applicant Lara Henry, Bob Morrill Affiliation or Group Wellfleet Chamber of Commerce

Telephone Number 508-349-2510 Mailing Address PO Box 571, Wellfleet MA 02667

Email address info@wellfleetchamber.com

Town Property to be used (include specific area) Parade route starts at the TOW Pier and travels left on Holbrook Ave, right on Main Street, right on East Commercial Street and continues straight on Commercial Street, ending at the Pier. The antique car portion follows the same route and starts from the Mayo Beach parking lot. We are also requesting permission to place portapotties for one day in the parking lot behind Town Hall, to accommodate event revelers.

Date(s) and hours of use: Monday, July 4, 2022 - 8am-11am

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

Float Parade and Antique Car Parade: The antique car portion leaves the Mayo Beach parking lot at 9:30am, and the float parade starts at 10am from the Pier parking lot. Revelers and parade participants begin lining up approximately 1 hour prior to start. We require floats throwing candy/parade favors to provide spotters for each side of their vehicle. We also ask that floats not spray water or use hoses. Participants register in advance, but we also accept same day registration; volunteers from the Wellfleet Chamber review the guidelines with floats lined up, prior to parade start.

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

The Parade is a joint collaboration between the TOW and Chamber of Commerce; we request services as recommended by the TOW Police, Fire, Emergency and DPW departments.

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

Action by the Board of Selectmen:

Approved as submitted

Approved with the following condition(s):

Disapproved for following reason(s):

Date:

Processing Fee: \$50.00

Fee:

(over)

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

<b>Health/Conservation Agent:</b> OK per Helary Comments/Conditions: Remas Permits/Inspections needed:	<b>Inspector of Buildings:</b> Comments/Conditions: N/A Permits/Inspections needed:
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<b>Police Department:</b> OK - Chief Hurley Comments/Conditions: need to discuss / set up police details for event	<b>Fire Department:</b> OK - Chief Dauley Comments/Conditions:
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<b>DPW:</b> OK - Jay Norton Comments/Conditions request a coordination phone call / meeting in advance of event	<b>Community Services Director:</b> OK - per Suzanne Comments/Conditions: Grant - Thomas
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<b>Harbormaster:</b> Comments/Conditions N/A	<b>Shellfish:</b> Comments/Conditions N/A
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<b>Recreation:</b> OK - per Becky Rosenberg Comments/Conditions	<b>Town Administrator:</b> N/A Comments/Conditions
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# SELECTBOARD

AGENDA ACTION REQUEST  
Meeting Date: May 10, 2022

IV

## USE OF TOWN PROPERTY ~ B ~

<b>REQUESTED BY:</b>	Rebecca Arnoldi
<b>DESIRED ACTION:</b>	To approve the use of various Wellfleet locations
<b>PROPOSED MOTION:</b>  Summary:	I move to refer the use of town property application and applicant to the director of community services, the recreation director, and the health and conservation agent to define the scope of the requests and reasonable conditions that may be requested by them. Furthermore the applicant shall file two separate applications covering the different activities (yoga & nature hikes).
<b>ACTION TAKEN:</b>	Moved By: _____ Seconded By: _____ Condition(s):
<b>VOTED:</b>	Yea _____ Nay _____ Abstain _____

APPLICATION FOR PERMIT TO USE TOWN OWNED PROPERTY

TOWN OF WELFLEET  
300 MAIN STREET  
WELFLEET, MA 02667

Applicant Rebecca Arnoldi Affiliation or Group Be Body & Earth

Telephone Number 617-935-1548 Mailing Address 1527 Baker Ave

Email address rebeccaarnoldi@yahoo.com Wellfleet MA

Town Property to be used (include specific area) programs, Newcomb Hollow, on Beach, Mayo Beach, Uncle Tim's Cannon Hill Area, The Gut

Date(s) and hours of use: Tues/Wed/Thurs Daytime July/Aug/Sept. 10-4:30pm

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

would like to Advertise to people for private sessions yoga on the beach, nature walks, different nature programs. Not all the hours listed above but during those hours.

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

none needed

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

Action by the Board of Selectmen:

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

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

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

Date: April 29, 2022

Processing Fee: \$50.00 pd. R&E

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

(over)

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

<b>Health/Conservation Agent:</b>	<b>Inspector of Buildings:</b>
Comments/Conditions:	Comments/Conditions: N/A
Permits/Inspections needed:	Permits/Inspections needed:

<b>Police Department:</b>	<b>Fire Department:</b>
ok - per Chief Hursey Comments/Conditions:	ok - per Chief Pauley Comments/Conditions:

<b>DPW:</b>	<b>Community Services Director:</b>
ok - per Jay Norton Comments/Conditions	<del>The Gut - NO (limited parking)</del> Comments/Conditions: <del>- Newcomb Hollow Beach - all activities</del> Must be off the guarded Beach all participants must have valid Wellfleet Beach sticker on vehicle 9am-5pm <del>Mayo Beach - OK</del>

<b>Harbormaster:</b>	<b>Shellfish:</b>
Comments/Conditions	Comments/Conditions
N/A	N/A

<b>Recreation:</b>	<b>Town Administrator:</b>
Need to know the AM dates & times planned to use Mayo Beach to coordinate with Rec. Rec would like to recommend no use of Mayo Beach on thursday mornings in July & August due to approved craft fair already taking place in that location. Comments/Conditions	Comments/Conditions



# SELECTBOARD

AGENDA ACTION REQUEST  
Meeting Date: May 10, 2022



## PUBLIC HEARINGS

~ A ~

<b>REQUESTED BY:</b>	Chair Curley
<b>DESIRED ACTION:</b>	To Amend and approve the Food Truck Regulations
<b>PROPOSED MOTION:</b>	I move to approve the amended food truck regulations
<b>SUMMARY:</b>	
<b>ACTION TAKEN:</b>	Moved By: _____ Seconded By: _____ Condition(s): _____
<b>VOTED:</b>	Yea _____ Nay _____ Abstain _____

Regulations for the operation of Food Trucks.

TOWN OF WELFLEET  
COMMONWEALTH OF MASSACHUSETTS

RULES AND REGULATIONS REGARDING THE OPERATION OF FOOD TRUCKS



Effective: March 22, 2016; Amended April 12, 2016. Amended \_\_/\_\_/2021  
Local Licensing Authority: ~~Wellfleet Board of Selectmen~~ Wellfleet Selectboard

Regulations for the operation of Food Trucks.

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Regulations for the operation of Food Trucks.

### Protocol for issuing a Food Truck License

The Town of Wellfleet, through the ~~Board of Selectmen (the Board)~~ **the Selectboard** and serving as the Licensing Board, regulates the retail sale of food or beverage from Food Trucks pursuant to Chapter 101 of the Massachusetts General Laws that governs so-called Hawkers, Peddlers and Transient Vendors. In addition, Food Truck Vendors (Mobile Food Vendors) are required to obtain a food service permit, pursuant to 105 CMR 590.000 State Sanitary Code – Minimum Sanitation Standards for Food Establishment and the Town Board of Health relevant regulations. For these purposes, a Mobile Food Vendor is defined as any person who travels from place to place upon public ways and dispenses food from a Food Truck. A Food Truck shall be defined as a readily movable trailer, cart or motorized wheeled vehicle, currently registered with the Mass Division of Motor Vehicles, designed and equipped to cook, or prepare or serve food and shall include any food truck, food cart, canteen truck, catering truck, breakfast truck, lunch truck, lunch wagon, or any other mobile food vehicle.

Before granting a license to operate a Food Truck, ~~the Board~~ **the Selectboard** must determine if the public good requires it. In making this determination, ~~the Board~~ **the Selectboard** will consider the following:

- Traffic and pedestrian safety issues
- Impact on nearby parking, residences, and businesses
- ~~Sanitation arrangements and conditions (Health Department Inspection and issuance of a permit shall be required) (health department SB is not appropriate)~~
- Noise, odors or other disruptions to the surrounding area
- Zoning compliance (Building Department signoff may be required)
- Fire safety (Fire Rescue Department sign off may be required)
- Hawkers and Peddlers license (obtained through the State and signed by the Police Department)
- Any other public safety issues, as identified by the ~~Board of Selectmen~~ **Selectboard**
- The number of food trucks operating within the Town
- Previous issues with compliance or performance of the food truck vendor(s)

These regulations are intended to supplement and not usurp existing state law and regulations where applicable. Should these regulations conflict with state law or regulation, state law/regulation will control. In addition, and where applicable, any Zoning Board of Appeals permit issued for private property or any contract entered into and authorized by the Town through a Request for Proposal public procurement process for use of public property for the operation of a Food Truck, shall supersede and have precedence over these regulations. At their discretion the ~~Board of Selectmen~~ **Selectboard** may at any time cap the total number of Food Truck licenses issued.

## Regulations for the operation of Food Trucks.

The use and operation of a Food Truck is ~~not~~ regulated by the Zoning Bylaws of the Town. Rather, These regulations promulgated by the ~~Board of Selectmen~~ **Selectboard** shall govern the use and operation of Food Truck activity within the Town of Wellfleet and shall use the following qualifications:

Food Trucks shall adhere to the following guidance for the use and operation within the municipality. [\[note the following is determined by our zoning\]](#)

- Central District: Allowed when permitted and with any conditions required by the ~~Board of Selectmen~~ **Selectboard**.
- Residential 1 District: ~~Prohibited.~~ Allowed only on Town Property operating as an accessory use to an outdoor municipal or governmental recreational use, including but not limited to public beaches, municipal playing fields or similar use when permitted and with any conditions required by the ~~Board of Selectmen~~ **Selectboard**.
- Residential 2 District: ~~Allowed when permitted and with any conditions required by the Board of Selectmen.~~ Allowed only on Town Property operating as an accessory use to an outdoor municipal or governmental recreational use, including but not limited to public beaches, municipal playing fields or similar use when permitted and with any conditions required by the **Selectboard**
- National Seashore Park District: Allowed only on Town Property operating as an accessory use to an outdoor municipal or governmental recreational use, including but not limited to public beaches, municipal playing fields or similar use when permitted and with any conditions required by the ~~Board of Selectmen~~ **Selectboard** provided that Food Trucks shall be removed from the licensed area at the end of each day and are not permitted to remain overnight at their approved public location.
- Commercial District: Allowed when permitted and with any conditions required by the ~~Board of Selectmen~~ **Selectboard**.
- Commercial 2 District: ~~Allowed when permitted and with any conditions required by the Board of Selectmen.~~ Allowed only on Town Property operating as an accessory use to an outdoor municipal or governmental recreational use, including but not limited to public beaches, municipal playing fields or similar use when permitted and with any conditions required by the **Selectboard**

Each application for use and operation of a Food Truck shall be permitted and conditioned on a case by case basis and according to these established regulations.

### **Application requirements and procedure:**

Any person wishing to apply for a Food Truck License shall fully complete the application form supplied by the Town Administrator's office and follow the procedure below. Upon completion of the application review process, the applicant shall be scheduled for a public hearing before the ~~Board of Selectmen~~ **Selectboard**.

Regulations for the operation of Food Trucks.

### **A Food Truck license shall expire on December 31.**

When determining whether to renew a Food Truck license, the ~~Board of Selectmen~~ **Selectboard** will utilize the same criteria as set forth in these regulations. Renewal forms may be obtained from the Town Administrator's office and must update all previously filed statements and plans, as appropriate.

1. Submit completed Food Truck application with all approvals from Town Departments to the Principal Clerk in the Town Administrators Office with required fee.
2. The Town Administrators Office will schedule the application on an upcoming ~~Board of Selectmen~~ **Selectboard** meeting agenda. This is a public hearing process and will require proper noticing in the newspaper.
3. The application will be heard by the ~~Board of Selectmen~~ **Selectboard** and a decision rendered.
4. If approved, the permit will be issued by the Office of the Town Clerk.

### **Maintenance of order and decorum and cooperation with Town officials**

Any person to whom a Food Truck License is issued under these regulations shall ensure that order and decorum is maintained in the licensed area and immediate vicinity at all times, and shall cooperate in every respect with town officials including, but not limited to, representatives of the ~~Board of Selectmen~~ **Selectboard**, the Fire Rescue and Police Departments, the Building Department, the Health Department, Board of Health, and Town Administration. The licensed area including any vehicles shall be available at all times for inspection by said officials or any other department or official of the town so directed by the ~~Board of Selectmen~~ **Selectboard**.

### **Operating requirements for Mobile Food Vendors**

1. Licensees may only operate at specifically approved public or private locations (hereafter, the "licensed area"), at specifically approved times. ~~If on Town property, Food Trucks shall be removed from the licensed area at the end of each day and are not permitted to remain overnight at their approved public location anywhere on Town property~~ **subject to the approval of the Board of Health or an additional fee, except within the NSPD.** For private locations, the Licensee shall provide written evidence with their application of the property owner's approval for use of that area. ~~The license does not confer a right to operate without the written permission of the property owner. Food Trucks hired for private events on private property do not require a license and are exempt from these regulations for the duration of the private event which shall not exceed 24 hours. Excluded from the operation of these regulations are events licensed by the Town of Wellfleet at which the event organizer proposes to have food trucks.~~

Regulations for the operation of Food Trucks.

2. Licensees shall receive approval of a written sanitation plan for the maintenance of the Food Truck from the Health Agent prior to receiving a food service license. This shall include but not be limited to the identification of a certified kitchen facility for cleaning, ~~sanitation and~~ food preparation, ~~sanitation and a plan for waste disposal~~.
3. If operations are located on a Town owned property the Licensees shall provide evidence of comprehensive liability insurance in the amount of at least \$1 million (single claim), and listing the Town of Wellfleet as an additional named insured.
4. Licensees shall not be permitted to operate within 200 feet of a licensed common victualler establishment without their written permission. Such permission shall not be required in instances where the licensee and the common victualler establishment share common ownership. The 200 feet distance shall be measured as the ~~Board of Selectmen~~ ~~Selectboard~~ or its designee shall reasonably determine by measuring from the nearest property line to nearest property line and/or nearest Food Truck if the truck is located on a road.
5. Licensees shall not deploy any free-standing sign or flags unless specifically permitted by the ~~Board of Selectmen~~ ~~Selectboard~~ and in compliance with local Zoning Bylaw. Applicability of Zoning Bylaw shall be determined by the Town Zoning Enforcement Officer.
6. Licensees shall not deploy tables or seating unless specifically permitted by the ~~Board of Selectmen~~ ~~Selectboard~~ with permission from the Health Agent.
7. Food Trucks shall not be positioned so as to expose clients to vehicular traffic, or otherwise in an unsafe manner. Food Trucks on Town property shall be parked on a hardened area such as a parking lot or packed surface and shall not be permitted on lawns or on vegetation. Any directive by a Police Officer in this regard shall be immediately complied with.
8. Licensees shall make specific provisions for potable water, electricity, electric lighting if operated at night, collection and proper removal of recycling, trash and wastewater.
9. Licensees shall ensure that the licensed area is kept clean, neat and sanitary at all times. Reliance on the use of municipal trash ~~and recycling~~ receptacles is not permissible. Upon request, proof of proper ~~recycling~~, trash and wastewater disposal shall be submitted to the Health Agent.
10. No licensee or employee of the licensee shall consume any alcoholic beverage or unlawful controlled substance during the 4 hours preceding and while on duty.
11. No licensee or employee of the licensee shall be permitted to smoke while working as per Food Code regulations.

## Regulations for the operation of Food Trucks.

12. Operations are permitted between the hours of 7:00 a.m. but not later than 11:00 p.m., unless otherwise specified or as such hours of operation that may be authorized by State statute.
13. Licensees are required to obtain a Hawkers, Peddlers and Transient Vendors license for each manager/owner from the State of Massachusetts and signed by the Wellfleet Police Department. The state license must be current for the duration of the locally permitted and licensed operation. If at any time, the state license is revoked, suspended and/or not active the local license shall be void.
14. Licensees shall not be authorized to sell non-food novelty items such as: t-shirts, hats, toys, etc. A separate retail license must be obtained from the Licensing Authority to receive permission to sell non-food items.
15. Licensees operating on town property shall provide only biodegradable utensils and food containers.
16. Licensees operation on town property shall adhere to The Town of Wellfleet's Municipal Plastic Bottle Reduction prohibiting the distribution of single use plastic bottles.

### **Amending a Food Truck License**

Licensees who want to amend their current Food Truck License shall make such a request in writing to the Town Administrator who has been granted authority to amend existing Food Truck licenses by the ~~Board of Selectmen~~ **Selectboard**. Upon review by the Town Administrator or his/her designee a decision will be rendered within 14 days. If the amendment is determined to require to be heard by the ~~Board of Selectmen~~ **Selectboard**, then the request will be posted on the next available ~~Board of Selectmen~~ **Selectboard** agenda.

### **Violation, suspension, revocation or modification of a Food Truck License**

Any violation of these regulations will be subject to a fine of \$50 (1st offense), \$100 (2<sup>nd</sup> offense) or \$300 (3rd and subsequent offenses). In addition, any violation may result in the immediate suspension of the license and/or removal of the Mobile Food Vendor's Food Truck and/or other vehicle at the owner's expense. Each day shall constitute a separate offense and if the circumstances warrant it in the judgment of the Police Department or other enforcement officer, in which case such suspension shall be reviewed by the ~~Board of Selectmen~~ **Selectboard** at its next available public meeting scheduled in accordance with open meeting law requirements. A licensee may appeal any fine to the ~~Board of Selectmen~~ **Selectboard**.

Regulations for the operation of Food Trucks.

The ~~Board of Selectmen~~ **Selectboard** may suspend, revoke or modify a Food Truck License if, after a public hearing, the Board finds that these regulations have been violated.

### **Application Instructions**

1. Fill-out and sign the application form and attachments. Applications shall expire on December 31<sup>st</sup>.
2. Include a detailed list of the intended locations for operation, including a sketch for each location showing how the mobile food vehicle is to be positioned. For each location also provide the proposed times of operation.
3. Obtain all applicable initial plan reviews and/or preliminary approvals from the Building, Health, Fire Rescue and Police Departments, and obtain Hawkers and Peddlers Licenses for each owner of a Food Truck from the Commonwealth of Massachusetts before application is submitted to the Town Administrator's office.
4. Deliver the completed and signed application form and attachments (e.g., list of intended locations for operation, tax certification, resumes, copies of Hawkers and Peddlers licenses, etc.), along with a payment for the local fixed fee for the license. The local fee for a Food Truck License is \$50.00.
5. For private locations, the Licensee shall provide written evidence of the property owner's approval for use of that location. The license does not confer a right to operate without the written permission of the property owner.
6. The ~~Board of Selectmen~~ **Selectboard** may require the applicant(s) and their employee(s) to process a Personal Criminal Record Information (CORI) check and Sex Offender Registry Information (SORI) check through the Police Department.
7. After the application materials are received and reviewed for completeness, an interview will be scheduled with the Town Administrator or the ~~TA's~~ **Town Administrator's** designee to discuss the applicant's plans for operation. The applicant will then be required to appear before the ~~Board of Selectmen~~ **Selectboard** for a public hearing. Staff in the ~~Selectmen's~~ **Selectboard** Office will notify the applicant by telephone or e-mail of the date and time of the public hearing at least 48 hours before the hearing.
8. The ~~Board of Selectmen~~ **Selectboard** reserves the right to defer action on the license application until all issues and concerns raised by the ~~Board~~ **Selectboard** are addressed by the applicant to the ~~Board's~~ **Selectboard's** satisfaction; and the ~~Board~~ **Selectboard** also reserves the right to deny approval if the applicant fails to meet the

Regulations for the operation of Food Trucks.

application requirements, or does not/cannot resolve the issues and concerns raised by the ~~Board~~ **Selectboard**.

- 9. The ~~Board of Selectmen~~ **Selectboard** shall only approve the application once the applicant has obtained all required Health Department, Building Department, Police Department and Fire Rescue Department final approvals (i.e., permits, reviews and/or inspections) before the Food Truck License will be issued. If the applicant fails to obtain a required approval at any point in the process, the issuance of the License will be withheld until the issue or problem is resolved to the satisfaction of the appropriate body.

**Specific questions should be addressed to:**

~~Selectmen's~~ **Selectboard** Office, Principal Clerk, 508-349-0300  
 Building Department, Building Inspector, 508-349-0309  
 Health Department, Health Agent, 508-349-0308  
 Fire Rescue Department, Administrative Assistant, 508-349-3754  
 Police Department, Chief of Police, 508-349-3702

Date Applied: Date Approved: Date Issued:

**Fee \$50.00**

Office Use Only	Fees Paid:	Tax Cert:	Resumes:	H&P Info:	Plan:	Interview:
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The undersigned hereby applies for a Food Truck License in accordance with the provisions of Town of Wellfleet ~~Board of Selectmen~~ **Selectboard** Regulations.

(PLEASE TYPE OR PRINT CLEARLY)

Name of Applicant:

Date: D.O.B:

Drivers. License Number:

Fed.ID #:

Mass Division of Motor Vehicles Lic Number:

Business Address:

Home Address:

Business Telephone:

Cell Phone:

Regulations for the operation of Food Trucks.

Name of Operation:

Plan Review and/or Preliminary Approval (Required for Approval)

Reviewing Department	Signature of Approving Authority	Date of Plan Review/Approval
Building Department:		
Health Department:		
Police Department		
Fire Department:		

PROVIDE THE FOLLOWING INFORMATION WITH RESPECT TO EACH LOCATION:

What will be the hours of operation?

Time(s) of Peak Customer Activity Est.

Number of Customers at Peak Time(s):

Est. Number of Employees at Peak Time(s):

What provisions have been made for trash, wastewater, potable water, electric and recycling?

LIST THE LOCATIONS WHERE THE MOBILE FOOD VEHICLE WILL BE DEPLOYED AND ATTACH A SKETCH OF HOW THE VEHICLE WILL BE POSITIONED AND OTHER DETAILS OF THE AREA TO BE LICENSED.

(Please provide a sketch for each location on a separate piece of paper.)

Location(s)



Regulations for the operation of Food Trucks.

I the undersigned state that the information provided in this application, and associated attachments, is true and accurate to the best of my knowledge:

Signature: Printed Name:

Date:

Note: No Food Truck License will be approved until the applicant addresses all issues and/or concerns to the satisfaction of the ~~Board of Selectmen~~ **Selectboard**; and no Food Truck License will be issued until all required inspections have been conducted, permits granted, and final approvals given.

=====

FOR OFFICE USE ONLY

Final Permits/Approvals Granted (Required Before TFL will be Issued)

Approving Department	Yes	No	If "No," Reason Why	Date of Final Approval
Building Department:				
Health Department:				
Police Department:				
Fire Department:				

**Staff comments on Food Truck legislation:**

- 1.Changes to bring the food truck regs into compliance with Zoning Bylaws.
2. Allows food trucks to remain overnight on town property.
3. Requires recycling receptacles.
4. Requires the use of biodegradable or reusable utensils and food containers.
5. Applies the municipal Plastic Bottle Reduction Policy to a food truck operating on town property.
6. Normal changes to replace Selectmen and the Board of Selectmen with the Selectboard.

--

**From Hillary Lemos, Health & Conservation Agent:**

Licensees shall receive approval of a written sanitation plan for the maintenance of the Food Truck from the Health Agent prior to receiving a food service license. This shall include but not be limited to the identification of a certified kitchen facility for cleaning, sanitation and food preparation and a plan for waste disposal.

The food trucks should not stay on site overnight as they need to take them to the base of operation to clean them thoroughly and have access to a three-bay sink or dish machine, and enough hot water to clean with.

**From Suzanne Thomas, Director of Community Services:**

These are my thoughts on Food trucks –

- 1 – They need to be removed from their location regularly to effect sanitary measures and food prep and storage.
- 2 – They need to be removed from any Beach location because leaving them overnight where people come to have beach fires and party and drink adult beverages can lead to damage to the units for which the Town could be liable.
- 3 – The application process is convoluted and over-engineered and I have trouble following the linear process for having a food truck. It would be reasonable to provide a checklist of tasks to be accomplished in the order in which they must be accomplished.
- 4 – The proposed language that permits food trucks everywhere should be carefully considered, District by District with any potential pros and cons to such expansion. Additionally, because the SB must review each application, widening the area where they are permitted will also widen the workload of a Board whose meetings already last four hours.

**From Rich Pauley, Fire Chief:**

I agree with Suzanne’s comments and could not have said it better myself. Please consider my comments relative to Food Truck Regulations the same as Suzanne’s. Thank you.

**From: Jeanne Maclauchlan, Principal Clerk:**

The application process is very complicated

**From Police Department:**

No concerns



## SELECTBOARD

AGENDA ACTION REQUEST  
Meeting Date: May 10, 2022

# VI

### BUSINESS

~ A ~

<b>REQUESTED BY:</b>	<b>Nancy Civetta ~ Shellfish Constable</b>
<b>DESIRED ACTION:</b>	<b>To request increase spending authorization for shellfish revolving fund propagation</b>
<b>PROPOSED MOTION:</b>	<b>I move to approve the increase spending authorization for shellfish revolving fund per MGL Ch. 44 sec. 53E 1_2</b>
<b>SUMMARY:</b>	
<b>ACTION TAKEN:</b>	Moved By: _____ Seconded By: _____ Condition(s):
<b>VOTED:</b>	Yea _____ Nay _____ Abstain _____



# Wellfleet Shellfish Department



300 Main Street, Wellfleet, Massachusetts 02667

## MEMORANDUM

DATE: May 5, 2022  
TO: Town of Wellfleet Selectboard  
CC: Interim Town Administrator Charlie Sumner; Conservation Agent Hillary Greenberg-Lemos  
RE: Request for a vote to increase spending authorization for Shellfish Revolving Fund for Propagation per MGL Ch 44 sec 53E 1\_2

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Dear Selectboard Members:

After careful consideration, the Shellfish Department has decided not to buy and plant hatchery quahogs this year due to neoplasia concerns in our community. We would instead like to “double down” on the state-run contaminated quahog relay. This is an idea that came to us from quahoggers on the flats. They have seen a lot of quahog seed this year in Chipman’s Cove and are attributing it to the relay program. This is, in fact, why the state runs it: It makes towns keep areas closed for three months so that the quahogs have a chance to spawn and create natural and sustainable quahog beds. And it is working. But we did not budget for this increase, which is not offset by what we will save on the clam seed we did budget for, so we would like to ask for it from the Shellfish Revolving Fund for Propagation.

In addition, we are in the final stages of obtaining our cultching permit from the state. There are three bills from Coastal Engineering which we have just been made aware of that will need to be paid before the end of the fiscal year. The Town Administrator believes they should be paid for by the Shellfish Department. We agree. Since it is an expense to certify our propagation activities (cultching), it makes sense to pay it from the Shellfish Revolving Fund for Propagation.

