



WELLFLEET SELECTBOARD

Note: Start Time of 7pm

The Wellfleet Selectboard will hold a public meeting on **Tuesday, August 10, 2021, at 7:00 p.m.** This meeting will be held via **Zoom Video Conference** in accordance with the temporary suspension and enhancement of the Open Meeting Law requirements by Governor Baker. Instructions for a Zoom video conference meeting which also allows phone dial-in are given below:

Join the meeting hosted in Zoom by using the following link:

<https://us02web.zoom.us/j/85689604806?pwd=blplVFFBZzViQ0xNWkZKMm9iMVdrdz09>

1. 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.
 2. 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.**
 3. You may submit questions and comments to the Town using the following email: executive.assistant@wellfleet-ma.gov Comments made during the meeting via e-mail will be sent to Selectboard members AFTER the meeting.
 4. 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.
 5. **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.
 6. 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. *COVID-19 Updates and Recommendations*

III. *Financial Management Workplan*

A. Town Administrator and Town Accountants will give updates to the Board regarding the town's financial management workplan.

IV. *Licenses*

A. Chequessett Yacht & Country Club ~ Weekday Entertainment ~ Thursday's 5-7pm

V. *Use of Town Property*

A. Willie's Superbrew ~ Alice Gong ~ Various Beaches to cleanup ~ September 18, 2021, 1-3pm

B. Porchfest ~ Andrew Staker ~ Various street and the Pavilion ~ August 28, 2021 ~ 1-5pm

C. Paul Frisco ~ Basketball Courts ~ Friday & Saturday through September ~ 8-8:45am

D. Farm Project ~ Susie Nielsen ~ Town Pier, August 12, 2021, ~ 7-9pm;
Basketball Court ~ August 14, 2021, 7-9:30pm

VI. *Board/Committee Appointments and Updates*

A. Discuss and Approve fall tax insert ~ Taxation Aid Committee ~ Dawn Rickman

B. George Harris ~ Commission of Disabilities (3year term); Council on Aging (3 year term)

C. Susan Baker ~ Historical Commission (3 year term)

D. Bike & Walkways Presentation ~ Peter Cook

VII. *Business*

A. Discuss and Vote to submit the Home Rule petitions approved at the June 26, 2021, Annual Town Meeting to state legislators"

B. Discussion of Fall Town Meeting ~ Chair Ryan Curley

C. Remote Participation Policy~review ~ Chair Curley

D. Discussion on Town Administrator Search ~ discussion on the process and when to begin

VIII. *Selectboard Reports*

IX. *Town Administrator's Report*

A. Please see Selectboard Packet for full report

X. *Topics for Future Discussion*

XI. *Correspondence and Vacancy Reports*

XII. *Minutes*

A. June 22, 2021

B. July 13, 2021

C. July 27, 2021

XIII. *Adjournment Open Session to go into Executive Session and not to return to open session.*

A. M.G.L. c.30A, Sec. 21-Effective July 1, 2010

- *To consider the purchase, exchange, lease or value of real estate, if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body.*

XIV. *Adjournment of Executive Session*



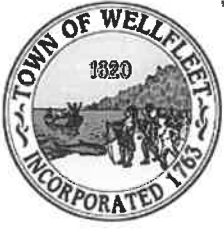
SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: August 10, 2021

II

COVID-19 UPDATES AND RECOMMENDATIONS

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



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: August 10, 2021

III

FINANCIAL MANAGEMENT WORKPLAN

REQUESTED BY:	Town Administrator and Town Accountants
DESIRED ACTION:	Update and discuss the progress with the town's financial management workplan
PROPOSED MOTION:	To be determined based on discussion
SUMMARY:	Charlie and Mary McIsaac will give the board and update regarding the town's finances
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____

WELLFLEET

Town of Wellfleet
300 Main Street, Wellfleet, MA 02667
508-349-0303
Mary.McIsaac@wellfleet-ma.gov
Wellfleet-ma.gov

Charles Sumner

Interim Town Administrator
300 Main Street
Wellfleet, MA 02667

Charlie,

In accordance with the workplan that was developed by our team and approved, my efforts encompass the forensic review of the accounts to reconcile to a year-end balance as of June 30, 2021. These reconciliations include, but are not limited to, a review of the BMSI documents that are currently available, Vadar transactional data and supporting documents, bank statements and departmental records. Two fiscal years at a minimum are being reviewed to confirm the June 30, 2021, balances.

As a result of Lisa and I commencing our efforts in earnest we have expanded our scope to include one-on-one guidance to town officials and employees as our work progresses and to prepare the year-end reports required by the DOR for setting the tax rate and certifying Free Cash.

This report is a summary of my efforts as of July 31, 2021. I'm happy to discuss the report in greater depth at your convenience.

Regards,

Mary McIsaac

Lisa and I have made significant progress over the last few weeks in the effort to go forward into FY22 while the forensic review continues to allow us to officially close FY20 and FY21 in VADAR and complete for submission the required annual reports. We cannot underscore the hurdles we face because of the Vadar conversion, multiple personnel changes, and accounting/reporting deficiencies.

Workplan specifics:

Cash Reconciliations- The review of Treasurer's Cash continues as we reconcile the Town's major funds, trust and agency accounts, special funds, and general fund cash. The Town's five (5) Stabilization funds and several additional funds have been reconciled thru June 30, 2021.

Maintaining Proper Vendor Records and Database- The comprehensive review of vendor records has been completed with W-9's inventoried/updated and Vadar updated.

Recording Inter-Fund Transfers and the Contribution to the OPEB Trust Fund- Transfers approved at Town Meeting have been verified for FY20, FY21, and FY22. The contributions to OPEB have been verified.

Co-mingling the Stabilization Funds and OPEB Trust Fund with Other Funds- A complete reconciliation of four Stabilization Funds namely General Stabilization, OPEB Stabilization, Maintenance Dredging Stabilization and Marina Enterprise has been completed thru June 30, 2021. Each Fund has been set up as a separate fund in Vadar.

A fifth Stabilization Fund, named the Capital Improvement Stabilization Fund and authorized at the Annual Town Meeting on 4/23/2018 was not set up. A new fund for Capital Improvement Stabilization has been set up in Vadar.

Maintaining a Budget Reconciliation and Accounting for the General Fund Budget- The review of FY20 & FY21 budgets in Vadar is substantially completed. For FY22, a new chart of accounts was created by Lisa Souve, entered in Vadar and the annual budget was entered. As a supplement to this process, all departments received a copy of their FY22 budget.

Reserve for Abatements/Overlay- An examination of the monthly abatement process and the reconciliation of FY20 & FY21 abatements is substantially completed. The FY20 Overlay, overstated by \$108, 314.26, has been corrected. The monthly abatement process has been reviewed with the Collector and the Assessor.

General Ledger Reporting and Maintenance- Numerous funds have been identified and reviewed as of June 30th, 2021. Correcting entries have been made to the funds and the process for monthly reconciliation of activity and fund balances is effective for July 2021.

I have performed my review of the following funds:

- OPEB Stabilization Fund
- General Stabilization Fund

- 
- Maintenance Dredge Stabilization Fund
 - Marina Enterprise Stabilization Fund
 - Capital Improvement Stabilization Fund
 - Taxation Aid Fund
 - Marina Donations
 - Escrow Funds
 - Chequessett Grange Xmas Fund

These funds were examined for FY20 & FY21 and June 30, 2021, balances have been confirmed.

Year-End Balances and Reports:

- Debt Service- The FY22 budget for debt service was verified against original schedules. The Statement of Indebtedness for FY21 has been reviewed and is uploaded into Gateway for signature.
A formal Debt Amortization Schedule was created which includes debt service requirements for the fiscal years 2022-2031 presented for the General Fund (Land Acquisition, Public Facilities, Public Infrastructure of Roads and Bridges/Landfill, Harbors and Waterways, Water and Wastewater & Departmental Equipment), and for the Marina Enterprise and Water Enterprise Funds. This document, updated annually, will be an important budgeting tool going forward.
- Outstanding Receivables- The final FY21 receivable reports and reconciliations have been obtained from the Collector and are being reviewed to reconcile the balances to the Vadar balances. Balances will be reviewed for the fiscal years 2020 & 2021. Upon a satisfactory review the Schedule of Outstanding Receivables will be completed and uploaded to Gateway.

Miscellaneous:

- Tax Lien Processing- The Collector has completed research and working with the Town's Tax Title attorney has confirmed the advertisement of delinquent taxpayers. We have reviewed the tax title process and have approved the draft advertisement which will appear in the Provincetown Independent on August 6th, 2021. Thereafter, takings will be recorded at the Barnstable County Registry of Deeds and the Collector will proceed to resolve other outstanding taxes and excises.



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: August 10, 2021

IV

LICENSES

REQUESTED BY:	Principal Clerk
DESIRED ACTION:	To approve the weekday entertainment license for the Chequessett Yacht & Country Club
PROPOSED MOTION:	I move to approve the weekday entertainment license to the Chequessett Yacht & Country Club for Thursday nights from 5pm to 7pm.
SUMMARY:	The club is looking to have live entertainment on Thursday evenings.
ACTION TAKEN:	Moved By: _____ Secoded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____

Thursdays From 5-7 pm



Town of Wellfleet
300 Main Street
Wellfleet, MA 02667

2021

BUSINESS LICENSE APPLICATION

Fee
BOH Fee 75.00
Processing Fee
TOTAL \$75.00

Business Name/Map/Lot: Chequessett Yacht & Country Club

Mailing Address 680 Chequessett neck Road

Town/State/Zip Wellfleet, Mass 02667

Business Street Address 680 Chequessett Neck Road, Wellfleet, Mass 02667

Business Telephone: 508-349-3704 Cell: 347-242-0256 Federal ID Number: 04-2722332

Manager Barry McLaughlin E-Mail Address: gmr@chequessettclub.com

LICENSE TYPE:

Annual

Seasonal

General

Charter Boat

Common Victualer

Sunday Entertainment

▶ Weekday Entertainment

Food Truck

Class II

Class IV

Automatic Amusement

Taxi

Driver

Trash Hauler

Retail Food

Food Service

Residential Kitchen

Catering

CMT

Inn

If applicant is an individual or partnership, please answer below:

a. Telephone _____

b. Name _____

c. Mailing Address _____

a. Telephone _____

b. Name _____

c. Mailing Address _____

If applicant is a corporation or trust, please answer below:

List the titles of all officers and manager:

Title Full Name Home Address

Trustee Gary Carter _____

Trustee Steve Roehm _____

Trustee Eleanor Livingston
Corporate or Trust Name Chequessett Yacht & Country Club Trust

Corporate Mailing Address 680 Chequessett Neck Road, Wellfleet, Mass 02667

Corporate Telephone 508-349-3704

Establishment is open 12 months a year. Total seating capacity 25 Take-out service only? NA
Name of Certified Food Handler (s) _____ P.I.C. _____

Does establishment have outside seating? Yes _____ Seating Capacity 25 Is area enclosed? No
If seating capacity are over 25, person Chokesaver Certified: _____

I certify under the penalties of perjury that I, to the best knowledge and belief, have filed all state tax returns and paid all State taxes under law. I further certify that in the conduct of this business I will abide by all Town bylaws and regulations.

K. M. [Signature] General Manager Chequessett Yacht & Country Club
*Signature of Individual or Signature of Corporate Officer w/Title (Mandatory) Corporate Name (Mandatory if Applicable)

04-2722332 Federal Identification No. July 12, 2021 Date of Application

*Approval of a contract or other agreement will not be granted unless this certification clause is signed by the applicant.
** Your social security number will be furnished to the MA Dept. of Revenue to determine if you have met tax filing or payment obligations. Providers who fail to correct their non-filing or delinquency will not have a contract or other agreement issued, renewed or extended. This request is made under the authority of M.G.L. c. 62C s. 49A.

Does establishment have a lockbox? No Fire Alarm? No Police Alarm? No

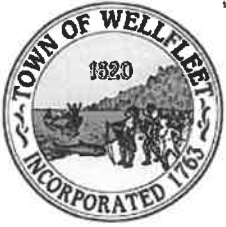
Alarm company name, number _____

FOR OFFICE USE ONLY BELOW THIS LINE

Department Head or Designee Signatures

Police	<u>Michael Hurley</u>	Date	<u>7/12</u>	Comment	<u>okay</u>
Fire	<u>Rick Paulley</u>	Date	<u>7/12</u>	Comment	<u>okay</u>
Tax	<u>Karen Murphy</u>	Date	<u>7/12</u>	Comment	<u>okay</u>
Building	_____	Date	_____	Comment	_____

Received 7/12/21 By (initials) [Signature] Fee Received 25 Insurance Date Issued _____



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: August 10, 2021

V

USE OF TOWN PROPERTY ~ A

REQUESTED BY:	Principal Clerk
DESIRED ACTION:	To approve Willie's Superbrew, Alice Gong to clean up various beaches on September 18, 2021, from 1pm -3pm
PROPOSED MOTION:	I move to approve Alice Gong from Willie's Superbrew the use of various Beaches around the Town of Wellfleet to do a beach cleanup on September 18, 2021, from 1pm to 5pm with no fee charged.
SUMMARY:	Alice Gong is looking to go to different beaches in Wellfleet and do a cleanup in the middle of September.
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____

APPLICATION FOR PERMIT TO USE TOWN OWNED PROPERTY

TOWN OF WELLFLEET
300 MAIN STREET
WELLFLEET, MA 02667

Applicant Alice Gong Affiliation or Group Willie's Superbrew

Telephone Number 508-246-6264 Mailing Address PO Box 639

Email address alice@superbrew.com Truro, MA 02666

Town Property to be used (include specific area) _____

Indian Neck, Mayo, Powers Landing, Duck Harbor, Great Island, Cahoon Hollow, Lecount Hollow, Newcomb Hollow, Whitecrest

Date(s) and hours of use: 9/18/21 1-3pm

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.

beach cleanup, 2-20 people per beach, no equipment, no food/bev, free event, see attachment

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

request DPW coordinate extra trash pick up at 3:30 pm

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:

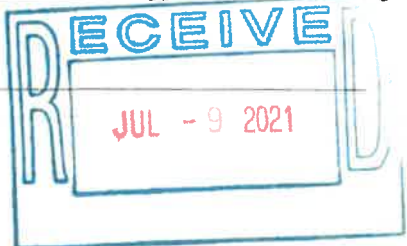
_____ Proof of Insurance Required

_____ Approved as submitted

_____ Approved with the following condition(s): _____

_____ Disapproved for following reason(s): _____

Date:



Processing Fee:

\$50.00

paid

Fee: _____


APPLICANT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND INSPECTIONS

Health/Conservation Agent: <i>Hillary Greenberg</i> Comments/Conditions: <i>okay</i> Permits/Inspections needed: <i>7/29/21</i>	Inspector of Buildings: Comments/Conditions: Permits/Inspections needed: <i>X</i>
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Police Department: <i>Mitiny de Trost</i> Comments/Conditions:	Fire Department: <i>OK</i> Comments/Conditions: <i>7-21-21</i>
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DPW: <i>Jay Norton 7/28/21</i> Comments/Conditions: <i>Trash receptacles will stay in place. Extra trash can be brought to the dump at no charge - coordinate in advance.</i>	Community Services Director: <i>Suzanne Thomas</i> Comments/Conditions: <i>okay 7/28/21</i>
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Harbormaster: Comments/Conditions: <i>X</i>	Shellfish: Comments/Conditions: <i>X</i>
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Recreation: Comments/Conditions: <i>X</i>	 A blue rectangular stamp with the word "RECEIVED" in reverse (mirrored) text. The stamp is partially obscured by a large blue "X" mark.
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[Willie's Superbrew](#) is organizing local volunteers to clean every single beach in Massachusetts **Saturday, September 18, from 1-3pm.**

Willie's is a hard seltzer company with its roots on Cape Cod and a pledge to donate 3% of profits to environmental causes.

Past Beach Cleanups

Cape Cod June 6-7, 2020

- 13 towns, Cape Cod National Seashore
- 95 beaches, 195 miles of beach
- 340 volunteers
- 1,400+ lbs of trash

South Boston November 1, 2020

- MA State Parks

[Long Island May 15-16, 2021](#)

- 19 towns/villages, Nassau and Suffolk County Parks, Fire Island National Seashore
- 92 beaches
- 1,000+ volunteers
- 20,000+ pieces of trash

What is a Superbeach Cleanup?

Willie's organizes local volunteers through web and social media to clean their local beaches. Here is our [Info and signup page](#) from May 2021's All Long Island Cleanup. (For reference only, we have not built the signup page yet for September 18, 2021)

Each beach will have one group leader who can then bring up to 20 friends to help clean that location from 1-3pm, Saturday, September 18.

Willie's will provide cleanup supplies upon request.

Groups must abide by our [Environmental & Safety Rules](#) and complete [post cleanup surveys](#) to tally collected trash. We will be updating the signup page, rules and cleanup surveys, as necessary for September 2021. Trash data for our MA Superbeach Cleanup will go to the [Center for Coastal Studies](#) in Provincetown.

Massachusetts Superbeach Cleanup 2021

Saturday, September 18, Willie's Superbrew would like to organize local volunteers to clean all the beaches in Massachusetts, including these beaches in **Wellfleet**.

Indian Neck

Mayo

Powers Landing

Duck Harbor

Great Island

Cahoon Hollow

Lecount Hollow

Newcomb Hollow

Marconi (I will contact NPS)

Whitecrest

We are hoping to work with all 53 coastal towns, the National Seashore and MA Department of Conservation and Recreation, to clean over 300 unique MA beaches!

Thank you so much for your time and assistance. Please feel free to call with any further questions. I am also available to attend zoom meetings to discuss the project.

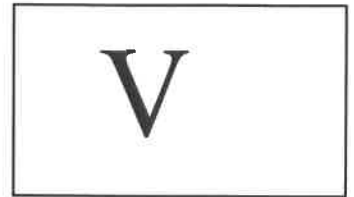
We really hope that we will be able to organize volunteers to clean **Wellfleet** beaches and make our MA Superbeach Cleanup truly statewide.