We are requesting an additional “up to \$15,000” increase in usage of the revolving fund in FY22. If we don’t use it all, the money simply stays in the fund.

As a reminder, our Revolving Fund for Propagation takes 75% of all shellfish revenues (from permit sales and grant lease fees) and puts them into a fund only to be used for propagation. The funds come out of the pockets of those who use our shellfish resources, not through town tax revenue, so this will not impact people’s taxes nor the Town’s FY22 budget.

[wellfleet-ma.gov/shellfish-department](http://wellfleet-ma.gov/shellfish-department)

Phone (508) 349-0325



Fax (508) 349-0305

I have reviewed our FY22 revenues, which so far this year have allocated more than \$56,000 to the fund, and I worked with Lisa Souve in the town accounting office and reviewed the fund's balance. There is money to cover this request.

The Mass. General Law cited above specifies that the Selectboard can increase the allocation during the fiscal year. The original language that the department proposed for Town Meeting in 2019 that established this fund was this:

"The principal of this fund shall be spent under the direction of the Shellfish Constable with the advice of the Shellfish Advisory Board subject to final approval of the Board of Selectmen, for the propagation, cultivation, protection and study of shellfish, including all or part of municipal salaries and fringe benefits of propagation employees."

The Shellfish Advisory Board voted 5-0 at its meeting on April 6, 2022, to recommend to the Selectboard that the Shellfish Department be allowed to use an additional "up to \$15,000" from the Shellfish Revolving Fund for Propagation this fiscal year to buy relay quahogs and finalize our cultching permit.

Selectboard members, we request that in your May 10 meeting you make a motion to authorize this additional expenditure from the Shellfish Revolving Fund for Propagation for FY22.

Sincerely,



Nancy Civetta  
Shellfish Constable



Johnny Clam Mankevetch  
Assistant Shellfish Constable for Propagation



# SELECTBOARD

AGENDA ACTION REQUEST  
Meeting Date: May 10, 2022

VI

## BUSINESS

~ B ~

<b>REQUESTED BY:</b>	<b>Robert Wallace ~ Shellfisherman</b>
<b>DESIRED ACTION:</b>	<b>To approve a commercial shellfish exemption</b>
<b>PROPOSED MOTION:</b>	<b>I move to approve the hardship exemption for a commercial shellfishing permit to Robert Wallace</b>
<b>SUMMARY:</b>	
<b>ACTION TAKEN:</b>	Moved By: _____ Seconded By: _____ Condition(s):
<b>VOTED:</b>	Yea _____ Nay _____ Abstain _____



# Wellfleet Shellfish Department



300 Main Street, Wellfleet, Massachusetts 02667

## MEMORANDUM

DATE: May 6, 2022

TO: Town of Wellfleet Selectboard Members

RE: Application received for commercial shellfishing permit hardship exemption  
from Bob Wallace

Dear Selectboard Members:

Bob Wallace has come to you to request a hardship exemption because he missed applying for his commercial shellfishing permit by the January 31, 2022 deadline. Here are the specifications outlined in our Wellfleet Shellfishing Policy and Regulations:

### REGULATION 6.1.4. Hardship Exemption

The Board of Selectmen may at its discretion grant permits after January 31<sup>st</sup> if the applicant demonstrates **all three** of the following conditions:

- 1) that unusual circumstances existed which would reasonably excuse a failure to file an application prior to February 1st, and
- 2) that a substantial hardship would be caused by the refusal of a permit, and
- 3) that the granting of the late permit would not affect the opportunity of applicants, who have applied in a timely manner, to harvest a reasonable quantity of shellfish.

Following is the documentation submitted from Bob Wallace. I believe he meets all three of the above conditions as outlined in his letter.

- 1) He has a doctor's note.
- 2) He states in his letter that he will need this additional income because the shellfish inventory on his Indian Neck grant is very low.
- 3) The wild fishery resource is abundant this year. I see no adverse effect on other shellfishermen.

Thank you.

  
Nancy Civetta, Shellfish Constable

[wellfleet-ma.gov/shellfish-department](http://wellfleet-ma.gov/shellfish-department)

Phone (508) 349-0325

Fax (508) 349-0305

To: Selectboard  
From: Bob Wallace  
Re: Application for a commercial shellfish permit

4/8/22

Dear Selectboard,

I am writing to you as per the shellfish regs to ask for a "hardship" shellfish permit. I have been getting my permit annually since 1982. I got it last year even though I never went in the "wild" because of the principal that the shellfish dept. should derive its revenue from the people that use the resource. I also thought that this year I would have plenty to do on my own grant that it would be physically too much to venture off my own bed.

However, I have realized I made an error in not buying my permit when I should have. First, I want to support the shellfish dept. with my buying a permit. Second, as far as my physical ability to go in the wild isn't as concerning to me because where I park my truck on the beach to access my bed I am surrounded by oysters that I could pick as I wait for the tide to ebb to get on my own bed. There is minimal pressure on this area because I guess people have found better areas to fish. This answers one of the factors weighed in granting the late permit: "Granting of a late permit would not affect the opportunity of applicants to harvest a reasonable quantity of shellfish." The other point is "that a hardship would be caused by a refusal of a permit". To this I'd say I'd sure I would survive but the amount of oysters and clams on my bed now has never been lower. I rely on natural oyster sets only and the last two years has been mediocre at best. Also, clam mortality has been bad.

I will conclude saying that the amount of fishing effort on my part would be minimal for this year. And I promise not to be an idiot and buy the permit when you should.

Thank you for your consideration.

Respectfully submitted,

*Bob Wallace*





4/26/2022

Re: Robert Wallace  
PO Box 454  
South Wellfleet MA 02663

To Whom This May Concern:

I am writing on behalf of Robert Wallace as his primary care physician. Mr. Wallace was unable to obtain his commercial shellfish permit prior to January 31, 2022 due to a serious medical condition that required urgent attention. I am asking that you grant the permit at this time.

Feel free to contact my office if further information is needed.

Sincerely,

A handwritten signature in blue ink, appearing to read "Matthew Burdette".

Matthew Burdette, DO  
3130 STATE HIGHWAY  
WELLFLEET MA 02667-7402  
508-349-3131

Matthew Burdette, DO  
Internal Medicine  
Outer Cape Health Services, Rte 6  
3130 State Highway, Rt 6  
Wellfleet, MA 02667



## SELECTBOARD

AGENDA ACTION REQUEST  
Meeting Date: May 10, 2022

VI

### BUSINESS

~ C ~

<b>REQUESTED BY:</b>	<b>Jim Hood ~ Chair Board of Water Commissioners</b>
<b>DESIRED ACTION:</b>	<b>To discuss and approve the FY 2023 Water Enterprise Fund Budget</b>
<b>PROPOSED MOTION:</b>	<b>I move to approve the Water Enterprise Fund Budget and insert it into the June 11, 2022 Annual Town Meeting Warrant.</b>
<b>SUMMARY:</b>	
<b>ACTION TAKEN:</b>	Moved By: _____ Seconded By: _____ Condition(s):
<b>VOTED:</b>	Yea _____ Nay _____ Abstain _____

<b>OPERATING BUDGET</b>	<b>FY 2022</b>	<b>FY 2023</b>			
<b>EXPENSES</b>					
Secretary/Clerk: Position increased from 20 hours/week to 27 hours/week.	20,938	27,087			
Water System Operator's Contract: Whitewater Services is on-site 5 days/week, 4 hours/day and available 24/7 for telephone support.	138,750	85,000			
Contingency Fund for Overtime and Emergency Services (Included in Operator's Contract in FY 2022)		30,000			
Other Contractual Services	4000	5,000			
Repairs and Maintenance including Testing and Chemicals		20,000			
Telephone	0	1,000			
Electricity	12,000	12,000			
Water Testing and Chemicals		2,000			
Legal Services	0	2,000			
Office Supplies	250	250			
Postage - customer billings for deferred connection fees and delinquent billing notices		1,550			
Advertising - public notices		200			
Other Direct/Unclassified Expenses	1,450	0			
<b>TOTAL OPERATING EXPENSES</b>	<b>177,388</b>	<b>186,087</b>			
<b>OPERATING REVENUES - Service Fees and Water Usage Fees</b>	<b>135,000</b>	<b>145,000</b>			
<b>GENERAL FUND CONTRIBUTION REQUIRED</b>	<b>42,388</b>	<b>41,087</b>			
<b>DEBT SERVICE</b>	<b>Begin Date</b>	<b>Beginning Balance</b>	<b>Principal</b>	<b>Interest</b>	<b>TOTAL</b>
			<b>FY 2023</b>	<b>FY2023</b>	<b>FY 2023</b>
USDA # 1	17-May-10	1,500,000	31,538	27,877	59,415
USDA #2	20-Aug-15	1,000,000	25,642	22,564	48,206
GENERAL OBLIGATION BOND	15-Mar-21	1,235,000	65,000	36,900	101,900
<b>TOTAL DEBT SERVICE FY 2023</b>					<b>209,521</b>
CONNECTION FEES/DEFERRED PAYMENTS					84,365
INTEREST PAYMENTS					2,060
<b>TOTAL DEBT SERVICE REVENUES</b>					<b>86,425</b>
<b>GENERAL FUND CONTRIBUTION REQUIRED FOR DEBT SERVICE</b>					<b>123,096</b>



## SELECTBOARD

AGENDA ACTION REQUEST  
Meeting Date: May 10, 2022

VI

### BUSINESS

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<b>REQUESTED BY:</b>	<b>Charlie Sumner ~ Interim Town Administrator</b>
<b>DESIRED ACTION:</b>	<b>To review the budget and financial updates</b>
<b>PROPOSED MOTION:</b>	<b>I move to approve the budget and financial updates as presented by the town administrator</b>
<b>SUMMARY:</b>	
<b>ACTION TAKEN:</b>	Moved By: _____ Seconded By: _____ Condition(s):
<b>VOTED:</b>	Yea _____ Nay _____ Abstain _____

**TOWN OF WELLFLEET  
FINANCIAL FORECAST  
FISCAL YEAR 2023 (Draft No. 7 - 4/27722)**

<b>1. ESTIMATED REVENUES RESOURCES</b>		<b>FY2022</b>	<b>FY2023</b>	<b>FY2024</b>	<b>FY2025</b>	<b>FY2026</b>	<b>FY2027</b>
<b>A. Property Tax Levy Base:</b>							
1. Property Tax Levy Base		\$17,177,914	\$17,937,060	\$18,515,486	\$19,110,974	\$19,724,000	\$20,355,057
2. Proposition 2 1/2 Tax Levy Increase		\$429,448	\$448,426	\$462,887	\$477,774	\$493,100	\$508,876
3. Property Tax Levy Construction Growth		\$161,618	\$130,000	\$132,600	\$135,252	\$137,957	\$140,716
4. Debt Exclusion Levy Authorization		\$2,764,582	\$2,877,919	\$2,734,023	\$2,597,322	\$2,467,456	\$2,344,083
5. Cape Cod Commission Levy Exclusion		\$105,435	\$108,071	\$110,773	\$113,542	\$116,381	\$119,290
6. Prop. 2 1/2 Override		\$168,080	\$0	\$0	\$0	\$0	\$0
<b>Property Tax Levy Sub-total</b>		<b>\$20,807,077</b>	<b>\$21,501,476</b>	<b>\$21,955,769</b>	<b>\$22,434,864</b>	<b>\$22,938,893</b>	<b>\$23,468,023</b>

<b>B. Estimated Receipt Categories:</b>		<b>FY2022</b>	<b>FY2023</b>	<b>FY2024</b>	<b>FY2025</b>	<b>FY2026</b>	<b>FY2027</b>
1. State Aid Receipts		\$343,562	\$417,914	\$423,848	\$427,707	\$431,604	\$435,540
2. Miscellaneous Town Receipt Revenues		\$2,814,275	\$2,532,848	\$2,282,568	\$2,314,341	\$2,346,748	\$2,379,804
<b>Estimated Receipts Sub-total</b>		<b>\$3,157,837</b>	<b>\$2,950,762</b>	<b>\$2,706,417</b>	<b>\$2,742,047</b>	<b>\$2,778,352</b>	<b>\$2,815,344</b>

<b>C. Other Available Funds:</b>		<b>FY2022</b>	<b>FY2023</b>	<b>FY2024</b>	<b>FY2025</b>	<b>FY2026</b>	<b>FY2027</b>
1. Free Cash Funds		\$0	\$894,200	\$0	\$0	\$0	\$0
2. Raise & Appropriate for Misc. Articles		\$32,857	\$0	\$0	\$0	\$0	\$0
3. Fire Department Ambulance Funds		\$93,000	\$475,000	\$0	\$0	\$0	\$0
4. Beach Fund		\$694,000	\$676,000	\$689,520	\$703,310	\$717,377	\$731,724
5. Cable Franchise Funds		\$135,370	\$140,000	\$142,800	\$145,656	\$148,569	\$151,541
6. Shellfish Revolving Fund		\$37,256	\$56,000	\$5,000	\$5,000	\$5,000	\$5,000
7. Shellfish RRA for Propogation							
8. Transfer Station/SEMASS Fund		\$400,000	\$400,000	\$408,000	\$416,160	\$424,483	\$432,973
9. Recreation Fund		\$20,000	\$60,000	\$60,000	\$60,000	\$60,000	\$60,000
10. Stabilization Fund		\$614,200	\$0	\$0	\$0	\$0	\$0
11. Waterway Fund		\$2,000	\$2,000	\$2,000	\$2,000	\$2,000	\$2,000
12. Cemetery Fund		\$0	\$9,556	\$2,056	\$2,056	\$2,056	\$2,056
13. Marina Enterprise Revenues		\$586,000	\$581,650	\$596,191	\$611,096	\$626,373	\$642,033
14. Water Enterprise Revenues		\$120,000	\$168,000	\$172,200	\$176,505	\$180,918	\$185,441
14. CPA Estimated Revenues (Added to Tax Bill)		\$696,315	\$738,980	\$757,455	\$776,391	\$795,801	\$815,696
15. CPA Fund Reserves / Projects (Budgeted Reserves)		\$106,582	\$602,800	\$0	\$0	\$0	\$0
16. Debt/Borrowing Warrant Articles		\$3,129,886	\$700,000	\$0	\$0	\$0	\$0
<b>Other Available Funds Sub-total</b>		<b>\$6,667,466</b>	<b>\$5,504,186</b>	<b>\$2,835,222</b>	<b>\$2,898,174</b>	<b>\$2,962,577</b>	<b>\$3,028,462</b>

<b>1. GRAND TOTAL ESTIMATED REVENUES</b>	<b>\$30,632,379</b>	<b>\$29,956,424</b>	<b>\$27,497,408</b>	<b>\$28,075,085</b>	<b>\$28,679,822</b>	<b>\$29,311,829</b>
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<b>2. ESTIMATED EXPENDITURES</b>							
<b>A. Operating Budgets - Town &amp; Schools:</b>		<b>FY2022</b>	<b>FY2023</b>	<b>FY2024</b>	<b>FY2025</b>	<b>FY2026</b>	<b>FY2027</b>
1. Town & School Operating & Debt Budgets		\$24,375,117	\$24,986,179	\$25,617,313	\$26,427,873	\$27,277,573	\$28,168,821
2. Water Enterprise Budget		\$285,714	\$408,608	\$418,823	\$429,294	\$440,026	\$451,027
3. Marina Enterprise Budget		\$600,550	\$598,650	\$613,616	\$628,957	\$644,681	\$660,798
<b>Sub-total Operating Budgets</b>		<b>\$24,375,117</b>	<b>\$25,993,437</b>	<b>\$26,649,753</b>	<b>\$27,486,123</b>	<b>\$28,362,280</b>	<b>\$29,280,645</b>

<b>B. Warrant Articles for Annual Town Meeting</b>		<b>FY2022</b>	<b>FY2023</b>	<b>FY2024</b>	<b>FY2025</b>	<b>FY2026</b>	<b>FY2027</b>
1. Misc. Raise & Appropriate Articles		\$32,857	\$672,700	\$0	\$0	\$0	\$0
2. Stabilization Fund & Fire Detail Articles (Free Cash)			\$894,200	\$0	\$0	\$0	\$0
3. Collective Bargaining Settlement Articles			\$200,000	\$0	\$0	\$0	\$0
4. Ambulance Receipts Account Warrant Articles		\$10,000	\$475,000	\$0	\$0	\$0	\$0
5. Overlay Surplus			\$0	\$0	\$0	\$0	\$0
6. Cable Franchise Fee Program		\$135,370	\$140,000	\$140,000	\$140,000	\$140,000	\$140,000
7. Shellfish Equipment/Project			\$56,000	\$5,000	\$5,000	\$5,000	\$5,000
8. Waterway/Wetland/Cemetery			\$7,500	\$5,000	\$5,000	\$5,000	\$5,000
9. CPA Projects		\$802,897	\$1,341,780	\$757,455	\$776,391	\$795,801	\$815,696
10. Prop 2 1/2 General Override			\$0	\$0	\$0	\$0	\$0
11. Debt/Borrowing Articles		\$3,129,886	\$700,000	\$0	\$0	\$0	\$0
<b>Sub-total Warrant Articles</b>		<b>\$4,111,010</b>	<b>\$4,487,180</b>	<b>\$907,455</b>	<b>\$926,391</b>	<b>\$945,801</b>	<b>\$965,696</b>

<b>C. Other Special Charges &amp; Assessments</b>		<b>FY2022</b>	<b>\$5</b>	<b>FY2024</b>	<b>FY2025</b>	<b>FY2026</b>	<b>FY2027</b>
1. State & County Assessments		\$521,447	\$537,327	\$538,473	\$547,305	\$556,358	\$565,637
2. Overlay Reserve for Property Tax Abatements		\$26,563	\$130,000	\$133,250	\$136,581	\$139,996	\$143,496
3. Other Special Charges & Deficits			\$0	\$0	\$0	\$0	\$0
<b>Sub-total Charges &amp; Assessments</b>		<b>\$548,010</b>	<b>\$667,327</b>	<b>\$671,723</b>	<b>\$683,886</b>	<b>\$696,354</b>	<b>\$709,132</b>

<b>2. GRAND TOTAL ESTIMATED EXPENDITURES</b>	<b>\$29,034,137</b>	<b>\$31,147,944</b>	<b>\$28,228,930</b>	<b>\$29,096,401</b>	<b>\$30,004,434</b>	<b>\$30,955,473</b>
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<b>3. PROJECTED SURPLUS OR (DEFICIT*)</b>	<b>\$734,272</b>	<b>(\$1,191,520)</b>	<b>(\$731,523)</b>	<b>(\$1,021,315)</b>	<b>(\$1,324,612)</b>	<b>(\$1,643,644)</b>
Adjusted Surplus or Deficit		(\$1,191,520)	(\$731,523)	(\$1,021,315)	(\$1,324,612)	(\$1,643,644)
Operating Budget Deficit		\$518,820				
Capital/Special Projects Budget Deficit		\$672,700				

Deficit will result in a requirement for either a Prop 2 1/2 Override, new revenue source or budget reductions.

**Town of Wellfleet**  
June 11, 2022 Annual Town Meeting

Draft No. 11 - May 6, 2022		Total	Raise &	Free	Prop 2 1/2	Water	Marina	Ambul.	Beach	Shellfish &	SEMASS	Recr.	Stab.	CPA	Waterways	Cemetery	Cable	Other
		Request	Appropriate	Cash	Override Ques.	Enterprise	Enterprise	Fund	Fund	RRA Funds	Fund	Fund	Fund	Fund	Fund	Funds	Fund	
1	FY2023 Operating Budget	\$ 24,986,179	\$ 23,840,623						\$ 676,000		\$ 400,000	\$ 60,000				\$ 9,556		
2	FY2023 Operating Budget (Alter)																	
3	FY2022 Budgetary Transfers	\$ 259,274														\$ 3,000		\$ 256,274
4	FY2022 Prior Year Unpaid Bills	\$ 37,539																\$ 37,539.0
5	FY2023 Capital Budget																	
	(1a) Records Digitization Project	\$ 11,000																\$ 11,000
	(2a) Shellfish/Beach Office Repairs	\$ 42,000							\$ 21,000	\$ 21,000								
	(2b) Shellfish Truck Replacement	\$ 30,000								\$ 30,000								
	(3a) Mayo Beach Basketball Courts	\$ 14,500	\$ 14,500															
	(4a) Police Cruiser Replacement	\$ 120,000																\$ 120,000.0
	(4b) Bulletproof Vest Replacement	\$ 15,000	\$ 15,000															
	(5a) Portable Radio Replacement	\$ 80,000	\$ 80,000															
	(5b) Ambulance Replacement	\$ 340,000						\$ 340,000										
	(5c) Mobile Data Terminal Repl	\$ 25,000						\$ 25,000										
	(6a) Town Hall Irrigation Project	\$ 5,000	\$ 5,000															
	(6b) COA HVAC Repair	\$ 35,000	\$ 35,000															
	(6c) Fire Station HVAC Repair	\$ 80,000																\$ 80,000.0
	(6d) Recreation Band Stand Project	\$ 50,000		\$ 50,000														
	(6e) Water Refill Station Project	\$ 20,000		\$ 20,000														
	(6f) DPW Truck Replacement	\$ 85,000	\$ 85,000															
	(6g) DPW Loader Repl Project	\$ 200,000	\$ 200,000															
	(6h) Culvert Replacement	\$ 75,000		\$ 75,000														
	(7a) Computer Hardware & Soft.	\$ 35,000	\$ 35,000															
	(8a) Elem. Sch. Custodial Equip.	\$ 5,625																\$ 5,625.0
6	FY2023 Marina Enterprise Fund	\$ 598,650					\$ 581,650		\$ 10,000	\$ 5,000					\$ 2,000			
7	FY2023 Water Enterprise Fund	\$ 408,608	\$ 240,608			\$ 168,000												
8	Police Officers Union Contract	\$ -																
9	Teamster's Union Contract	\$ -																
10	Communications Union Contract	\$ -																
11	Firefighters Assoc Union Contract	\$ -																
12	Non-Union & Other Personnel	\$ -																
13	Other Post Employment Benefits	\$ 200,000	\$ 200,000															
14	Stabilization Fund	\$ 639,200		\$ 639,200														
15	New Police Officers (2 positions)	\$ 186,759			\$ 186,759													
16	New Firefighters (2 positions)	\$ 206,964			\$ 206,964													
17	Paramedic Training Program	\$ 10,000						\$ 10,000										
18	Fire Engine Replacement	\$ 800,000						\$ 100,000										\$ 700,000
19	Harbor Flora & Fauna Study	\$ 60,000		\$ 60,000														
20	Chapter 90 Funds	\$ -																
21	PEG Access & Cable Related Funds	\$ 140,000															\$ 140,000	









# SELECTBOARD

AGENDA ACTION REQUEST  
Meeting Date: May 10, 2022

VI

## BUSINESS

~ E ~

<b>REQUESTED BY:</b>	<b>Charlie Sumner ~ Town Administrator</b>
<b>DESIRED ACTION:</b>	<b>To discuss, approve and insert the contingency budget into the 2022 Town Warrant</b>
<b>PROPOSED MOTION:</b>	<b>I move to approve the contingency budget created at tonight's meeting and insert it into the June 11, 2022 Town Meeting Warrant.</b>
<b>SUMMARY:</b>	
<b>ACTION TAKEN:</b>	Moved By: _____ Seconded By: _____ Condition(s):
<b>VOTED:</b>	Yea _____ Nay _____ Abstain _____



## SELECTBOARD

AGENDA ACTION REQUEST  
Meeting Date: May 10, 2022

VI

### BUSINESS

~ F ~

<b>REQUESTED BY:</b>	<b>Charlie Sumner ~ Town Administrator</b>
<b>DESIRED ACTION:</b>	<b>To have a final review and approve the Annual Town meeting warrant</b>
<b>PROPOSED MOTION:</b>	<b>I move to approve the 2022 Annual Town Meeting Warrant as amended and presented; to be sent to the printer May 11, 2022.</b>
<b>SUMMARY:</b>	
<b>ACTION TAKEN:</b>	Moved By: _____ Seconded By: _____ Condition(s):
<b>VOTED:</b>	Yea _____ Nay _____ Abstain _____



**ANNUAL TOWN MEETING**

**Saturday June 11, 2022**

**10:00 AM**

**at**

**Wellfleet Elementary School**

**100 Lawrence Road, Wellfleet, MA**

**&**

**SPECIAL TOWN ELECTION**

**June 21, 2022**

**at**

**12:00 Noon to 7:00 PM**

**Wellfleet Senior Center**

**715 Old King's Highway**

**Edit Date: May 6, 2022**

**Draft No. 13**

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## FINANCIAL & PROPOSITION 2½ TERMS

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

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

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

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

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

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

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

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

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

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

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

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



## TOWN MEETING PROCEDURES

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

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

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

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

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

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

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

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

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

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

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

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

Zoning bylaws	2/3 majority
Zoning bylaws subject to the Housing Choice act	2/3 majority
To authorize borrowing or incur debt	2/3 majority
To transfer or sell Town land	2/3 majority
To approve proposed Charter amendments	2/3 majority
To pay unpaid bills of a prior fiscal year	4/5 majority at an Annual Town Meeting 9/10 majority at a Special Town meeting

## FINANCE COMMITTEE STATEMENT

The Finance Committee provides advice to the Selectboard, Town Administrator and Town Meeting on financial matters of concern to the voters of the Town of Wellfleet.

These include major capital, staffing, and operational outlays for the town's departments as well as new and existing revenues. In addition, we assess the financial impact of large projects like harbor dredging, water/wastewater management and affordable housing.

From 2020 to 2021, the Finance Committee's focus shifted from the impact of COVID to the financial challenges facing Wellfleet that derived from senior staff turnover, adoption of a new accounting system and the transition to a more rigorous set of standardized, auditable financial policies and practices.

In 2021, Finance Committee has undertaken several policy changes to improve its ability to provide sound financial advice to the administration, within its defined role in the Town Charter. These include enhancing the role of our departmental liaisons, meeting regularly with the Town Administrator on the resolution of audit issues and working more closely with the Selectboard.

The Finance Committee makes its budget recommendations by casting votes at open meetings. Its opinions are made available in the Warrant at Town Meeting. Finance Committee meetings are open to the public. We encourage its attendance and participation.

Respectfully submitted,

Fred Magee, Chair, Kathy Granlund, Linda Pellegrino, Stephen Polowczyk, Jenn Rhodes, Jeff Tash, Robert Wallace, Ira Wood, Moe Barocas, and Dave Behrens

**ANNUAL TOWN MEETING WARRANT**

Saturday, June 11, 2022

The Commonwealth of Massachusetts

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

**GREETINGS:**

In the name of the Commonwealth of Massachusetts you are hereby required to notify and warn the inhabitants of the Town of Wellfleet qualified to vote in Town Affairs, to meet in the Wellfleet Elementary School, 100 Lawrence Road in Wellfleet on the 11<sup>th</sup> day of June 2022, at ten o'clock in the morning, then and there to vote upon the following Articles:

**SECTION I: BUDGET ARTICLES**

**ARTICLE NO. 1 - FY2023 OPERATING BUDGET:**

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

**FY 2023 OPERATING BUDGET**

<b>General Government</b>		Budget FY2021	Actual FY2021	Budget FY2022	Selectboard FY2023
114 Moderator					
	Salaries	\$225.00	\$225.00	\$225.00	\$225.00
	Expenses	\$400.00	\$20.00	\$400.00	\$400.00
	<b>Total</b>	<b>\$625.00</b>	<b>\$245.00</b>	<b>\$625.00</b>	<b>\$625.00</b>
115 Constable					
	Salaries	\$100.00	\$50.00	\$100.00	\$100.00
	<b>Total</b>	<b>\$100.00</b>	<b>\$50.00</b>	<b>\$100.00</b>	<b>\$100.00</b>
121 Audit					
	Expenses	\$22,900.00	\$22,900.00	\$40,000.00	\$30,000.00
	<b>Total</b>	<b>\$22,900.00</b>	<b>\$22,900.00</b>	<b>\$40,000.00</b>	<b>\$30,000.00</b>
122 Selectboard					
	Salaries	\$12,500.00	\$12,499.84	\$12,500.00	\$12,500.00
	Expenses	\$4,370.00	\$1,971.68	\$4,870.00	\$7,300.00
	<b>Total</b>	<b>\$16,870.00</b>	<b>\$14,471.52</b>	<b>\$17,370.00</b>	<b>\$19,800.00</b>
123 Town Administrator					
	Salaries	\$309,626.00	\$313,102.19	\$275,600.00	\$328,133.00
	Expenses	\$11,250.00	\$7,973.78	\$11,900.00	\$14,000.00
	<b>Total</b>	<b>\$320,876.00</b>	<b>\$321,075.97</b>	<b>\$287,500.00</b>	<b>\$342,133.00</b>
124 General Administration					
	Salaries	\$140,655.83	\$138,619.64	\$210,321.02	\$200,468.00
	Expenses	\$16,361.00	\$18,396.71	\$52,980.00	\$57,180.00
	<b>Total</b>	<b>\$157,016.83</b>	<b>\$157,016.35</b>	<b>\$263,301.02</b>	<b>\$257,648.00</b>
131 Finance Committee					
	Expenses	\$374.00	\$373.44 -	-	-
	<b>Total</b>	<b>\$374.00</b>	<b>\$373.44 -</b>	<b>-</b>	<b>-</b>
132 Reserve Fund					
	Expenses	\$50,650.00 -		\$89,500.00	\$89,500.00
	<b>Total</b>	<b>\$50,650.00 -</b>		<b>\$89,500.00</b>	<b>\$89,500.00</b>

**Budget FY 202 Actual FY 202 Budget FY 20 Selectboard 202**

135	Accountant					
		Salaries	\$216,563.00	\$217,101.66	\$259,200.00	\$159,238.00
		Expenses	\$10,390.00	\$9,430.13	\$38,650.00	\$38,650.00
		<b>Total</b>	<b>\$226,953.00</b>	<b>\$226,531.79</b>	<b>\$297,850.00</b>	<b>\$197,888.00</b>
141	Assessors					
		Salaries	\$137,007.03	\$137,603.12	\$143,309.33	\$148,330.00
		Expenses	\$55,940.00	\$55,246.71	\$53,370.00	\$56,195.00
		<b>Total</b>	<b>\$192,947.03</b>	<b>\$192,849.83</b>	<b>\$196,679.33</b>	<b>\$204,525.00</b>
145	Treasurer					
		Salaries	\$196,898.43	\$198,480.95	\$204,385.00	\$214,422.00
		Expenses	\$46,945.00	\$35,134.73	\$70,365.00	\$70,365.00
		<b>Total</b>	<b>\$243,843.43</b>	<b>\$233,615.68</b>	<b>\$274,750.00</b>	<b>\$284,787.00</b>
151	Legal Expense					
		Expenses	\$118,000.00	\$97,362.78	\$125,000.00	\$125,000.00
		<b>Total</b>	<b>\$118,000.00</b>	<b>\$97,362.78</b>	<b>\$125,000.00</b>	<b>\$125,000.00</b>
153	Computerization					
		Expenses	\$180,500.00	\$172,723.05	\$198,500.00	\$156,500.00
		<b>Total</b>	<b>\$180,500.00</b>	<b>\$172,723.05</b>	<b>\$198,500.00</b>	<b>\$156,500.00</b>
158	Tax Title					
		Expenses	\$12,640.00	\$10,911.68	\$6,000.00	\$10,000.00
		<b>Total</b>	<b>\$12,640.00</b>	<b>\$10,911.68</b>	<b>\$6,000.00</b>	<b>\$10,000.00</b>
161	Town Clerk					
		Salaries	\$84,311.00	\$83,314.95	\$106,854.13	\$103,596.00
		Expenses	\$4,830.00	\$5,674.84	\$11,020.00	\$11,520.00
		<b>Total</b>	<b>\$89,141.00</b>	<b>\$88,989.79</b>	<b>\$117,874.13</b>	<b>\$115,116.00</b>

		Budget FY 202	Actual FY 202	Budget 2022	Selectboard 2023
162 Elections/Registrations	Salaries	\$5,535.00	\$6,594.95	\$3,062.00	\$9,478.00
	Expenses	\$15,055.00	\$13,131.99	\$7,776.00	\$10,660.00
	<b>Total</b>	<b>\$20,590.00</b>	<b>\$19,726.94</b>	<b>\$10,838.00</b>	<b>\$20,138.00</b>
171 Conservation	Expenses	\$4,765.00	\$4,764.99	\$3,430.00	\$4,160.00
	<b>Total</b>	<b>\$4,765.00</b>	<b>\$4,764.99</b>	<b>\$3,430.00</b>	<b>\$4,160.00</b>
174 Planning Board	Expenses	\$435.00	\$352.91	\$8,085.00	\$8,000.00
	<b>Total</b>	<b>\$435.00</b>	<b>\$352.91</b>	<b>\$8,085.00</b>	<b>\$8,000.00</b>
176 Zoning Board of Appeals	Expenses	\$1,756.00	\$1,656.75	\$306.00	\$300.00
	<b>Total</b>	<b>\$1,756.00</b>	<b>\$1,656.75</b>	<b>\$306.00</b>	<b>\$300.00</b>
177 Open Space Committee	Expenses	-	-	\$1,500.00	\$1,500.00
	<b>Total</b>	<b>-</b>	<b>-</b>	<b>\$1,500.00</b>	<b>\$1,500.00</b>
178 Herring Warden	Salaries	\$2,400.00	\$2,400.00	\$2,400.00	\$2,400.00
	Expenses	\$300.00	-	-	-
	<b>Total</b>	<b>\$2,700.00</b>	<b>\$2,400.00</b>	<b>\$2,400.00</b>	<b>\$2,400.00</b>
179 Shellfish	Salaries	\$244,341.29	\$251,084.06	\$265,030.00	\$284,294.00
	Expenses	\$33,698.00	\$22,183.03	\$28,560.00	\$28,560.00
	<b>Total</b>	<b>\$278,039.29</b>	<b>\$273,267.09</b>	<b>\$293,590.00</b>	<b>\$312,854.00</b>
180 Shellfish Propagation	Expenses	\$6,000.00	\$1,705.67	\$6,000.00	\$6,000.00
	<b>Total</b>	<b>\$6,000.00</b>	<b>\$1,705.67</b>	<b>\$6,000.00</b>	<b>\$6,000.00</b>
181 Shellfish Advisory Committee	Expenses	\$100.00	-	\$100.00	\$100.00
	<b>Total</b>	<b>\$100.00</b>	<b>-</b>	<b>\$100.00</b>	<b>\$100.00</b>

		<b>Budget FY 2021</b>	<b>Actual FY 2021</b>	<b>Budget FY 2022</b>	<b>Selectboard 2023</b>
182 Chamber of Commerce	Expenses	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00
	<b>Total</b>	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00
183 Natural Resources Advisory Board	Expenses	-	-	\$1,050.00	\$1,050.00
	<b>Total</b>	-	-	\$1,050.00	\$1,050.00
189 Housing Authority	Expenses	\$2,200.00	\$2,186.81	\$4,800.00	\$7,800.00
	<b>Total</b>	\$2,200.00	\$2,186.81	\$4,800.00	\$7,800.00
195 Town Reports	Expenses	\$21,051.00	\$21,050.32	\$14,000.00	\$23,100.00
	<b>Total</b>	\$21,051.00	\$21,050.32	\$14,000.00	\$23,100.00
196 Consulting Expense	Expenses	-	-	\$20,000.00	\$50,000.00
	<b>Total</b>	-	-	\$20,000.00	\$50,000.00
General Government (114-196)	<b>Total</b>	\$1,981,072.58	\$1,876,228.36	\$2,291,148.48	\$2,281,024.00

		<b>Budget FY2021</b>	<b>Actual FY2021</b>	<b>Budget FY2022</b>	<b>Selectboard FY2023</b>
	<b>Public Schools</b>				
300	Elementary School				
	Salaries	\$2,791,238.00	\$1,916,021.26	\$2,182,615.00	\$2,251,281.00
	Expenses	-	\$613,849.67	\$678,258.00	\$603,417.00
	<b>Total</b>	<b>\$2,791,238.00</b>	<b>\$2,529,870.93</b>	<b>\$2,860,873.00</b>	<b>\$2,854,698.00</b>
301	Nauset Regional School District				
	Expenses	\$3,141,399.00	\$3,141,399.00	\$3,268,642.00	\$3,180,341.00
	<b>Total</b>	<b>\$3,141,399.00</b>	<b>\$3,141,399.00</b>	<b>\$3,268,642.00</b>	<b>\$3,180,341.00</b>
302	C.C. Regional Technical H.S.				
	Expenses	\$389,505.00	\$389,504.00	\$481,979.00	\$355,235.00
	<b>Total</b>	<b>\$389,505.00</b>	<b>\$389,504.00</b>	<b>\$481,979.00</b>	<b>\$355,235.00</b>
	Schools (300-302)				
	<b>Total</b>	<b>\$6,322,142.00</b>	<b>\$6,060,773.93</b>	<b>\$6,611,494.00</b>	<b>\$6,390,274.00</b>
	<b>Public Works</b>				
417	DPW Facilities				
	Expenses	\$340,161.00	\$338,884.19	\$349,150.00	\$376,350.00
	<b>Total</b>	<b>\$340,161.00</b>	<b>\$338,884.19</b>	<b>\$349,150.00</b>	<b>\$376,350.00</b>
420	DPW				
	Salaries	\$1,072,887.62	\$1,062,839.30	\$1,112,660.02	\$1,160,135.00
	Expenses	\$164,450.00	\$134,172.62	\$176,200.00	\$235,400.00
	<b>Total</b>	<b>\$1,237,337.62</b>	<b>\$1,197,011.92</b>	<b>\$1,288,860.02</b>	<b>\$1,395,535.00</b>
422	Highway				
	Expenses	\$92,900.00	\$43,783.57	\$92,900.00	\$96,200.00
	<b>Total</b>	<b>\$92,900.00</b>	<b>\$43,783.57</b>	<b>\$92,900.00</b>	<b>\$96,200.00</b>
423	Snow & Ice				
	Salaries	\$45,000.00	\$30,983.89	\$45,000.00	\$45,000.00
	Expenses	\$67,430.00	\$75,363.28	\$83,180.00	\$83,180.00
	<b>Total</b>	<b>\$112,430.00</b>	<b>\$106,347.17</b>	<b>\$128,180.00</b>	<b>\$128,180.00</b>
424	Streetlighting				
	Expenses	\$10,600.00	\$654.69	\$10,600.00	\$10,600.00
	<b>Total</b>	<b>\$10,600.00</b>	<b>\$654.69</b>	<b>\$10,600.00</b>	<b>\$10,600.00</b>
433	Transfer Station				
	Expenses	\$345,928.00	\$345,927.78	\$351,850.00	\$402,850.00
	<b>Total</b>	<b>\$345,928.00</b>	<b>\$345,927.78</b>	<b>\$351,850.00</b>	<b>\$402,850.00</b>



		Budget FY 2021	Actual FY 2021	Budget FY 2022	Selectboard 2023
434	Recycling Committee				
	Expenses	\$775.00	\$398.18	\$1,500.00	\$1,500.00
	<b>Total</b>	<b>\$775.00</b>	<b>\$398.18</b>	<b>\$1,500.00</b>	<b>\$1,500.00</b>
	Public Works (417-434)				
	<b>Total</b>	<b>\$2,140,131.62</b>	<b>\$2,033,007.50</b>	<b>\$2,223,040.02</b>	<b>\$2,411,215.00</b>
	<b>Human Services</b>				
510	Board of Health				
	Salaries	\$183,901.39	\$185,489.98	\$186,371.73	\$197,087.00
	Expenses	\$37,934.00	\$36,345.00	\$61,409.00	\$65,171.00
	<b>Total</b>	<b>\$221,835.39</b>	<b>\$221,834.98</b>	<b>\$247,780.73</b>	<b>\$262,258.00</b>
520	Human Services				
	Expenses	\$270,000.00	\$205,182.66	\$305,000.00	\$305,000.00
	<b>Total</b>	<b>\$270,000.00</b>	<b>\$205,182.66</b>	<b>\$305,000.00</b>	<b>\$305,000.00</b>
541	Council on Aging				
	Salaries	\$228,071.88	\$216,539.83	\$238,149.12	\$247,538.00
	Expenses	\$52,125.00	\$21,431.82	\$53,275.00	\$53,375.00
	<b>Total</b>	<b>\$280,196.88</b>	<b>\$237,971.65</b>	<b>\$291,424.12</b>	<b>\$300,913.00</b>
543	Veterans Services				
	Expenses	\$31,850.00	\$31,676.36	\$33,399.34	\$32,708.00
	<b>Total</b>	<b>\$31,850.00</b>	<b>\$31,676.36</b>	<b>\$33,399.34</b>	<b>\$32,708.00</b>
	Human Services (510-543)				
	<b>Total</b>	<b>\$803,882.27</b>	<b>\$696,665.65</b>	<b>\$877,604.19</b>	<b>\$900,879.00</b>
	<b>Culture &amp; Recreation</b>				
610	Library				
	Salaries	\$337,915.37	\$343,916.12	\$386,565.59	\$397,047.00
	Expenses	\$145,300.00	\$111,322.09	\$145,300.00	\$149,200.00
	<b>Total</b>	<b>\$483,215.37</b>	<b>\$455,238.21</b>	<b>\$531,865.59</b>	<b>\$546,247.00</b>
630	Recreation				
	Salaries	\$239,735.77	\$240,882.47	\$283,555.62	\$302,208.00
	Expenses	\$68,179.00	\$64,284.22	\$81,929.00	\$84,221.00
	<b>Total</b>	<b>\$307,914.77</b>	<b>\$305,166.69</b>	<b>\$365,484.62</b>	<b>\$386,429.00</b>
660	Community Services Director				
	Salaries	\$100,935.08	\$105,572.01	\$102,345.58	\$106,555.00
	Expenses	\$270,471.00	\$265,833.31	\$55,750.00	\$55,750.00
	<b>Total</b>	<b>\$371,406.08</b>	<b>\$371,405.32</b>	<b>\$158,095.58</b>	<b>\$162,305.00</b>

		Budget FY 2021	Actual FY 2021	Budget FY 2022	Selectboard 2023
690	Historical Commission				
	Expenses	\$2,600.00	\$110.00	\$200.00	\$200.00
	<b>Total</b>	\$2,600.00	\$110.00	\$200.00	\$200.00
692	Holiday Celebrations				
	Expenses	\$1,200.00 -		\$1,200.00	\$1,000.00
	<b>Total</b>	\$1,200.00 -		\$1,200.00	\$1,000.00
696	Cultural Council				
	Expenses	\$2,000.00	\$2,000.00	\$2,000.00	\$2,000.00
	<b>Total</b>	\$2,000.00	\$2,000.00	\$2,000.00	\$2,000.00
699	Beaches				
	Salaries	\$364,125.00	\$369,819.29	\$365,747.00	\$377,959.00
	Expenses	\$66,760.00	\$49,578.58	\$59,900.00	\$69,300.00
	<b>Total</b>	\$430,885.00	\$419,397.87	\$425,647.00	\$447,259.00
Culture & Recreation (610-699)					
	<b>Total</b>	\$1,599,221.22	\$1,553,318.09	\$1,484,492.79	\$1,545,440.00

<b>Public Safety</b>		<b>Budget FY2021</b>	<b>Actual FY2021</b>	<b>Budget FY2022</b>	<b>Selectboard FY2023</b>
210	Police				
	Salaries	\$1,466,893.00	\$1,456,918.73	\$1,632,279.00	\$1,682,011.00
	Expenses	\$138,135.00	\$131,557.04	\$182,610.00	\$209,400.00
	<b>Total</b>	<b>\$1,605,028.00</b>	<b>\$1,588,475.77</b>	<b>\$1,814,889.00</b>	<b>\$1,891,411.00</b>
215	Communications Dispatch				
	Salaries	\$377,567.00	\$373,414.49	\$395,610.38	\$409,934.00
	Expenses	\$29,100.00	\$27,114.63	\$37,500.00	\$46,500.00
	<b>Total</b>	<b>\$406,667.00</b>	<b>\$400,529.12</b>	<b>\$433,110.38</b>	<b>\$456,434.00</b>
220	Fire				
	Salaries	\$1,575,746.92	\$1,594,145.65	\$1,972,713.88	\$1,991,082.00
	Expenses	\$282,244.00	\$212,685.35	\$258,587.00	\$313,192.00
	<b>Total</b>	<b>\$1,857,990.92</b>	<b>\$1,806,831.00</b>	<b>\$2,231,300.88</b>	<b>\$2,304,274.00</b>
241	Building				
	Salaries	\$212,322.86	\$212,313.91	\$224,823.45	\$231,347.00
	Expenses	\$5,017.00	\$4,975.40	\$9,557.00	\$10,557.00
	<b>Total</b>	<b>\$217,339.86</b>	<b>\$217,289.31</b>	<b>\$234,380.45</b>	<b>\$241,904.00</b>
291	Emergency Management				
	Expenses	\$4,880.00	\$4,473.46	\$5,000.00	\$5,000.00
	<b>Total</b>	<b>\$4,880.00</b>	<b>\$4,473.46</b>	<b>\$5,000.00</b>	<b>\$5,000.00</b>
293	Traffic/Parking				
	Salaries	\$2,250.00	\$2,250.00	\$2,250.00	\$2,250.00
	Expenses	\$5,250.00	\$2,270.00	\$5,250.00	\$5,250.00
	<b>Total</b>	<b>\$7,500.00</b>	<b>\$4,520.00</b>	<b>\$7,500.00</b>	<b>\$7,500.00</b>
	Public Safety (210-293)				
	<b>Total</b>	<b>\$4,099,405.78</b>	<b>\$4,022,118.66</b>	<b>\$4,726,180.71</b>	<b>\$4,906,523.00</b>

			<b>Budget FY2021</b>	<b>Actual FY2021</b>	<b>Budget FY2022</b>	<b>Selectboard FY2023</b>
<b>Interest Expense</b>						
752	BAN (Bond Anticipated Notes)	Expenses			\$478,149.37	\$623,825.00
		<b>Total</b>	-	-	\$478,149.37	\$623,825.00
753	Short Term Interest	Expenses	\$40,750.00	\$39,443.68	\$40,000.00	\$40,000.00
		<b>Total</b>	\$40,750.00	\$39,443.68	\$40,000.00	\$40,000.00
756	Interest on RE Tax Refunds	Expenses	\$150.00 -		\$150.00	\$150.00
		<b>Total</b>	\$150.00 -		\$150.00	\$150.00
	Interest Expenses (753-756)	<b>Total</b>	\$40,900.00	\$39,443.68	\$518,299.37	\$663,975.00
<b>Unclassified</b>						
820	State & County Assessments	Expenses	\$210,180.00	\$279,872.00	On Recap	-
		<b>Total</b>	\$210,180.00	\$279,872.00 -		-
830	County Assessments	Expenses	\$205,398.00	\$205,398.00	\$203,775.00 -	
		<b>Total</b>	\$205,398.00	\$205,398.00	\$203,775.00 -	
911	County Retirement	Expenses	\$1,431,877.00	\$1,431,823.00	\$1,522,803.00	\$1,574,968.00
		<b>Total</b>	\$1,431,877.00	\$1,431,823.00	\$1,522,803.00	\$1,574,968.00

		Budget FY 2021	Actual FY 2021	Budget FY 2022	Selectboard 2023
912	Workers' Comp Insurance				
	Expenses	\$84,000.00	\$83,027.00	\$119,025.00	\$69,841.00
	<b>Total</b>	\$84,000.00	\$83,027.00	\$119,025.00	\$69,841.00
913	Unemployment Compensation				
	Expenses	\$44,037.00	\$44,037.34	\$30,000.00	\$30,000.00
	<b>Total</b>	\$44,037.00	\$44,037.34	\$30,000.00	\$30,000.00
914	Group Health Insurance				
	Expenses	\$1,471,027.00	\$1,471,361.70	\$1,463,578.00	\$1,484,300.00
	<b>Total</b>	\$1,471,027.00	\$1,471,361.70	\$1,463,578.00	\$1,484,300.00
915	Group Life Insurance				
	Expenses	\$6,500.00	\$6,487.71	\$7,750.00	\$7,750.00
	<b>Total</b>	\$6,500.00	\$6,487.71	\$7,750.00	\$7,750.00
916	Town Share of Medicare				
	Expenses	\$144,226.00	\$144,225.21	\$145,946.00	\$175,000.00
	<b>Total</b>	\$144,226.00	\$144,225.21	\$145,946.00	\$175,000.00
917	Health Insurance Stipends	Budget FY 2021	Actual FY 2021	Budget FY 2022	Selectboard 2023
	Expenses	\$40,000.00	\$34,472.10	\$43,000.00	\$53,667.00
	<b>Total</b>	\$40,000.00	\$34,472.10	\$43,000.00	\$53,667.00
918	Town Share of Health Savings Account				
	Expense	\$19,000.00	\$15,500.00	\$10,000.00	\$16,000.00
	<b>Total</b>	\$19,000.00	\$15,500.00	\$10,000.00	\$16,000.00
940	Tax Work Off				
	Expense	\$8,450.00	\$8,411.63	\$8,500.00	\$8,000.00
	<b>Total</b>	\$8,450.00	\$8,411.63	\$8,500.00	\$8,000.00
945	Property & Liability Insurance				
	Expenses	\$361,457.00	\$379,759.21	\$334,000.00	\$445,100.00
	<b>Total</b>	\$361,457.00	\$379,759.21	\$334,000.00	\$445,100.00
	Unclassified (820-945)				
	<b>Total</b>	\$4,026,152.00	\$4,104,374.90	\$3,888,377.00	\$3,864,626.00
	Operating Budget Totals	\$21,012,907.47	\$20,385,930.77	\$22,142,477.19	\$22,963,956.00
	<b>Excluded (In Capital Budget)</b>				
710	L/T Prin	\$1,213,342.00	\$1,213,342.48	\$1,642,635.00	\$1,526,451.00
751	L/T Int	\$346,819.00	\$346,818.80	\$590,004.43	\$495,159.00
	<b>Total</b>	\$1,560,161.00	\$1,560,161.28	\$2,232,639.43	\$2,021,610.00
	Operating & L/T P & I	\$22,573,068.47	\$21,946,092.05	\$24,375,116.62	\$24,985,566.00

or to do or act on anything thereon.

(Requested by the Selectboard)

**Majority vote required**

**Selectboard:**

**Finance Committee:** Recommendation deferred until Town Meeting

**SUMMARY:** This article will provide funding for the operational budgets for the Cape Cod Technical Regional High School, Wellfleet Elementary School, Nauset Regional School District, and the Town of Wellfleet municipal operations for the period of July 1, 2022, through June 30, 2023. This article also sets the salaries of elected officials for FY2023.

**ARTICLE NO. 2 - FY2023 OPERATING BUDGET (Alternative Budget Plan):**

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

[Insert Town Budget]

or to do or act on anything thereon.

(Requested by the Selectboard)

**Majority vote required**

**Selectboard:**

**Finance Committee:** Recommendation deferred until Town Meeting

**SUMMARY:** This article will provide funding for the operational budgets for the Cape Cod Technical Regional High School, Wellfleet Elementary School, Nauset Regional School District, and the Town of Wellfleet municipal operations for the period of July 1, 2022, through June 30, 2023. This article also sets the salaries of elected officials for FY2023.

**ARTICLE NO. 3 - FY 2022 BUDGETARY TRANSFERS:**

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

	From:	Line-Item No.	To:	Line-Item No.	Amount
a.	Nauset Regional School District Expenses	301	Property & Liability - Insurance Expenses	945	\$70,000.00
b.	County Assessment Expenses	830	DPW Facilities Expense - (Rental Expense)	417	\$38,974.00
c.	County Assessment Expenses	830	DPW Highway Expense - Truck Repair	422	\$29,943.00
d.	Community Services Salaries	660	Community Services Expense - Police Details	660	\$8,056.00
e.	Cemetery Receipts	-	DPW Facilities Expense - Prof. Services	17	\$3,000.00
f.	County Assessment Expenses	830	Health Insurance Stipend	917	\$40,000.00
g.	County Assessment Expenses	830	General Administration - Advertising & Office Supplies	124	\$12,000.00
h.	County Assessment Expenses	830	Fire Department Expense -Lodging	220	\$40,000.00
i.	County Assessment Expense	830	DPW- Operating Expenses	420	\$15,000.00
j.	County Assessment	830	Shellfish Expenses	179	\$2,301.00
	<b>Grand-Total</b>				<b>\$259,274.00</b>

or to do or act on anything thereon.