Best,
Alice



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: August 10, 2021



USE OF TOWN PROPERTY ~ B

REQUESTED BY:	Principal Clerk
DESIRED ACTION:	To approve the use of various streets and the pavilion on Mayo Beach on August 28, 2021, from 1pm – 5pm for Porchfest
PROPOSED MOTION:	I move to approve Andrew Stalker, for Porchfest the use of various streets in Wellfleet and the Pavilion at Mayo Beach on August 28, 2021, from 1pm to 5pm. With a fee of \$110 to be charged and the areas used to be left in the condition that they were found in.
SUMMARY:	The Porchfest is a self-guided musical walking tour through the heart of Wellfleet featuring local musicians playing on porches.
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____

APPLICATION FOR PERMIT TO USE TOWN OWNED PROPERTY

TOWN OF WELFLEET
300 MAIN STREET
WELFLEET, MA 02667

Applicant Andrew Staker Affiliation or Group Wellfleet PorchFest Committee
Telephone Number 914-325-7885 Mailing Address 160 Browns Neck Road, Wellfleet
Email address aistaker@gmail.com

Town Property to be used (include specific area)

Pavilion at Bakersfield

Date(s) and hours of use: August 28th 1:00 - 5:00 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.

The pavilion will be used for the first ever Youth Stage for the Wellfleet PorchFest. PorchFest is a self-guided musical walking tour through the heart of Wellfleet, featuring local musicians playing on porches. The youth stage will feature young musicians ages 10-18. The Youth Stage will be produced by Andrew Staker, WES Music Teacher and PorchFest Committee member. There is no fee for attending.

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

None

NOTE TO APPLICANTS: All applications must be accompanied by a non refundable \$50.00 processing fee. Applications must be received at least 30 days prior to the first event date to 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:

110.00

paid

(over)

APPLICANT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND INSPECTIONS

Health/Conservation Agent: Comments/Conditions: Permits/Inspections needed:	Inspector of Buildings: Comments/Conditions: Permits/Inspections needed:
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Police Department: Comments/Conditions: <i>OK M Hung 7-20-21 Spoke with organizers and will assist if needed</i>	Fire Department: Comments/Conditions: <i>OK [Signature] 7-21-21</i>
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DPW: Comments/Conditions: <i>Jay Norton okay 7/28/21</i>	Community Services Director: Comments/Conditions: <i>Suzanne Thomas 7/28/21 organizers to police the area if using Commercial Street.</i>
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Harbormaster: Comments/Conditions:	Shellfish: Comments/Conditions:
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Recreation: Comments/Conditions: <i>Rebecca Rosenberg okay 7/28/21</i>	Town Administrator: Comments/Conditions:
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SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: August 10, 2021

V

USE OF TOWN PROPERTY ~ C

REQUESTED BY:	Principal Clerk
DESIRED ACTION:	To approve the use of the Wellfleet Basketball Courts Friday and Saturday mornings through September to Paul Frisco
PROPOSED MOTION:	I move to approve the use of the Basketball courts to Paul Frisco on Friday and Saturday mornings from 8am to 8:45am through September. With a fee of \$200 to be charged.
SUMMARY:	The purpose for this is to build strength and cardiovascular endurance before the school sports year begins.
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____

APPLICATION FOR PERMIT TO USE TOWN OWNED PROPERTY

**TOWN OF WELFLEET
300 MAIN STREET
WELFLEET, MA 02667**

Applicant: Paul Frisco Affiliation or Group: N/A

Telephone Number 508-280-8426 Mailing Address 3025 Browns Neck Road EXT
Wellfleet, MA 02667

Email address wellfun101@gmail.com

Town Property to be used (include specific area) Wellfleet Basketball Courts by Mayo Beach

Date(s) and hours of use: Fridays & Saturdays 8:00am-8:45am

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.

Activity would be a bootcamp style fitness class. The purpose is to build strength & cardiovascular endurance

of people would depend on the success of the class. The range on estimate between 3-15 . Equipment would be mainly resistance bands and exercise mats. It is mostly a body weight based class. Parking would be at the Mayo beach parking lot . People bring their own water bottles and there will be no issue with any trash being left at the courts. I run a class at the Provincetown east end basketball courts Tuesdays and Thursdays. All of the students are very respectful and I do a final clean up before leaving. The class will cost \$20 per person

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

No town service requested

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):



Processing Fee: \$50.00

Fee: 200.

(over)

APPLICANT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND INSPECTIONS

Health/Conservation Agent: Comments/Conditions: Permits/Inspections needed:	Inspector of Buildings: Comments/Conditions: Permits/Inspections needed:
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Police Department: <i>Michael Hurley 8/2/21</i> Comments/Conditions: <i>okay</i>	Fire Department: <i>Rich Pawley 8/2/21</i> Comments/Conditions: <i>no issues</i>
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DPW: <i>Jay Norton 8/2/21</i> Comments/Conditions: <i>okay</i>	Community Services Director: Comments/Conditions:
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Harbormaster: Comments/Conditions	Shellfish: Comments/Conditions
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Recreation: <i>Becky Rosenberg 8/2/21</i> Comments/Conditions: <i>okay</i>	Town Administrator: Comments/Conditions
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SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: August 10, 2021

V

USE OF TOWN PROPERTY ~ D

REQUESTED BY:	Principal Clerk
DESIRED ACTION:	To approve the use of the town pier on August 12, 2021, from 7-9pm and the use of the Basketball Court on August 14, 2021, from 7-9:30pm
PROPOSED MOTION: SUMMARY:	I move to approve the use of the Town Pier on August 12, 2021, from 7pm to 9pm and the use of the basketball court on August 14, 2021, from 7pm to 9:30pm. To Susie Nielson of the Farm Project with a fee of \$110. This is an art project where they would like to project imagery onto the basketball court and at the town pier.
Project	Moved By: _____ Seconded By: _____ Condition(s): _____
VOTED:	Yea _____ Nay _____ Abstain _____

APPLICATION FOR PERMIT TO USE TOWN OWNED PROPERTY

TOWN OF WELFLEET
300 MAIN STREET
WELFLEET, MA 02667

SUSIE NIELSEN

Applicant FARM PROJECTS Affiliation or Group FARM // PROJECT PROJECT

Telephone Number 617.650.4800 Mailing Address PO BOX 1703

Email address SUSIE.NIELSEN@gmail.com WELFLEET 02667

Town Property to be used (include specific area) _____

BASKETBALL COURTS & TOWN PIER

Date(s) and hours of use: BB COURTS 8/14 7-9:30, PIER 8/12 7-9:00

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.

ART PROJECT, we would like to project
IMAGERY onto the BB COURT and at the town
pier as a art project. TWO different
artists (MEGAN HINTON & LIZ GIAMATTI) both
WELFLEET residents

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

none needed.

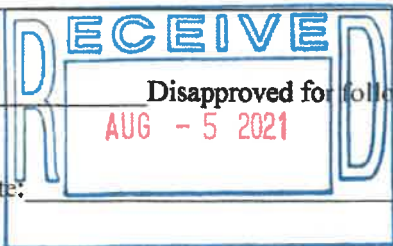
NOTE TO APPLICANTS: All applications must be accompanied by a non refundable \$50.00 processing fee. Applications must be received at least 30 days prior to the first event date to ensure that all reviews can be completed prior to the event. This application is only for permission to use Town property. 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:

_____ Proof of Insurance Required

_____ Approved as submitted

_____ Approved with the following condition(s): _____



Date: _____

Processing Fee: \$50.00 paid

Fee: 110.00

APPLICANT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND INSPECTIONS

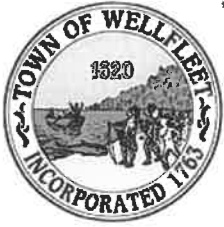
Health/Conservation Agent:	Inspector of Buildings:
Comments/Conditions: N/A	Comments/Conditions: N/A
Permits/Inspections needed: N/A	Permits/Inspections needed: N/A

Police Department:	Fire Department:
Comments/Conditions: <i>MAH 8-4-21</i>	Comments/Conditions: <i>Richard J. Pauley, Jr (H)</i>
<i>OK</i>	<i>OK</i>

DPW:	Community Services Director:
Comments/Conditions: <i>responsible for trash</i>	Comments/Conditions: <i>X</i>

Harbormaster:	Shellfish:
Comments/Conditions: <i>William Sullivan OK</i>	Comments/Conditions: <i>X</i>
<i>8/4/21</i>	
<i>responsible for trash</i>	

Recreation:	
Comments/Conditions: <i>OK</i>	
<i>8-4-21</i>	



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: August 10, 2021

VI

BOARD/COMMITTEE APPOINTMENTS AND UPDATES

A

REQUESTED BY:	Taxation Aid Committee ~ Dawn Rickman
DESIRED ACTION:	To approve the insert for the fall tax bills
PROPOSED MOTION:	I move to approve the insert from the taxation aid committee into the fall tax bill.
SUMMARY:	
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____

TAXATION AID FUND ASSISTS HOMEOWNERS WITH PROPERTY TAXES

- * For Wellfleet Homeowners age 55+ or disabled at any age, **AND**
 - * Low income below \$40,000 for single resident, or below \$55,000 for household
- Application is available from Town Treasurer, or download at www.wellfleet-ma.gov
Assistance filling out form is available through Council on Aging at 508-349-2800.

(Note – All information submitted is highly confidential)

TAXATION AID COMMITTEE IS ASKING FOR DONATIONS TO FUND

All money for the Taxation Aid Fund is through voluntary donations dedicated directly to the Fund, (not out of Town budget). The Fund is running low!! Please, can you help?

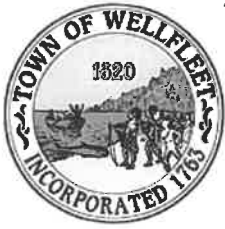
Make check payable to: "Wellfleet Taxation Aid Fund"

Mail with this insert to: T.A.F., Town Hall, 300 Main Street, Wellfleet MA 02667. Thank you!

Name _____

Addr _____

Amt \$ _____



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: August 10, 2021

VI

BOARDS/COMMITTEE APPOINTMENTS AND UPDATES B

REQUESTED BY:	George Harris
DESIRED ACTION:	To be appointed to the Commission of Disabilities and the Council on Aging
PROPOSED MOTION:	
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____



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

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

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

Name Dr. George Harris Date 7/12/21

Mailing Address 16 Leonard Avenue, Cambridge MA 02139

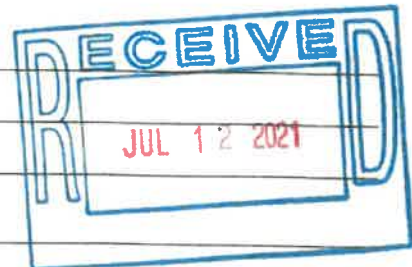
Phone (Home) 781-577-0042 (cell) 781-771-5559

E-mail glhjr1@gmail.com

Please describe briefly any work experience, including volunteer service, that you feel would be useful to the Town: Have worked in Social Services, Disabilities, Housing, Finance, Transit and Procurement in the public sector since 1996. Have experience with grants management, financial plans, and procurement. Experienced with Title 6 of the Civil Rights act and know paratransit requirements. Knowledge of HUD funding requirements and expert in 2 CFR 200. Previous was the Chairman of the Council on Aging in Lexington MA

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

I have a doctorate in business, have taken extensive training in grants management, ADA, procurement and financial management and planning. I have a C.P.M. and CPCM for procurement/acquisition and am certified arbitrator.



- Committees/Boards of Interest: 1) Finance
2) Disabilities
3) Council On Aging



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: August 10, 2021

VI

BOARD/COMMITTEE APPOINTMENTS AND UPDATES

C

REQUESTED BY:	Susan Baker
DESIRED ACTION:	To be appointed to the Historical Commission
PROPOSED MOTION:	I move to appoint Susan Baker to the Historical Commission for a term to end June 30, 2024. To be sworn in by the Town Clerk Jennifer Congel as soon as possible and read all the rules and regulations to be on a town committee or board.
SUMMARY:	
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____



TOWN OF WELLFLEET
APPLICATION FOR TOWN BOARDS & COMMITTEES MEMBERSHIP

to the rising sea levels in Salem's historic neighborhood districts. Wellfleet depends on its citizens to carry out many of our government's activities. Your community needs your help. *Please volunteer.*

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

Name Susan H. Baker Date July 22, 2021

Mailing Address P.O. Box 51
Wellfleet, MA 02667

Phone (Home) _____ (cell) 508-932-1296

E-mail susanbaker.180@gmail.com

Please describe briefly any work experience, including volunteer service, that you feel would be useful to the Town: I currently work in curatorial, collections and historic preservation for the House of the Seven Gables in Salem, MA

a National Historic Landmark District. I am a member of Preservation Partners, a group of preservation organizations and the city of Salem. In that capacity I've been heavily involved in planning for climate change adaptations to the built environment in response to climate change and rising sea levels. I have past experience working at Historic New England, the Peabody Essex Museum, the Lynn Museum, and the Schlesinger Library at Harvard. I served on Manchester, MA Master Planning Committee.

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

I graduated from Skidmore College, have an MBA from Fordham's University, and a Master's degree from Harvard University in Museum Studies.

I work part-time and live in Wellfleet as a full-time resident.

Committees/Boards of Interest: 1) Historical Commission
2) _____
3) _____



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: August 10, 2021

VI

BOARD/COMMITTEE APPOINTMENTS AND UPDATES D

REQUESTED BY:	Bike & Walkways Committee
DESIRED ACTION:	To present to the Board the report that the committee has been working on.
PROPOSED MOTION:	To be determined
SUMMARY:	
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____

Analysis of Alternative Bikeway Routes through Wellfleet to Truro



PREPARED FOR TOWN OF WELLFLEET SELECTBOARD
BY WELLFLEET BIKE & WALKWAYS COMMITTEE

05 AUGUST 2021

bikeandwalkways@wellfleet-ma.gov

Table of Contents



Executive Summary	3	<i>Calculating scores & ranking</i>	25
Introduction	3	<i>Assumptions</i>	27
Purpose of study	5	<i>Study limitations and risk mitigations</i>	27
<i>Problem Statement</i>	5	Results & discussion	28
<i>Vision statement for this study</i>	5	<i>Bikeway alternatives analysis</i>	28
<i>Mission statement for this study</i>	5	<i>Problems with State’s proposed route</i>	35
Background	6	Recommendations	39
<i>Town of Wellfleet</i>	6	<i>Best Bikeway Route options</i>	39
<i>State & regional studies for a bikeway in Wellfleet</i>	6	<i>Recommendations regarding the State plans</i>	44
<i>Stakeholders</i>	8	<i>Next steps</i>	46
<i>Opposition to the State’s proposed bikeway</i>	9	Conclusion	49
<i>Need for analysis of alternative routes</i>	12	References	51
Bikeway planning principles	12	Appendices	
<i>Types of bikeways & paths</i>	13	<i>Appendix A. Town-State correspondence regarding</i> <i>Rail Trail Extension</i>	53
<i>Types of bikeway users</i>	13	<i>Appendix B. Resource documents for bikeway</i> <i>planning principles</i>	56
<i>The value of bikeways</i>	14	<i>Appendix C. Bikeway analysis goals, objectives,</i> <i>criteria</i>	58
<i>Bikeway planning considerations</i>	15	<i>Appendix D. Suggested route alternatives</i>	63
Bikeway study analysis method	18	<i>Appendix E. Bikeway analysis segments</i>	67
<i>Employing Analytical “Best Practices” and Local</i> <i>inputs</i>	19	<i>Appendix F. Description of bikeway analysis</i> <i>calculations</i>	73
<i>Selecting Alternatives to be evaluated</i>	20	<i>Appendix G. Bikeway analysis raw criteria scores</i> ...	77
<i>Defining Goals, Objectives, & Criteria</i>	22	<i>Appendix H. Bikeway analysis calculated scores</i>	82
<i>Weights of Goals, Objectives, & Criteria</i>	23		
<i>Numerical scoring of each criteria</i>	24		

Cover photo: Victor Rubdi

Executive Summary

The Town of Wellfleet Selectboard charged the Town Bike & Walkways Committee (BWC) to conduct an analysis of bikeway route alternatives through the town to connect the end of the Cape Cod Rail Trail in the south to the Town of Truro in the north.

The BWC reviewed state and federal guidelines and similar studies in other localities. The BWC engaged stakeholder agencies for their inputs and engaged the local public for recommendations regarding alternative routes and measures of success for a Wellfleet bikeway.

The BWC developed and applied a methodical, quantitative, and computational analysis method that is rigorous, comprehensive, detailed, objective, and systematic. The analysis processes and results are fully documented in this report.

RECOMMENDATIONS

Bikeway route from the Cape Cod Rail Trail through Wellfleet to Truro

The BWC proposes two options for the development of a Wellfleet Bikeway. These options address goals including safety, practicality, user experience, conservancy, and connectivity.

Option 1, Route Z is the highest-scoring bikeway option for Wellfleet (ranked 1st of 28 routes considered). It scores “excellent” and it serves all the intended users of the Wellfleet bikeway over its entire length. It is recommended by the BWC but faces resistance from the CCNS staff, who oppose any new bikeway within the Interior Department-owned CCNS.

Option 2, Route Q₂, is the highest scoring route that avoids the CCNS (ranked 17th of 28). It scores “acceptable” but it does not serve all the intended users of a Wellfleet bikeway over its entire length.

The combined DCR and MassDOT bikeway proposal scores lowest (ranked 28th of 28 routes analyzed).

Actions by the Wellfleet Selectboard:

DCR Rail Trail

- Reject the DCR project phase 2 beyond Old County Road.
- Advocate locating the Rail Trail terminus at Old County Road.
- Provide a transit stop and large-scale secure bicycle parking at the Rail Trail terminus.

MassDOT Route 6 reconstruction programs

- Reject a shared-use-path beside Route 6, replace it with a standard pedestrian sidewalk.
- Reject the work proposed on East Main Street.
- Advocate the following:
 - Ordinary pedestrian sidewalks along Route 6 (no shared-use-path)
 - Shoulder bike lanes along Route 6 near Main Street with painted buffers and removable barriers and/or bollards
 - Intersection safety improvement, but with no other construction on Main Street
 - Sharrows painted on Main Street indicating it is a share-the-road roadway
 - Improvement of the existing pedestrian trail on the south side of East Main Street

- Continue a pedestrian walkway further into Wellfleet using context-sensitive design
- Transit stops at the DCR Rail Trail terminus and at critical points on Route 6 and in town.

DCR engagement:

- Engage the DCR closely to end communication failures. Ask specific questions and obtain clear, direct answers from the DCR regarding all current and future DCR-related projects and plans affecting Wellfleet.

MassDOT and Stantec engagement:

- Offer a date and facilities for the 25% Design Public Hearing to take place in Fall 2021.
- Request the following design documentation: Design Justification Workbook, Alternatives Evaluation Matrix, and updated environmental impact determination.
- Consider bikeway solutions in the context of improving transit networks, with special attention to the planned affordable housing area at Lawrence Road and in any areas known to particularly attract seasonal workers.

Coordination with combined state agencies:

- Appoint a qualified person to report to the Selectboard who does not work on projects influenced by either of those agencies, and is not a member of the Selectboard, to act as the Town's conduit for clear and open communication with the DCR and MassDOT regarding ongoing and future plans and projects in Wellfleet.

CCNS engagement:

An unsuitable bikeway will not mark an end to the need to meet the region's interests. Work together with the CCNS staff to resolve their legitimate concerns and enable the most suitable bikeway route.

- Advocate standard methods to reduce negative impact, including native plantings, fences, and foliage barriers.
- Advocate environmentally friendly path surface-material options, particularly for any portions of a bikeway through the CCNS.
- Create a memorandum of agreement to formally address CCNS staff concerns and restrict further bikeway development within the CCNS boundaries.
- Work with the CCNS to explore the NPS and FHWA access programs and other opportunities.

Public communication:

- Increase transparency and communication with the public to encourage input and address public concerns.
- When a decision is made regarding the final bikeway route, it should be described in full, with the reasoning, advantages, and risk mitigations fully explained.
- Schedule the 25% design public hearing for the MassDOT Route 6 project after the end of the busy summer tourist season. Ensure it is well-advertised and residents are given ample opportunity to prepare and submit comments and questions ahead of the meeting.
- Ensure the public understands the 25% design public hearing is the final opportunity for meaningful input; no significant changes will likely occur to the design beyond then.

Introduction

Cape Cod's network of bikeways continues to expand; however, the Town of Wellfleet remains largely unconnected—a missing link. The Massachusetts Department of Transportation (MassDOT), and the Massachusetts Department of Conservation and Recreation (DCR), have proposed a connected set of bikeway routes through Wellfleet that faces strong public opposition, primarily over safety concerns but also over concerns about adversely impacting the town. This opposition highlighted the need for a more comprehensive look at the bikeway route options in Wellfleet. The Town Selectboard has charged the Bike & Walkways Committee (BWC) to work with the Cape Cod National Seashore (CCNS), the Towns of Provincetown and Truro and the Cape Cod Commission (CCC) to establish the continuation of the bike trail northward into Provincetown, and to prepare a plan for future bike and walking routes through the Town of Wellfleet.

With approval by the Selectboard, the BWC undertook a comprehensive study of potential bikeway routes proceeding from the Cape Cod Rail Trail through Wellfleet to Truro. This report presents the results of that study and the recommendations by the BWC to the Selectboard.

Purpose of study

PROBLEM STATEMENT

Are there any alternative bikeway routes through Wellfleet better than the unpopular route the state proposes?

The Cape Cod Rail Trail is Cape Cod's primary bikeway spine route. It extends along a former railway bed passing through southerly towns to South Wellfleet, where it terminates. The challenge is how to continue a primary bikeway through Wellfleet northward to Truro and then on to Provincetown at the Cape's northern tip.

VISION STATEMENT FOR THIS STUDY

To determine the best connecting route for bikers and pedestrians from the Cape Cod Rail Trail through Wellfleet to Truro.

MISSION STATEMENT FOR THIS STUDY

Use an objective numerical methodology to analyze route alternatives to plan a primary, or "spine," route through Wellfleet that extends to Truro from the Cape Cod Rail Trail intersection with Old County Road. The route will attract cycling and walking on the Outer Cape, promote the town's best interests, and accommodate an interconnected bicycle and pedestrian network linking the towns of Wellfleet, Truro, and Provincetown with the Cape Cod Rail Trail, Cape Cod National Seashore, and other destinations within the three communities.

Background

TOWN OF WELLFLEET

Wellfleet, Massachusetts, is an historic coastal village on Outer Cape Cod (also called the Lower Cape), renowned for shell fishing, beaches, art, architecture, natural beauty, and its sense of quiet solitude. Situated on a narrow, sandy peninsula thrusting into the Atlantic Ocean, more than 50% of Wellfleet's land area is managed by the National Park Service's (NPS) Cape Cod National Seashore (CCNS) and other conservation land trusts. Wellfleet's summer population swells approximately sevenfold as the town welcomes seasonal visitors attracted by its quiet seaside character, diverse cultural offerings, striking seaside landscape, and distinctive recreational opportunities.

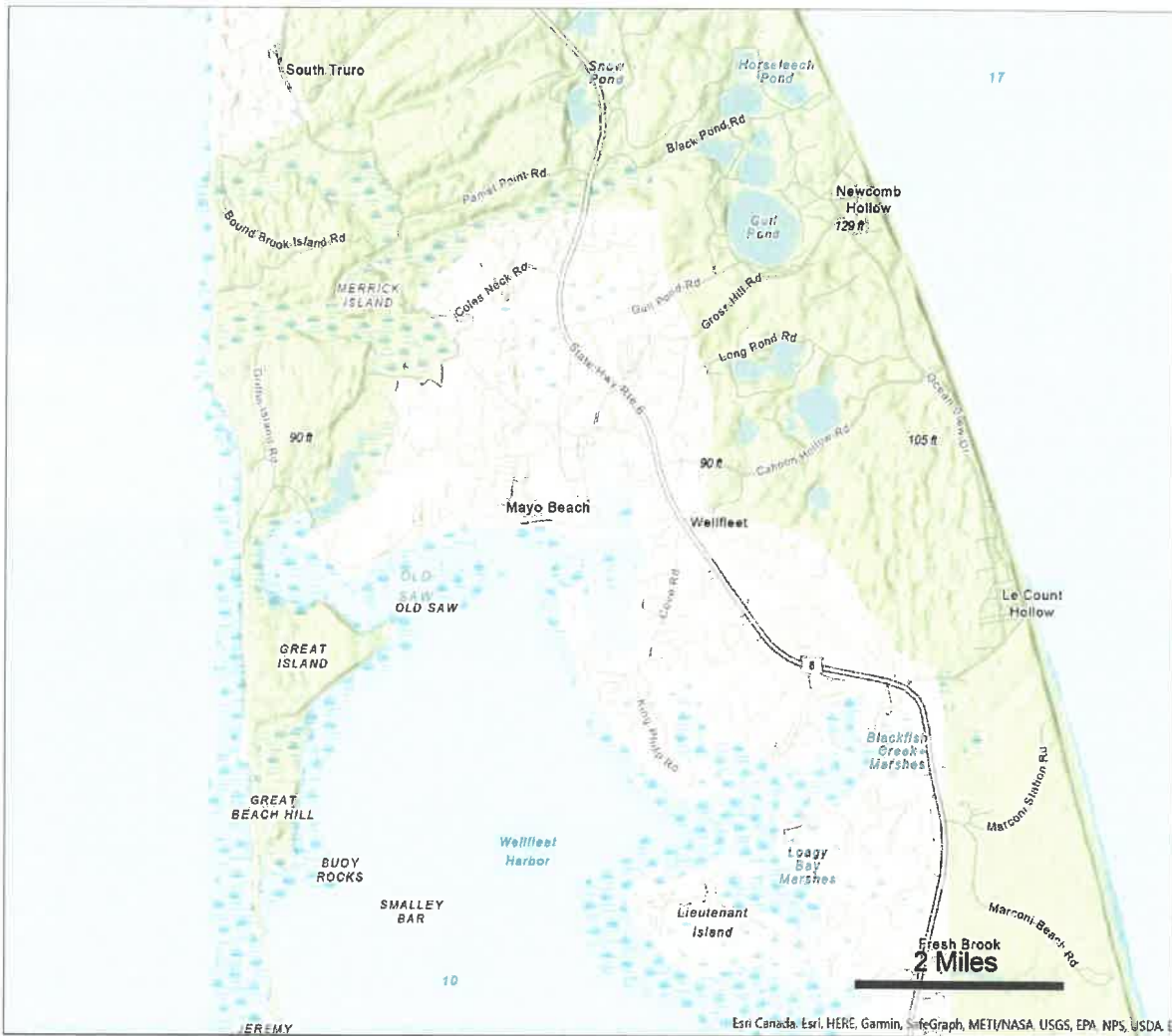


Figure 1. Map of Wellfleet. From ArcGIS

STATE & REGIONAL STUDIES FOR A BIKEWAY IN WELLFLEET

Since 1970, numerous conceptual and feasibility studies of bikeway alternatives in Wellfleet have been conducted with federal, state, and regional sponsorship. Bikeway corridors have been proposed and

debated, typically with the determination that further study is required. Three noteworthy studies—and their main points—are:

Parkwide Bicycle Trail Study and Traffic Safety (CCNS, 1987)

- “Significant increases in population and tourism in the last 30 years on the Cape have resulted in traffic congestion and bicycle/vehicle conflicts on existing roads, especially on US 6--the only major highway on the Lower Cape.”
- Public survey results indicate preference for a shared-use path located away from Route 6.
- Proposed solution: A separated two-way shared-use path beside Route 6 from Wellfleet to Provincetown was the easiest option in terms of right-of-way, although the report concedes this will not serve hikers or casual cyclists. “Sight-seeing and pleasure riding would be secondary uses” and typical users would be “long-distance riders and touring groups.”
- Safety is noted as a primary concern along Route 6 because of multiple at-grade crossings and the proximity of heavy motor vehicle traffic. The report also notes highway noise, traffic exhaust, and other stressors will affect the route negatively. The report does not recommend any solutions to these issues, it merely states them as facts of the situation.
- 2nd proposed option: A bikeway spine route using town-owned fire roads and/or within the CCNS, away from Route 6 to improve safety, provide a better user experience, and prevent adverse impacts to Route 6 traffic flow. However, right-of-way complexity makes this a runner-up to the Route 6 recommendation.

Integrated Bicycle Plan for Cape Cod: Bicycle Feasibility Study in Partnership with the Cape Cod Commission (CCNS, 2010)

In which the CCNS identifies the need to:

- Improve bicycle and pedestrian access to destinations and attractions within the CCNS.
- Enhance safety by eliminating the need for bicyclists and pedestrians to travel along Route 6.
- Provide a transportation alternative to facilitate non-motorized mobility and access to a significant number of Outer Cape destinations, thereby reducing traffic congestion, parking demand, and the associated environmental and sensitive land impacts.
- Develop a plan to incorporate walking and bicycle paths, dirt roads, and trails owned by the Town, the CCNS, and private conservation groups into one coherent system.

Outer Cape Bicycle and Pedestrian Master Plan (CCC, 2017)

The Outer Cape Bicycle and Pedestrian Master Plan (OCBPMP) states:

- “More detailed evaluation of possible route designs between the Wellfleet railbed and the Route 6/Main Street area in Wellfleet is needed. ... given public concern about this portion of the primary route, the project team recommends further study to identify the most suitable option” (CCC, 2017, pp. 42-43).
- “Further study is needed to identify the best route for bicyclists” through Wellfleet (CCC, 2017, p. 47).
- No impact analysis was performed on several options within the CCNS lands. Upon recommendation from the CCNS staff, those routes were pre-emptively designated as

“considered and dismissed” before the CCC analysis was conducted. The CCNS cited potential “implementation difficulties” that would require “invoking the federal rulemaking process,” and recommended seeking a suitable bikeway that “simplifies the implementation process” (CCC, 2017, p. 36-37).

STAKEHOLDERS

Development of a Wellfleet bikeway is influenced by several government agencies and other organizations within the state and local community. The BWC reached out to engage all the government agencies listed below and sought public input as this study was performed:

Table 1
Wellfleet bikeway stakeholders

Category	Description
Town of Wellfleet government departments	Town Administrator Police Department Fire & Rescue Department Department of Public Works (DPW) Recreation Department Beach Department Council on Aging
Town of Wellfleet boards & committees	Selectboard Bike & Walkways Committee Planning Board Conservation Commission Historical Commission Library Trustees Wellfleet Elementary School Committee
Neighboring town committees	Truro Bike and Walkways Committees Provincetown Bicycle Committee
Regional agencies	Cape Cod Commission (CCC) CCC Metropolitan Planning Organization (MPO) Region D representative
State agencies	Massachusetts Department of Conservation and Recreation (DCR) Massachusetts Department of Transportation (MassDOT)
Contractors	Designers (Stantec) Construction companies
Federal agencies	Cape Cod National Seashore (National Park Service)
Members of the public	Wellfleet residents Owners of property abutting proposed bikeway routes Wellfleet business owners Neighboring town residents Seasonal workers Visitors/vacationers

OPPOSITION TO THE STATE'S PROPOSED BIKEWAY

Proposed bikeway route

The Cape Cod Rail Trail, built and maintained by the DCR, utilizes a rail bed right-of-way on much of Cape Cod. The available rail bed right-of-way ends where it meets Route 6 in Wellfleet. The DCR plans to terminate the Cape Cod Rail Trail bikeway in a large terminus parking lot alongside Route 6 in Wellfleet. (Wellfleet Town Media, 2020).

Continuing from the DCR Rail Trail terminus on Route 6, MassDOT proposes several bikeway features proceeding along Route 6 to the Route 6-Main Street intersection approximately ½ mile away, including 1) a pedestrian sidewalk on the west side of Route 6; 2) a ten-foot wide shared-use bicycle/pedestrian path on the east side of Route 6; and 3) shoulder bike lanes on both sides of Route 6 which will proceed northward to Truro. Turning toward Wellfleet's village center, MassDOT plans to widen and reconstruct the first 450 feet of Wellfleet's quaint Main Street to accommodate shoulder bike lanes and a sidewalk, which will widen the Main Street corridor approximately 17 feet. The Main Street cycle and pedestrian facilities will terminate after 450 feet (Wellfleet Town Media, 2020).

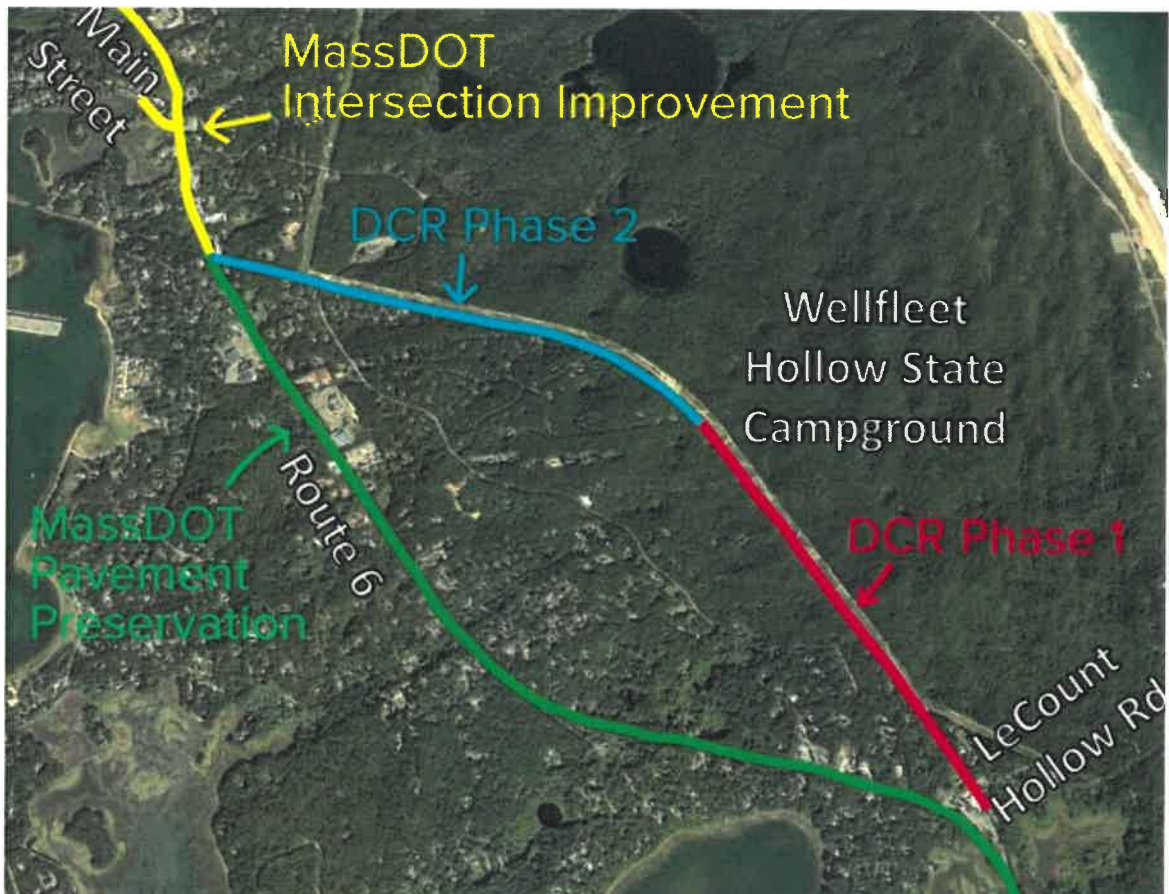


Figure 2. DCR and MassDOT plan for bikeway and pedestrian accommodation. From MassDOT & DCR presentation to Selectboard (March 10, 2020)

Overview of public opposition to state plan

The DCR and MassDOT bikeway plans have generated strong local opposition over concerns regarding public safety, environmental impact, and the negative effect on Wellfleet's character. The main arguments are summarized as follows:

- *Safety*- it is dangerous and impractical to encourage increased bicycle and pedestrian traffic along a congested, accident-prone stretch of highway. Although it is a rural area, that section of Route 6 crosses a dense cluster of high-traffic commercial driveway curbs-cuts. This creates a dangerous situation for drivers, cyclists, and pedestrians alike.
- *Environment*- the DCR plans have already proceeded and removed many trees (which some members of the public consider excessive); the MassDOT plans will have direct impact to the Duck Creek marsh, including construction within the bounds of the marsh and tree removal within the marsh border, as well as tree removal on the affected private properties.
- *Town character*- Wellfleet is a small, rural community noted for shell fishing, artists, and services to summer visitors. In order to maintain and enhance this careful balance, bikeway designs must consider local context. The MassDOT plan has been criticized as both overly "suburban" and an attempt to "urbanize" Wellfleet. In fact, MassDOT has formally designated the small fishing village's roadways as "Urban Arteries" for program justification purposes.