(Requested by the Selectboard)

**Majority Vote Required**

**Recommendations:**

**Selectboard:**

**Insert Yes- 5, No - 0, Abstain - 0.**

**Recommend Yes - 5, No - 0, Abstain - 0.**

**Finance Committee: Yes - 9, No - 0, Abstain - 0.**

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

**ARTICLE NO. 4 - PRIOR YEAR INVOICES:**

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

	Vendor	Source	Line-item	Amount
a.	Massachusetts Department of Unemployment Assistance	County Assessment Expenses	830	\$20,000.00
b.	Terminix Commercial	County Assessment Expenses	830	\$153.00
c.	Dell EMC	County Assessment Expenses	830	\$4,163.00
d.	Cape Fishermen’s Supply	County Assessment Expenses	830	\$145.00
e.	Visiting Nurse Association of Cape Cod	County Assessment Expenses	830	\$760.00
f.	The Learning Garden Preschool	County Assessment Expenses	830	\$1,990.00
g.	Joyce Tibbetts – Longevity/ Library Department	County Assessment Expenses	830	\$375.00
h.	Rebecca Roughley – Health Insurance Stipend & Wage Adjustment	County Assessment Expenses	830	\$1,542.00
i.	Ann Bronsdon Retiree Reimbursement	County Assessment Expenses	830	\$268.00
j.	Wellfleet Water Department	County Assessment Expenses	830	\$993.00
k.	New England Time Solutions, Inc.	County Assessment Expenses	830	\$33.00
l.	W.B. Mason	County Assessment Expenses	830	\$145.00
m.	KP Law, P.C.	County Assessment Expenses	830	\$19,412.00
o.	General Code Publishing	County Assessment Expenses	830	\$630.00
p.	Xavus Systems	County Assessment Expenses	830	\$1,800.00
q.	Thompson Reuters	County Assessment Expenses	830	\$508.00
r.	The Abrahams Group	County Assessment Expenses	830	\$250.00
	<b>Grand-total</b>			<b>\$37,539.00</b>

or to do or act on anything thereon.

(Requested by the Selectboard)

**Four-fifths Majority vote Required**

**Recommendations:**

**Selectboard:**

**Insert Yes - 5, No - 0, Abstain - 0.**

**Recommend: Yes - 5, No - 0, Abstain - 0.**

**Finance Committee: Yes - 9, No - 0, Abstain - 0.**



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

**ARTICLE NO. 5 - FY 2023 CAPITAL BUDGET:**

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

	<b>Department &amp; Project</b>	<b>Amount</b>	<b>Funding Source</b>
<b>1.</b>	<b>Town Clerk:</b>		
	a. Records Digitizing Project	\$11,000.00	Transfer from Article No. 3 5/22/2019 ATM
<b>2.</b>	<b>Shellfish Department:</b>		
	a. Shellfish & Beach Office Repair Project	\$42,000.00	Transfer from Beach Fund - \$21,000.00 & Shellfish Fund - \$21,000.00
	b. Truck Replacement	\$30,000.00	Shellfish Fund
<b>3.</b>	<b>Recreation Department:</b>		
	a. Repair & Resurface Basketball Courts at Mayo Beach	\$14,500.00	Raise & Appropriate
<b>4.</b>	<b>Police Department:</b>		
	a. Police Cruiser Replacement (2 units)	\$120,000.00	Transfer from Article No. ?? ?/?/?/? ATM + Article No. ?? ?/?/?/? ATM Ask Lisa for detail
	b. Bulletproof Vest Replacement	\$15,000.00	Raise & Appropriate
<b>5.</b>	<b>Fire Department:</b>		
	a. Portable Radio Replacement Project	\$80,000.00	Raise & Appropriate
	b. Ambulance Replacement Project	\$340,000.00	Transfer from Ambulance Fund

	c. Mobile Data Terminal Replacement Project	\$25,000.00	Transfer from Ambulance Fund
<b>6.</b>	<b>Department of Public Works:</b>		
	a. Town Hall Irrigation Project	\$5,000.00	Raise & Appropriate
	b. COA HVAC Systems Repair	\$35,000.00	Raise & Appropriate
	c. Fire Station HVAC System Repair Project	\$80,000.00	Transfer from Bond Premium Proceeds from the Police Station Project
	d. Recreation Band Stand Awning Replacement Project	\$50,000.00	Transfer from Free Cash
	e. Water Refill Station Project	\$20,000.00	Transfer from Free Cash
	f. DPW Truck Replacement Project	\$85,000.00	Raise & Appropriate
	g. DPW Loader Replacement Project	\$200,000.00	Raise & Appropriate
	h. Briar Lane Culvert Replacement	\$75,000.00	Transfer from Free Cash
<b>7.</b>	<b>Library Department:</b>		
	a. Computer & Software Upgrade Project	\$35,000.00	Raise & Appropriate
<b>8.</b>	<b>Elementary School:</b>		
	a. School Custodial Equipment	\$5,625.00	Transfer from Article No. 3 (300 Elementary School Fence) 4/22/19 ATM
	<b>Grand-total</b>	<b>\$1,268,125.00</b>	

or to do or act on anything thereon.

(Requested by the Selectboard)

**Majority Vote Required**

**Recommendations:  
Selectboard**

	<b>Item:</b>	<b>Insert:</b>	<b>Recommend</b>
		<b>Yes/No/Abstain</b>	
1a	Town Clerk - Records Microfilming Project	5-0-0	5-0-0
2a	Shellfish - Shellfish & Beach Office Repair Project	4-0-1	5-0-0
2b	Shellfish - Truck Replacement	4-0-1	5-0-0
3a	Recreation - Repair & Resurface Basketball Courts at Mayo Beach	5-0-0	5-0-0
4a	Police - Cruiser Replacement	5-0-0	5-0-0
4b	Police - Bulletproof Vest Replacement	5-0-0	5-0-0
5b	Fire - Portable Radio Replacement	5-0-0	5-0-0
5c	Fire - Ambulance Replacement	5-0-0	5-0-0
5d	Fire - Mobile Data Terminal Replacement Project	5-0-0	5-0-0
6a	DPW - Town Hall Irrigation Project	5-0-0	5-0-0
6b	DPW – Adult Learning Center HVAC Systems Repair	5-0-0	5-0-0
6c	DPW – Fire Station HVAC System Repair Project	5-0-0	5-0-0
6d	DPW – Recreation Band Stand Awning Replacement Project	5-0-0	5-0-0
6e	DPW – Water Refill Station Project	5-0-0	5-0-0
6f	DPW – Truck Replacement Project	5-0-0	5-0-0
6g	DPW – Loader Replacement Project	5-0-0	5-0-0
6h	DPW – Briar Lane Culvert Replacement	5-0-0	5-0-0
7a	Library – Computer & Software Upgrade Project	5-0-0	5-0-0
8a	Elementary School - Custodial Equipment	5-0-0	5-0-0

**Finance Committee – Recommendation Deferred to Town Meeting**

**SUMMARY:** This article represents the Town’s proposed capital spending plan for FY 2023.

**ARTICLE NO. 6 - MARINA ENTERPRISE FUND:**

To see if the Town will vote to raise and appropriate and/or transfer from available funds such sums of money necessary to fund the

**FY2023 Marina Enterprise Fund Budget**

	Budget FY2021	Actual FY2021	Budget FY2022	Selectboard FY2023
<b>Revenues</b>				
Charges for Services	\$345,000.00	\$413,068.88	\$345,000.00	\$360,000.00
Resale Gas/Diesel	\$150,000.00	\$91,863.61	\$150,000.00	\$150,000.00
Dockage	\$56,000.00	\$30,132.19	\$56,000.00	\$56,000.00
Winter Storage	\$4,500.00	\$6,500.00	\$10,000.00	\$10,000.00
Other Income	\$12,000.00	\$10,131.72	\$5,000.00	\$12,500.00
Parking-Seasonal	-	\$19,420.00	\$15,000.00	\$5,000.00
Refunds	-	-	-	-
Interest Income	-	\$1,203.64	-	-
<b>Total Revenues</b>	<b>\$567,500.00</b>	<b>\$572,320.04</b>	<b>\$581,000.00</b>	<b>\$593,500.00</b>
<b>Other Receipts</b>				
Retained Earnings Transfer	-	-	-	-
Waterways Fund	-	\$2,000.00	\$2,000.00	\$2,000.00
Beach Fund	-	\$10,000.00	\$10,000.00	\$10,000.00
Shellfish Fund	-	\$5,000.00	\$5,000.00	\$5,000.00
<b>Total Other</b>	<b>-</b>	<b>\$17,000.00</b>	<b>\$17,000.00</b>	<b>\$17,000.00</b>
<b>Total Receipts</b>	<b>\$567,500.00</b>	<b>\$589,320.04</b>	<b>\$598,000.00</b>	<b>\$610,500.00</b>

**Personnel:**

Salaries & Wages-Full time	\$146,061.00	\$161,984.38	\$160,525.00	\$164,200.00
Salaries & Wages- Temp./Seasonal	\$60,000.00	\$76,287.00	\$80,000.00	\$80,000.00
Overtime	\$2,500.00	\$20,224.06	\$10,000.00	\$10,000.00
Weekends	\$1,200.00	\$520.00	\$2,000.00	\$2,000.00
Holiday	\$1,500.00	\$2,750.40	\$2,500.00	\$2,500.00
Longevity	\$1,400.00	\$3,545.00	-	\$375.00
Total Personnel	\$212,661.00	\$265,310.84	\$255,025.00	\$259,075.00

**Operating Expenses:**

Electricity	\$9,000.00	\$7,845.45	\$9,000.00	\$6,500.00
Propane Gas	\$4,000.00	\$2,635.75	\$4,000.00	\$3,000.00
Repairs & Maint. Services	-	\$5,940.75	\$10,000.00	\$15,000.00
Service Contract-Copier	-	\$986.50	\$300.00	\$1,500.00
Contract Services	\$40,050.00	\$34,750.11	\$15,000.00	\$15,000.00
Legal	-	-	\$1,000.00	\$1,000.00
Education & Training	\$200.00	\$70.00	\$200.00	\$4,000.00
Telephone	\$1,500.00	\$1,493.61	\$1,600.00	\$1,000.00
Postage	\$600.00	-	\$600.00	\$100.00
Printing	-	-	\$200.00	\$100.00
Advertising	\$250.00	\$762.17	\$250.00	\$200.00
Internet	-	-	\$500.00	-
Office Supplies	\$2,500.00	\$1,215.15	\$2,500.00	\$2,500.00
Repairs & Maint. Supplies	\$12,000.00	\$5,437.89	\$25,000.00	\$25,000.00
Vehicle Supplies	\$2,000.00	\$1,385.30	\$2,000.00	\$2,000.00
Gasoline/Diesel	\$2,500.00	\$270.85	\$2,500.00	\$1,500.00
Resale Gas/Diesel	\$140,000.00	\$105,576.53	\$140,000.00	\$140,000.00
Other Supplies	\$1,000.00	\$413.00	\$2,000.00	\$2,000.00
Uniforms	\$2,000.00	\$926.70	\$3,000.00	\$3,000.00
Travel	\$200.00	-	\$200.00	\$500.00
Dues/Memberships	\$500.00	\$300.00	\$500.00	\$500.00
Credit Card Fees	\$7,000.00	\$2,768.58	\$7,000.00	-
Insurance	\$125.00	\$126.00	\$125.00	\$125.00
Small Equipment	\$1,200.00	\$592.45	\$2,000.00	\$2,000.00
Engineering/Marina	\$20,000.00	\$14,818.45	-	-
Debt-Principal	\$105,000.00	\$105,000.00	\$100,000.00	\$100,000.00
Debt-Interest	\$59,125.00	\$19,125.00	\$16,050.00	\$13,050.00
Reserve Contingency	-	-	-	-
Indirect Costs	\$55,300.00	\$55,300.00	-	-
Total Operating	\$466,050.00	\$367,740.24	\$345,525.00	\$339,575.00
Total Expenses	\$678,711.00	\$633,051.08	\$600,550.00	\$598,650.00
<b>Net Income (Loss)</b>	<b>-\$25,968.00</b>	<b>-\$43,731.04</b>	<b>-\$2,550.00</b>	<b>\$11,850.00</b>

or to do or act on anything thereon.

(Requested by the Selectboard)

**Majority Vote Required**

**Recommendations:**

**Selectboard:**

**Insert Yes - 5, No – 0, Abstain - 0.**

**Recommend Yes - 5, No – 0, Abstain - 0.**

**Finance Committee: Recommendation Deferred to Town Meeting**

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

**ARTICLE NO. 7 - WATER ENTERPRISE FUND:**

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

**FY2023 Water Enterprise Fund Budget**

	Budget FY2021	Actual FY2021	Budget FY2022	Selectboard FY2023
<b>Estimate Revenue</b>				
Water Use Charges	\$115,000.00	\$93,155.17	\$120,000.00	\$145,000.00
Loan Principal Interest	-	\$89,207.89	\$80,000.00	\$23,000.00
Other Income	\$49,200.00	\$625.90	\$1,500.00	-
General Fund Transfer	\$119,463.00	\$119,463.00	\$84,214.00	-
<b>Total Revenue</b>	<b>\$283,663.00</b>	<b>\$302,451.96</b>	<b>\$285,714.00</b>	<b>\$168,000.00</b>
<b>Personnel</b>				
Secretary & Clerk	\$21,533.00	\$13,655.66	\$20,938.00	\$27,087.00
<b>Total</b>	<b>\$21,533.00</b>	<b>\$13,655.66</b>	<b>\$20,938.00</b>	<b>\$27,087.00</b>
<b>Operating Expenses</b>				
Utilities-Electric/Telephone	\$12,000.00	\$11,202.83	\$12,000.00	\$13,000.00
Contract Services	\$83,500.00	\$90,021.04	\$138,750.00	\$90,000.00
Services-Contingency	\$25,000.00	\$39,990.32	\$4,000.00	\$35,000.00
Services-Other	\$17,050.00	\$13,372.36	-	\$32,000.00
Supplies	\$10,600.00	\$149.95	\$250.00	\$250.00
Other Charges	\$1,927.00	\$1,343.16	\$1,450.00	\$1,750.00
<b>Total</b>	<b>\$150,077.00</b>	<b>\$156,079.66</b>	<b>\$156,450.00</b>	<b>\$172,000.00</b>
<b>Debt Service</b>				
Principal & Interest	\$109,031.00	\$109,031.22	\$108,326.00	\$209,521.00
<b>Total</b>	<b>\$109,031.00</b>	<b>\$109,031.22</b>	<b>\$108,326.00</b>	<b>\$209,521.00</b>
<b>General Fund Costs</b>				
Salaries	\$5,000.00	\$796.00	-	-
<b>Total</b>	<b>\$5,000.00</b>	<b>\$796.00</b>	<b>-</b>	<b>-</b>
<b>Total Operating Expenses</b>	<b>\$285,641.00</b>	<b>\$279,562.54</b>	<b>\$285,714.00</b>	<b>\$408,608.00</b>

or to do or act on anything thereon.

(Requested by the Selectboard)

**Majority Vote Required**

**Recommendations:**

**Selectboard:**

**Insert Yes -5, No – 0, Abstain – 0**

**Recommend**

**Finance Committee: Recommendation deferred to Town Meeting**

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

**ARTICLE NO. 8 - WELLFLEET POLICE OFFICERS UNION CONTRACT:**

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

(Requested by the Selectboard)

**Majority Vote Required**

**Recommendations:**

**Selectboard:**

**Insert Yes - 5, No - 0, Abstain - 0.**

**Recommendation deferred until Town Meeting.**

**Finance Committee – Recommendation Deferred to Town Meeting**

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

**ARTICLE NO. 9 - TEAMSTERS UNION LOCAL 59 CONTRACT:**

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

(Requested by the Selectboard)

**Majority Vote Required**

**Recommendations:**

**Selectboard:**

**Insert Yes - 5, No - 0, Abstain - 0.**

**Recommendation deferred until Town Meeting.**

**Finance Committee – Recommendation Deferred to Town Meeting**



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

**ARTICLE NO. 10 - WELLFLEET COMMUNICATIONS UNION MASS COPS LOCAL 326B CONTRACT:**

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

(Requested by the Selectboard)

**Majority Vote Required**

**Recommendations:**

**Selectboard:**

**Insert Yes - 5, No - 0, Abstain - 0.**

**Recommendation deferred until Town Meeting.**

**Finance Committee - Recommendation deferred until Town Meeting.**

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

**ARTICLE NO. 11 - WELLFLEET PERMANENT FIREFIGHTERS ASSOCIATION UNION LOCAL 4342 CONTRACT:**

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

(Requested by the Selectboard)

**Majority Vote Required**

**Recommendations:**

**Selectboard:**

**Insert Yes - 5, No - 0, Abstain - 0.**

**Recommendation deferred until Town Meeting.**

**Finance Committee - Recommendation deferred until Town Meeting.**

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

**ARTICLE NO. 12 - NON-UNION AND OTHER PERSONNEL SALARIES & COMPENSATION:**

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

(Requested by the Selectboard)

**Majority Vote Required**

**Recommendations:**

**Selectboard:**

**Insert Yes - 5, No - 0, Abstain - 0.**

**Recommend Yes - 5, No - 0, Abstain - 0.**

**Finance Committee -**

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

**ARTICLE NO. 13 - OTHER POST-EMPLOYMENT BENEFITS (“OPEB”)**

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

(Requested by the Selectboard)

**Majority vote required**

**Recommendations:**

**Selectboard:**

**Insert Yes - 5, No - 0, Abstain - 0.**

**Recommend Yes - 5, No - 0, Abstain - 0.**

**Finance Committee: Yes - 9, No - 0, Abstain - 0.**

**SUMMARY:** These funds will help to fund the Town’s share of future health care insurance costs for current employees and retirees.

**ARTICLE NO. 14 - TRANSFER TO STABILIZATION FUND:**

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

(Requested by the Selectboard)

**Majority vote required**

**Recommendations:**

**Selectboard:**

**Insert Yes - 5, No - 0, Abstain - 0.**

**Recommend Yes - 5, No - 0, Abstain - 0.**

**Finance Committee: Yes - 9, No - 0, Abstain - 0.**

**SUMMARY:** The purpose of this article is to transfer funds from Free Cash into the Stabilization Fund. We had to use the sum of \$639,200.00 from the Stabilization Fund at the June 26, 2021, Annual Town Meeting to finance the current FY2022 operational budget. This was not a preferred approach but due to the severity of the Town's fiscal condition we had few alternatives at that moment. This action will reestablish the Stabilization Fund to its prior financial status and is important to maintain the Town's bond rating.

**SECTION II: ADDITIONAL FINANCIAL ARTICLES**

**ARTICLE NO. 15 - POLICE DEPARTMENT NEW STAFF:**

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

(Request of the Selectboard and the  
Police Chief)

**Majority vote required**

**Recommendations:**

**Selectboard:**

**Insert Yes - 5, No - 0, Abstain - 0.**

**Recommend Yes - 5, No - 0, Abstain - 0.**

**Finance Committee: Yes - 9, No - 0, Abstain - 0.**

**SUMMARY:** This article would fund the cost of adding two (2) additional Police Officers. Funding, if approved, would be through a Proposition 2 ½ override. Costs for each position include starting salary of each position (\$60,120), benefits (\$25,685), holiday (\$2,774), uniform (\$1,000) and education incentive (\$3,800). The total payroll, with estimated benefits for one position is \$93,379. As a result of the Police Reform Law of December 2020, the Reserve Officer Program in Massachusetts is being phased out. This will result in the loss of approximately six Reserve Police Officers for the town of Wellfleet. The level of services provided (beach patrols, parking enforcement, shift coverage, organized events, etc.) along with special event requests held during the summer and shoulder seasons cannot be fulfilled with the current staffing levels.

**Effect on Property Taxes:** The cost of \$186,759 would add \$0.067 cents to the tax rate and would cost the owner of a median priced (\$618,750.00) single-family home \$41.34.

**ARTICLE NO. 16 - FIRE DEPARTMENT NEW STAFF:**

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

(Requested by the Selectboard  
and the Fire Chief)

**Majority vote required**

**Recommendations:**

**Selectboard:**

**Insert Yes - 5, No - 0, Abstain - 0.**

**Recommend Yes - 5, No - 0, Abstain - 0.**

**Finance Committee: Yes - 9, No - 0, Abstain - 0.**

**SUMMARY:** This article would fund the cost of adding two (2) additional Firefighter/EMT/Paramedics. Funding, if approved would be through a Proposition 2 ½ override. Costs for each position include starting salary of each position (\$62,797), benefits (\$25,685), training (\$7,000), holiday and call back costs (\$6,000) and uniforms and protective clothing (\$2,000). The total payroll, with estimated benefits and training costs of one position is \$103,482.00.

Effect on Property Taxes: The cost of \$206,964.00 would add \$0.074 cents to the tax rate and would cost the owner of a median priced (\$618,750.00) single-family home \$45.81.

**ARTICLE NO. 17 - PARAMEDIC TRAINING PROGRAM FUNDING:**

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

(Request of the Selectboard)

**Majority vote required**

**Recommendations:**

**Selectboard:**

**Insert Yes - 5, No - 0, Abstain - 0.**

**Recommend Yes - 5, No - 0, Abstain - 0.**

**Finance Committee: Yes - 9, No - 0, Abstain - 0.**

**SUMMARY:** This article would fund a paramedic training program for the Wellfleet Fire and Rescue Department with the intent to improve recruiting and retention for the Department. Paramedics who leave

the department within two (2) full years of employment would be required to reimburse the Town for the full cost. Paramedics who left the department in their third (3rd) year would be required to reimburse 2/3 of the cost and those who left in their fourth (4th) year would be required to reimburse the Town for 1/3 of the costs. Funding will be provided from the Ambulance Receipts Reserved for Appropriation Account.

**ARTICLE NO. 18 - FIRE ENGINE REPLACEMENT:**

To see if the Town will vote to appropriate the sum of **\$800,000.00** or any other sum for the purpose of paying the cost of purchasing, outfitting and equipping a replacement engine/pumper truck for the Fire Department Engine 95 and for the payment of all other costs incidental or related thereto, and that to meet this appropriation the Town Treasurer, with the approval of the Selectboard be and hereby is authorized to borrow said amount under and pursuant to G.L. c. 44, §7(1), or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefore; or to do or act on anything thereon.

(Requested by the Selectboard  
and the Fire Chief)

**Two-thirds majority vote required**

**Recommendations:**

**Selectboard:**

**Insert Yes - 5, No - 0, Abstain - 0.**

**Recommend Yes - 5, No - 0, Abstain - 0.**

**Finance Committee: Yes - 9, No - 0, Abstain - 0.**

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

**ARTICLE NO. 19 - WELLFLEET HARBOR FLORA AND FAUNA SURVEY:**

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

(Request of the Natural Resources Advisory Board)

**Majority vote required**

**Recommendations:**

**Selectboard:**

**Insert Yes - 5, No - 0, Abstain - 0.**

**Recommend Yes - 3, No - 0, Abstain - 2.**

**Finance Committee: Recommendation deferred until Town Meeting.**

**Shellfish Advisory Board Yes - 4, No - 0, Abstain - 0.**

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

Effect on Property Taxes: The cost of \$60,000.00 would add \$0.0215 cents to the tax rate and would cost the owner of a median priced (\$618,750.00) single-family home \$13.28.

**ARTICLE NO. 20 - CHAPTER 90 FUNDS (Consent Calendar):**

To see if the Town will vote to authorize the Selectboard to apply for and accept State Grants in the amount of \$245,684.00 from the Massachusetts Department of Transportation Highway Division (Chapter 90), and to expend those funds for the purposes of State approved Chapter 90 projects, services, and purchases; or to do or act on anything thereon.

(Requested by the Selectboard)

**Majority vote required**

**Recommendations:**

**Selectboard:**

**Insert Yes - 5, No - 0, Abstain - 0.**

**Recommend Yes - 5, No - 0, Abstain - 0.**

**Finance Committee: Yes - 9, No - 0, Abstain - 0.**

**SUMMARY:** The Chapter 90 program was originally enacted in 1973, by the Commonwealth to provide municipalities with reimbursement for documented expenditures on approved road projects. The funding provided within the State’s Transportation Bond Bill, authorizes such improvement projects for highway construction, preservation and improvement projects that create or extend the life of transportation facilities. Funds must be allocated to roadway projects, such as resurfacing and related incidental work. The Town is required to appropriate these funds as an available fund and is reimbursed by the State upon the completion of the project and payment to the vendor. The current amount of Chapter 90 funding for FY2022 is \$241,985.

**ARTICLE NO. 21 - PUBLIC, EDUCATIONAL AND GOVERNMENT (PEG)  
ACCESS AND CABLE RELATED FUND (Consent Calendar):**

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

(Requested by the Selectboard)

**Majority vote required**

**Recommendations:**

**Selectboard:**

**Insert Yes - 5, No - 0, Abstain - 0.**

**Recommend Yes - 5, No - 0, Abstain - 0.**

**Finance Committee: Yes - 9, No - 0, Abstain - 0.**

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

**ARTICLE NO. 22 - SHELLFISH REVOLVING FUND SPENDING LIMIT  
(Consent Calendar):**

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

(Requested by the Selectboard)

**Majority vote required**

**Recommendations:**

**Selectboard:**

**Insert Yes - 5, No - 0, Abstain - 0.**

**Recommend Yes - 4, No - 0, Abstain - 0.**

**Finance Committee: Yes - 8, No - 0, Abstain - 1.**

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

**ARTICLE NO. 23 - ELEMENTARY SCHOOL FIRE SUPPRESSION SYSTEM PROJECT:**

To see if the Town will vote to raise and appropriate, transfer from available funds or borrow the sum of \$2,200,000.00 to fund the installation of a fire suppression system at the Wellfleet Elementary School, including all costs related thereto, and in order to fund this appropriation, the Treasurer, with the approval of the Selectboard, will be authorized to borrow said amount pursuant to G.L. c. 44, §7(1), or any other enabling authority, to issue bonds or notes of the Town therefor; provided, however, that the appropriation authorized hereunder shall be contingent on the approval by the voters of the Town of a so-called Proposition 2 ½ debt exclusion question under G.L. c. 59, §21C , or to do or act on anything thereto.

(Requested by the School Committee)

**Two-thirds majority vote required**

**Recommendations:**

**Selectboard:**

**Insert Yes - 5, No - 0, Abstain - 0.**

**Recommend Yes - 5, No - 0, Abstain - 0.**

**Finance Committee: Yes - 9, No - 0, Abstain - 0.**

**SUMMARY:** Wellfleet Fire Chief Richard Pauley directed the Wellfleet School Committee and building principal to install a required building fire suppression system. The system should have been installed in the early 1990s when the addition of the school was constructed. The system will detect fires at the beginning stages through heat, smoke, and other warning signals. The fire suppression system will be attached to WES's alarm system and will alert the fire station and the system will automatically release water to extinguish the fire after the detection and/or alert. Fire suppression systems are governed by the codes under the [National Fire Protection Association](#).