At the Annual Town Meeting in April 2019, town voters voted nearly unanimously to approve Article 44 requesting the Selectboard to "...consider alternate routes for the Bike Trail Extension and to ask appropriate agencies of the Commonwealth to halt any planning or construction beyond Old County Road until those deliberations have occurred." The Town Meeting vote was followed by a petition sent in November 2019 to Governor Baker with 1,327 signatures opposing the state's bikeway plans in Wellfleet and requesting alternative routes be evaluated (Concerned Citizens, 2019). With further input from Cape Cod's state legislators, the state agencies delayed their project plans while the town prepared subsequent steps.

Town-State correspondence

On 26 Aug 2020, the Town of Wellfleet Selectboard sent a letter to Governor Baker calling the DCR's bikeway plans in Wellfleet "a serious ongoing public safety concern" and stating, "we request DCR postpone any further construction or planning of the bike trail extension beyond Old County Road" so that the town, state agencies, and others could "seek alternative routes and safely continue the Cape Cod Rail Trail through Wellfleet" (see Appendix A1).

Subsequently, on 24 Sep 2020, the DCR Commissioner sent a letter to the Selectboard Chair. With respect to extending the Cape Cod Rail Trail from Wellfleet Hollow Campground to a new terminus on Route 6, the DCR Commissioner wrote, "we have placed those plans on hold at this time." Regarding alternative routes, the DCR Commissioner wrote, "while we appreciate your desire to explore alternative shared-use pathway routes..." DCR "would defer any feasibility studies to the Town and other parties" (see Appendix A2).

Current project status

It is important to note that, although the state agencies' projects would create a continuous bikeway in Wellfleet, the DCR and MassDOT portions of the project are managed as separate efforts. They have coordinated their project schedules, but they have separate budgets and resources.

DCR project – paused but ready to move forward

At the time of this report (August 2021), the DCR Rail Trail Extension is being constructed from the Rail Trail's former terminus in South Wellfleet as far as the DCR-operated Wellfleet Hollow Campground in Phase 1 of their project (see Figure 2). The DCR has also begun construction at the site of their planned Phase 2 terminus, miles away from Phase 1 construction, removing trees and buildings and leveling the proposed terminus parking lot area. According to the DCR (Wellfleet Town Media, 2021), this construction at the Phase 2 parking lot site is not related to the paused Phase 2 portion of the project, and Phase 2 is not yet included in DCR's near-term plans. However, the DCR advocates carrying on with Phase 2 as proposed, despite the strong and consistent public opposition it continues to generate.

MassDOT project – nearing 25% design review, which will finalize basic design

The MassDOT proposal, interchangeably called the "Route 6 Pavement Preservation" project and "Route 6/Main Street Intersection Improvement" project, is currently at the 25% design phase. Though the design has met significant opposition, advocates of the plan continue to apply pressure to move forward based on incomplete information.

These misleading arguments (and important rebuttals) are as follows:

"This is only the 25% design" – The "25% design" nomenclature is misleading. According to MassDOT's Design Process Flowchart, at the end of the 25% design phase, the major details of the design plan are final; all subsequent design changes refer to engineering specifications. Once the 25% design is approved, the project will move to the 75% design phase (construction details) and then the 100% phase, which finalizes cost estimates, etc. (MassDOT, 2006, p. 79). The upcoming 25% Design Public Hearing is the final opportunity for meaningful input and must be approached with the understanding that no significant changes will likely occur to the design beyond then. Unless the designer agrees to make changes and resubmit the design as a result of the meeting, the project will proceed with the current plans despite public opposition.

"Wellfleet could lose \$10M in federal funding" – Projects like the MassDOT Route 6 reconstruction compete against each other regionally at the Cape Cod Commission for prioritization based on public need and readiness to move forward. This project is one of several on an integrated priority list of multi-year infrastructure programs on Cape Cod. The list is continually reviewed and edited through a well-defined programming process to ensure priority needs are met and programs are well-developed for execution; changes in programming schedules occur all the time. There is no "falling off the list" for a high-priority need (such as the Route 6/Main St intersection improvement); there is merely a schedule change within the list. MassDOT's newly expressed project urgency is a direct contradiction to their past behavior—they have spent years growing the project scope instead of implementing an intersection fix.

"Wellfleet could lose the opportunity to improve the Route 6/Main St intersection" – Opposing the current design will not eliminate the opportunity to improve intersection safety. The need for

intersection improvements is undisputed; the real issue is that over several years since the “urgent” safety need was identified, MassDOT has failed to implement any fixes. Instead, it has grown the project scope beyond recognition to an unrequested multi-million-dollar highway and bikeway based on availability of more federal tax dollars. MassDOT has designated Route 6 and East Main Street as “urban” arterial roadways, which gives the project different budget thresholds than the more appropriate “rural” designation.

“There is an option to end the project without changes to Main Street” – This is misleading. Any “option to end the project” will not be exercised by government agencies primarily motivated to obtain budget increases and federal transportation dollars. The funding opportunity, not the resultant shoulder bike lanes on East Main Street, seems to be the goal. Note that within the last year, MassDOT’s project cost estimate grew from approximately \$7M to \$10M.

“The design will tie into a future Town-planned sidewalk project” – It appears some in the Town Government are counting on the MassDOT project to succeed and are planning to refit Wellfleet’s narrow historic lanes—specifically beginning with Main Street up to East Commercial Street and West Long Pond Road —with suburban sidewalks. The MassDOT project seems welcomed by some as the beginning of a longer-term roadway overhaul in Wellfleet with hopes for more federal funding. Again, the motivation seems to be agency and project budget growth rather than the interests or wishes of Wellfleet’s residents and visitors who expressly oppose this kind of heavy-handed development.

NEED FOR ANALYSIS OF ALTERNATIVE ROUTES

Careful consideration of prioritized needs is critical to ensure a bikeway is a worthwhile investment and an improvement rather than a hindrance to a locality. Past bikeway feasibility studies for Wellfleet recommended further evaluation is needed. The state’s bikeway proposals near Route 6 have received continuous and well-documented opposition from Wellfleet residents who must live with the consequences of the resultant bikeway and pedestrian facilities.

The Selectboard’s charge to the BWC to conduct this study arises from the need to:

- Complete the detailed evaluation called for by previous bikeway studies, resulting in a comprehensive view of the Wellfleet bikeway issue supported by both objective data analysis and real-world context.
- Create transparency and build public trust in the bikeway planning process.
- Provide actionable recommendations for the Town to proceed with regards to state proposed plans.
- Engage with other agencies to identify positive, realistic, and workable next steps in pursuit of a Wellfleet bikeway.

This report is provided as a tool to strengthen the Selectboard’s position in dealing with the state and other agencies as they determine how to proceed.

Bikeway planning principles

This report builds upon previous regional studies conducted by the CCC (2017) and the CCNS (2010), both of which were developed with inputs by state agencies, and which cite state and federal guidelines.

The BWC recommends reading those reports for their wealth of relevant material not repeated here. As an extension of those previous efforts, this local town study follows the same guidelines. The BWC also reviewed a large and diverse collection of bikeway studies conducted in various municipalities around the US and in Europe. For a full list of those resources, see Appendix B. The following fundamental points are worth highlighting.

TYPES OF BIKEWAYS & PATHS

Shared-use path

Also called a multi-use path in the OCBPMP. These are broad two-way paths separate from roadways with minimal vehicle crossflow, supporting the needs of cyclists, pedestrians, and diverse other types of users (CCC, 2017; MassDOT, 2006). For example, Cape Cod Rail Trail. Minimum 10' wide (MassDOT, 2020).

Shoulders

Bike lane borders are painted on the paved shoulders of the road. Each shoulder accommodates one-way bike traffic. Such lanes accommodate cycling but do not provide physical safety protections except a painted border and or painted buffer area (CCC, 2017), and sometimes bollards and/or physical barriers. They are sometimes accompanied by sidewalks to accommodate pedestrians. Shoulder bike lanes are often preferred by long-distance, experienced cyclists, in part because they are less used by novice cyclists or families. Examples exist in north Wellfleet and Truro along Route 6. Minimum 5' wide (MassDOT, 2020).

Share-the-road

These pathways mix bicycle and vehicle traffic in the same lanes and are suitable for light-traffic secondary roadways on which motor vehicle traffic dangers are minimal. If the roadway is paved, "sharrows" are painted on the surface. Share-the-road accommodations are a particularly appropriate option where narrow roads do not allow for separate bike lanes, provided there is minimal cross-traffic from driveway curb-cuts and intersections (CCC, 2017). Collins Road in Truro is a fine example of a share-the-road bikeway; Collins Road also happens to be a potential end point for the Wellfleet bikeway.

Sidewalk

A path that borders a street that is intended for pedestrians, not other users (e.g., cyclists). These are often separated and protected from the road by a planted buffer area, a raised curb, or other physical barriers (MassDOT, 2006). There are many examples of sidewalks throughout Wellfleet.

TYPES OF BIKEWAY USERS

Bikeway users have varying needs and expectations from a bike path. Users often have different goals, biking abilities, and comfort levels on different path types. Users can be broadly divided into two groups—purposive and recreational—with similar needs but different priorities.

Purposive users

"Purposive" bikeway users are typically interested in arriving at a destination at a particular time with minimum delay or complication. They are also called "utilitarian" riders (CCC, 2017) or commuters, as

they generally use the bikeway to travel to work, class, or for other errands. Purposive users also include athletes seeking to achieve time or distance cycling goals; their cycling is goal driven rather than recreational. Purposive users prioritize direct and efficient routes with few interruptions, stops, speed changes, or features or hazards that interrupt their progress.

In Wellfleet, a purposive user category particularly mentioned by bikeway advocates is seasonal workers who may not have access to other transportation. There is no comprehensive data available showing the annual numbers of seasonal workers, the numbers who do/would bike to work, or where they live and work while in Wellfleet. This makes it challenging to determine their needs, but nonetheless they must be considered. It is worth noting that public transportation can be developed as a better alternative for this group.

Recreational users

“Recreational” bikeway users are typically interested in unhurried leisure experiences, often combined with social or exercise goals. They are typically tolerant of sharing the path with a diversity of user experience levels and abilities (CCC, 2017). They include inexperienced or occasional cyclists, walkers and joggers, skateboarders, parents with small children or pets, teenagers, walkers with visual or other disabilities, and people in wheelchairs or other conveyances that enable people with disabilities to use the path. They prioritize safety and a low-stress user experience and are generally less comfortable near high-volume motor vehicle traffic.

In Wellfleet, recreational cycling may include some travel through Wellfleet’s historic center but is likely to occur away from high-traffic areas. Wellfleet’s seniors and vacationing families are likely to prefer safe, low-stress trails like the Cape Cod Rail Trail, travelling with minimal vehicle cross traffic or other stressors.

THE VALUE OF BIKEWAYS

Environment and quality of life

Bikeways invite environmentally friendly transportation modes. Cycling and walking reduce reliance on internal combustion engines, promote clean air and water, and reduce carbon footprint. Cycling makes healthy exercise accessible to a diverse range of age and ability groups.

A well-planned and well-placed bikeway can improve public safety and lifestyle options for residents and visitors. Such a bikeway promotes safe and confident cycling transportation and can provide a quality improvement consistent with Wellfleet’s character, including environmental conservation. Such a bikeway contributes to an infrastructure that honors Wellfleet’s heritage and prepares it for the future.

Transportation infrastructure

Bikeways promote socioeconomic independence by contributing to an infrastructure that enables choice from a greater range of transportation options. A properly situated and designed bikeway enables people to make more efficient personal mobility choices from a greater array of good options.

MassDOT’s Healthy Transportation Policy (2013) is a call to improve biking, walking, and transit (e.g., public transportation) opportunities. In Wellfleet, seasonal workers and others with limited travel means could benefit from a safe transportation infrastructure that offers biking, walking, and public

transportation options. Wellfleet is also pursuing construction of affordable housing; a well-considered transportation network can play a key part in supporting that project.

Economic value

Investment in a properly developed and situated bikeway route linking Wellfleet with the other Cape Cod towns can pay off by increasing visitor volume without increasing congestion along motor roadways. Cyclists from other towns along the Cape will be more likely to visit Wellfleet if a safe, connected bikeway is well-planned to attract use and take advantage of Wellfleet's exceptional qualities.

Any economic gain will reflect the quality of the bikeway, not the amount spent on its construction; a high-stress bikeway that attracts few users will not generate return on investment. If Wellfleet is going to build a bikeway, then remember the key cost difference is not between a good route and doing nothing, it is between a good route and a bad route. "Cost per user" is an informative measure of successful infrastructure investment. It is poor economics to build an unsafe bikeway no one wants and few use. A lower cost high-stress bikeway is not a bargain compared to a more expensive popular bikeway that attracts thousands of cyclists (and keeps them off the roadways).

Equity

Bikeways promote socioeconomic equity when they embody the principle that everyone's transportation needs count. They achieve the greatest equity when they are designed and situated to attract use by—and accommodate the needs of—the most inclusive range of user groups.

In Wellfleet, the silent groups with underserved cycling needs include seasonal workers, children, the elderly, and those with accessibility limitations. Wellfleet's bikeway solution should serve the needs of those groups. A bikeway poorly situated, manifestly dangerous, or stressful does not lift up any segment of society.

BIKEWAY PLANNING CONSIDERATIONS

Bikeway feasibility and planning must be approached with a full sense of the local conditions and the needs of potential users. Research indicates the basic principles which indicate route feasibility include:

Safety

MassDOT's (2020) policies prioritize "safe, comfortable, and convenient" transportation solutions that "eliminate bicyclist [and] pedestrian fatalities and serious injuries." It is well-understood that motor vehicles pose a significant danger to cyclists; they are larger, faster, and even vigilant drivers may not see or react to a cyclist. Even at speeds as low as 30mph, a driver's cone of vision is significantly diminished, posing a serious risk of injury to any cyclist or pedestrian in or near the roadway (MassDOT, 2020). The safest bikeways physically separate users from motor vehicles. They employ distance or physical barriers and avoid areas for cross-traffic such as intersections and driveway curbs-cuts.

Complete separation, such as on shared-use paths like the Cape Cod Rail Trail, is not always an option. Bike lanes along roadway shoulders and share-the-road "sharrows" can be appropriate depending on the volume, speed, and crossflow of traffic (CCC, 2017). However, neither provides for pedestrian safety and neither is safe in heavy or fast-moving traffic, or where there are many instances of cross-traffic.

Curb-cut (driveway) density

A bikeway that crosses several high-use curb-cuts within a short distance poses safety hazards to both users and motor vehicle traffic. Such a convergence forces cyclists, pedestrians, and drivers together suddenly in the same space without awareness or ability to react appropriately.

Along the stretch of Route 6 in Wellfleet where MassDOT plans a shared-use path, there are many high-traffic commercial driveways within a short distance (CCC, 2017). The high-volume of summer traffic along Route 6 means drivers frequently must wait to turn into or out of these driveways. Those areas create risk of accidents when drivers misjudge the flow of traffic. Adding a shared-use path with cyclists and pedestrians will create added stress, distraction, and danger for all involved.

Public acceptance

Public acceptance is a key component of successful bikeway development (FHWA, 2015). As discussed above, a bikeway creates value if it is actually used. This use depends not only on the suitability of the completed bikeway, but also on the public enthusiasm and acceptance during the planning process. If the public knows local concerns have influenced the design, they are more likely to support (and be users of) the bikeway. To this end, public forums and other input are a vital part of the process.

Another factor in public acceptance relates to path user stress-levels. Several stress factors, including traffic proximity, noise, pollution, and the perception of safety, impact the public's willingness to use the bikeway. MassDOT (2006) indicates many users, particularly less experienced cyclists, recreational cyclists, the elderly, and children avoid high-stress routes. These are significant demographic groups in Wellfleet, so the planned bikeway needs to minimize factors that create stress and deter path use.

Accessibility

In consultation with the Cape Cod Commission, the BWC identified two fundamental features to consider for assessing accessibility for alternative routes: path grade angle and path width.

Path grade angle- Ideally 5 degrees or less (DCR, 2019), however steeper angles may occur over short distances, as detailed in DCR trail design guidelines, and as already exist on the Rail Trail and similar off-road bikeways in the state. Technical solutions are available to reduce steep grades when necessary (i.e., stair-stepping or switchbacks).

Path width- Ideally a bikeway has a minimum width of five feet width per direction of travel (MassDOT, 2020). The BWC thus used ten feet as a desirable width for a two-way separated bikeway, plus a two-foot-wide shoulder on each side. Other accessibility provisions are best addressed during the technical phase of bikeway design.

Practicality

A route's practicality is based on many factors during the planning and construction phases, and later concerning use and maintenance. Initially, practicality is dependent on features such as constructability, affordability, and the authorization process. The choice of the bikeway route will suggest agencies to be involved, and since there is considerable interest in finally completing a connected bikeway along Cape Cod, it is likely state agencies will have motivation and jurisdiction to contribute funding. Many construction details—surface materials, for example—are left to the design phase, and are expected to

follow state-of-the-art practices in keeping with the precedents set by the Cape Cod Rail Trail and other Cape Cod bikeways.

Practical considerations for a bikeway include the impact on roadway traffic. A shared-use-path across curb-cuts along the east side of Route 6 is likely to impact northbound traffic flow through Wellfleet and consequently to Truro and Provincetown. When the population of Wellfleet increases at least seven-fold in the summer, traffic increases accordingly, most evidently on Route 6. According to the Wellfleet Police Department, summer traffic on Route 6 is the primary cause of traffic accidents and fatalities in Wellfleet.

Finally, the practicality of a Wellfleet bikeway as a transportation route depends on usability as influenced by seasonal weather. In Wellfleet, a bikeway would primarily be useful from around mid-May to mid-November, when the weather is generally mild. Cycling is less practical during the Cape's long winters. In planning for purposive users, it must be considered that for roughly half of each year, biking and walking are less feasible transportation options.

Conservancy

A bikeway should be compatible with its surroundings, not damage them. Wellfleet attracts residents and visitors who value the town's distinctive qualities, and any changes to the local transportation infrastructure—including a bikeway—should consider the impact on the character of the area. The town's architecture and layout reflect its long history as a shell-fishing and sea-faring village. Tourism grew from the late 1800s to become a major economic force in Wellfleet due to its appeal as an historic, seaside village with natural and diverse cultural offerings.

Wellfleet property owners rightly wish to protect their private interests, and visitors generally do not wish to see Wellfleet's charms lost through poorly conceived infrastructure projects; Wellfleet's narrow historic lanes are not a congruous setting for paving new bike lane shoulders. Bikeway planning for Wellfleet must place a high priority on preserving the qualities that make Wellfleet special to both residents and thousands of annual seasonal visitors.

Wellfleet's geography and relationship with the CCNS create unique environmental conservation considerations. Wellfleet occupies a narrow portion of Cape Cod's outer arm, ranging from 1.5 to 5 miles in width (see Figure 1). The developed, populated area of the town is virtually surrounded by the CCNS, which has special protections. This layout allows for only a narrow corridor of potential bikeway routes, which makes it especially challenging to find a suitable connecting route to Truro. Even outside of the protected CCNS lands, tidal marshes and other fragile features border many roadways and must be considered where bikeway construction is proposed.

Demographics

A bikeway should be suited to the community it aims to serve. As a summer destination, Wellfleet's population is highly variable. The groups to consider in developing Wellfleet's bikeway include:

Seniors

Cape Cod's year-round resident population is older than the national and state averages (CCC, 2017). Seniors, especially those with disabilities or who need assistance, are more likely to use low-stress, safe trails for recreation. Many would be entirely excluded from unsafe or high-stress bikeways.

Young families

These include residents with children and the large influx of summer visitors. They include recreational bikeway users with widely ranging ages, skill and comfort levels. It is worth bearing in mind that interest in cycling—especially purposive cycling—often begins with recreational cycling at an early age. Recreational cycling teaches cyclists the skills and confidence they need. A bikeway that is safe for young families is a training ground for future skilled, confident cycle commuters (Biking About Architecture, 2016).

Seasonal workers

This group primarily includes young people, many of whom come from abroad and are only in Wellfleet for a few months. They are likely to use bikeways recreationally—to enjoy their time on the Cape—and purposively—for transportation to and from work. These workers sometimes misconstrue US conventions for pedestrian and bicycle traffic and are more likely to use what is considered the wrong side of the road (CCNS, 2010).

Athletes

Some residents and visitors already use the shoulders along Route 6 for cycling in Wellfleet. They are predominantly well-equipped and seemingly experienced. These individuals are considered purposive users and tend to avoid the Rail Trail because of congestion from pedestrians, families, and other slow-moving users (Wellfleet Town Media, 2020). They also tend to be confident and aware of “rules of the road” when riding near motor vehicles. Safety precautions are still critical—even when cyclists know the rules, drivers may not.

Motorists

Although not strictly bikeway users, the driving population has a direct impact on the safety of cyclists and pedestrians in proximity to the road. According to the Cape Cod regional transportation plan, an increasing percentage of drivers on the Cape are seniors experiencing declines in vision, reaction time, and “dividing attention between potential conflicts and traffic information” among other age-related deficiencies of which most elderly drivers are not self-aware (CCC, 2015). This increases the risk from mixing bikes, pedestrians, and motor vehicles—more so than in a location with a younger demographic profile. Additional driver-related dangers are introduced in the summer, with an influx of visitors unfamiliar with the area and perhaps unaware they need to look out for cyclists. Visitors are more likely to be distracted by navigating unfamiliar roads, finding directions, etc., which leaves less attention for noticing bikes and pedestrians along the roadside and in cross-traffic areas.

Bikeway study analysis method

The BWC’s analysis methods are presented to provide the study’s logical scheme, to establish the study’s validity and reliability, and to justify the chosen techniques.

EMPLOYING ANALYTICAL “BEST PRACTICES” AND LOCAL INPUTS

Fundamental Principles

The BWC analysis adheres to the fundamental principles while developing its analytical methods and identifying candidate bikeway routes:

The bikeway must:

- Use the extensive work of our regional, state, and federal stakeholder agencies as a guide.
- Embody the spirit of bikeway development accomplished so far on Outer Cape Cod.
- Promote cycling and public safety.
- Protect the environment, preserve the town’s character, and respect private property interests.
- Minimize disruptions, interference, and safety impacts on Wellfleet’s existing transportation network, particularly the primary motor vehicle traffic arteries upon which its residents and economy depend.

This analysis is anchored by qualities of sound research and analysis, and is:

- *Rigorous* - exhaustive, thorough, and accurate.
- *Comprehensive* - assessing all aspects of the alternative routes.
- *Detailed* - precise and careful.
- *Objective* - not influenced by personal opinions.
- *Systematic* - using a fixed methodology; all the route ideas received were evaluated using the same analysis criteria

Public engagement

The BWC engaged in open public interaction throughout the analysis process, including bi-weekly public Zoom meetings, with detailed meeting minutes posted online at the Town website. The BWC explicitly invited open discourse with the public in every meeting and repeatedly engaged the public for inputs regarding bikeway goals, objectives, and route recommendation. Respecting private property interests was an important objective of the analysis scoring methodology, and potential abutters were actively encouraged to provide input. In addition, the BWC collaborated with state and local agencies to ensure all stakeholder input was considered.

Transparency

Transparency was considered critical throughout the study, both to ensure objectivity and to enhance the usefulness of the study. The BWC applied an open, scientific approach to analyze every proposed alternative—regardless of its location—in an unbiased, replicable goals-based study that scores each specific alternative route using a universal set of goals, objectives, and criteria.

Key guidance sources

State and regional partners

These are the state and regional agencies which regularly propose and evaluate bike trail solutions on Cape Cod, including: MassDOT, the DCR, and the CCC, which are guided by US federal guidelines and MA state guidelines. The BWC study benefited greatly from these agencies’ wealth and breadth of

knowledge and experience. Two major lessons from studying these agencies' prior analytical approaches are 1) how crucial it is to apply a rigorous approach for evaluating alternatives against goals and 2) to invite community participation.

Successful municipal bikeways around the globe

The BWC reviewed published reports of municipalities and regional authorities across the US and in Europe who analyzed alternative bikeway routes. Whether considering crowded city streets, rough mountainous terrain, or pristine landscapes, these bikeway studies demonstrate the best results come from neutral objective approaches which carefully and rigorously consider all the alternatives against a set of carefully developed goals, objectives, and evaluation criteria, with abundant input from the community. The best analyses preserve traceability from high-level goals down to the lowest-level evaluation criteria.

Wellfleet bikeway stakeholders

These include the stakeholder agencies; the citizens of Wellfleet and other interested parties who have offered open meeting inputs, written correspondence to the Selectboard, and online written inputs to State agencies; the intended users of the bikeway, as represented through the Committee's research on community needs and preferences; the relevant Town of Wellfleet departments, boards and committees; other organizations with vested interests, such as the CCNS, the corresponding Bike & Walkways Committees in Truro and Provincetown, the DCR, MassDOT, and CCC.

SELECTING ALTERNATIVES TO BE EVALUATED

Selection of routes

Other bikeway studies emphasize the value of community participation. Recognizing that, the BWC invited the public to suggest routes for the bikeway. All alternatives considered in this analysis were proposed by members of the public, stakeholder agencies, or identified in previous studies. No alternative was eliminated from consideration.

No route alternatives in this study originated with BWC members, and committee members did not play favorites with the received suggestions. The identities of the individuals or agencies proposing each alternative remained anonymous throughout the study, allowing each route to stand on its own merits.

The proposed routes cover a wide range of territory and are considered representative of the reasonable options. The BWC scored the alternatives side by side in an unbiased analysis of their attributes, both good and bad.

A total of 32 alternatives were examined in this study (see Appendix D). Some suggested routes did not represent an end-to-end solution for a bikeway through Wellfleet. However, no suggestions were eliminated from the study and the four incomplete route suggestions—or more accurately “spurs” off the main route—were also assessed. There are 28 complete end-to-end routes referred to by randomly assigned letters (i.e., Route A, Route Z). Two routes, Q₂ and R₂, were added during the analysis as the data highlighted opportunities to refine the original Q and R routes (which are still included as Q and R).

Selection of segments



Figure 3. Map of Wellfleet bikeway analysis segments

Note. See Appendix E for details of each segment

To facilitate analysis, the proposed routes were broken into distinct pieces—called “segments”—based on natural split points. These include intersections where routes can take different directions, or at points where a trail changes enough to warrant being scored separately (e.g., where pavement ends).

Several of the segments are used in multiple routes. Some segments are not used in any route; the BWC included these because they appeared in past bikeway studies or because they are adjacent to route

alternatives. The BWC judged it valuable to score all potentially relevant segments so that, if other routes or spurs are proposed in the future, a baseline of analysis is already available.

There are a total of 115 segments analyzed in this study. They are referred to numerically (e.g., segment 1). The numbering is not assigned in any particular order.

DEFINING GOALS, OBJECTIVES, & CRITERIA

The BWC identified goals, objectives and scoring criteria within the following guidelines:

Goals

The BWC identified clear, non-overlapping goals to be satisfied by the route. These goals fully reflect the intent of the vision and mission statements and address the primary motives for determining the best possible path. There are five goals identified in this study:

- *Safety*. The hazards of exposure to motor vehicle traffic and bike path problems can be minimized.
- *Practicality*. The bike path will be reasonable to build and maintain, direct in its course, and with negligible adverse impact to traffic congestion on roadways.
- *User Experience*. The path will provide an interesting, satisfying, and supportive experience for all the diverse intended users, both recreational and purposive.
- *Conservancy*. The path will have minimum impact on private property and on Cultural, Scenic, Community, or Environmental areas or values.
- *Connectivity*. The path will facilitate high connectivity with cultural and community centers, off-path services, and off-path established scenic areas, with all the necessary infrastructure to promote wayfinding and encourage increasing usage.

Objectives

For each goal in turn, the BWC developed two to five specific objectives that mark progress to achieving the goal. The objectives represent all that is intended by the wording of the goal, and they do not overlap. There are 18 objectives derived from the study goals. Table 2 (below) includes an overview of the 18 objectives.

Criteria

For each objective, the BWC identified two to six criteria as measurable elements of success. Criteria are non-overlapping, and taken together, fully reflect how well an objective is met. These are the elements assessed, scored, and compiled to find the most suitable bikeway route. There are 60 criteria derived from the study objectives.

This study has preserved traceability between analysis goals and evaluation criteria, ensuring the criteria reflect the goals.

In this study, criteria are referred to by their goal, objective, a number (e.g., Criterion 1.a.1, Cr 1.a.2).

See Appendix C for a detailed discussion of the analysis goals, objectives, and criteria.

WEIGHTS OF GOALS, OBJECTIVES, & CRITERIA

The BWC assigned weights to goals, objectives, and criteria based on extensive research into bikeway planning best practices, MassDOT regulations, and past regional bikeway studies.

Rationale for goal weights

Each goal is weighted, with a total of 100 percentage points distributed across the five goals.

Safety is the most critical need expressed by the Wellfleet community, and is similarly emphasized in most bikeway studies reviewed by the Committee. It receives one-and-a-half times the weight of the next most important goals, at 30%.

The next three goals (Practicality, User Experience, and Conservancy) each address important points, and are weighted equally at 20% each.

Connectivity is a key element of the Mission Statement. It is a less analytically discriminating aspect of the study due to the close relative proximity of alternative routes on the narrow Outer Cape peninsula, so it is weighted less than the other goals, at 10%.

Objective weights

For each goal, its objectives are weighted, with 100 percentage points distributed across the objectives under that goal.

The following table summarizes the analysis goals and objectives, and their relative weights:

Table 2
Overview of bikeway analysis objectives

Goal	Objective	% of G	% of Tot
Goal 1: Safety			30%
	1.a: Limit exposure to traffic danger.	35%	
	1.b: Prevent accidents on path.	30%	
	1.c: Ensure intersection & road-share safety.	25%	
	1.d: Minimize risks to motor vehicle traffic.	10%	
Goal 2: Practicality			20%
	2.a: Promote constructability.	30%	
	2.b: Facilitate authorizations.	30%	
	2.c: Limit new traffic congestion.	15%	
	2.d: Ensure directness.	15%	
	2.e: Ensure reasonable maintenance reqs.	10%	
Goal 3: User Experience			20%
	3.a: Enhance usability.	30%	
	3.b: Share natural experiences.	25%	
	3.c: Accommodate areas for stopping along the path.	25%	
	3.d: Improve purposive user experience.	20%	
Goal 4: Conservancy			20%
	4.a: Protect the environment.	40%	
	4.b: Preserve the Town's character.	30%	

	4.c: Respect adjacent property.	30%	
Goal 5: Connectivity			10%
	5.a: Provide access to points-of-interest.	80%	
	5.b: Anticipate network improvement.	20%	

Calculating criteria weights

Overall criteria weights = Criteria weight x Objective weight x Goal weight

For example:

Goal 2 is 20% of the total

Obj 2.d is 15% of goal 2

Cr 2.d.1 is 70% of Obj 2.d

$20\% \times 15\% \times 70\% = 2.1\% \rightarrow$ Cr 2.d.1 makes up 2.1% of a route's overall score

A more detailed list of the weights of goals, objectives, and criteria is available in Appendix C. A list of all criteria with their relative weights within a route's overall score is available in Appendix F (Table F1).

NUMERICAL SCORING OF EACH CRITERIA

Scoring scale

Each criterion is scored on a 5-point scale ranging from low to high, where 1 is worst and 5 is best.

Table 3

Bikeway analysis criteria scoring scale

Score	Suitability	Description
1	Unsatisfactory	the segment/route fails to meet the intent of the criterion
2	Marginal	the segment/route demonstrates serious shortcomings and barely meets the intent of the criterion
3	Acceptable	the segment/route demonstrates a mix of shortcomings that make it acceptable in meeting the intent of the criterion, but is not a preferred solution
4	Excellent	the segment/route is generally suitable, with a few minor shortcomings in meeting the intent of the criterion
5	Outstanding	the segment/route is ideal—a "gold standard" solution
5	N/A	the criterion does not apply to the segment/route (this criterion does not impact the segment/route's suitability)

Some routes—or segments within routes—may fail to meet one or more criteria (scoring a "1" for those criteria). This is not considered an automatic disqualification from consideration, but preference is given to routes and segments with few failed criteria.

Scoring process

The scoring process for the criteria depended on how adequate data can best be obtained and whether the criteria was applied at the segment- or route-level.

Table 4
Bikeway analysis criteria scoring processes

Scoring process	Criteria type	# of Cr.	Criteria
BWC in the field	segment-level	38	1.a.1, 1.a.2, 1.a.3, 1.a.4, 1.b.1, 1.b.2, 1.b.4, 1.c.1, 1.c.2, 1.c.3, 1.c.4, 1.d.1, 1.d.2, 2.a.2, 2.a.3, 2.a.4, 2.a.5, 2.b.1, 2.c.1, 2.c.2, 2.d.2, 2.e.1, 2.e.2, 3.a.1, 3.a.2, 3.a.3, 3.a.4, 3.b.1, 3.b.2, 3.b.3, 3.c.2, 3.c.3, 4.a.1, 4.a.3, 4.b.2, 4.b.3, 4.c.2, 4.c.3
BWC using ArcGIS	segment-level	5	2.a.1, 2.b.2, 2.b.4, 4.b.1, 4.c.1
BWC, verified by Wellfleet Police Dept	segment-level	1	1.c.5
BWC, verified by Wellfleet DPW	segment-level	2	2.a.6, 2.b.3
BWC, verified by CCNS	segment-level	3	4.a.2, 4.a.4, 4.c.4
BWC using ArcGIS	route-level	11	1.b.3, 2.d.1, 3.b.4, 3.c.1, 3.d.1, 3.d.2, 5.a.1, 5.a.2, 5.a.3, 5.b.1, 5.b.2

Segment-level criteria scored in the field by BWC

38 criteria were scored in the field by BWC members. Each segment was inspected and then scored by two or more committee members to ensure objectivity and consistent application of the criteria.

Segment-level criteria scored using ArcGIS

Five criteria were scored using ArcGIS mapping software, which allows for detailed analysis of terrain and other features. Each segment was traced within the software and the returned data indicated the degree to which segments met each criterion.

Segment-level criteria scored using inputs from external agencies

Six criteria were scored in consultation with outside agencies. Representatives from the Wellfleet DPW, Police Department, and CCNS each worked with the BWC. As the numerical scoring proceeded with their inputs, the BWC invited each of these scoring partners to indicate any segments which they subjectively regarded as fatally flawed and wholly unsatisfactory. Any such “vetoed” segments were immediately assigned an unsatisfactory score of “1” for all applicable criteria.