Effect on Property Taxes: If a debt exclusion is approved at the Annual Town Election these funds will be borrowed and amortized over a 20-year period. The annual cost is estimated \$187,280.00 would add \$0.067 cents to the tax rate and would cost the owner of a median priced (\$618,750.00) single-family home \$41.46.



**ARTICLE NO. 24 - SUPPLEMENTAL FUNDING FOR FUEL STORAGE TANK FOR MARINA:**

To see if the Town will vote to appropriate the sum of **\$334,500.00** or any other sum, to supplement the original appropriation in the amount of \$526,208.00 provided under Article No. 23 of the April 22, 2019 Annual Town Meeting, for the purpose of removing the existing fuel storage tanks at the Marina and purchasing and installing new above ground storage tanks at the Wellfleet Marina and for the payment of all other costs incidental and related thereto, and that to meet this appropriation the Town Treasurer, with the approval of the Selectboard be and hereby is authorized to borrow said amount under and pursuant to G.L. c.44, §7(1), or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor, or to do or act on anything thereon.

(Requested by the Selectboard)

**Two-thirds majority vote required**

**Recommendations:**

**Selectboard:**

**Insert Yes - 5, No - 0, Abstain - 0.**

**Recommend Yes - 5, No - 0, Abstain - 0.**

**Finance Committee: Recommendation deferred until Town Meeting.**

**SUMMARY:** The Town appropriated funds at the 2019 Annual Town Meeting to allow for the removal of the existing fuel tanks and installation of new equipment at the Marina. We recently went out to public bids for this project and unfortunately received bids that greatly exceeded the availability of funds. This article is seeking additional funding to allow for the completion of this project. Debt service for this project will be paid from the Marina Enterprise Fund.

**ARTICLE NO. 25 - KELLER'S CORNER REVETMENT ENGINEERING PROJECT:**

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

(Requested by the Selectboard)

**Majority vote required**

**Recommendations:**

**Selectboard:**

**Insert Yes - 5, No - 0, Abstain - 0.**

**Recommend Yes - 5, No - 0, Abstain - 0.**

**Finance Committee: Recommendation deferred until Town Meeting.**

**SUMMARY:** Keller's Corner (adjacent to Wellfleet Condominiums on Kendrick Ave) is eroding at a high rate which is jeopardizing the infrastructure of the town. This project is proposed to protect the road through means of shorefront stabilization and updated storm-water drainage. This request involves the engineering/permitting only - a request for funds for construction will be sought later. We are actively pursuing grant funding for this project to supplement Town appropriations for both engineering/permitting and construction.

Effect on Property Taxes: The cost of \$50,000.00 would add \$0.0179 cents to the tax rate and would cost the owner of a median priced (\$618,750.00) single-family home \$11.07.

**ARTICLE NO. 26 - LIEUTENANT ISLAND/HERON POINT ROAD SURVEY EXPENSE:**

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

(Requested by the Rights of Public Access Committee)

**Majority vote required**

**Recommendations:**

**Selectboard:**

**Insert Yes - 5, No - 0, Abstain - 0.**

**Recommend Yes - 5, No - 0, Abstain - 0.**

**Finance Committee: Yes - 9, No - 0, Abstain - 0.**

**SUMMARY:** The purpose of this article is to survey Heron Point Rd, the road leading to the Lieutenant Island boathouse. The Rights of Public Access Committee has been working to secure the public's right to continue to access the public beach through the boathouse property, Lot 41-178.1. There is evidence that this lot has been used by the public - shell fishermen, fishermen, sailors, kayakers, and beachgoers - to access the beach for several decades, as well as evidence that the Town may have owned it at one point and attempted to establish a Town Landing here in 1962. Today, the lot is owned privately by year-round residents who allow people to pass and who wish to sell it to the Town to prevent future owners from denying access to the public beach. To move forward, the Town needs to secure public access over the dirt road leading to it. Satellite maps overlaid by assessor's maps indicate that the dirt road may either lie on private property to the South, as the latest 2002 survey suggests, or could have possibly shifted over time to exactly where Heron Point Rd was originally laid out in 1967, due to erosion. A current survey of Heron Point Rd is necessary for the Town to determine who to work with when negotiating public access over the dirt road.

Effect on Property Taxes: The cost of \$3,200.00 would add \$0.001 cents to the tax rate and would cost the owner of a median priced (\$618,750.00) single-family home \$0.71.

## **SECTION III: COMMUNITY PRESERVATION ARTICLES**

### **ARTICLE NO. 27 - COMMUNITY PRESERVATION – ADMINISTRATIVE EXPENSES, DEBT SERVICE, AND ALLOCATION OF RESERVES:**

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

(Requested by the Community Preservation Committee)

**Majority vote required**

**Recommendations:**

**Selectboard:**

**Insert Yes - 5, No - 0, Abstain - 0.**

**Recommendation deferred until Town Meeting.**

**Finance Committee: Recommendation deferred until Town Meeting.**

**Community Preservation Committee: Yes-7, No -0, Abstain-0.**

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

### **ARTICLE NO. 28 - COMMUNITY PRESERVATION – WELLFLEET AFFORDABLE HOUSING TRUST:**

To see if the Town will vote, pursuant to MGL c.44B, to appropriate \$35,000.00 from the Community Preservation Fund Fiscal Year 2023 Projected Surcharge revenues to the Wellfleet Affordable Housing Trust for the support of community housing, or to do or act on anything thereon.

(Requested by the Community Preservation Committee)

**Majority vote required**

**Recommendations:**

**Selectboard:**

**Insert Yes - 5, No - 0, Abstain - 0.**

**Recommendation deferred until Town Meeting.**

**Finance Committee: Recommendation deferred until Town Meeting.**

**Community Preservation Committee: Yes-7, No -0, Abstain-0.**

**Affordable Housing Authority: Yes-4, No-0, Abstain-0**

**Housing Partnership: Yes-5, No-0, Abstain-0**

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

### **ARTICLE NO. 29 - COMMUNITY PRESERVATION – BUY DOWN 2022:**

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

(Requested by the Community Preservation Committee)

**Majority vote required**

**Recommendations:**

**Selectboard:**

**Insert Yes - 5, No - 0, Abstain - 0.**

**Recommendation deferred until Town Meeting.**

**Finance Committee: Recommendation deferred until Town Meeting.**

**Community Preservation Committee: Yes-7, No -0, Abstain-0.**

**Affordable Housing Authority: Yes-4, No-0, Abstain-0**

**Local Housing Partnership: Yes-5, No-0, Abstain-0**

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

**ARTICLE NO. 30 - COMMUNITY PRESERVATION – LILY HOUSE:**

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

(Requested by the Community Preservation Committee)

**Majority vote required**

**Recommendations:**

**Selectboard:**

**Insert Yes - 5, No - 0, Abstain - 0.**

**Recommendation deferred until Town Meeting.**

**Finance Committee: Recommendation deferred until Town Meeting.**

**Community Preservation Committee: Yes-7, No -0, Abstain-0.**

**Affordable Housing Authority: Yes-4, No-0, Abstain-0**

**Local Housing Partnership: Yes-5, No-0, Abstain-0**

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

**ARTICLE NO. 31 - COMMUNITY PRESERVATION – LOWER CAPE HOUSING INSTITUTE YEAR 6:**

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

(Requested by the Community Preservation Committee)

**Majority vote required**

**Recommendations:**

**Selectboard:**

**Insert Yes - 5, No - 0, Abstain - 0.**

**Recommendation deferred until Town Meeting.**

**Finance Committee: Recommendation deferred until Town Meeting.**

**Community Preservation Committee: Yes-7, No -0, Abstain-0.**

**Housing Authority: Yes-4, No-0, Abstain-0**

**Local Housing Partnership: Yes-5, No-0, Abstain-0**

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

**ARTICLE NO. 32- COMMUNITY PRESERVATION – HISTORICAL PLAN**  
**CONTINUATION:**

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

(Requested by the Community Preservation Committee)

**Majority vote required**

**Recommendations:**

**Selectboard:**

**Insert Yes - 5, No - 0, Abstain - 0.**

**Recommendation deferred until Town Meeting.**

**Finance Committee: Recommendation deferred until Town Meeting.**

**Community Preservation Committee: Yes-7, No -0, Abstain-0.**

**Historical Commission:**

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

**ARTICLE NO. 33 - COMMUNITY PRESERVATION - RESTORATION & ACCESSIBILITY OF THE WELLFLEET HISTORICAL SOCIETY MUSEUM:**

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

(Requested by the Community Preservation Committee)

**Majority vote required**

**Recommendations:**

**Selectboard:**

**Insert Yes - 5, No - 0, Abstain - 0.**

**Recommendation deferred until Town Meeting.**

**Finance Committee: Recommendation deferred until Town Meeting.**

**Community Preservation Committee: Yes-7, No -0, Abstain-0.**

**Historical Commission:**

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

## **ARTICLE NO. 34 - WELLFLEET ELEMENTARY SCHOOL PLAYGROUND:**

To see if the Town will vote, pursuant to MGL c.44B, to appropriate from the Community Preservation Fund Fiscal Year 2023 Projected Surcharge revenues a sum of \$315,000.00 for the restoration and rehabilitation of the land for recreational use by constructing a new playground and swings at the Wellfleet Elementary School, and to authorize the Selectboard to enter into a grant agreement to set forth the terms and conditions thereof, or to do or act on anything thereon.

(Requested by the Community Preservation Committee)

### **Majority vote required**

#### **Recommendations:**

#### **Selectboard:**

**Insert Yes - 5, No - 0, Abstain - 0.**

**Recommendation deferred until Town Meeting.**

**Finance Committee: Recommendation deferred until Town Meeting.**

**Community Preservation Committee: Yes-7, No -0, Abstain-0.**

**School Committee:**

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

In the summer of 2020, the Wellfleet Fire Department deemed the WES wooden playground structure that neared 30-years of age, unsafe and arranged for it to be demolished.

In summer 2021 the WES Playground Sub-Committee mobilized and recruited additional staff, parents, and community members, forming a 16 member WES Playground Committee to seek funding sources for a playground installation.

The WES Playground Committee reviewed playground survey outcomes from students, staff, parents, and stakeholders, identified the preferred components, established Playground Outreach Sub-Committees, and developed the Committee's Mission to design and install a playground structure that is representative of the community, Cape Cod, and the general locale; environmentally friendly; meets ADA accessibility, inclusivity, equipment, installation, and surfacing compliance; engaging for all children ages 5 - 12 and encourages play, creativity, exploration, and well-being; uniquely inviting, patron friendly, and a point of pride for the community - *a place considered by many to be a destination*; and a quality product, creatively designed, and will serve our children well for many years to come.

A playground at WES will provide, expand, and preserve services for the Wellfleet community. The purpose of the Community Preservation Act is to help communities preserve open space and historic sites, create affordable housing, and develop outdoor recreational facilities. CPC has funded like-projects for the Recreation Department such as the Skate Park, pickle ball courts, and tennis courts.



**SECTION IV: DISPOSITION OF TOWN PROPERTY ARTICLES**

**ARTICLE NO. 35 - DISPOSITION OF TOWN LAND/ TRANSFER OF MAP #30, PARCEL #186, AND MAP #42, PARCEL #137 TO CONSERVATION COMMISSION:**

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

(Request by the Open Space Committee)

**Two-Thirds Majority Vote Required**

**Recommendations:**

**Selectboard:**

**Insert Yes - 5, No - 0, Abstain - 0.**

**Recommend Yes - 5, No - 0, Abstain - 0.**

**Open Space Committee:**

**Conservation Commission:**

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

## **SECTION V: UNCLASSIFIED ARTICLES**

### **ARTICLE NO. 36 - AFFORDABLE HOUSING TRUST BYLAW AMENDMENT:**

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

(Request by the Affordable Housing Trust)

#### **Majority Vote Required**

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

**Recommendations:**

**Selectboard:**

**Insert Yes - 5, No - 0, Abstain - 0.**

**Recommend Yes - 5, No - 0, Abstain - 0.**

**Affordable Housing Trust: Yes-6, No -0, Abstain-0.**

**Housing Partnership: Yes-5, No-0, Abstain-0**

**Housing Authority: Yes-4, No-0, Abstain-0**

### **ARTICLE NO. 37 - SPECIAL DETAIL ACCOUNT FOR THE FIRE DEPARTMENT:**

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

(Requested by the Fire Chief)

#### **Majority vote required**

**Recommendations:**

**Selectboard:**

**Insert Yes - 5, No - 0, Abstain - 0.**

**Recommend Yes - 5, No - 0, Abstain - 0.**

**Finance Committee: Yes - 9, No - 0, Abstain - 0.**

**SUMMARY:** The Town currently has a Fire Detail Fund that allows for the collection of fees from private parties that need to use Fire Department staff resources for a private event. These monies are then used to pay our staff for those services. Currently we must delay these payments until we collect

and deposit the fee from the private party. This appropriation will provide cash flow so that we can pay our staff on a timely basis.

**ARTICLE NO. 38 - EASEMENT FOR THE HERRING RIVER RESTORATION PROJECT:**

To see if the Town will vote to:

- (a) authorize the Selectboard to acquire, by gift, purchase and/or eminent domain on such terms and conditions as the Selectboard shall determine, permanent and temporary easements in parcels of land abutting and/or near Pole Dike Road, Bound Brook Island Road, Old Colony Road, and Way No. 672 for the reconstruction, installation, inspection, maintenance, improvement, repair, replacement and/or relocation of rights of way, drainage, utilities, driveways, slopes, and grading, to enable the Town to undertake the Herring River Restoration Project and for any and all purposes and uses incidental or related thereto, all as approximately shown on plans entitled "Herring River Restoration Project Engineering Design to Elevate Low-Lying Roadways and Replace Associated Culverts, Wellfleet and Truro, Massachusetts, Permanent and Temporary Easement Plan," prepared by WSP for the Town of Wellfleet, dated January 2022, and "Herring River Restoration Project Permit Level Design for Low-Lying Property Impact Prevention, Way #672, Hirsch-Meek Property (25 Way #672) & Ellis Property (27 Way #672), Wellfleet, Massachusetts, Permanent and Temporary Easement Plan," prepared by WSP for the Town of Wellfleet, dated January 2022, copies of which are on file with the Town Clerk, as said plans may be amended from time to time;
- (b) raise and appropriate, transfer from available funds, and/or borrow a sum of money to fund the foregoing and any and all costs related thereto, including, without limitation, the cost of any easement acquisitions; and
- (c) authorize the Selectboard to enter into any and all agreements and take any and all actions necessary or appropriate to effectuate the foregoing purposes.

or to do or act anything thereon.

(Requested by the Selectboard)

**Two-thirds majority vote required**

**Recommendations:**

**Selectboard:**

**Insert Yes - 5, No - 0, Abstain - 0.**

**Recommend: Yes - 5, No - 0, Abstain - 0.**

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

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

**ARTICLE NO. 39 - RESCIND DEBT AUTHORIZATIONS (consent):**

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

Department	Item	Date	Amount
Department of Public Works	South Wellfleet Parking Lot	4/28/14	\$6,948.00
Elementary School	Elementary School Roof	4/28/14	\$338,909.00
DPW Facilities	Town Hall Furnace	4/28/14	\$75,000.00
Police Department	Police Station Construction	11/15/16	\$540,000.00
Selectboard	Land Acquisition	4/22/19	\$1,000,000.00

or to do or act on anything thereon.

(Requested by the Selectboard)

**Majority vote required**

**Recommendations:**

**Selectboard:**

**Insert Yes - 5, No - 0, Abstain - 0.**

**Recommend Yes-5, No -0, Abstain-0.**

**Finance Committee: Yes - 9, No - 0, Abstain - 0.**

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

**ARTICLE NO. 40 - ROUTE 6A/MAIN STREET INTERSECTION PROJECT:**

To see if the Town will vote to:

- (a) authorize the Selectboard to acquire by gift, purchase, and/or by eminent domain, parcels of real property, permanent and temporary easements, for public way purposes, including without limitation, for the construction, installation, maintenance, improvement, repair, replacement and/or relocation of rights of way, drainage, utilities, driveways, slopes, grading, road realignment, sidewalks and landscaping, and other related purposes, as may be necessary to undertake the Mass DOT Route 6/Main Street Transportation Improvement Project, and for any and all purposes incidental or related thereto, in, on and under certain parcels and easement areas being generally shown on a plan entitled “Massachusetts Department of Transportation Highway Division Plan and Profile of Route 6/Main Street Intersection and Corridor Improvements” dated February 14, 2022 on file in the Town Clerk’s Office as said plans may be amended from time to time and/or incorporated into an easement plan;
- (b) Transfer the care, custody, management and control of a portion or portions of the Town-owned property or properties shown on the aforesaid plans from the board or officer having custody of the same for the purposes for which such properties are currently held to the Selectboard for public way and utility purposes, and further to dedicate said portions of the Town-owned properties to the foregoing purposes:
- (c) raise and appropriate, transfer from available funds, borrow or otherwise provide a sum of money, to fund the foregoing project and any and all expenses incidental or related thereto, including without limitation, the costs of any land/easement acquisitions, appraisals, surveys, engineering, design, and other associated services; and
- (d) authorize the Selectboard to enter into all agreements and take any and all actions as may be necessary or appropriate to carry out the foregoing purposes,
- (e) or to do or act on anything thereon.

(Requested by the Selectboard)

**Two-thirds majority vote Required**

**Recommendations:**

**Selectboard:**

**Insert Yes - 5, No - 0, Abstain - 0.**

**Recommend Yes - 4, No - 1, Abstain - 0.**

**SUMMARY:** This project request is to allow the Town’s engineering consultant (Stantec) to continue services for the Massachusetts Department of Transportation Route 6/Main Street intersection project. Stantec submitted the 75% design plans to the State in December 2021 and is currently working on the 100% design plans to commence construction in 2023. This article further authorizes the Selectboard to acquire the rights needed to undertake the project, and to pay the costs and expenses related to the acquisition of the necessary property interests.

**From:** Carolyn M. Murray <[CMurray@k-plaw.com](mailto:CMurray@k-plaw.com)>  
**Sent:** Monday, December 27, 2021 1:18 PM  
**To:** Jennifer Congel <[Jennifer.Congel@wellfleet-ma.gov](mailto:Jennifer.Congel@wellfleet-ma.gov)>  
**Cc:** Charles Sumner <[Charles.Sumner@wellfleet-ma.gov](mailto:Charles.Sumner@wellfleet-ma.gov)>  
**Subject:** Wellfleet: Article 47 Town Meeting - Animal Control Bylaw

Hi, Jennifer,

I do not think the authority granted to you under Article VIII, Section 4 allows you to delete Article VII, Section 25 when the Town Meeting vote erroneously referred to Article III, Section 25. In my opinion, the authority granted to you under Article VIII, Section 4 allows you to insert a bylaw section number where none was provided or if a new section 3 was voted by Town Meeting, and section 3 already existed, you would be able to assign the new section as "3A".

As I recall, the new Animal Control Bylaw needs to be corrected at a future Town Meeting to clean up some issues that were not incorporated into the final vote. My suggestion is that you add an asterisk or note in the General Bylaws at the end of Article VII, Section 25 to state "See Article 47 of June 2021 Annual Town Meeting." This note will put folks on notice that the intent of Article 47 was to delete Article VII, Section 25. Then, at the next Town Meeting, we should submit an article to correct the vote under Article 47 to delete Article VII, Section 25, the Dog Leash Bylaw.

I will put a note aside in my file to address this, but please feel free to remind me, too.

Thank you,

Carolyn M. Murray, Esq.  
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## SECTION VI: BYLAWS, INITIATIVE PETITIONS

### **ARTICLE NO. 41 - BYLAW AMENDMENT FOR ANIMAL CONTROL BYLAW:**

To see if the town will vote to amend the General Bylaws of the Town of Wellfleet by voting to delete and replace General Bylaw Article XV entitled Animal Control, in its entirety, a copy of which is on file and available for viewing in the Town Clerk's office and as shown below, and further, to authorize the Town Clerk to make any non-substantive, ministerial changes to numbering and formatting, so as to ensure consistency with the rest of the Bylaws, as necessary:

**15.1 Purpose.** The purpose of these by-laws is the control of animals to prevent injury to property, persons and animals.

**15.2 Administration.** The Selectboard shall appoint an Animal Control Officer who, in addition to any other authorized enforcement officers, shall be responsible for the enforcement of these By-laws.

**15.3 Definitions.** The terms used in this by-law shall be as defined in Massachusetts General Laws, Chapter 140, Section 136A, unless another meaning is clearly apparent from the manner in which the word is used.

In addition to the terms defined in said statute, for the purposes of this by-law, the following terms shall have the following definitions:

**Adequate shelter** – A structure that is large enough for the animal to stand naturally, turn around and lie down inside of the structure without being exposed to the elements of weather. The roof and walls of the structure are waterproof and windproof. Bedding must be kept dry and changed regularly to preserve insulating qualities. Insulation and an inner wall must be included in shelter for dogs with short fur (example: Pointers, Staffordshire Terriers, Boxers, Labrador Retrievers) to provide adequate protection from cold. During cold weather a moveable flap must be placed over the entrance to a shelter to preserve the animal's body heat. Adequate shelter from sun may be provided by a tarp placed in a manner to provide deep shade and allow air to pass through for ventilation.

**Dangerous Dog** – Any dog that either (i) without justification, attacks a person or domestic animal causing physical injury or death; or (ii) behaves in a manner that a reasonable person would believe poses an unjustified imminent threat of physical injury or death to a person or to a domestic or owned animal.

**Keeper** – Any business, corporation, entity, or society, other than the owner, having *permanent or temporary possession* of a dog. If a person under the age of 18 owns or keeps a dog, that person's custodial parent(s) or legal guardian(s) shall be responsible for complying with the requirements of these by-laws.

**Commercial boarding or training kennel** – An establishment used for boarding, holding, day care, overnight stays or training of animals that are not the property of the owner of the establishment, at which such services are rendered ~~in exchange for consideration~~ and, in the absence of the owner, of any such animal; provided, however, that this shall not include an animal shelter or animal control facility, a pet shop licensed under section 39A of chapter 129, a grooming facility operated solely for the purpose of grooming and not for overnight boarding or

an individual who temporarily, and not in the normal course of business, boards or cares for animals owned by others.

**Commercial breeder kennel** – An establishment, other than a personal kennel, engaged in the business of breeding animals for sale or exchange to wholesalers, brokers or pet shops in return for consideration.

**Kennel** – A pack or collection of dogs on a single premise, including a commercial boarding or training kennel, commercial breeder kennel, domestic charitable corporation kennel, personal kennel or veterinary kennel.

**Licensing Period** – The time between January 1st and the following December 31st of each year, both dates inclusive.

**Personal kennel** – A pack or collection of more than four (4) dogs, three (3) months of age or older, owned or kept under single ownership, for private personal use; provided however, that breeding of personally owned dogs may take place for the purpose of improving their genetic **makeup**, exhibiting or showing ~~the breeds~~ such dogs, or for their use in legal sporting activity, or for other personal reasons; provided further, that selling, trading, bartering or distributing such dogs ~~breeding~~ from a personal kennel shall be to ~~other~~ breeders or other individuals by private sale only and not to wholesalers, brokers or pet shops; provided further, that a personal kennel shall not sell, trade, barter or distribute a dog not bred from its personally-owned dogs; and provided further, that dogs temporarily housed at a personal kennel, in conjunction with an animal shelter or rescue **establishment** registered with the department, may be sold, traded, bartered or distributed if the transfer is not for profit.

#### **Section 15.4 Dogs Must Be Leashed and Licensed.**

##### **15.4.1 Leashed**

All dogs within the territorial limits of the Town of Wellfleet shall be restrained by a leash held by a responsible person capable of restraining the dog, unless confined to the property of their owners or keepers or confined to the property of another with the consent of the person in lawful control thereof. Any dog found running at large will be removed and impounded. The owner of any dog so removed shall be responsible for boarding expenses at the established rate prior to the release of the dog. The Town of Wellfleet Police Department (including special officers), and the Animal Control Officer shall have the authority to enforce this Section.

##### **15.4.2 Licensed**

Consistent with General Laws Chapter 140, Sections 137-139, the owner or keeper of a dog over the age of six (6) months shall obtain a license for the dog from the Town Clerk, unless the dog is subject to a kennel license as set forth in Section 15.10 of this By-law. No fee shall be charged for a license issued under this section for a service animal as defined by the Americans with Disabilities Act or regulations promulgated thereunder. The fee for an individual dog license shall be **ten dollars (\$10.)** for a dog that is intact and **five dollars (\$5.)** for a dog that has been spayed or neutered. A late fee of **five dollars (\$5.)** shall be assessed in addition to the licensing fee for any dog that is not licensed by **the last business day in February.** ~~January 31.~~

**Section 15.5 Dog Waste Removal.** All dog owners, keepers or persons having control of a dog are responsible for immediately removing and disposing of all solid wastes produced by said dog



on any property (other than the property of the dog owner or keeper) in a sanitary manner and where it will not cause pollution, either directly or indirectly.

**Section 15.6. Barking and Other Noise Caused by Dogs.** No person owning, keeping or otherwise responsible for a dog shall allow said animal to annoy another person's reasonable right to peace or privacy by making loud or other continuing noise, where such noise is plainly audible at a distance of one hundred (100) feet from the building, premises, vehicle, or other means of conveyance or housing of said dog, or where such noise is continuing for fifteen (15) minutes. The fact that such noise is plainly audible at said distance or continuing in excess of fifteen (15) minutes on a daily basis shall be prima facie evidence of a violation.