Route-level criteria scored by BWC

Eleven criteria were scored by examining routes as a whole—that is, as a string of segments. ArcGIS was a helpful tool for viewing the overall course of the routes. Two or more BWC members scored each criterion to ensure objectivity and consistent application of the criteria.

CALCULATING SCORES & RANKING

The weighted criteria scores are the basis for comparing segments and routes. All scores are measured by a point system, where a perfect score (5’s for every criteria) is 500 points. Details of the calculations used to compare segments and routes can be found in Appendix F.

Segment-level scores

Linked segments form each route, and each segment is scored independently using 49 of the 60 criteria (see Table 4). The segment-level criteria measure qualities like curb-cut density and proximity to private property which are most sensible to score for individual segments (versus at the route level). A segment carries its fixed segment-level criteria scores (using the 49 segment-level criteria) into any route variations.

The sum of all segment criteria, with criteria weights, results in the total segment score. This is used to identify “segment suitability” based on where the score falls within a percentage of available points. That is, the segments are compared against the criteria, not the other segments.

For example, the segments that accumulate scores in the top 10% of available points are designated “Outstanding”—not the top 10% of the 115 segments included in the study.

Table 5
Suitability ratings

Percentages	Rating	Color code
91% to 100%	Outstanding	Blue
81% to 90%	Excellent	Green
71% to 80%	Satisfactory	Yellow
51% to 70%	Marginal	Orange
0% to 50%	Unsatisfactory	Red

Note. The color coding of segments’ suitability also appears in the ArcGIS software as a secondary measure to identify ideal routes that may have been missed otherwise.

Route-level scores

The 11 route-level criteria evaluate qualities like the route’s overall length and connectivity. These criteria are scored using an end-to-end look at the route after the segments are combined.

These route level scores are combined with the route’s segment scores (weighted based on their relative lengths) to find the total route suitability score. The route’s score and suitability (determined on the same scale as segments—see Table 5) are the primary basis for comparing route alternatives.

Additional calculations

See Appendix F for the full discussion of the computational mathematics, including:

- Segment suitability score
- Route-level criteria score
- Route length
- Route segment score
- Total route score
- Route goal scores
- Purposive users score
- Incidence of unsatisfactory ratings

ASSUMPTIONS

Assumption #1: The selected goals, objectives, and criteria are correct.

Rationale: The goals and objectives for this analysis were selected from research of other bikeway studies, inputs from the public, open meeting discussions, and recommendations the BWC solicited from the government agency stakeholders identified in Table 1 above. The BWC also reviewed past written correspondence in the town record, public feedback to state agencies, and video recordings of state public hearings, in order to capture as many potential ideas as possible measures of success for a Wellfleet bikeway. The result is a list of analysis parameters based on professional studies around the world combined with local knowledge and experience in Wellfleet.

Assumption #2: The weights used in this analysis are correct.

Rationale: The rationale for the relative goal weights is explained above. Objective and criteria weights were determined by the BWC based on public discussion and inputs, including inputs by external agencies. Weights were determined in isolation—firewalled—from the development of the list of alternative routes, so that undue influence could not occur. Ultimately, each criterion only influences 0.6-5.3% of the route’s overall suitability, so no one criterion is a “deal maker or deal breaker.”

STUDY LIMITATIONS AND RISK MITIGATIONS

Limitation #1: Volunteer-led study. The BWC’s members are part-time volunteers; there is no outside funding or any major resources supporting the Wellfleet bikeway analysis.

Mitigation: The BWC is made up of qualified individuals experienced and capable in conducting high-level analysis, using a variety of available tools including Excel and ArcGIS.

Limitation 2: Number of routes assessed. The study lacked capacity to compare an infinite quantity of potential routes.

Mitigation: Detailed local knowledge of a compact region guided the public’s identification of proposed routes and segments of routes. As a result, this analysis includes virtually every segment that can reasonably be included in a bikeway route through Wellfleet to Truro, even if the segments weren’t part of a proposed route. The BWC reviewed the alternative routes to ensure they represented a broad range of the region’s qualities. The BWC also assessed each route’s segment combinations to ascertain improvement opportunities. Through this review process, two of the routes proposed by the public were modified slightly and their evaluation scores increased (Routes Q₂ and R₂).

Results & discussion

BIKEWAY ALTERNATIVES ANALYSIS

Segment-level analysis

The scores for the segment-level criteria show certain trends among the segments (see Appendix G1 for the raw scores).

Segment suitability

In the analysis, 3 segments scored outstanding; 22 excellent; 42 acceptable; 33 marginal; and 15 unsatisfactory (see Appendix H1).

Segments per suitability category

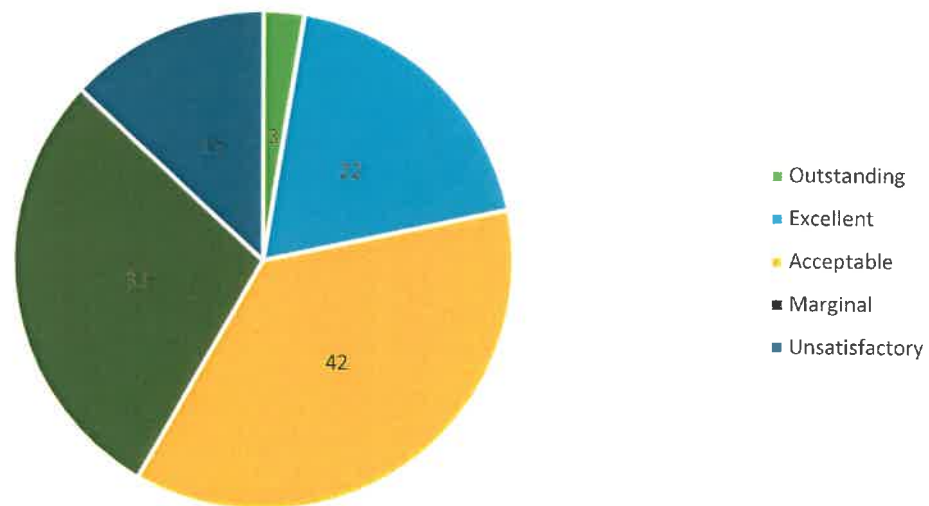


Figure 4. Number of segments per suitability category

Given that the majority of segments fall in the “excellent” and “acceptable” categories, those segments—and the small number of “outstanding” segments—comprise most of the best route alternatives.

The highest rated segments are Segments 2 and 3 with a tie score of 383 (out of 399 possible at the segment level). Segment 20 is the lowest ranked, with a score of 195 (80 is the lowest possible score at the segment level). The median segment score is 312, which falls in the “acceptable” range. High and low segment rankings are closely correlated to the quantity of “5” and “1” criteria scores, respectively, for each segment.

Applying these suitability ratings to the segments on a map revealed important trends in the relative suitability of different route alternatives through Wellfleet.

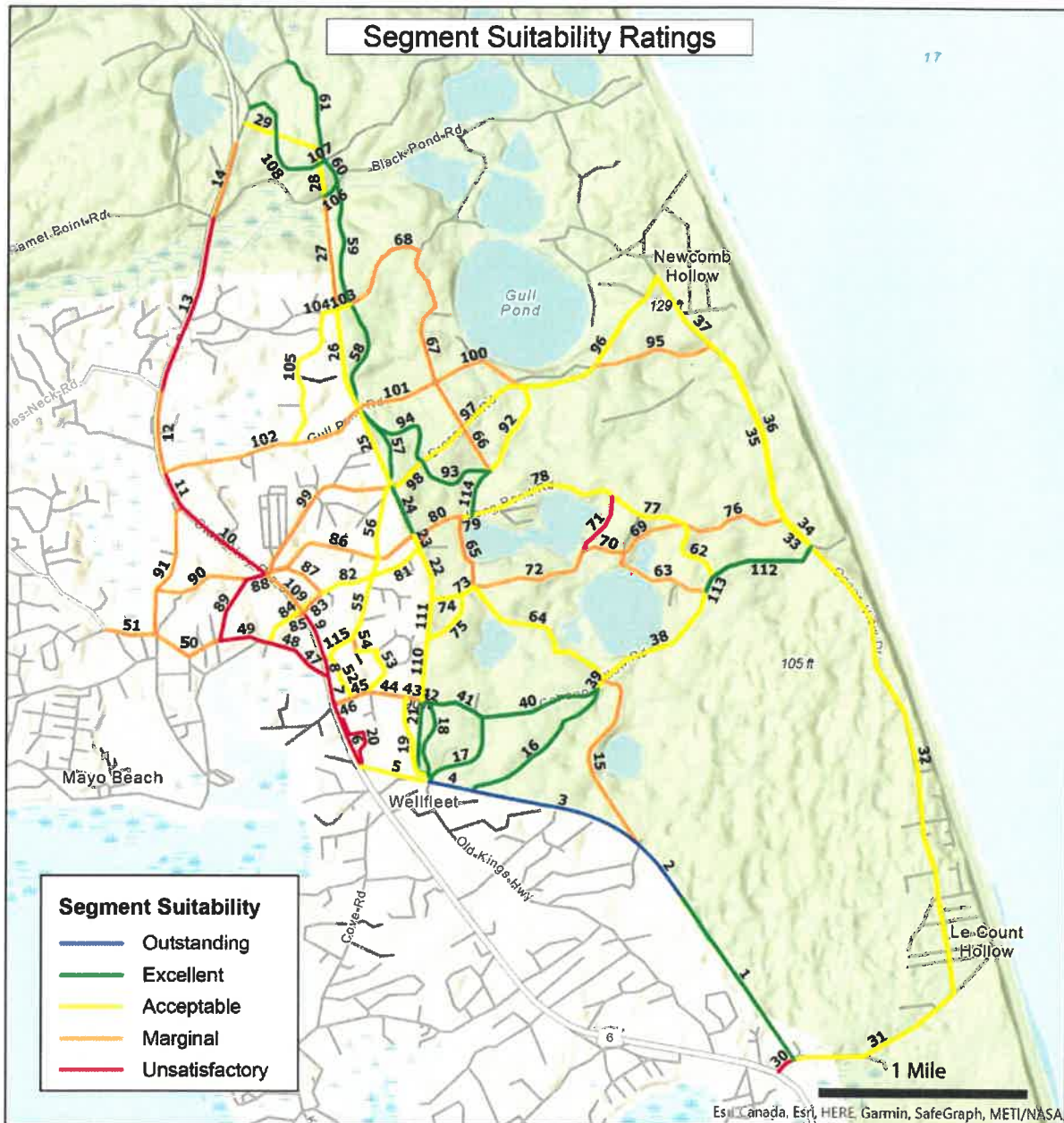


Figure 5. Segment suitability. From ArcGIS

“Unsatisfactory” criteria scores

A direct correlation exists between the calculated suitability score and the number of criteria a segment fails to meet, providing a positive sign that the study has yielded logical results.

42 segments did not receive any unsatisfactory criteria scores (see Figure 6). These segments represent a good starting point for planning other potential routes.

The nine highest rated segments (based on overall suitability score) received zero unsatisfactory scores across any of the segment-level criteria. By contrast, the eight lowest-rated segments each received 12 or more unsatisfactory criterion scores (see Appendix H1).

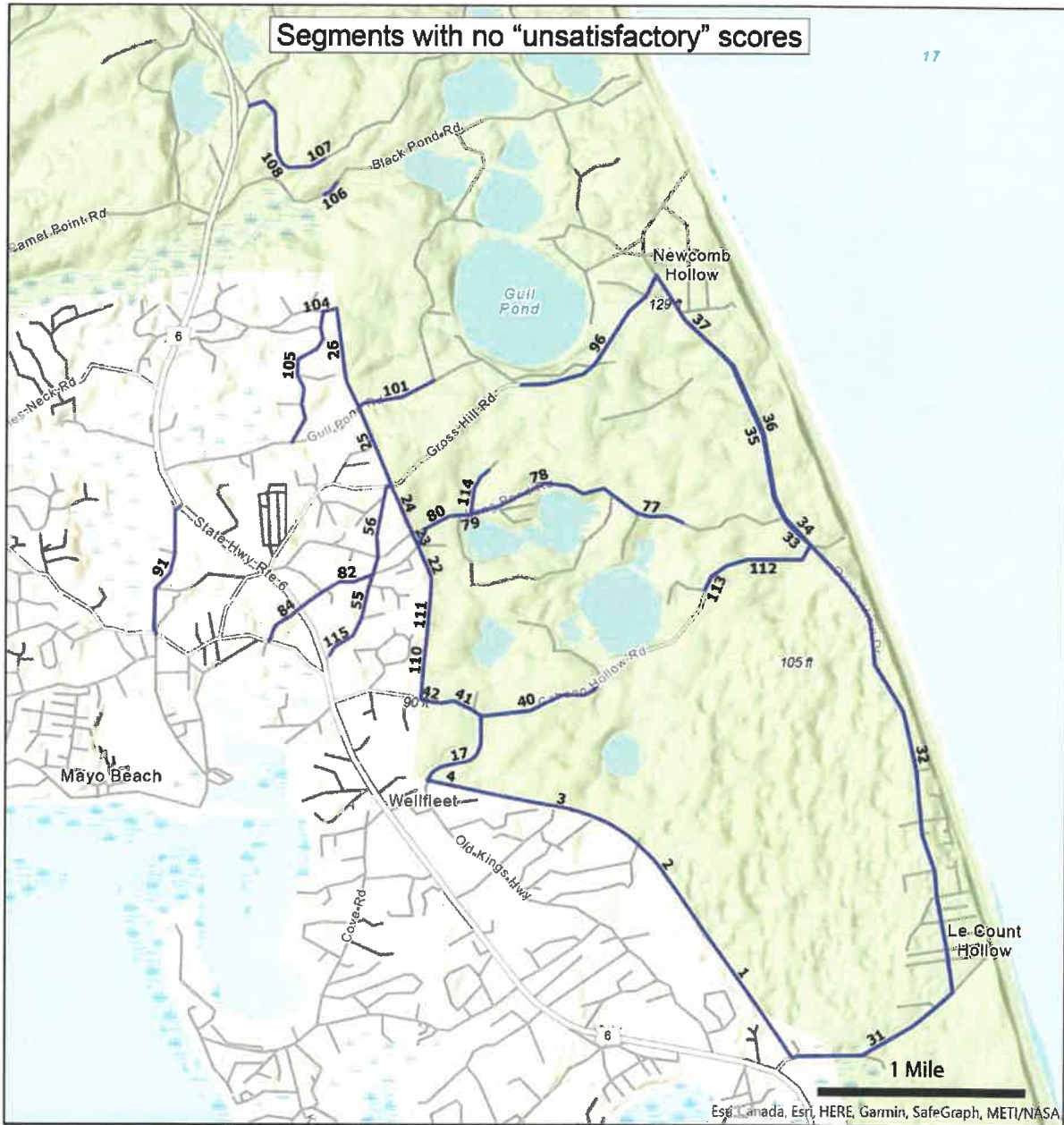


Figure 6. Segments with no “unsatisfactory” criteria ratings. From ArcGIS

Segment suitability per goal

Segment scores by goal (safety, practicality, user experience, and conservancy) generally demonstrate correlation trends (Note. Goal 5 is only measured at the route-level and therefore not included in segment-level analysis).

- Goal 1, safety, is most closely correlated to the overall suitability, which makes sense as it received the highest weight (30%) across the total (see Figure 7).
- Goals 3 and 4, user experience and conservancy, demonstrate similar correlation, though there are a few instances in which they counterbalance one another—cases in which a high score for one balances a low score in the other, resulting in a moderate overall suitability score.
- Goal 2, practicality, did not follow a clearly correlated trend related to overall suitability. This is likely because some of its criteria related to the construction, rather than the use, of the bikeway.

Correlation of segment suitability scores by goal

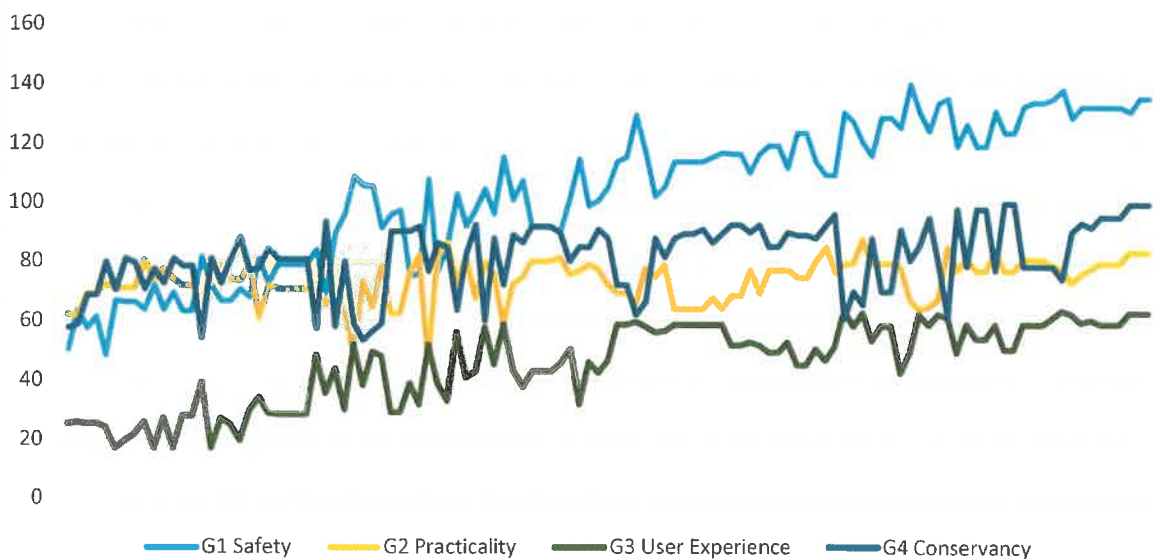


Figure 7. Correlation of segment suitability scores by goal

Figure 7 shows the correlation of segment suitability scores by goal. The 115 segments are rank-ordered on the X-axis from lowest to highest overall score. For a detailed score breakdown, see Appendix H1.