**Section 15.7. Animals in Parked Vehicles.**

*No animal may be left unattended in a parked vehicle at any time of year. A person shall not confine an animal in a motor vehicle in a manner that could reasonably be expected to threaten the health of the animal due to exposure to extreme heat or cold.*

*15.7.1 After making reasonable efforts to locate a motor vehicle's owner, an animal control officer or other law enforcement officer or fire fighter may enter a motor vehicle by any reasonable means to protect the health and safety of an animal. An animal control officer, law enforcement officer or fire fighter may enter the motor vehicle for the sole purpose of assisting the animal and may not search the vehicle or seize items found in the vehicle unless otherwise permitted by law.*

*15.7.2 An animal control officer, law enforcement officer or Fire department official who removes or otherwise retrieves an animal under this section shall leave written notice in a secure and conspicuous location on or in the motor vehicle bearing the officer's or fire fighter's name and title and the address of the location where the animal may be retrieved. The owner may retrieve the animal only after payment of all charges that have accrued for the maintenance, care, medical treatment and impoundment of the animal.*

*15.7.3 After making reasonable efforts to locate a motor vehicle's owner, a person other than an animal control officer, law enforcement officer or Fire Department official shall not enter a motor vehicle to remove an animal to protect the health and safety of that animal in immediate danger unless the person:*

- (a) notifies law enforcement or calls 911 before entering the vehicle.*
- (b) determines that the motor vehicle is locked or there is no other reasonable means for access.*
- (c) uses not more force than reasonably necessary to enter the motor vehicle and remove the animal.*
- (d) has a good faith and reasonable belief, based upon known circumstances, that entry into the vehicle is reasonably necessary to prevent imminent danger or harm to the animal and*
- (e) remains with the animal in a safe location in reasonable proximity to the vehicle until law enforcement or another first responder arrives.*

*15.7.4 An animal control officer, law enforcement officer, fire fighter or other person who removes or otherwise retrieves an animal from a motor vehicle agency or the municipality that employs the officer or fire fighter shall be immune from criminal or civil liability that might otherwise result from the removal.*

**Section 15.8 Licensing and Regulation of Dangerous Dogs.**

**Section 15.8.1. Determination That A Dog Is Dangerous or a Nuisance.**

*The Animal Control Officer shall investigate all complaints made to the Animal Control Officer, the Town of Wellfleet Police Department, the Selectboard, or the Town Administrator that any dog owned or kept within the Town of Wellfleet is a nuisance or dangerous dog as those terms are defined in Section 136A of Chapter 140 of the Massachusetts General Laws.*

**Section 15.8.2**

*The Animal Control Officer shall make whatever inquiry is deemed necessary to determine the accuracy of said complaints referenced in Section 15.8.1, including an examination of the complainant under oath at a public hearing. Based on the facts introduced at the Hearing, the Animal Control Officer may find that the dog is a Nuisance Dog or Dangerous Dog and may make such orders as authorized by Massachusetts General Laws, Chapter 140, Section 157.*

**Section 15.9. Control Registration of Dangerous Dogs**

*The Animal Control Officer shall notify the Town Clerk of all dogs determined to be dangerous, pursuant to the terms of this By-law, and the Town Clerk shall keep a record of all such dogs.*

**Section 15.10** Nothing in this By-law is intended to limit or restrict the authority of the Selectboard to act in accordance with Massachusetts General Laws, Chapter 140, Section 157.

**Section 15.11 Petition for Relief to Court.**

The owner or keeper of a dog who is the subject of an order under this By-law may petition the district court for relief in accordance with Massachusetts General Laws, Chapter 140, Section 157.

**Section 15.10. Kennel Licenses, Inspection, and Regulation.**

**Section 15.10.1. Requirement for Kennel License.**

Any owner or keeper of more than four (4) dogs, three (3) months of age or older, being maintained at a single premises, shall secure a Kennel License. The Town Clerk shall not issue a Kennel License unless the owner or keeper provides the Town Clerk with a veterinarian's certificate verifying that each dog which is six (6) months of age or older is currently vaccinated against rabies.

**Section 15.10.2. Application and Issuance of Kennel License and Fees.** A Kennel License shall be issued annually by the Town Clerk for the licensing period, upon written application by an owner or keeper of dogs and after inspection of the kennel and a determination, made by the

Animal Control Officer, that the basic standards of cleanliness, proper care, confinement, and adequate shelter of said dogs exist on the premises. The name and address of the owner or keeper of each dog kept in any kennel, if other than the person maintaining the kennel, and a veterinarian's certificate verifying that each dog, three (3) months of age or older, is currently vaccinated against rabies and kennel cough, shall be kept on file on the premises and available for inspection by the Animal Control Officer or any authorized persons. Such license shall be in the form prescribed by the Town Clerk.

The license fee for a kennel with nine (9) dogs or fewer shall be fifty dollars (\$50.00). The license fee for a kennel with ten (10) or more dogs shall be one hundred fifty dollars (\$150.00). The Town Clerk shall, upon application, issue without charge a Kennel License to any domestic charitable corporation, incorporated exclusively for the purpose of protecting animals from cruelty, neglect or abuse, and for the relief of suffering among animals. The holder of a license for a kennel shall cause each dog kept therein to wear, while it is at large, a collar or harness of leather or other suitable material, to which shall be securely attached a tag upon which shall appear the current dog license information of the town of where the dog resides. A veterinary hospital shall not be considered a kennel unless it contains an area for the selling or boarding of dogs for other than medical purposes, in which case it shall apply for a Kennel License. Kennel licenses are non-transferrable.

**Section 15.10.3. Inspection.** The Animal Control Officer, Animal Health Inspector, or a police officer may at any reasonable time inspect any kennel or premises for which a Kennel License has been issued.

**Section 15.10.4. Loss of Kennel License.** If the Animal Control Officer, Animal Health Inspector, or other authorized agent, after inspection, determines that the kennel or premises that are the subject of a kennel license are not kept in a sanitary or humane condition, or if records are not kept as required by law, the inspecting officer shall notify the Selectboard of that determination and the facts upon which it is based. The Selectboard may, by order after a hearing, revoke or suspend such license. If a license has been revoked or suspended, the license may be reinstated after inspection and a reinstatement order by the Selectboard after a new hearing.

**Section 15.10.5. Procedure for Complaint to the Selectboard.** Upon written petition of any person or persons, filed with the Selectboard, setting forth that they are aggrieved or annoyed to an unreasonable extent by one or more dogs at a kennel because of excessive barking or dangerous disposition of said dogs, or other conditions connected with such kennel constituting a public nuisance, said Selectboard, within seven (7) days after the filing of such a petition, shall give notice to the owner or keeper of the kennel, the petitioner(s), and any other person the Selectboard determine should be given notice, of a public hearing to be held within fourteen (14) days after the date of such notice. Said notice shall also be posted on a Town bulletin board. Within seven (7) days after such public hearing, said Selectboard shall make an order either revoking or suspending such kennel license, or otherwise regulating said kennel or premises, or dismissing said petition.

**Section 15.10.6. Petition for Relief to Court.** The holder of a kennel license or other person who is the subject of an order under Section 15.10 may petition the district court for relief in accordance with Massachusetts General Laws, Chapter 140, Section 137C.

**Section 15.11. Fines and Penalties.**

**Section 15.11.1. Non-Criminal Disposition.** In addition to any other legal remedies that may be available, the Animal Control Officer or other designated enforcing person, may enforce this By-law by Non-Criminal Disposition. If a Non-Criminal Disposition process, as provided in Massachusetts General Laws, chapter 40, Section 21D and the Town’s Non-Criminal disposition By-law is elected, then any person who violates the provisions of ARTICLE XV, Section 15 of the Town’s General By-laws shall be subject to the following enforcement fines and penalties.

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

First Offense	\$50.00
Second Offense	\$100.00
Third Offense	\$300.00
Fourth and subsequent offenses	\$500.00

Each day or portion thereof shall constitute a separate offense and each provision violated shall constitute a separate offense.

**Section 15.11.2.** The penalties set forth in Section 15.11.1 shall apply to all violations of this By-law entitled ARTICLE XV ANIMAL CONTROL, Section 15, with the following exceptions:

(a.) Sections 15.4 Dogs Must be Leashed and Section 15.6. Barking and Other Noise Caused by Dogs. Owners or keepers of dogs found in violation of either such section shall be fined \$50.00 for each offense.

(b.) Section 15.5 Dog Waste Removal. Owners or keepers of dogs found to be in violation of this section shall be fined immediately as a First Offense and subsequently as listed for the Second, Third, Fourth and subsequent offenses, with no written warning;

**Section 15.11.3.** The Town may enforce this By-law or enjoin violations thereof through any lawful process, and the election of one remedy by the Town shall not preclude enforcement through any other lawful means.

**Section 15.12. Severability.** If any section, paragraph, sentence clause, or phrase of this By-law is held invalid or unconstitutional, such portion shall be deemed a separate and distinct provision and such decision shall not affect the validity of the remaining portions of these By-law which shall remain in force and effect; and to this end, the provisions of this By-law are hereby declared severable, Or to do or act on anything thereon.

***SUMMARY The Section in this By-law that addresses leaving animals in vehicles has been changed to echo the State’s more reasonable law which was approved last year at Town Meeting The fee structure for the licensing of dogs which had not been included in the By-law has been added. And a few words have been changed to clarify certain sections.***

(Requested by the Selectboard)

**Majority vote required**

**Recommendations:**

**Selectboard:**

**Insert**

**Recommend**

**Bylaw Committee: Yes – 0, No – 3, Abstain – 0.**

**ARTICLE NO. 42 - ADOPTION OF ENABLING LEGISLATION TO ESTABLISH SPEED LIMITS:**

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

(Requested by the Selectboard)

**Majority vote required**

**Recommendations:**

**Selectboard:**

**Insert Yes – 5, No – 0, Abstain – 0.**

**Recommend Yes – 5, No – 0, Abstain – 0.**

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

**ARTICLE 43 - AMENDMENT TO WELLFLEET ZONING BY-LAWS CONTRACTOR’S YARD:**

To see if the Town will amend the Wellfleet Zoning By-Laws by amending the Use Regulations Table 5.3.2, as follows:

Contractor’s Yard in the Use Regulations Table 5.3.2 from “P” (Permitted Use) in the “C” (Commercial District) and “C2” (Commercial 2 District) to “O” (An exclusive or Prohibited Use), or to do or act on anything thereon.

(Requested by the Planning Board)

**Two-thirds majority vote required**

**Recommendations:**

**Selectboard:**

**Insert Yes – 5, No – 0, Abstain – 0.**

**Recommend Yes – 5, No – 0, Abstain – 0.**

**Planning Board: Yes – 7, No – 0, Abstain – 0.**

**Bylaw Committee: Yes – 0, No – 3, Abstain – 0.**

**SUMMARY:**

**ARTICLE NO. 44 - NON BINDING PUBLIC ADVISORY QUESTION IN PILGRIM POWER PLANT:**

Calling upon Holtec Pilgrim, LLC, owner of the closed Pilgrim Nuclear Power Station and Holtec Decommissioning International, LLC, to immediately withdraw any plans to discharge any radioactive water into Cape Cod Bay.

**WHEREAS**, Cape Cod Bay is a federal and state protected area and habitat for the endangered Right Whale; and

**WHEREAS**, Cape Cod Bay provides a vital livelihood for fishermen and the tourist industry; and

**WHEREAS**, The National Academies of Science has determined there is no safe dose of ionizing radiation,

**WHEREAS**, One radioactive element in Holtec Pilgrim water is Tritium, which concentrates up the food hand from sediment to sea grasses to the fish we eat; and

**WHEREAS**, Holtec Pilgrim can discharge radioactive water anytime without approval of the Nuclear Regulatory Commission [NRC]; and

**WHEREAS**, The Attorney General of New Mexico has filed a lawsuit against the NRC for unlawful proceedings and illegal activities involving Holtec; and

**WHEREAS**, The Commonwealth has the authority to stop the dumping.

**Therefore**, shall the people of the Town of Wellfleet direct the local government to communicate with Governor Charlie Baker, Attorney General Maura Healey, and the State Legislature to employ all means available to ensure that Holtec commits to immediately withdraw any plans to dump any radioactive water into Cape Cod Bay?

**(Citizens Petition)**

**Majority vote required**

**Recommendations:**

**Selectboard:**

**Insert Yes - 5, No - 0, Abstain - 0.**

**Recommend Yes-5, No -0, Abstain-0.**

**ARTICLE NO. 45 AFFORDABLE HOUSING STABILIZATION FUND:**

To see if the Town will vote to establish a special purpose “Affordable Housing Stabilization Fund” fund pursuant to G.L. c. 40, §5B and further to appropriate thirty five percent (35%) received under (G.L. c. 64G, § 3D(a)) & (G.L. c. 64G, § 3D(b)), to be appropriated by future votes of Town Meeting as grants. Said fund shall be used exclusively for the purposes of affordable housing, for purposes of M.G.L. Ch. 40B sec. 20-23 and shall be in compliance with 760 CMR 56.00 the Local Initiative Program (LIP) and shall meet the guidelines and standards promulgated thereunder by the Department of Housing and Community Development (DHCD) for inclusion in the DHCD Ch 40B Subsidized Housing Inventory as Local Action Units, or to do or act on anything thereon.

(Requested by Selectboard)

**SUMMARY:** This article asks the town to create a “Affordable Housing Stabilization Fund” funded by receiving 35% of any community impact fees on short term rentals to support affordable housing initiatives within the town. This fund is restricted to supporting housing for residents earning 80% of the Area Median Income. As a special purpose fund a town meeting vote will be required to expend any of its funds. This allows the townspeople flexibility in supporting housing initiatives. It is uncertain how much revenue will be generated by the community impact fees until the receipts are in hand, it will be modest when compared to the overall room tax revenues. Once receipts are in hand it should be a relatively predicable source of revenue that would be available to support housing initiatives within Wellfleet, or to do or act on anything thereon.

**Majority vote required**

**Recommendations:**

**Selectboard:**

**Insert 5-0-0**

**Recommend**

**Finance Committee – Recommendation Deferred until Town Meeting**

**Housing Partnership: Yes-5, No-0, Abstain-0**

**Housing Authority: Yes-4, No-0, Abstain-0**

**ARTICLE NO. 46 – MIXED INCOME STABILIZATION FUND**

To see if the Town will vote to establish a special purpose “Housing Stabilization Fund B” fund pursuant to G.L. c. 40, §5B and further to appropriate sixty five percent (65%) received under (G.L. c. 64G, § 3D(a)) & (G.L. c. 64G, § 3D(b)), to be appropriated by future votes of Town Meeting as grants or to support housing initiatives within the Town of Wellfleet or to do or act on anything thereon.

(Requested by the Selectboard)

**Majority vote required**

**Recommendations:**

**Selectboard:**

**Insert Yes - 5, No - 0, Abstain - 0.**

**Recommend Yes - 5, No - 0, Abstain - 0.**

**Finance Committee: Recommendation deferred until Town Meeting**

**Housing Partnership: Yes-5, No-0, Abstain-0**

**Housing Authority: Yes-4, No, -0, Abstain-0**

**SUMMARY:** This article asks the town to create a “Mixed Income Housing Stabilization Fund” funded by receiving 65% of any community impact fees on short term rentals to support housing initiatives within the town. There is a large population whose income is too high to qualify for affordable housing but are unable to afford housing local. As a consequence, they are facing extreme housing insecurity and are often forced to relocate off cape. These include a wide range of professions including teachers, health professionals, business managers. This fund would be more inclusive by incorporate these residents as well as still support affordable housing. As a special purpose fund, a town meeting vote will be required to expend any of its funds. This allows the townspeople flexibility in supporting housing initiatives separate. It is uncertain how much revenue will be generated by the community impact fees until the receipts are in hand, it will be modest when compared to the overall room tax revenues. Once receipts are in hand it should be a relativity predicable source of revenue that would be available to support housing initiatives within Wellfleet, or to do or act on anything thereon.

**ARTICLE NO 47 – SHORT TERM RENTAL COMMUNITY IMPACT FEE  
INVESTOR OWNED HOMES (G.L.C 64G, § 3Da)**

To see if the Town will vote to accept the provisions of G.L. c. 64G, § 3D(a), authorizing then imposition of a community impact fee of 3%on the transfer of occupancy of a short-term rental in a “professionally managed unit,” which term is defined G.L. c. 64G, §1 effective as of October 1, 2022

(Requested by the Selectboard)

**Majority vote required**

**Recommendations:**

**Selectboard:**

**Insert Yes - 5, No - 0, Abstain - 0.**

**Recommend Yes - 5, No - 0, Abstain - 0.**

**Finance Committee: Recommendation Deferred until Town Meeting**



**Housing Partnership: Yes -5, No-0, Abstain-0**

**Housing Authority: Yes-4, No-0, Abstain-0**

**SUMMARY:** This opts the Town into collecting a community impact fee on short-term rentals of "professionally managed" short-term rental units. Professionally managed units are two or more units run by the same operator not located within a two to three family dwelling that includes the operator's primary residence. Three percent (3%) is the maximum allowable local option. The statutory requirement is that 35% of the fee must be used for either affordable housing or capital infrastructure. The Town is proposing to dedicate all of these funds to housing. See preceding articles. The fees can be initiated by the MA DOR at the start of fiscal quarter. The DOR requires 30 days of notice from a municipality prior to the start of a quarter. As such October 1, 2022, is the first quarter that Wellfleet could start collecting these fees, or to do or act on anything thereon.

**ARTICLE NO. 48 – SHORT TERM RENTAL PROFESSIONALLY MANAGED COMMUNITY IMPACT FEE (G.L. c 64G, § 3db)**

To see if the Town will vote to accept the provisions of G.L. c. 64G, § 3D(b), authorizing the imposition of a community impact fee of 3% on the transfer of occupancy of a short-term rental unit that is located in a two- or three-family dwelling that includes the operator's primary residence effective as of October 1, 2022, or to do or act on anything thereon.

(Requested by Selectboard)

**Recommendations:**

**Selectboard:**

**Insert Yes - 5, No - 0, Abstain - 0.**

**Recommend Yes - 5, No - 0, Abstain - 0.**

**Finance Committee: Recommendation Deferred until Town Meeting**

**SUMMARY:** This opts the Town into collecting a community impact fee on short-term rental units within a two- or three-family dwelling that includes the operator's primary residence. 3% is the maximum allowable local option. This article requires the adoption of **Article 47 Short Term Rental Community Impact Fee Investor-Owned Homes (G.L. c. 64G, § 3D(a))**. The statutory requirement is that 35% of the fee must be used for either affordable housing or capital infrastructure. The Town is proposing to dedicate these funds exclusively to housing. See preceding articles. The fees can be initiated by the MA DOR at the start of fiscal quarter. The DOR requires 30 days of notice from a municipality prior to the start of a quarter. As such October 1, 2022, is the first quarter that Wellfleet could start collecting these fees, or to do or act on anything thereon.

**ARTICLE NO. 49 - TREE PRESERVATION RESOLUTION:**

To see if the Town will vote to adopt the following **TREE PRESERVATION RESOLUTION:**

**WHERE AS,** trees are recognized for their abilities to improve air quality, protect from glare and heat, reduce noise, aid in the stabilization of soil, provide natural flood and drainage control, create habitats for wildlife, enhance aesthetics and property values, contribute to the distinct character of certain neighborhoods and roadways, provide natural privacy to neighbors, and reduce ambient carbon in the atmosphere; and

**WHERE AS,** the preservation and protection of certain trees on private property, the requirement to replant trees to replace those removed, and the collection of financial contributions to support the Town’s tree planting and maintenance efforts are public purposes that protect the public health, welfare, environment, and aesthetics; and

**WHERE AS,** at our 2021 Town Meeting, the voters of Wellfleet passed a resolution declaring a climate emergency and committing to eliminate the town's carbon emissions by or before 2050; and in order to achieve that goal, we will need not only to maintain, but also to *increase* our net number of trees, to compensate for emissions we are not able to eliminate.

**Now, therefore, be it RESOLVED:** That the Town vote to authorize the Select Board to cause to be prepared for consideration at the next Town Meeting, a Tree Preservation ByLaw supporting the preservation and protection of trees on residential, municipal and *commercial* lots *preceding or* during significant demolition and/or construction activity, by designating areas of a lot where trees must be protected, and requiring mitigation for trees removed via replanting or collection of fees to support the Town’s tree planting and maintenance efforts; and

**FURTHER RESOLVED:** That in order to effectuate the purposes of the resolution, the Town of Wellfleet’s Select Board appoint a committee of five (5) members (Tree Preservation Bylaw Committee), with a recommendation to include one member of the Wellfleet Conservation Commission, and one member of the Wellfleet *Zoning Board*, to be charged with the drafting of the Bylaw for the Select Board’s review and approval prior to submission for the Town’s approval at the 2023 Town Meeting; and;

**FINALLY RESOLVED:** That the Tree Preservation Bylaw Committee *consider* the following non-binding recommendations:

1. The Tree Preservation Bylaw only apply to trees that are six (6) inches in diameter or greater and located within a lot’s twenty-five (25) foot setback area (Protected Trees);
2. The Tree Preservation Bylaw will prohibit the removal of Protected Trees during construction, or for a period of time not to exceed fifteen (15) months prior to an application for a demolition or building permit for:
  - (a) demolition of an existing structure of 250 gross square feet or greater, (b) construction of any building or structure on a vacant lot, or (c) construction of one or more structures or additions to structures on a lot that increases the Gross Floor Area by 50% or greater.
3. The Tree Preservation Bylaw will provide an option, if it is not practical to save a Protected Tree, for it to be removed and replaced with new trees elsewhere, or pay into a tree fund, which the Town will use to buy and plant trees in residential areas.
4. The Tree Preservation Bylaw will not apply to the subdivision of land under the Town’s

Subdivision Rules and Regulations, those areas of a property under the jurisdiction of the Wetlands Protection Act, public shade trees pursuant to M.G.L. Chapter 87, emergency projects necessary for public safety, health, and welfare, trees severely damaged as the direct result of a natural disaster, or trees that are hazardous.

5. The Tree Preservation Bylaw will require that mitigation be based upon the DBH (diameter at breast height) of Protected Tree(s) removed. For each inch of DBH of the Protected Tree(s) removed, no less than one half (1/2) inch caliper of a new native tree(s) shall be replanted with each new tree having a minimum caliper of two (2) inches. If the Protected Tree to be removed is an overstory tree species, the replacement tree(s) to mitigate the removal shall be a native overstory tree species; or to take any other action relative thereto:

(Citizens Petition)

**Majority vote Required**

**Recommendations:**

**Selectboard:**

**Insert Yes - 5, No - 0, Abstain - 0.**

**Recommend Yes - 0, No - 5, Abstain - 0.**

**Bylaw Committee: Yes - 0, No - 3, Abstain - 0.**

**SECTION VII: STANDARD ANNUAL ARTICLES**

**Voted on together as part of a consent agenda**

**ARTICLE NO. 50 - SURPLUS PROPERTY DISPOSAL:**

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

(Requested by the Selectboard)

**Majority vote required**

**Recommendations:**

**Selectboard:**

**Insert Yes - 5, No - 0, Abstain - 0.**

**Recommend Yes - 5, No - 0, Abstain - 0.**

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

**ARTICLE NO. 51 - COLLECTION OF TAXES:**

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

(Requested by the Selectboard)

**Majority vote required.**

**Recommendations:**

**Selectboard:**

**Insert Yes - 5, No - 0, Abstain - 0.**  
**Recommend Yes - 5, No - 0, Abstain - 0.**

**ARTICLE NO. 52 - MASSDEP LIABILITY INDEMINIFICATION:**

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

(Requested by the Selectboard)

**Majority vote required.**

**Recommendations:**

**Selectboard:**

**Insert Yes - 5, No - 0, Abstain - 0.**  
**Recommend Yes - 5, No - 0, Abstain - 0.**

**ARTICLE NO. 53 - NAUSET SCHOOLS ASSESSMENT FORMULA:**

To see if the Town will vote to accept the provisions of G.L. c. 71, s.16B, which would reallocate the sum of the member Town's contribution to the Nauset Regional School District in accordance with the Nauset Regional Agreement, rather than the Education Reform Formula, so called, or to do or act on anything thereon.

(Nauset Regional School Committee)

**Majority vote required.**

**Recommendations:**

**Selectboard:**

**Insert Yes - 5, No - 0, Abstain - 0.**  
**Recommend Yes - 5, No - 0, Abstain - 0.**

**SUMMARY:** This article will apportion the Nauset School District's assessment for FY24 to the four (4) member towns based on their proportionate enrollment within the school district. This is the method provided within the inter-municipal agreement approved by the four towns establishing the Nauset Regional School District and has been applied in each of the last seventeen years by Town Meeting vote.

**SECTION VIII: STANDARD CLOSING ARTICLES**

**ARTICLE NO. 54 - REPORTS OF BOARDS AND COMMITTEES:**

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

(Requested by the Selectboard)

**Majority Vote Required**

**Recommendations:**

**Selectboard:**

**Insert Yes - 5, No - 0, Abstain - 0.**

**Recommend Yes - 5, No - 0, Abstain - 0.**

**ARTICLE NO. 55 - OTHER BUSINESS:**

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

(Requested by the Selectboard)

**Majority Vote Required**

**Recommendations:**

**Selectboard:**

**Insert Yes - 5, No - 0, Abstain - 0.**

**Recommend Yes - 5, No - 0, Abstain - 0.**

## SPECIAL TOWN ELECTION WARRANT

Tuesday June 21,2022

The Commonwealth of Massachusetts

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

### **GREETINGS:**

In the name of the Commonwealth of Massachusetts you are hereby required to notify and warn the inhabitants of the Town of Wellfleet qualified to vote in Town Affairs, to meet at the **WELLFLEET ADULT COMMUNITY CENTER, 715 OLD KING'S HIGHWAY in Wellfleet on Tuesday the 21st day of June, 2022, between twelve o'clock noon and seven o'clock p.m.**, then and there to vote for the election of the following Town officer: Selectboard Vote for One, Two years (of a three year term) and to vote on the following questions:

**Question 1:** Shall the Town of Wellfleet be allowed to assess an additional \$\_\_\_\_\_.00 in real and personal property taxes for the purpose of funding general school and town operations for the fiscal year beginning July 1<sup>st</sup>, two thousand and twenty-two?

**Majority vote required**

**Question 2:** Shall the Town of Wellfleet be allowed to assess an additional \$\_\_\_\_\_.00 in real and personal property taxes for the purpose of funding equipment replacement, facility repairs and special projects expenses for the fiscal year beginning July 1<sup>st</sup>, two thousand and twenty-two?

**Majority vote required**

**Question 3:** Shall the Town of Wellfleet be allowed to assess an additional \$186,759.00 in real and personal property taxes for the purpose of funding two new Police Officer positions for the fiscal year beginning July 1<sup>st</sup>, two thousand and twenty-two?

**Majority vote required**

**Question 4:** Shall the Town of Wellfleet be allowed to assess an additional \$206,964.00 in real and personal property taxes for the purpose of funding two new Firefighter/EMT/Paramedic positions for the fiscal year beginning July 1<sup>st</sup>, two thousand and twenty-two?

**Majority vote required**

**Question 5:** Shall the Town of Wellfleet be allowed to exempt from the provisions of proposition two and one-half, so-called, the amounts required to pay for the bonds issued in order to pay costs of installing a fire suppression system at the Wellfleet Elementary School, including the payment of all costs related thereto

**Two-Thirds vote required**

**2022 ANNUAL SPECIAL TOWN ELECTION WARRANT**

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

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

Given under our hands this \_\_\_\_ day of 2022.