Segment-level criteria scored using inputs from external agencies

Six criteria were scored in consultation with outside agencies. Representatives from the Wellfleet DPW, Police Department, and the CCNS each worked with the BWC. As the numerical scoring proceeded with their inputs, the BWC invited each of these scoring partners to indicate any segments which they subjectively regarded as fatally flawed and wholly unsatisfactory. Any such “vetoed” segments were immediately assigned an unsatisfactory score of “1” for all applicable criteria. The Wellfleet DPW and Police Department did not exercise a “veto” for any bikeway segment. The CCNS staff exercised it broadly and rejected most segments proposed within the boundaries of the CCNS.

Route-level analysis

This analysis considered the 28 full-length routes proposed by the public to the BWC. Short-distance connecting spurs were also suggested by members of the public and were scored. Information and scoring data for the proposed spurs is available in Appendices F and G.

The route scores include route-level criteria ratings that apply at the route-level, rather than at the segment-level. These raw scores are in Appendix G2.

Route suitability

The highest score possible for a route was 500 points (scoring perfect across all criteria) and the lowest possible was 100 points. The spread of scores for all routes was between 353 and 444 points.

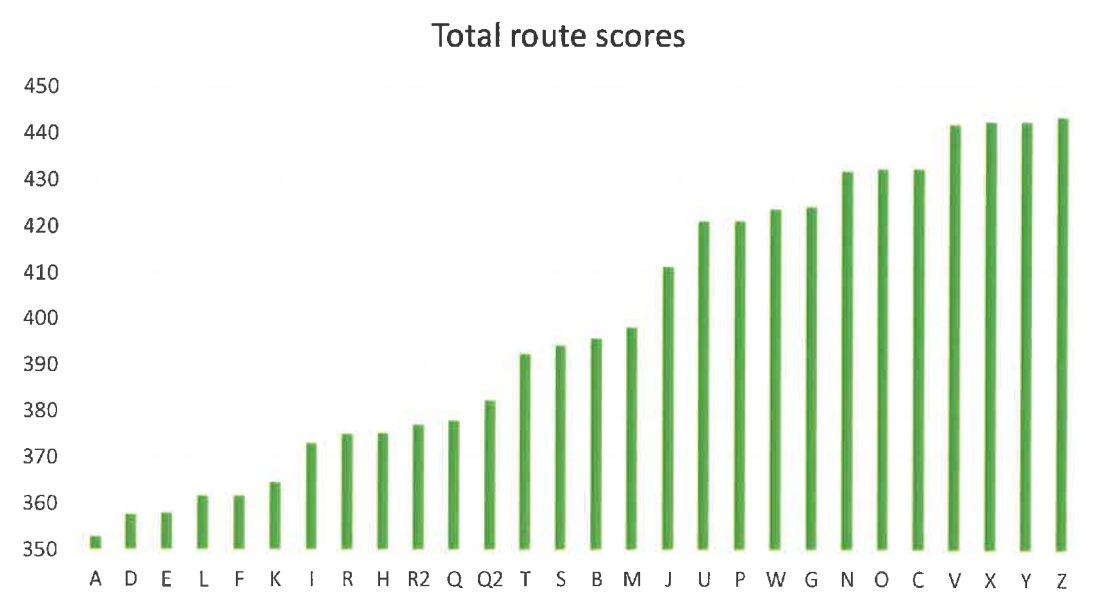


Figure 8. Route suitability (ranked lowest to highest)

Using the same suitability score categories as the segments, 11 routes scored as excellent, 6 acceptable, and 11 marginal. No routes scored outstanding or unsatisfactory.

Table 6

Route alternative suitability scores

Route	Segments sequence	Score	Suitability
Z	[1-2-3-4-17-41-42-110-111-22-23-24-57-58-59-60-61]	444	Excellent
Y	[1-2-3-4-18-42-110-111-22-23-24-57-58-59-60-61]	443	Excellent
X	[1-2-3-4-21-110-111-22-23-24-57-58-59-60-61]	443	Excellent
V	[1-2-3-4-18-42-110-75-74-22-23-24-57-58-59-60-61]	442	Excellent
C	[1-2-3-4-18-42-110-111-22-23-24-25-26-27-28-29]	433	Excellent
O	[1-2-3-4-21-110-111-22-23-24-25-26-27-28-29]	433	Excellent
N	[1-2-3-16-39-64-73-74-22-23-24-57-58-59-60-61]	432	Excellent
G	[1-2-3-4-17-41-42-43-44-45-52-55-56-57-58-59-60-61]	424	Excellent
W	[1-2-3-16-39-64-65-79-114-93-94-58-59-60-61]	424	Excellent
P	[1-2-3-4-21-110-111-22-80-79-114-92-100-101-58-59-60-61]	421	Excellent
U	[1-2-3-4-19-44-53-54-115-55-56-57-58-59-60-61]	421	Excellent
J	[1-2-3-4-17-40-39-64-65-79-114-92-100-101-58-59-60-61]	411	Acceptable
M	[1-2-3-4-17-40-39-38-63-69-77-78-114-92-100-101-58-59-60-61]	398	Acceptable
B	[1-2-3-16-39-38-113-112-33-35-37-96-100-101-58-59-60-61]	396	Acceptable

S	[1-2-15-64-65-79-114-66-67-68-59-60-107-108]	394	Acceptable
T	[1-2-15-64-65-79-114-66-67-68-59-60-61]	393	Acceptable
Q ₂	[1-2-3-4-17-41-42-110-111-22-23-24-99-10-11-12-13-14]	390	Acceptable
Q	[1-2-3-4-17-41-42-110-111-22-23-86-10-11-12-13-14]	378	Marginal
R ₂	[1-2-3-4-17-41-42-110-111-22-81-82-87-10-11-12-13-14]	377	Marginal
H	[1-2-3-4-17-40-39-64-65-80-23-86-10-11-12-13-14]	375	Marginal
R	[1-2-3-4-17-41-42-110-111-22-81-82-83-85-109-10-11-12-13-14]	375	Marginal
I	[1-2-3-4-17-40-39-64-65-80-81-82-83-85-109-10-11-12-13-14]	373	Marginal
K	[1-2-3-4-17-40-39-38-113-62-77-78-79-80-81-82-83-85-109-10-11-12-13-14]	365	Marginal
F	[1-2-3-4-17-41-42-43-44-45-46-7-8-9-109-10-11-12-13-14]	362	Marginal
L	[1-2-3-4-17-40-39-38-63-69-77-78-79-80-23-86-10-11-12-13-14]	362	Marginal
E	[1-2-3-4-18-42-43-44-45-46-7-8-9-109-10-11-12-13-14]	358	Marginal
D	[1-2-3-4-21-43-44-45-46-7-8-9-109-10-11-12-13-14]	358	Marginal
A	[1-2-3-4-5-6-7-8-9-109-10-11-12-13-14-47]	353	Marginal

Note. The routes are sorted by score from highest to lowest.

Correlation of total scores and individual goal scores

Analysis of goal scores compared to total score for each route reveals a clear correlation between the overall route suitability and Goals 1 and 3—safety and user experience.

For Goals 2 and 4, the best routes score slightly better than the worst routes, but in general there is no correlation of Goals 2 and 4 with the total score.

Figure 9 shows the correlation of route suitability scores by goal. The 28 routes are rank-ordered on the X-axis from lowest to highest overall score. For a detailed score breakdown of all routes and spurs (spurs were not included in Figure 9), see Appendix H2.

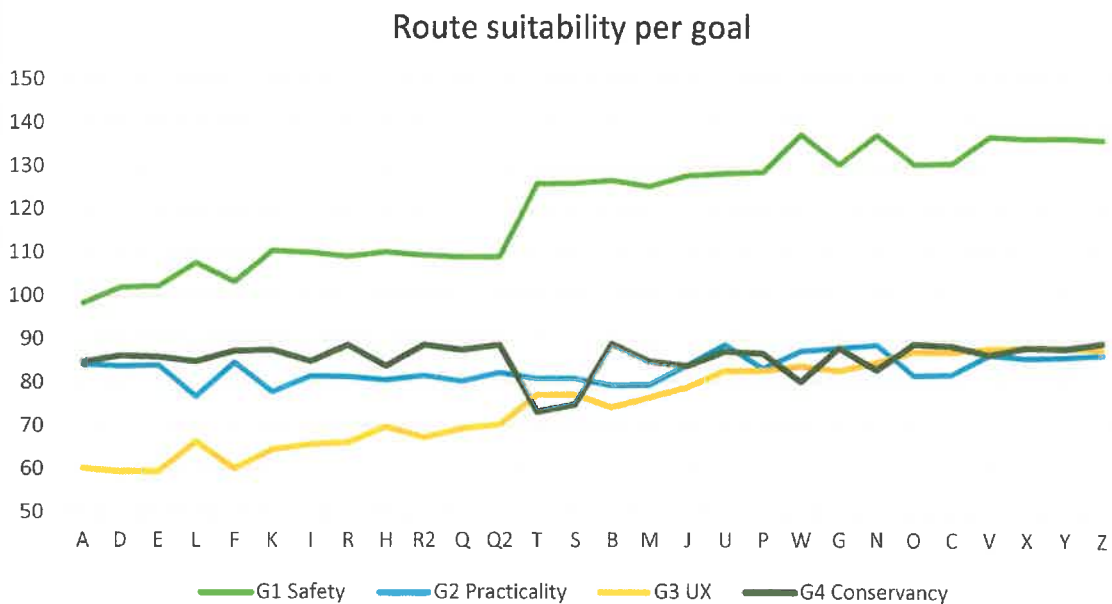


Figure 9. Route suitability per goal

The Route 6 effect

As shown in Figure 9, route safety scores spike upward beginning with Route Q₂. This route, and all the routes that scored lower, include segments along Route 6. Routes that avoid Route 6 scored higher, particularly for safety. In fact, Q₂ is the only route with segments along Route 6 that scored acceptable overall—all other routes incorporating segments along Route 6 scored marginal overall.

Optimal route from Old County Road to Cahoon Hollow Road

Several of the proposed end-to-end routes involved proceeding from the Rail Trail to the utility right of way north of Cahoon Hollow Road. Three series of segments were assessed, and appear in rank order below:

- *High score:* Segments [17-41-42]. Proceed northward beside and across Old County Road, then proceed westward beside and across Cahoon Hollow Road to meet the utility right of way on the north side of the road.
- *Second-highest score:* Segment [18-42]. Proceed through the woods behind the Wellfleet Council on Aging (COA).
- *Low score:* Segment [21]. Proceed along the utility right of way behind Howard Court

Based on the relative scores, and barring other considerations, the highest-scoring option was incorporated in all the end-to-end routes that passed through that area.

Suitability for purposive users

The route analysis identified the scoring criteria most relevant to purposive users (see the list of purposive user criteria in Appendix F). The aggregate of the purposive user criteria scores shows a direct correlation to the overall suitability score of each route.

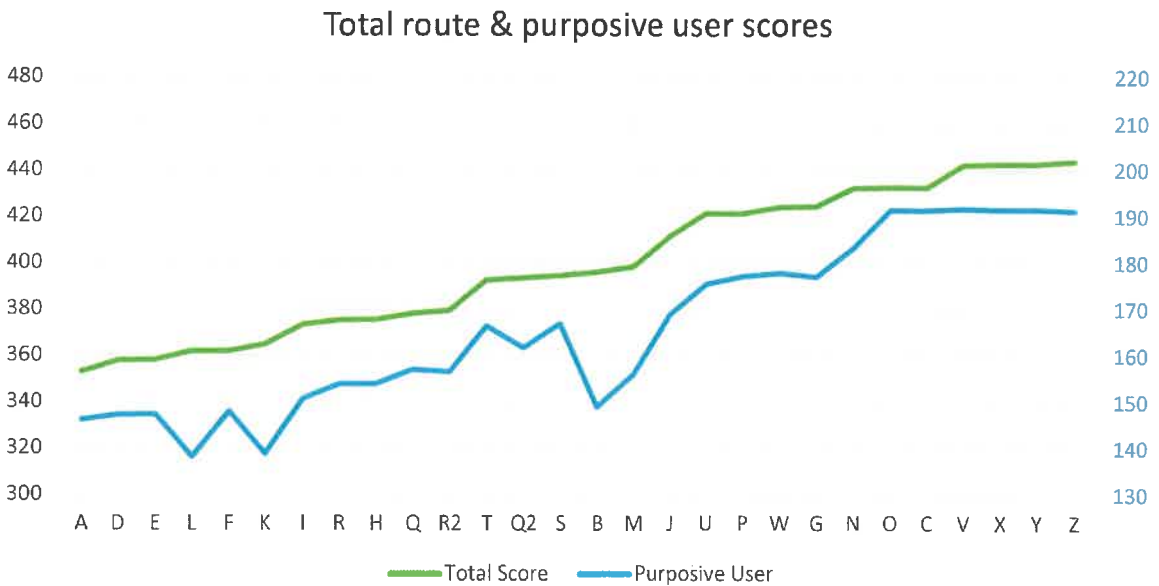


Figure 10. Overall and purposive user route scores

Note. The routes are rank-ordered on the X-axis from lowest to highest overall score.

PROBLEMS WITH STATE'S PROPOSED ROUTE

The state's proposed design, made up of the combined DCR and MassDOT projects (see Figure 2), warrants special discussion because it is the route Wellfleet will get if no action is taken. In this study, the state's proposed route is designated Route A.

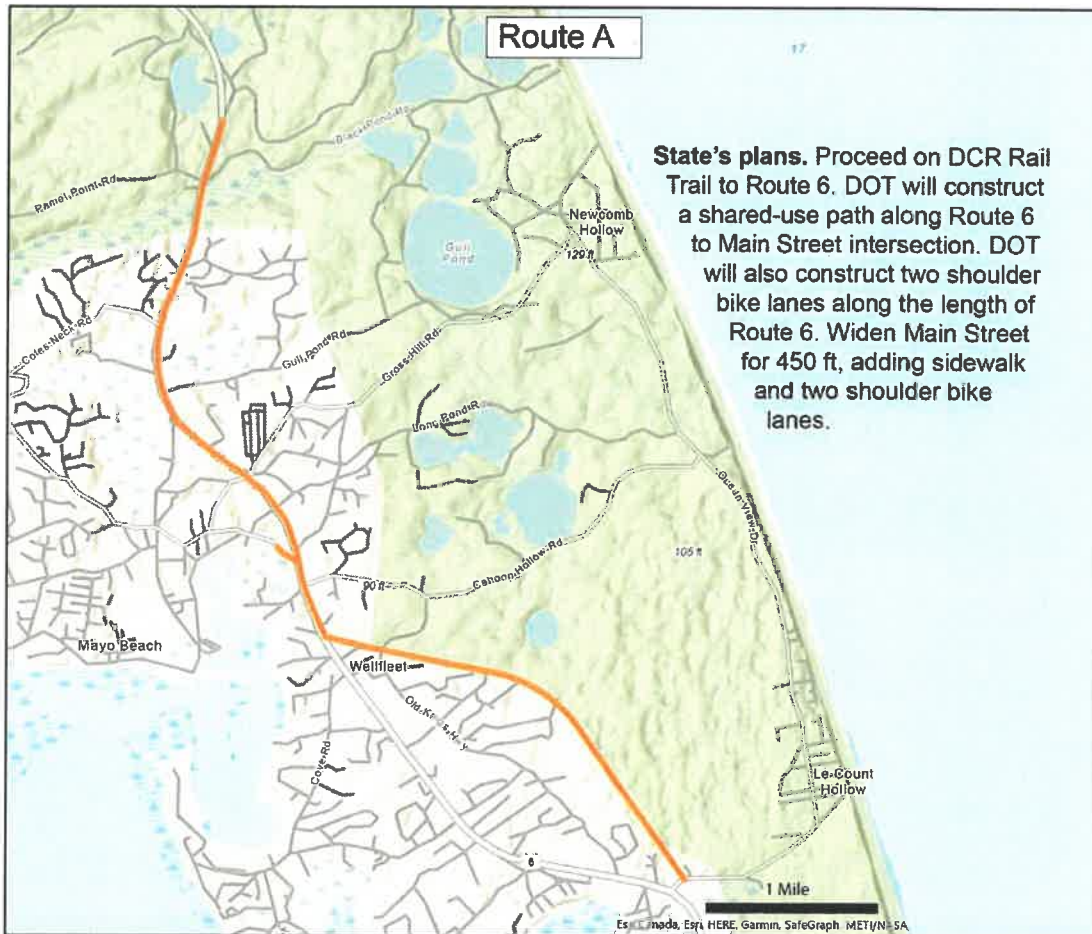


Figure 11. Route A

Goal after goal, Route A scored among the worst route alternatives. It ranked last (28th out of 28) for the total score and for safety, 27th for connectivity, 26th for purposive users, 25th for user experience, and 22nd for conservancy. Route A ranked 10th for practicality since there are existing plans for its development (making it easy to execute). Eight of the sixteen segments within Route A were rated unsatisfactory, and three more were marginal. The route has the most “unsatisfactory” criteria scores of all the proposed routes. In brief, the state plan (Route A) is:

Bad for public safety in Wellfleet

It unnecessarily promotes increased pedestrian and cyclist use beside a notoriously congested and dangerous roadway where users will be forced to contend with high-density motor vehicle traffic on the Outer Cape's sole highway artery.

Bad for Wellfleet's historic East Main Street

Widening East Main Street will deface the historic town's entrance and reduce its distinctive rural seaside character which is important to Wellfleet's economy, residents, visitors, and cultural value. The short extension of 450 feet of sidewalk and bike lanes will do little to increase access to the town. Continuing them would be difficult and at the town's expense, and many in the public oppose the idea.

Bad for traffic flow and safety on Route 6

Traffic flow on Route 6 is vital to the residents and commerce of Outer Cape Cod. Introducing a new convergence of bicycle and pedestrian traffic with motor vehicle traffic at an already dangerous choke point on Route 6 will likely cause accidents, congestion, delays, and road stress which will impact the economy and lifestyle of the Outer Cape towns. Already, cars frequently swerve into the bike lanes to pass others waiting to turn. The risk increases when drivers turning into or out of traffic must divide their attention between oncoming vehicle traffic, path users from two directions, and bike lane traffic.