**Wellfleet Selectboard**

\_\_\_\_\_  
Ryan Derek Curley, Chair

\_\_\_\_\_  
Michael F. DeVasto, Vice Chair

\_\_\_\_\_  
Barbara Carboni, Member

\_\_\_\_\_  
Helen Miranda Wilson, Member

\_\_\_\_\_  
John A. Wolf, Clerk

Constable's Return of Service

I have served the foregoing warrant by posting attested copies thereof in the Post Office in Wellfleet and the Post Office in South Wellfleet in the Town on \_\_\_\_\_, which is at least seven (14) days before the date of said meeting, as within directed.

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

Constable: \_\_\_\_\_



# SELECTBOARD

AGENDA ACTION REQUEST  
Meeting Date: May 10, 2022

VI

## BUSINESS

~ G ~

<b>REQUESTED BY:</b>	<b>Charlie Sumner ~ Town Administrator &amp; Jennifer Congel ~ Town Clerk</b>
<b>DESIRED ACTION:</b>	<b>To discuss and approve the 2022 special town election ballot questions</b>
<b>PROPOSED MOTION:</b>	<b>I move to approve the ballot questions for the June 21, 2022 special town election.</b>
<b>SUMMARY:</b>	
<b>ACTION TAKEN:</b>	Moved By: _____ Seconded By: _____ Condition(s):
<b>VOTED:</b>	Yea _____ Nay _____ Abstain _____



**SPECIAL TOWN ELECTION**

**WARRANT**

Tuesday June 21,2022

The Commonwealth of Massachusetts

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

**GREETINGS:**

In the name of the Commonwealth of Massachusetts you are hereby required to notify and warn the inhabitants of the Town of Wellfleet qualified to vote in Town Affairs, to meet at the **WELLFLEET ADULT COMMUNITY CENTER, 715 OLD KING'S HIGHWAY in Wellfleet on Tuesday the 21st day of June, 2022, between twelve o'clock noon and seven o'clock p.m.**, then and there to vote for the election of the following Town officer: Selectboard Vote for One, Two years (of a three year term) and to vote on the following questions:

**Question 1:** Shall the Town of Wellfleet be allowed to assess an additional \$\_\_\_\_\_.00 in real and personal property taxes for the purpose of funding general school and town operations for the fiscal year beginning July 1<sup>st</sup>, two thousand and twenty-two?

**Majority vote required**

**Question 2:** Shall the Town of Wellfleet be allowed to assess an additional \$\_\_\_\_\_.00 in real and personal property taxes for the purpose of funding equipment replacement, facility repairs and special projects expenses for the fiscal year beginning July 1<sup>st</sup>, two thousand and twenty-two?

**Majority vote required**

**Question 3:** Shall the Town of Wellfleet be allowed to assess an additional \$186,759.00 in real and personal property taxes for the purpose of funding two new Police Officer positions for the fiscal year beginning July 1<sup>st</sup>, two thousand and twenty-two?

**Majority vote required**

**Question 4:** Shall the Town of Wellfleet be allowed to assess an additional \$206,964.00 in real and personal property taxes for the purpose of funding two new Firefighter/EMT/Paramedic positions for the fiscal year beginning July 1<sup>st</sup>, two thousand and twenty-two?

**Majority vote required**

**Question 5:** Shall the Town of Wellfleet be allowed to exempt from the provisions of proposition two and one-half, so-called, the amounts required to pay for the bonds issued in order to pay costs of installing a fire suppression system at the Wellfleet Elementary School, including the payment of all costs related thereto

**Two-Thirds vote required**



# SELECTBOARD

AGENDA ACTION REQUEST  
Meeting Date: May 10, 2022

VI

## BUSINESS ~ H ~

<b>REQUESTED BY:</b>	<b>Ryan Curley ~ Chair</b>
<b>DESIRED ACTION:</b>	<b>To approve the extension of contract for Interim Town Administrator Charles Sumner</b>
<b>PROPOSED MOTION:</b>	<b>I move to approve the extension of Charles Sumner's employment contract</b>
<b>SUMMARY:</b>	
<b>ACTION TAKEN:</b>	Moved By: _____ Seconded By: _____ Condition(s):
<b>VOTED:</b>	Yea _____ Nay _____ Abstain _____

**EMPLOYMENT AGREEMENT  
BETWEEN  
TOWN OF WELLFLEET  
AND  
INTERIM TOWN ADMINISTRATOR**

THIS AGREEMENT, made pursuant to Chapter 41, Section 108N of the General Laws and entered into this 11<sup>th</sup> day of May 2022, by and between the Town of Wellfleet of Barnstable County, Commonwealth of Massachusetts, a municipal corporation, hereinafter called the "Town," acting by and through its Select Board, hereinafter called "Board" and Charles Sumner, hereinafter called "Interim Town Administrator" as follows:

**WITNESSETH:**

WHEREAS, there is a vacancy in the position of Town Administrator of the Town of Wellfleet;

WHEREAS, the Board, under Chapter 41, Section 108N of the General Laws, consistent with Chapter 5 Section 5-1-1 of the Charter, may contract with a Town Administrator for such services;

WHEREAS, the operational needs of Town government necessitate the employment of an Interim Town Administrator pending the successful search for a permanent Town Administrator;

WHEREAS, it is the desire of the Board to establish the terms and conditions of employment for said Interim Town Administrator in a written contract; and

WHEREAS, Charles Sumner agrees to accept temporary employment as Interim Town Administrator of said Town on the terms and conditions outlined below;

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the parties agree as follows:

**Section I, Functions and Duties of the Town Administrator.**

The Town hereby offers to employ Charles Sumner as Interim Town Administrator of said Town, and the Interim Town Administrator accepts said offer of employment. The Interim Town Administrator shall be the Chief Administrative Officer of the Town. The Interim Town Administrator shall perform the duties as set forth by the Charter of the Town of Wellfleet, the Town's By-Laws, any other applicable general or special law of the Commonwealth, the attached job description, and such other duties as the Board shall from time to time legally assign to him.

**Section II, Term,**

This Agreement shall become effective May 10, 2022, and shall remain in effect for thirty days thereafter, may be further extended by mutual agreement of the parties, or unless sooner terminated in the sole discretion of the Select Board.

**Section III, Status,**

The parties agree and the Interim Town Administrator acknowledges, that he is an exempt employee for purposes of the Fair Labor Standards Act.

The parties further agree, and the Interim Town Administrator acknowledges that despite the initial ninety day term of this Agreement, the Select Board may choose to terminate this Agreement and the Interim Town Administrator's employment at any time, upon a majority vote of the Select Board taken in accordance with the requirements of the Open Meeting Law, G.L. c. 30A, §§18-25. The Interim Town Administrator shall be due any compensation owed as of the date of such termination but shall not otherwise be entitled to any additional amounts or severance payment(s).

Should the Interim Town Administrator voluntarily terminate his position with the Town before the expiration of the term of this Agreement, the Interim Town Administrator shall give the Town two (2) weeks' written notice in advance, unless the parties agree otherwise in writing.

**Section IV Compensation/Hours of Work**

A. The Town agrees to pay the Interim Town Administrator for services rendered under this Agreement, the gross weekly salary \$2,880.00, subject to applicable withholdings and deductions payable in installments at the same time as other employees of the Town are paid. This salary is based upon an average of 32 hours per week of work at a rate of \$90/hour.

B. The Interim Town Administrator's core hours of work will be Monday-Thursday, depending upon operational needs. Moreover, it is understood that in some weeks, the Interim Town Administrator may work more than 32 hours per week in response to the needs and requirements of the job, and to that end, the Interim Town Administrator will be allowed to make adjustments to his weekly schedule as he shall deem appropriate during said normal office hours, provided the taking of such time does not interfere with the proper discharge of his duties. The Interim Town Administrator is expected to track his hours of work.

C. During the term of his employment, the Interim Town Administrator is expected to work primarily onsite at the Wellfleet Town Hall. Any regular schedule that includes remote work on a recurring basis must be approved in advance by the Select Board. Adjustments to this schedule necessary in response to the current COVID-19 related State of Emergency must be reviewed and approved by the Select Board. The Chair of the

Select Board may approve said adjustment(s) on an emergency basis, pending approval by the Board.

D. The Interim Town Administrator is expected to attend all Select Board and Town Meetings unless excused by the Select Board.

E. The parties agree that the Interim Town Administrator will commence his duties with the Town on or before May 31, 2022.

F. The parties agree that the Interim Town Administrator shall not receive any benefits, including any paid accrued leave. The Interim Town Administrator waives participation in any of the Town-offered health, dental, disability, or life insurance plans for which he may otherwise be eligible.

G. The Town shall provide the Interim Town Administrator with a laptop computer to facilitate the performance of his duties. The Interim Town Administrator shall return this laptop, together with any other town-issued property, promptly upon termination of employment.

**Section V, Expenses.**

The Interim Town Administrator shall be reimbursed for any reasonable expenses incurred in the performance of his duties, or as an official representative of the Town, including attendance by him at civic or social events.

**Section VI, Indemnification**

A. To the extent permitted by law, the Town shall defend, hold harmless and indemnify the Interim Town Administrator from any and all civil demands, claims, suits, actions and legal proceedings brought against him in his capacity as Interim Town Administrator, provided that the incident arose while the Interim Town Administrator was acting within the scope of his employment and in good faith.

The Town may obtain such insurance to cover its obligations hereunder as it deems appropriate.

B. The Interim Town Administrator agrees to promptly notify the Town of any such claim and to cooperate fully with Counsel designated by the Town to handle such claim. This section shall not obligate the Town to provide a defense, save harmless or indemnify the Interim Town Administrator if he personally knows of such claim and fails to provide the Town with prompt and timely notice of a claim for which he seeks coverage under this section.

C. The Interim Town Administrator agrees that the Town, acting through the Select Board, has the sole authority to determine the proper defense of any claim that is brought under this section, and he further agrees that the Town has the exclusive authority to make decisions regarding settlement of any claim brought under this section. Finally, the Interim Town Administrator agrees that the Town's obligation to defend, save harmless or indemnify him under this section does not apply to claims settled or defended without the Board's knowledge, consent and/or agreement.

D. Where indemnification is not otherwise required under Subsection A, above, the Town shall not indemnify the Interim Town Administrator in connection with any claim, complaint, demand or other legal action brought by him against the Town or any Town official or employee.

This section shall survive the natural expiration of this Agreement.

**Section VII, Notices.**

Notices pursuant to this Agreement shall be given by deposit in the custody of the United States Postal Service, postage prepaid, addressed as follows:

1. TOWN: Chair of Select Board  
Wellfleet Town Hall  
300 Main Street  
Wellfleet, MA 02667

TOWN ADMINISTRATOR: Charles Sumner

Alternatively, notices required pursuant to this Agreement may be personally served. Notice shall be deemed as given as of the date of personal service or as of the date of deposit of such written notice in the course of transmission in the United States Postal Service.

**Section VIII, General Provisions.**

- A. The text herein shall constitute the entire Agreement between the parties.
- B. This Agreement shall prevail over any conflicting personnel provisions of the Town By-Laws or Rules and Regulations.
- C. This Agreement shall be binding upon and inure to the benefit of the heirs at law and executors of the Interim Town Administrator.

D. If any provision, or any portion thereof, contained in this Agreement is held unconstitutional, invalid or unenforceable, the remainder of this Agreement, or portion Thereof, shall be deemed severable, shall not be affected, and shall remain in full force and effect.

E. This agreement may be executed in any number of counterparts, each of which shall be deemed to be an original, but all of which together shall constitute one and the same instrument.

IN WITNESS WHEREOF, the Town of Wellfleet, Massachusetts, has caused this Agreement to be signed and executed in its behalf by its Selectboard and duly attested by its Town Clerk, and the Interim Town Administrator has signed and executed this Agreement, both in duplicate.

TOWN OF WELLFLEET SELECTBORD

TOWN ADMINISTRATOR  
Charles Sumner

\_\_\_\_\_  
Ryan Curley, Chair

\_\_\_\_\_  
Michael DeVasta

\_\_\_\_\_  
Helen Miranda Wilson

\_\_\_\_\_  
John Wolf

\_\_\_\_\_  
**Barbara Carboni**

DATE: \_\_\_\_\_

DATE: \_\_\_\_\_

Attest Signature:

Approved as to Legal Form

\_\_\_\_\_  
Town Clerk

\_\_\_\_\_  
Town Counsel

DATE: \_\_\_\_\_

DATE: \_\_\_\_\_





## SELECTBOARD

AGENDA ACTION REQUEST  
Meeting Date: May 10, 2022

VI

### BUSINESS

~ I ~

<b>REQUESTED BY:</b>	Ryan Curley ~ Chair
<b>DESIRED ACTION:</b>	To review the newspapers authorized to publish Town of Wellfleet legal notices
<b>PROPOSED MOTION:</b>	If a motion is needed, one will be made at the time of the meeting.
<b>SUMMARY:</b>	
<b>ACTION TAKEN:</b>	Moved By: _____ Seconded By: _____ Condition(s):
<b>VOTED:</b>	Yea _____ Nay _____ Abstain _____



## SELECTBOARD

AGENDA ACTION REQUEST

Meeting Date: May 10, 2022

VI

### BUSINESS

~ J ~

<b>REQUESTED BY:</b>	<b>Helen Miranda Wilson ~ Selectboard Member</b>
<b>DESIRED ACTION:</b>	<b>Speaking on behalf of the board</b>
<b>PROPOSED MOTION:</b>	<b>If a motion is needed, one will be made at the time of the meeting.</b>
<b>SUMMARY:</b>	
<b>ACTION TAKEN:</b>	Moved By: _____ Seconded By: _____ Condition(s):
<b>VOTED:</b>	Yea _____ Nay _____ Abstain _____



## SELECTBOARD

AGENDA ACTION REQUEST  
Meeting Date: May 10, 2022

VI

### BUSINESS

~ K ~

<b>REQUESTED BY:</b>	<b>John Wolf ~ Selectboard Member</b>
<b>DESIRED ACTION:</b>	<b>To discuss a policy on use of public buildings by a private individual or group</b>
<b>PROPOSED MOTION:</b>	<b>If a motion is needed, one will be made at the time of the meeting.</b>
<b>SUMMARY:</b>	
<b>ACTION TAKEN:</b>	Moved By: _____ Seconded By: _____ Condition(s):
<b>VOTED:</b>	Yea _____ Nay _____ Abstain _____





## SELECTBOARD

AGENDA ACTION REQUEST

Meeting Date: May 10, 2022

VIII

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# **TOWN ADMINISTRATORS & ASSISTANT TOWN ADMINISTRATOR REPORTS**

- Charlie will give a verbal update to the board and public at this meeting



## SELECTBOARD

AGENDA ACTION REQUEST  
Meeting Date: May 10, 2022

IX

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### TOPICS FOR FUTURE DISCUSSION

- **The Selectboard will discuss a list of current items that are outstanding**



## SELECTBOARD

AGENDA ACTION REQUEST  
Meeting Date: May 10, 2022

X

### NEW BUSINESS

<b>REQUESTED BY:</b>	<b>Chair Ryan Curley</b>
<b>DESIRED ACTION:</b>	<b>To Discuss topics that are not reasonably anticipated by the Chair more than 48 hours before the meeting.</b>
<b>PROPOSED MOTION:</b>	<b>If a motion is needed for a topic that is brought up one will be made at the time of the meeting.</b>
<b>ACTION TAKEN:</b>	Moved By: _____ Seconded By: _____ Condition(s):
<b>VOTED:</b>	Yea _____ Nay _____ Abstain _____



## SELECTBOARD

AGENDA ACTION REQUEST  
Meeting Date: May 10, 2022

XI

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## CORRESPONDENCE AND VACANCY REPORTS

**\*\*\*Please see the packet for full reports\*\*\***



From	Subject	Received	Size
<b>Today</b>			
Jude Ahern	please include Janet Reinhart's email admitting the intentional act in ...	Thu 5/5/2022 6...	1 MB
You forgot this. Please include it with my complaint. Thank you. <end>			
Rebekah Eldr...	agenda and packet for May 6, 2022	Thu 5/5/2022 2...	895 KB
I have attached your packet for tomorrow night's meeting. Please let me know if you have any questions. Rebekah L. Eldridge			
Jude Ahern	Fwd: to confirm what you just said	Thu 5/5/2022 9...	19 KB
Begin forwarded message:			
Jude Ahern	copy of my April 18 OML complaint not in May 6 packet	Thu 5/5/2022 7...	3 MB
Dear Selectboard: Unlike my OML from April 4th (about March 8), my April 18 OML complaint (about April 12) is not included in			
<b>Yesterday</b>			
Nancy Civetta	Shellfish Crier: Vibrio Control Plan starts 5/19-MADMF meeting tomor...	Wed 5/4/2022 ...	39 KB
Town Shellfish Crier May 4, 2022			
Nancy Civetta	Wellfleet grant #01-06 forfeiture	Wed 5/4/2022 ...	691 KB
Allison Paine	Robert Paine POB 1458	215 Paine Hollow Rd.	
Charles Sum...	FW: Open Meeting Law Complaint	Wed 5/4/2022 ...	22 KB
FYI only, no replies please.			
Helen Miran...	Fwd: White Crest/Cahoon Working Group	Wed 5/4/2022 ...	24 KB
Begin forwarded message:			
Christine Bates	ZBA meeting mins 4/14/22	Wed 5/4/2022 ...	55 KB
Jennifer, for your files, Rebekah and BoS, for your information. Chris Christine Bates Committee Secretary for ZBA and Conservation			
<b>Tuesday</b>			
MA Division ...	DMF Updates Control Date for Commercial Striped Bass Permit Endors...	Tue 5/3/2022 4:...	45 KB
DMF Updates Control Date for Commercial Striped Bass Permit Endorsement			
Hillary Lemos	FW: Increase in COVID-19 cases at WES	Tue 5/3/2022 1:...	31 KB
Please see the note below from Claudia. We continue to monitor the situation as best we can although almost all of our current			
Rebekah Eldr...	RE: Meeting Thursday May 5th @ 7pm	Tue 5/3/2022 1...	23 KB
All posted for Friday			
Ryan Curley	Re: Meeting Thursday May 5th @ 7pm	Tue 5/3/2022 1...	16 KB
Actually have it on Friday @ 7pm			
Jude Ahern	please release the DOR report ASAP thank you	Tue 5/3/2022 1...	15 KB
People really want to know and this will clarify the situation. <end>			
Jude Ahern	Fwd: two things: info about Board of Registrar of Voters and copy of J...	Tue 5/3/2022 1...	168 KB
Please tell me when Sheryl Jaffe and Andrea Pluhar were appointed and reappointed or declared a "hold over", respectively.			
Jude Ahern	Re: there is no legitimate Board of Registrar of voters so nobody can o...	Tue 5/3/2022 1...	209 KB
So you were well aware that there was a vacancy. What has this Selectboard done to fill these vacancies since these peoples' terms			
Helen Miran...	FYI	Tue 5/3/2022 1...	15 KB
Sb, no reply please and do not "reply all".			
Ryan Curley	Re: there is no legitimate Board of Registrar of voters so nobody can o...	Tue 5/3/2022 1...	18 KB
For the record someone else asked me and I was the one that looked it up in the Annual Town Report on Friday April 1st and			
MA Division ...	DMF Adopts Minimum Size for Commercial Bluefish	Tue 5/3/2022 9:...	45 KB
DMF Adopts Minimum Size for Commercial Bluefish			
Jude Ahern	there is no legitimate Board of Registrar of voters so nobody can offici...	Tue 5/3/2022 9:...	16 KB
And Barbara Carboni, if nobody else, knows this is the law. I am waiting for Deb O'Malley from the Elections Division with the			
<b>Monday</b>			
MA Municipa...	Here's your May issue of The Beacon from the MMA	Mon 5/2/2022 ...	49 KB
<https://www.informz.net/admin31/images/spacer.gif>			
MA Division ...	Atlantic Sea Herring Area 1A Effort Controls for 2022 and Declaration ...	Mon 5/2/2022 ...	64 KB
Atlantic Sea Herring Area 1A Effort Controls for 2022 and Declaration to Participate in the Directed Atlantic Sea Herring Fishery in			
Ryan Curley	FYI	Mon 5/2/2022 ...	14 KB
https://www.theguardian.com/us-news/2022/may/02/supreme-court-boston-christian-flag-camp-constitution <end>			
MA Division ...	DMF Adopts a June 1 Start Date for Limited Entry Commercial Menha...	Mon 5/2/2022 ...	46 KB
DMF Adopts a June 1 Start Date for Limited Entry Commercial Menhaden Season			
MA Division ...	Spiny Dogfish Trip Limit Increased to 7,500 Pounds Consistent with Fe...	Mon 5/2/2022 ...	46 KB
Spiny Dogfish Trip Limit Increased to 7,500 Pounds Consistent with Federal Rules			
MA Division ...	DMF Announces Changes to Commercial Summer Flounder Limits	Mon 5/2/2022 ...	58 KB
Changes to Commercial Summer Flounder Limits			
Vaira Harik	Re: County ARPA?--Wellfleet	Mon 5/2/2022 ...	33 KB
Hello Ryan. Thank you for the question. We hope to open the online application portal this week, and will be communicating with			

! 📄 📧 📎	From	Subject	Received	Size	🚩
	<a href="#">Rebekah Eldr...</a>	<b>FW: Town of Wellfleet Selectboard - Response to Open Meeting Law C...</b>	Mon 5/2/2022 ...	2 MB	
	Good Morning,				
	<b>MA Division ...</b>	<b>DMF Announces Changes to Commercial Black Sea Bass Limits</b>	Mon 5/2/2022 ...	48 KB	
	Changes to Commercial Black Sea Bass Limits				
	<b>Last Week</b>				
	<a href="#">Ryan Curley</a>	<b>County ARPA?</b>	Sat 4/30/2022 ...	15 KB	
	Hi Varia & Elizabeth,				
	<a href="#">Jay Norton</a>	<b>Re: Purple Bags at Transfer Station</b>	Sat 4/30/2022 ...	21 KB	
	Good afternoon There was a production issue that Hillary and I are trying to work out with the vendor. We are hoping to have them				
	<a href="#">Ryan Curley</a>	<b>Re: Purple Bags at Transfer Station</b>	Sat 4/30/2022 ...	17 KB	
	Charlie? Rebekah? Jay?				
	<a href="#">PRISCILLA M...</a>	<b>RE: Purple Bags at Transfer Station</b>	Sat 4/30/2022 ...	18 KB	
	Dear Board Members ----- I hope you can answer my question as to where I can find the "Mini" purple bags for the transfer station.				
	<a href="#">Jude Ahern</a>	<b>Fwd: who appointed you to Board of Registry of Voters</b>	Fri 4/29/2022 4...	180 KB	
	Dear Jennifer, On another equally important topic, This is the Selectboard's problem and the State said if someone sues then Town				
	<b>MA Division ...</b>	<b>Recreational Cod and Haddock Regulations Unchanged for Start of Fis...</b>	Fri 4/29/2022 1...	51 KB	
	Recreational Cod and Haddock Regulations Unchanged for Start of Fishing Year 2022				
	<a href="#">DMF Shellfis...</a>	<b>MA DMF Shellfish Relay Closure Notice for the Town of Wellfleet 5-1-...</b>	Fri 4/29/2022 1...	364 KB	
	Good afternoon, Please see the attached notice. Thank you! <end>				
	<a href="#">Weber, Wendi</a>	<b>Congratulations on the NAWCA Standard Grant Award in Massachuse...</b>	Fri 4/29/2022 1...	30 KB	
	Dear Jim, Congratulations on the recent North American Wetlands Conservation Act (NAWCA) Standard Grant Award for \$2,000,000				
	<b>Wellfleet Cha...</b>	<b>Friends of Herring River presents Wampanoag Waterways: Herring are...</b>	Fri 4/29/2022 1...	73 KB	
	Thursday, May 5 // Wellfleet Preservation Hall				
	<b>MA Division ...</b>	<b>Reminder: Trap Gear and Gillnet Closures to Remain in Effect Through ...</b>	Fri 4/29/2022 1...	51 KB	
	Trap Gear and Gillnet Closures to Remain in Effect Through May 15				
	<b>MA Division ...</b>	<b>Notice of Virtual Public Hearings and Public Comment Period on 2022 ...</b>	Fri 4/29/2022 1...	52 KB	
	Notice of Virtual Public Hearings and Public Comment Period on 2022 Adjustments to Certain Recreational Fishing Limits				
	<b>Govlaunch</b>	<b>Municipal bitcoin, smart pavement tech, Minecraft and more 🚀</b>	Fri 4/29/2022 1...	120 KB	
	<https://govlaunch.us10.list-manage.com/track/click?u=88b300557f9ef581c3b0d7bf5&id=ecea509b2e&e=4c2bfd548c> The				
	<b>MA Division ...</b>	<b>DMF Extends Small Vessel Speed Restriction in Cape Cod Bay to Protec...</b>	Fri 4/29/2022 1...	49 KB	
	DMF Extends Small Vessel Speed Restriction in Cape Cod Bay to Protect Right Whales				
	<a href="#">DMF Shellfis...</a>	<b>MA DMF Shellfish Seasonal Closure Notice for the Town of Wellfleet</b>	Fri 4/29/2022 1...	356 KB	
	Good morning, Please see the attached. Thank you. <end>				
	<b>Wellfleet Cha...</b>	<b>After Hours Networking + Vote for the Fourth of July Parade Theme! us</b>	Fri 4/29/2022 7...	84 KB	
	Monday, May 9 // 5:30-7:00pm				
	<a href="#">Ryan Curley</a>	<b>Fwd: two things: info about Board of Registrar of Voters and copy of J...</b>	Thu 4/28/2022 ...	974 KB	
	----- Forwarded message -----				
	<a href="#">Ryan Curley</a>	<b>Fwd: What does "we shouldn't be talking about this" mean?</b>	Thu 4/28/2022 ...	16 KB	
	----- Forwarded message -----				
	<a href="#">Ryan Curley</a>	<b>Fwd: And I assume you have a replacement recording Secretary and it ...</b>	Thu 4/28/2022 ...	16 KB	
	----- Forwarded message -----				
	<a href="#">Jude</a>	<b>Fwd: Wellfleet - Select Board</b>	Thu 4/28/2022 ...	41 KB	
	This Selectboard is stalling. I need this reply now because Devasto and Helen need to speak tonight it tonight. They can explain to the				
	<a href="#">Jude</a>	<b>Fwd: Wellfleet - Select Board</b>	Thu 4/28/2022 ...	41 KB	
	This Selectboard is stalling. I need this reply now because Devasto and Helen need to speak tonight it tonight. They can explain to the				
	<b>Wellfleet Cha...</b>	<b>Mom's ♥ when you Shop Local for Mother's Day *Correction*</b>	Thu 4/28/2022 ...	145 KB	
	Wellfleet Chamber's Mother's Day Gift Guide				
	<b>Massachuset...</b>	<b>House Passes \$49.7 Billion Budget Bill, Please Urge Your Senators to B...</b>	Thu 4/28/2022 ...	50 KB	
	<https://www.informz.net/admin31/images/spacer.gif>				
	<b>Wellfleet Cha...</b>	<b>Mom's ♥ when you Shop Local for Mother's Day</b>	Thu 4/28/2022 ...	145 KB	
	Wellfleet Chamber's Mother's Day Gift Guide				
	<a href="#">Charles Sum...</a>	<b>FW: NOW LIVE: CCWRRP funding news release</b>	Wed 4/27/2022...	189 KB	
	Good morning all, I simply wanted to share this good news with you all related to the Herring River Restoration project as well as a				
	<b>Cape Cod Co...</b>	<b>Cape Cod Commission REPORTER: April 2022</b>	Wed 4/27/2022...	76 KB	
	<a href="#">Steve Wood</a>	<b>Lt.Island Bridge</b>	Tue 4/26/2022 ...	17 KB	
	To the Select Board,				

From	Subject	Received	Size
Jude Ahern	documents sent to Wellfleet police on April 14 and April 18	Tue 4/26/2022 ...	5 MB
Dear Officer LaRocco:			
Hillary Lemos	FW: Outer Cape Needs Assessment	Tue 4/26/2022 ...	144 KB
Attached and below is information on the Public Health Needs Assessment we have been working on. It is an exciting regional			
Ryan Curley	FYI Fwd: Cahoon Hollow & OVD	Tue 4/26/2022 ...	42 KB
----- Forwarded message -----			
Ryan Curley	Appearance of a Conflict of Interest	Tue 4/26/2022 ...	316 KB
Hello, I have discussed this matter with both the State Ethics Commission and town counsel.			
MA Municipa...	We Need Your Input - Select Board Handbook Update	Tue 4/26/2022 ...	41 KB
Feedback Needed for Select Board Handbook Update			
Ryan Curley	Fwd: Posting 80 State Hwy/Maurince's Working Group	Tue 4/26/2022 ...	17 KB
----- Forwarded message -----			
Ryan Curley	Fwd: Agenda	Tue 4/26/2022 ...	29 KB
----- Forwarded message -----			
Ryan Curley	Fwd: Public records request status	Tue 4/26/2022 ...	18 KB
----- Forwarded message -----			
Elaine Mclroy	Re: Buy Down Article and Warrant	Mon 4/25/2022...	30 KB
Thank you Charlie. I realize it might be important to also identify that the WHA approves the repairs so I have added that to the			
Ryan Curley	Re: FW: Buy Down Article and Warrant	Mon 4/25/2022...	24 KB
I think it's to amend a article already there under the cpc articles. I don't have the warrant in front of me at the sec.			
Helen Miran...	PS	Mon 4/25/2022...	14 KB
Selectboard, no reply please to the previous email. <end>			
Helen Miran...	Amendments to DRAFT OML Complaint response.	Mon 4/25/2022...	152 KB
For 4/26/22 <end>			
Charles Sum...	FW: Buy Down Article and Warrant	Mon 4/25/2022...	28 KB
Good evening We have a request for a new article for the 2022 ATM. Charlie			
Ryan Curley	OML response 040422	Mon 4/25/2022...	2 MB
----- Forwarded message -----			
MA Division ...	Sea Scallop Limited Access Leasing Meetings Kick-off This Week in Glo...	Mon 4/25/2022...	45 KB
Comment to the New England Fishery Management Council Now through July 5th			
Ryan Curley	Fwd: water budget	Mon 4/25/2022...	1 MB
----- Forwarded message -----			
Charles Sum...	FW: Bylaw Committee Recommendations for 2022 Annual Town Meeti...	Mon 4/25/2022...	91 KB
FYI			
Charles Sum...	FW: WELL/Magida, et al v. Wellfleet ZBA (Habitat for Humanity - Old ...	Mon 4/25/2022...	24 KB
Confidential litigation matter, which I wanted to share with the Selectboard!			
Ryan Curley	FYI	Mon 4/25/2022...	15 KB
<a href="https://www.capecodtimes.com/story/news/2022/04/24/cape-cod-law-enforcement-body-cameras-mashpee-wellfleet-yarmouth-bar">https://www.capecodtimes.com/story/news/2022/04/24/cape-cod-law-enforcement-body-cameras-mashpee-wellfleet-yarmouth-bar</a>			
<b>Two Weeks Ago</b>			
Charles Sum...	FW: Bylaw Committee Recommendations for 2022 Annual Town Meeti...	Fri 4/22/2022 4...	89 KB
FYI			
MA Division ...	Reminder: MAFMC Public Hearings in New England on Atlantic Macke...	Fri 4/22/2022 2...	55 KB
MA Public Hearings: April 25th & 26th			
MA Division ...	Proposed Federal Closure on Recreational Scup Harvest	Fri 4/22/2022 2...	53 KB
Proposed Federal Closure on Recreational Scup Harvest			
Ryan Curley	Link & Passcode	Fri 4/22/2022 1...	17 KB
Link & Passcode			
Capital Strat...	Connecting Communities Through Thick & Thin	Fri 4/22/2022 1...	65 KB
Our team is here to assist with public outreach and community engagement, grant funding...			
Wellfleet Cha...	Join in the Restaurant Week fun!	Fri 4/22/2022 1...	101 KB
A celebration of all-things-Wellfleet			
lifeexercises	Today's meeting	Fri 4/22/2022 9...	16 KB
Just got a change for an important appointment. Can't be at 1:00 meeting. Janet Sent from my Verizon, Samsung Galaxy			
Wellfleet Cha...	After Hours networking in Wellfleet at WHAT	Fri 4/22/2022 7...	82 KB
Monday, May 9 // 5:30-7:00pm			
Bierlaw	Re: OK With You?	Thu 4/21/2022 ...	26 KB
Charlie and Members of the Selectboard: Thanks to all for your cooperation in the culmination of the search process and the			

!   	From	Subject	Received	Size	
	 <b>Ryan Curley</b> ----- Forwarded message -----	<b>For Tomorrow Fwd: Fw: MHP Assistance for Maurice's Campground</b>	Thu 4/21/2022 ...	105 KB	
	 <b>Suzanne Tho...</b> I was forwarded this email by the Town Administrator and need to respond to the issues raised within it. I have attached the memo I	<b>Beach Stickers for Re-sale</b>	Thu 4/21/2022 ...	137 KB	
	<b>Massachuset...</b> < <a href="https://www.informz.net/admin31/images/spacer.gif">https://www.informz.net/admin31/images/spacer.gif</a> >	<b>House budget debate begins Monday, please contact your Representa...</b>	Thu 4/21/2022 ...	63 KB	
	<b>Ryan Curley</b> Hi all, I can not find my pdf copy of the budget for the enterprise funds we have in the physical budget book. If you need a copy of t...	<b>Re: 4.26.22 SB Agenda &amp; Packet</b>	Thu 4/21/2022 ...	17 KB	



**SELECTBOARD**  
**AGENDA ACTION REQUEST**  
Meeting Date: May 10, 2022

**XII**

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**MINUTES**

<b>REQUESTED BY:</b>	<b>Executive Assistant</b>
<b>DESIRED ACTION:</b>	<b>Approval of Minutes</b> <ul style="list-style-type: none"><li>• <b>April 12, 2022</b></li></ul>
<b>PROPOSED MOTION:</b>	<b>I move to approve the Minutes of April 12, 2022, as printed</b>
<b>ACTION TAKEN:</b>	Moved By: _____ Seconded By: _____ Condition(s):
<b>VOTED:</b>	Yea _____ Nay _____ Abstain _____

**Wellfleet Selectboard  
Virtual Meeting ~ Zoom  
Tuesday April 12, 2022; 7PM  
Meeting Minutes**

**Members Present:** Ryan Curley, Chair; Michael DeVasto, Vice Chair; Janet Reinhart, Helen Miranda Wilson, John Wolf

**Others Present:** Charlie Sumner, Town Administrator; Rebekah Eldridge, Executive Assistant; Jay Coburn, Community Development Program; Judith Ahern, Wellfleet resident; Rich Pauley, Fire Chief; Brad Kaplan, Shellfish grant holder; Murrow Van Meter, owner Leeside Café; Suzanne Grout-Thomas, Director of Community Services; Brian Carlstrom, Nation Seashore; Jay Norton, DPW director; Lisa Brown, a Founder of the Wellfleet Oysterfest; Kate Moreau, Director of SPAT; Maia Ward, Wellfleet SPAT member; Mac Hay, owner of Mac's restaurants Daniel Silverman, Town moderator; Jennifer Congel, Town Clerk

Chair Curley Called the meeting to order at 7:03pm

**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.

- Jay Coburn spoke on behalf of the CDP on homeless prevention, a slide show was presented to the board. He discussed the plan to come together and offer help to prevent homelessness on the cape. He gave some information on the project and where people can go to get more information.

**II. *Consent Agenda***

- A. Use of Town Property, Wellfleet Memorial Garden ~ Luise Geuekci ~ May 7, 2022, 2pm – 3pm ~ **Wilson asked to move this item out for discussion**  
Board Member Wilson spoke to this application stating that she had spoke to Hillary Lemos the health agent.  
**Board Member Wilson Moved; Chair Curley Seconded and it was voted to grant the use of the Wellfleet Memorial Garden for a fee of \$110 and the area must be left in the condition it was found and left to the satisfaction of the DPW director.**  
**Roll Call Vote: 5-0**
- B. Use of Town Property, Gull Pond, Wellfleet ~ Friends of Herring River ~ May 21, 2022; 11am-1pm (rain date May 22)
- C. Use of Town Property, Mayo Beach ~ Walter Baron/dba Old Wharf Dory Co. ~ September 17, 2022; 1pm-5pm
- D. Cahoon Hollow Parking Lot Contract Extension ~ Rebecca Roughley ~ Assistant Town Administrator
- E. Appointment of Ethan Estey ~ Wellfleet Shellfish Advisory Board
- F. Licenses

- Annual General License ~ Heart Core Health & Wellness
  - Seasonal General License ~ Golden Cod Gallery ~ Jack Coughlin
  - Seasonal General License ~ The Garage Gallery ~ Janis Ekman
  - Seasonal Food Service License ~ 349 Café ~ Tonya Felix
  - Seasonal Bed & Breakfast ~ Joan Lucarelli
  - Seasonal Charter Boat ~ Captain Curley's Sailing Charters
- Chair Curley Moved; Board Member Wilson Seconded and it was voted to approve the consent agenda with the exception of item A.**  
**Roll Call Vote: 5-0**

**III. *Open Meeting Law Complaint filed April 4, 2022, ~ Judith Ahern***

- Chair Curley spoke to the complaint and gave a warning to all involved in the meeting that if there were comments made about someone's person. He then allowed Ahern to speak to the board, she requested the board speak to her complaint. Chair Curley asked Eldridge to play the video of the meeting where the alleged violation occurred.

The video played for 4 minutes and in that meeting, Wilson was heard speaking about health issues, stating she will not continue her role as a Selectboard member. The end of the video was the board members and Sumner speaking to her departure and thanking her. Sumner in that video gave instructions on how-to take-out papers to run for the position. The Video stopped.

Wilson spoke to this complaint and stated that she had spoken to the Secretary of State with the Town Clerk. Ahern stated that she believes this is an open meeting law violation. She went into detail about why she feels this is a violation. She accused Wilson of "back-room politics".

Chair Curley stated He doesn't believe this meets the standard for Open Meeting Law Violation and if she feels the need she can go to the Attorney General's Office and get their opinion.

**No Vote Was Taken**

**IV. *Public Safety Update***

**A. EMS Study ~ Fire Chief Pauley**

Chief Pauley spoke to the board regarding the upcoming emergency medical services study and stated that Wellfleet's response time for the residents is extremely low which is a great score for the fire department. Chair Curley spoke to the board stating that the response time was very impressive and the response time for Wellfleet is under 5 minutes. There were no comments on this update.

**No Action was Taken**

- V. **Public Hearings ~ Board Member DeVasto Recused himself from these public hearings.**
- A. To Close the Hearing on Grant License #792, ARC ~ A New Hearing Will be Advertised for May 24th, 2022  
Chair Curley opened the hearing and then stated that a memorandum has been supplied in the Selectboard packet and the hearing will be closed and re-advertised for May 24, 2022.  
**Chair Curley Moved, Board Member Wilson Seconded, and it was voted to close the public hearing.**  
**Roll Call Vote: 4-0 (DeVasto Abstained)**  
**Chair Curley Moved; Board Member Wilson Seconded; and it was voted to readvertise the public hearing for ARC Grant #792 to May 24, 2022.**  
**Roll Call Vote 4-0 (DeVasto Recused)**
- B. Application dated 3/3/2022 for the transfer of shellfish grant license #2000-4 consisting of 2.16 acres on Egg Island from Ian Ruml and Jeremy Storer to Ian Ruml, Jeremy Storer and Alfred Pickard, Jr  
Chair Curley opened this public hearing and asked if there were any comments.  
**Chair Curley Moved; Board Member Seconded and it was voted to approve the transfer of shellfish grant license #2000-4 consisting of 2.16 acres on Egg Island from Ian Ruml and Jeremy Storer to Ian Ruml, Jeremy Storer and Alfred Pickard Jr.**  
**Roll Call Vote: 4-0 (DeVasto Recused)**  
Chair Curley closed this public hearing.  
Chair Curley opened the next public hearing.
- C. Application dated 3/25/2022 for the transfer of shellfish grant license # 2002-01 and 2002-1 Ext. consisting of 2.06 acres on Egg Island from Brad Kaplan to Brad Kaplan and Anthony Hill  
Chair Curley asked if there were any questions regarding this license application.  
**Chair Curley Moved; Board Member Reinhart Seconded, and it was voted to grant the transfer of shellfish license #2002-01 and 2002-1 ext. consisting of 2.06 acres on Egg Island from Brad Kaplan to Brad Kaplan and Anthony Hill.**  
**Roll Call Vote: 4-0 (DeVasto Recused)**  
Chair Curley Closed this public hearing.
- VI. **Licenses**
- A. **Seasonal - Contract**  
Food truck, Newcomb Hollow ~ Leaside Café, LLC  
Chair Curley spoke to this contract and asked if it was a new contract. Eldridge explained that this was not a new contract. Thomas spoke to the contract and explained how the contract works and how the fees are applied.  
**Chair Curley Moved; Board Member Reinhart Seconded, and it was voted to approve the 2022 food truck contract for the Leaside Café, LLC**  
**Roll Call Vote: 5-0**



**VII. *NPS Updates***

**A. Sustained access for town residents on Bound Brook Island Road**

Carlstrom spoke to the board regarding the residents have access to Bound Brook Road. Chair Curley stated that the town's counsel hasn't had a chance to comment on this. The screen was shared to show the maps of the land and issues that have come up. Ridley spoke to the issues and gave a detailed explanation of easements that would be given to the private homeowner so the land can be accessed by the homeowner. She explained the easement would be temporary while the construction is happening and once the construction is finished the easement goes away, she then explained that the homeowner can apply for a permanent easement. Wilson gave some facts about the land.

**B. Access to Mill Creek water control structure maintenance road from Chequessett Neck Road**

Carlstrom moved onto Mill Creek and gave some details about this property. Stating he is talking with the Wellfleet Conservation trust to help get access to the Creek right now.

**Chair Curley Moved, Board Member Wilson Seconded and it was voted that the town of Wellfleet work with the Cape Cod National Seashore to allow sustained access to the Mill Creek Water control structure and maintenance road on Chequessett Neck Road as presented.**

**Roll Call Vote: 5-0**

Ridley spoke to the board that the town would actually allow construction of the road which she stated would be part of the motion and there is construction on the road. The segment of the road would be built entirely on town land.

Wellfleet conservation trust would need an agreement, and chair Curley stated this may need a town meeting vote. Ridley stated that there have been some preliminary conversations with the Conservation Trust. They discussed this issue. Norton spoke to the board stating that he believes if the town gets through the land transfer the town could treat this as a cur cut.

**Chair Curley Moved, Board Member Wolf Seconded; and it was voted to amend Chequessett Neck Road to Old Chequessett Neck Road.**

**Roll Call Vote: 5-0**

Before they moved on to the next item Ridley explained that this something that needs to be finished in a timely manner.

**VIII. *Community Relations***

**A. SPAT Introduction of New Staff**

Chair Curley as Brown to introduce the new staff. Ward was the first to be introduced explaining that she is to bring more time and effort for year-round programs for the community and they are currently planning the 2022 Wellfleet Oysterfest. She introduced Moreu, who explained she is the new director of outreach for SPAT and act as a liaison for the shellfishing community with the community and residents of Wellfleet.

**IX. Use of Town Property**

- A. Mayo Beach Parking Lot (Sandy Strip) ~ Deirdre Oringer; Thursdays from June 30, 2022 – September 1, 2022, 7am – 4pm.**

Chair Curley asked Oringer to speak to the board regarding her use of town property. She asked if there were questions for her, Chair Curley explained that this is an opportunity for her to fill in the board and the public about what she is asking to do. She explained this will be a weekly artisan market. She gave the dates and times that she is looking to have the market.

**Chair Curley Moved, Board Member Wilson Seconded, and it was voted to approve the use of Mayo Beach on Thursday's beginning June 30, 2022, and ending September 1, 2022, from 7am - 4pm to Deidre Oringer for a fee of \$325.00 and for the area to be returned to the premarket conditions and to the satisfaction of the beach director and the terms and conditions specified by the beach director.**

**Roll Call Vote: 5-0**

- B. Various Locations near Mayo Beach ~ SPAT ~ Wellfleet Oyster Fest, October 12, 2022, - October 17, 2022. ~ Board Member DeVasto recused himself from this agenda item.**

Moreau spoke to the board regarding the Oysterfest. Stating that in the initial application for the original Oysterfest, SPAT paid \$3000 and asked that this year be looked at as a nonprofit agency. She gave a brief summary of the festival giving details of the dates they are looking to use and the activities they are looking to hold during the festival. She continued discussing the festival with the board.

Rosenberg spoke to the board stating that she is a supporter of the Oysterfest but gave her concerns to the board regarding the use of Baker's Field explaining the concern for the field being ruined during this event. It was explained to the board from other department heads that SPAT does have insurance and they explained that if any damage is done it will be fixed back to the pre fest conditions.

They continued the discussion with the police and fire chief both stating that the meetings and planning for the oyster festival, needing staff and Covid issues they believed Baker's Field was the best option and moving the festival back to the center of town would cause major issues, Chief Hurley stated there are issues that haven' been worked out since the 2019 festival. He stated he will need less staff for this if it is held at Baker's Field to just get it back on the calendar. Chair Curley asked Thomas if she had any issues or saw any problems with Mayo Beach being to location, Thomas stated there were no issues on her end and believed the ability to monitor the amount of people entering Baker's field will be easier.

**Chair Curley Moved; Board Member Reinhart Seconded, and it was voted to approve the Use of Baker's Field and the facilities there for the 2022 Wellfleet OysterFest beginning 7am October 12, 2022, to 8pm October 17, 2022. For all areas used to be returned to pre festival conditions to the satisfaction of the DPW director, the Recreation Director and the Beach**

**Director. For the terms and conditions in the addendum be applied, the 3<sup>rd</sup> bullet point in addition to the DPW director adding the recreation director.  
Roll Call Vote: 4-0**

**Chair Curley Moved; Board Member Wilson Seconded; and it was voted to reduce the fee for the use of town property for Wellfleet SPAT to \$2000.00.  
Roll Call Vote: 4-0**

**X. *Business***

- A. Request for temporary tent structure at Mac's Shack, 91 Commercial Street**  
Sumner gave an update on the application and spoke to the authorization from the state and ABCC which states that restaurants that have been previously approved have the permission to extend their outdoor seating and serving of alcohol. Hay continued stated that the tent and areas surrounding will be exactly as they were the last two years. He is just asking for the extension knowing that the governor has extended the emergency order. He stated he knows that all the necessary permits and permissions need to be granted.

**Chair Curley Moved, Board Member Wolf Seconded, and it was voted to approve the temporary tent struct at Macs Shack at 91 Commercial Street as presented.**

**Roll Call Vote: 5-0**

- B. Town Meeting Venue ~ Town Moderator Daniel Silverman**  
Silverman spoke to the board stating that he has spoken to the heath agent and both the fire and police chiefs with a preference of whether to have town meeting inside or outside. He explained to the board and public that all three would like to out an abundance of caution town meeting should be held outside. Given the fact that the cases are not going down but rather increasing. Chair Curley spoke to the board and Sumner and discussed the ability to enhance the visual presentation of the warrant motions for the articles like they are able to do with an indoor town meeting. The board continued to discuss having the meeting indoor and outdoor. The debate was about the weather and the ability to be able to see the screens.

**Chair Curley Moved, Board Member Wilson Seconded, and it was voted to have the Wellfleet Annual Town Meeting at the Wellfleet Elementary School ballfield beginning at 10am on June 11, 2022, with rain dates of June 18<sup>th</sup> and 19<sup>th</sup> 2022.**

**Roll Call Vote: 5-0**

- C. Special Election for vacated Selectboard Seat ~ Chair Curley**  
Congel spoke to the board stating that the special own election would be held on June 21, 2022, from 12pm-7pm. The board discussed the special election and

the rules and regulations of the town charter for a special election. They discussed this.

**Chair Curley Moved; Board Member Wilson Seconded, and it was voted to hold a special election on June 21, 2022, to fill the remainder of the two-year term vacated by Helen Miranda Wilson.**

**Roll Call Vote: 5-0**

**D. FY 2023 Budget ~ Interim Town Administrator Charles Sumner**

Sumner spoke to the board regarding the 2023 budget. He asked the board to look at the financial forecast and went over each line with the board and public. He went into detail about all the items added up which included special projects and equipment. He stated the town would need close to 2 million dollars to acquire everything that was needed. He stated that he has been working with the department heads. He recommended taking a number of the items off the draft and reduce the spending. He showed the board how he broke down what to take off the warrant and what was important enough to keep on the warrant. He continued explaining certain accounts and what money would come from where. He stated that if the board takes the recommendations made by Sumner it would take the budget from a little over two-million dollars down to just over \$500,000. The board continued to discuss this budget and the process of budgeting. Free Cash was also discussed. The board discussed the OPEB (other post-employment benefits.) Should this go on the June town meeting or the special fall town meeting.

**Chair Curley Moved; Board Member Reinhart Seconded, and it was voted to adopt the spending plan as presented by the town administrator with the following exception:**

**To delete the marina feasibility study.**

**To delete the Route 6 Main Street project.**

**Roll Call Vote: 4-0-1 (Wolf voted no)**

**E. 2022 Annual Town Meeting Warrant ~ Interim Town Administrator Charles Sumner**

Sumner spoke with the board about warrant articles that he went over with some staff and decided what articles could be delayed until the fall town meeting. They discussed some articles that needed to remain on the warrant and others that could afford to be pushed to the fall town meeting.

**Chair Curley Moved; Board Member DeVasto Seconded, and it was voted to reconsider the transfer station feasibility study**

**Roll Call Vote: 5-0**

**Chair Curley Moved, Board Member Wilson Seconded, and it was voted to remove the transfer station feasibility study from the June Annual Town Meeting Warrant.**

**Roll Call Vote: 5-0**

**Chair Curley Moved, Board Member Reinhart Seconded, and it was voted to place the Transfer Station feasibility study on the special fall town meeting warrant.**

**Roll Call Vote: 5-0**

**Chair Curley Moved, Board Member Seconded, and it was voted to reconsider the Adult Community Center addition feasibility study, The Climate Action Reserve Fund, the Town Code Adoption of renumbering of General Bylaws, the Town Coded Adoption of renumbering the Zoning Bylaws, Lease of Town Property, the Animal Control Bylaw Amendment, The Adoption of Enabling Legislation for disposition of unclaimed property, The Wildlife Protection Bylaw, Affordable Lots Zoning Bylaw Amendment, The Accessory Dwelling Unit Bylaw Amendment, amendment to the Zoning Bylaws Cottage Colonies, amendment to the General Bylaw for Natural Resources Advisory Committee; and move and insert these articles in the special fall town meeting.**

**Roll Call Vote: 5-0**

There were a few more discussions on some articles and the warrant needs to be closed and sent to print by May 11, 2022.

F. Wellfleet Code of Conduct ~ Ryan Curley, Chair

**Chair Curley poled the board asking if this agenda item could be moved to another meeting. It was agreed that due to the late hour this item would be taken up at another meeting.**

**XI. *Selectboard Reports***

Board Member DeVasto announced there will be a “meet the candidates forum”

**XII. *Town Administrator's Report***

Sumner stated that he didn't have anything new to report that he hadn't reported to them throughout this meeting.

Wilson questioned Sumner if he would be serving as the TA through town meeting, Sumner explained that the New Town Administrator will start after Memorial Day but Sumner will be working part time with the administrator to help make the transmission easier.

**XIII. *Topics for Future Discussion***

Wilson stated she would like to discuss the summer issues for Wellfleet.

**XIV. *New Business***

A. Topics not reasonably anticipated by the Chair more than 48 hours before the meeting

B. There was no new business to discuss.

**XV. Correspondence and Vacancy Reports**

Please see the packet for full reports.

**XVI. Minutes**

March 17, 2022

March 21, 2022

March 22, 2022; 1pm

March 22, 2022; 6pm

**Chair Curley Moved; Board Member Seconded, and it was voted to approve the minutes of the above dates as printed in the packet.**

**Roll Call Vote: 4-0-1 (Wilson Abstained)**

**XVII. Adjournment**

**Board Member Wilson Moved, Board Member Wolf Seconded; and it was voted to adjourn.**

**Roll Call Vote: 5-0**

**Meeting Adjourned**

**\*\*\*Public Records\*\*\***

- **Applications for use of town property (Cahoon Hollow, Memorial Garden, Gull Pond)**
- **Application for town committee or board**
- **Business Licenses**
- **Shellfish Grant License Hearing notices**
- **Open meeting Law complaint, KP Law answer regarding complaint**
- **Leeside Café Contract for Newcomb Hollow Beach**
- **Letter with maps from Mac Hay to have tent at Mac's Shack on Commercial Street**
- **Wellfleet Oysterfest Application**
- **2022 Draft Annual Town Meeting Warrant**
- **2023 Town budget**
- **Meeting Minutes**



## SELECTBOARD

AGENDA ACTION REQUEST  
Meeting Date: May 10, 2022

XIII

### ADJOURNMENT

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