Bad for recreational and purposive users

The Rail Trail portion of Route A is the only part suitable for recreational path users. The shared-use-path along Route 6 is likely to attract recreational cyclists and pedestrians hoping to link to Wellfleet Center or the ponds, but those connections do not exist. Instead, they will take risks crossing busy curbs-cuts, then must use roads with limited or no bike or pedestrian facilities to reach their destinations. The safe conditions of the Rail Trail will not prepare them for the more dangerous, high-stress Route 6 shared-use path.

Some purposive users may use the shared-use path along Route 6 instead of the shoulder bike lanes, but it will be equally dangerous and high-stress for them as for recreational users. Those who prefer the road shoulder bike lanes will face more dangerous conditions than if there was no shared-use path, as drivers may not expect to see bikes on the road where a separate multi-use path is present.

In conflict with expert guidance on bikeway placement

Federal Highway Administration (FHWA) guidelines indicate user stress level is a primary factor in determining public acceptance and use of a bikeway (2015); this high-stress bikeway and pedestrian route will likely deter potential users.

The American Association of State Highway Transportation Officials (AASHTO) is a leading professional organization in the transportation community. The AASHTO 2012 Guide for the Development of Bicycle Facilities documents specific concerns regarding two-way shared use paths beside highways and advises they are not a desirable option. MassDOT's proposed shared-use path beside Route 6 creates high risk for negative outcomes related to this professional organization's advice, summarized as follows:

- Wrong-way travel by cyclists is a major cause of crashes. On a two-way path close beside a highway, cycle traffic in one direction will be forced to ride in the opposite direction of the adjacent highway lane, contrary to normal cycling rules of the road.
- Highway drivers turning in or out of driveways or side streets aren't used to looking both ways for cyclists since they normally expect one-way cycle traffic along the roadside.

- Where the two-way path ends, cyclists going against traffic will wind up riding on the wrong side of the street. Likewise, cyclists approaching a shared use path in one direction will be forced to travel on the wrong side to get to the path.
- Signs posted along the highway point toward the oncoming traffic. Cyclists riding in the opposite direction of the adjacent highway lane can't read signs without stopping and turning around, thereby putting themselves and others at risk.
- If one-way shoulder lanes and a two-way shared use path are both present as features along a highway (as MassDOT proposes along Route 6), each with different rules of the road, then motorists could become distracted and confused, mistaking where to look for what, which could create danger for motor vehicle traffic and cyclists on both the highway shoulder bike lanes and on the adjacent shared-use path.
- Many highway drivers expect cyclists to stop or yield when crossing driveways or side streets. However, many cyclists tend to proceed across driveways and cross streets without even slowing their speed.
- Motor vehicles entering or exiting side streets or driveways may block bikeway traffic in both directions while waiting to turn into highway traffic.
- Cyclists crossing driveways or side streets may block motor vehicles entering from the highway at speed, which may cause rear end collisions on the highway.

Given these AASHTO guidelines, it is clear the shared-use path proposed beside Route 6 is unsuitable—not just for Wellfleet, but for anywhere.

Potentially adverse long-term impacts

The development of a bikeway through Wellfleet can have many long-term impacts, and whether they are positive or negative will depend on proper planning. This project is an important decision point to determine Wellfleet's character going forward; the bikeway can serve the needs of a rural seaside town, or it can create a generic suburban landscape designed to meet basic criteria while completely ignoring local context.

Predictable long-term safety concerns

An increase in bicycle and pedestrian traffic through certain parts of town—specifically the busy sections along Route 6 and Main Street—will mean an increase in bicycle and pedestrian related accidents. An attitude that says any bikeway design is “better than nothing” is short-sighted—if the bikeway brings more pedestrians, cyclists, and vehicles together in an unsafe manner, it may be worse than nothing.

Even on a well-planned bikeway it is impossible to wholly prevent accidents, but obvious risks need to be mitigated. The town should consider that as accidents occur, there will likely be a demand to improve safety conditions. According to MassDOT design guidelines (2006) and bike lane guidelines (2015), appropriate measures for safety enhancement or “traffic-calming” include:

- street lighting
- street furniture (benches, planters, trashcans, fences, etc.)
- speed humps
- raised crosswalks

Predictable design failures

There are many instances where designs may fail in their intended purpose because users behave in contrary, but predictable, ways. A curved path through a park, for example, may go unused as pedestrians cut corners and trample vegetation to reach their destination by a more direct route. It is worthwhile to look at future likelihoods and attempt to mitigate potential design failures.

Wider road, faster driving - One of the three main principles for traffic-calming is by narrowing the apparent road width (MassDOT, 2006). For example, the state's design for a Route 6 "road diet" reduces two-lane portions to a single lane to achieve safer speeds. However, widening the Main Street corridor will have the opposite effect, and possibly result in faster, more aggressive driving into Wellfleet Center by creating the perception that it is a "big" road with the same proportions as Route 6.

On-street parking - MassDOT (2006) suggests that shoulder bike lanes on streets through small towns and villages be designed with the understanding that they are often converted into on-street parking. Since this is not a goal for Wellfleet, the town should be cautious and aware of plans that can have totally different outcomes than they intend.

Shared-use-path user priority over motor traffic - A separated two-way shared-use path running parallel to a highway typically has priority over driveways and secondary roads at intersections (AASHTO, 2012). As a consequence, shared-use-path users along Route 6 might naturally assume right-of-way priority across intersections and commercial driveways in that area, despite any signage indicating a different rule. Drivers turning in or out of those cross-flow zones might be unlikely to anticipate right of way issues. Right-of-way confusion in a congested, complicated set of curb-cut crossings will result in increased accidents. There is risk that, in the long-term, this would necessitate a traffic signal of some kind at Cahoon Hollow Road or elsewhere.

Unanticipated costs

The town must consider whether future, possibly major, costs will be incurred as a result of a poorly-planned bikeway.

Safety failures - If the bikeway proves to be unsafe, there may be a need for new features including street lighting, signage, new traffic lights, and possibly significant construction. The town will also potentially be liable if an unsafe bikeway proved to cause avoidable accidents, injuries, and deaths.

Practicality or connectivity failures - If the bikeway fails to serve practical and connectivity needs, new bikeway segments may be necessary. The MassDOT bike lanes and sidewalk proposed on Main Street, for example, would need to be extended to provide real connectivity into Wellfleet Center.

Ramifications of non-action

If the Town Government and Selectboard do not take decisive action, MassDOT and the DCR will continue with their projects as the designs currently show them. These plans, as described above, will have a permanent detrimental effect on Wellfleet. The targeted section of Route 6 near Main Street is dominated by a few iconic businesses and restaurants. East Main Street is a historic district that includes some of Wellfleet's oldest buildings. The area's qualities can be enhanced substantially with relatively low-cost, low-effort conservation initiatives to promote Wellfleet's picturesque rural character, rather

than paving it under. MassDOT’s current plan could sterilize the area with a drab, urbanizing influence that, once started, could expand deeper into Wellfleet’s historic district.

Recommendations

BEST BIKEWAY ROUTE OPTIONS

The BWC proposes two options for the development of a Wellfleet Bikeway. As the OCBPMP found, there is no easy solution for a bikeway through Wellfleet, but this study has provided framework for pursuing specific options.

Option 1, Route Z is the highest-scoring bikeway option for Wellfleet. It scores “excellent.” It is recommended by the BWC but faces resistance from the CCNS staff who oppose any new bikeway within the boundaries of the Interior Department-owned CCNS.

Option 2, Route Q₂, is the highest scoring route that avoids the CCNS. It scores “acceptable.” Nevertheless, it ranks in the bottom half of all the route alternatives and does not serve all the intended users of a Wellfleet bikeway.

Option 1: Route Z

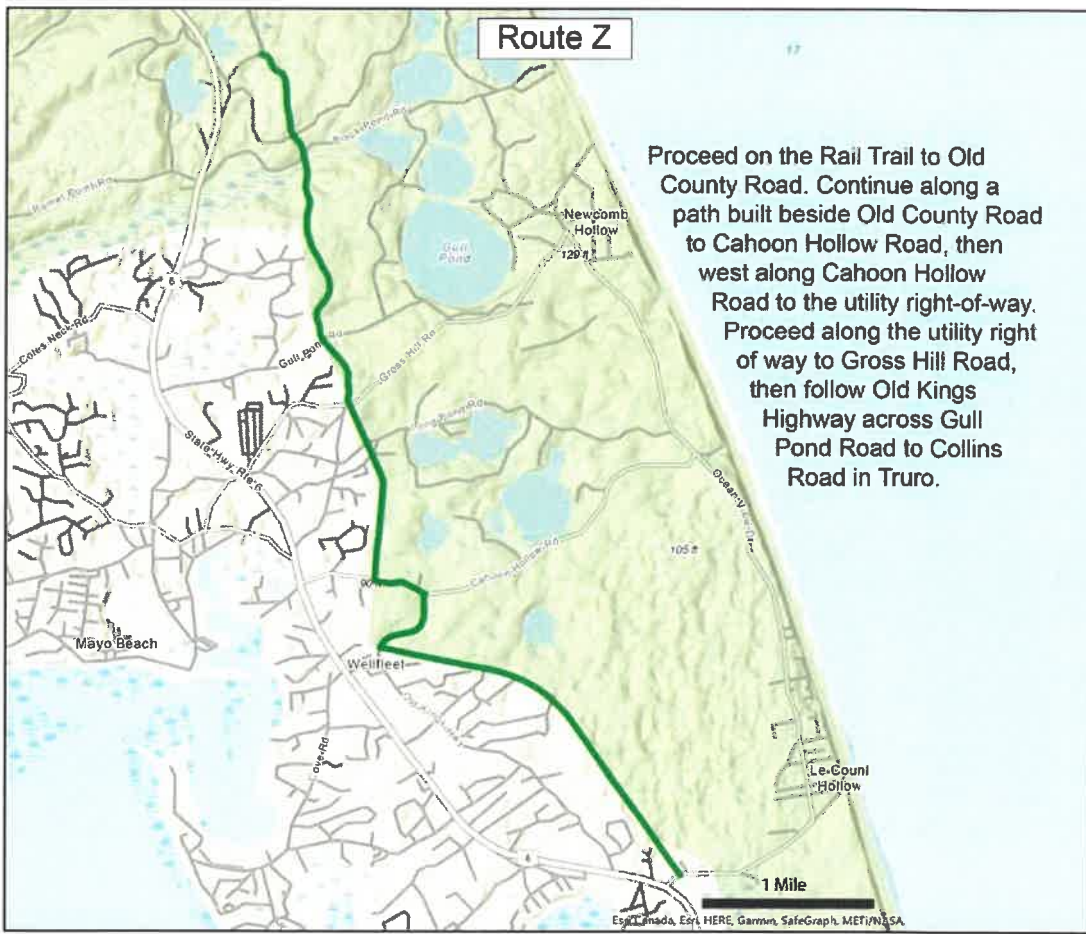


Figure 12. Route Z

Analysis shows that Route Z scores the highest for overall suitability and connectivity. It also ranks high for safety (6th), practicality (5th), user experience (4th), and conservancy (2nd). Note: the differences between Route Z's scores and the scores of routes that score higher on individual goals are minimal (see Appendix H2). Route Z can provide a safe, separate shared-use path along its entire length.

Selecting Route Z will enable canceling phase 2 of the DCR project beyond Old County Road and avoid a terminus parking lot at busy Route 6. The BWC recommends creating a Rail Trail terminus within the Utility Right of Way at Old County Road at the start of the Wellfleet bikeway. As an added benefit, a bikeway terminus set away from the noise and stress of Route 6 will be a much more comfortable place for recreational users—especially those with young children—to start or end their ride.

Route Z, in combination with one-way shoulder bike lanes on Route 6 with removable bollards and/or barriers (described below in “Recommendations for the State Plans”), provides a complete bikeway solution connecting Wellfleet to the north and south for all bikeway user types, including all skill levels and user groups, both recreational and purposeful.

The advantages of this route are substantial. It provides bikeway users a safe, comfortable, direct route through beautiful areas of Wellfleet. The use of the utility right-of-way to form the spine of the route means that there will be minimal environmental impact, and the short portion (1.7 miles) that travels inside the edge of the CCNS would use the existing town-owned Old Kings Highway.

The route strikes a unique balance—it forms a spine through Wellfleet that creates easy connectivity to the commercial area to the west and the ponds and beaches to the east but does not approach any of those areas so closely as to have negative impacts. Its distance from major roadways makes it quiet, comfortable, and safe. It crosses roads like Cahoon Hollow Road, Long Pond Road, and Gross Hill Road in areas with good sight distances and where traffic conditions can be managed safely. The route's distance from attractions like ponds and beaches makes it easy for path users to reach them safely (by connecting to other roads). However, the route never passes directly adjacent to or within sight of any of those features, so path users will be less likely to be tempted to walk or bike off the path through sensitive natural areas.

Route Z is the BWC's recommendation to the Selectboard, combined with Route 6 shoulder bike lanes to improve safety on Route 6. This recommendation scores high for each of the stated bikeway goals and highest overall, and provides a setting for the bikeway that promotes green transportation and enhances, rather than detracting from, Wellfleet.

Option 2: Route Q₂

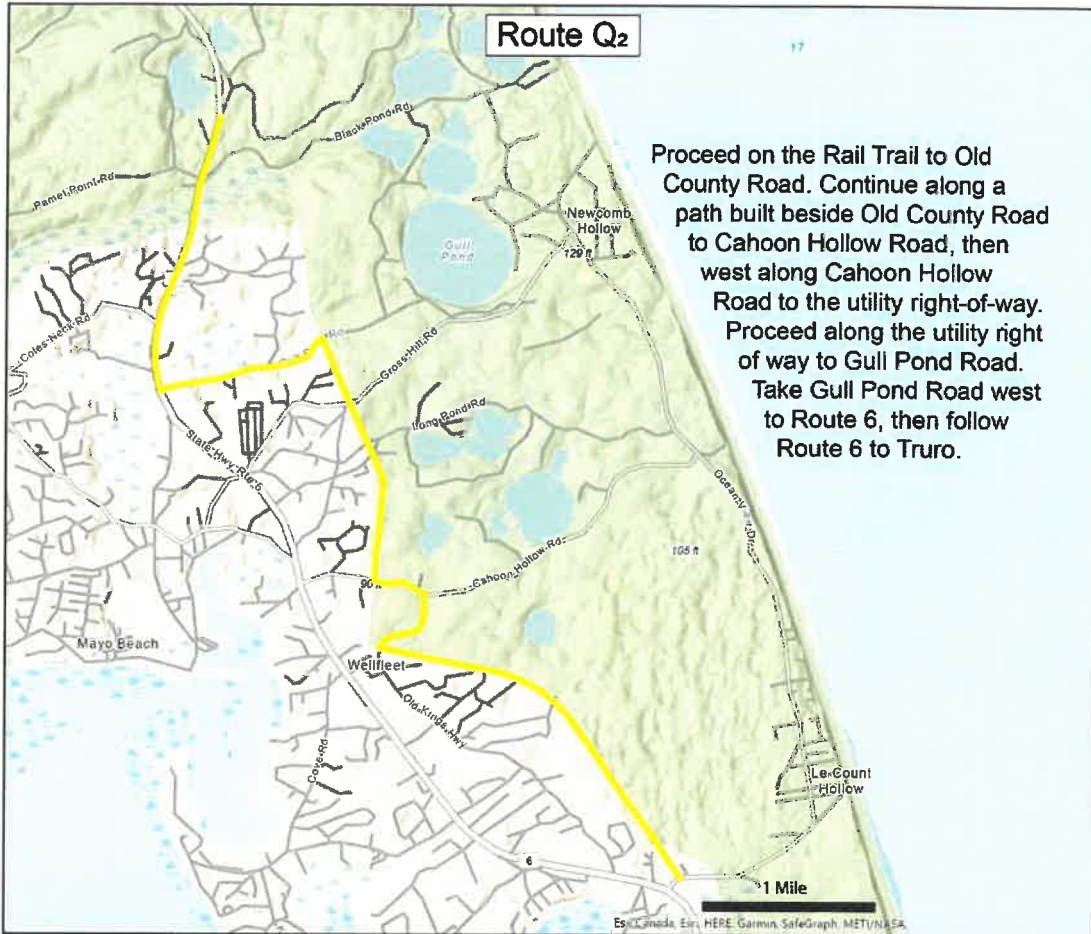


Figure 13. Routes Q₂

Route Q₂ scores in the acceptable range of bikeway routes, albeit in the bottom half. It ranks 17th overall, and scores in the bottom half for four of the five goals: it ranks 17th for safety, 15th for practicality, 17th for user experience, and 15th for connectivity. The only area it performed well was conservancy—it ranks 1st out of 28 because it does not travel through the CCNS. By comparison, Route Z ranks 2nd for conservancy, with minimal conservancy score difference between Z and Q₂ (see Appendix H2).

As with Route Z, using Route Q₂ would enable cancelling phase 2 of the DCR project beyond Old County Road, including the terminus parking lot beside Route 6. It would support a Rail Trail terminus within the Utility Right of Way at Old County Road at the start of the Wellfleet bikeway. Also, as with Route Z, Route Q₂ should be combined with Route 6 shoulder bike lanes to improve safety on Route 6.

Route Q₂ is a “middle of the pack” route. It is presented as a second option because it is the only “acceptable”-rated route outside the CCNS. All the others are “marginal.” The route includes 3.5 miles of shared-use path bikeway providing a long, safe bikeway experience away from dangers and stressors along the highway.

The 2-mile northern portion of Route Q₂ turns onto Gull Pond Road, follows Gull Pond Road with “sharrows,” and then continues to Truro using the shoulder bike lanes along Route 6. These segments of Route Q₂ would be undesirable for many path users, particularly children, the elderly, and families.

Comparison of selected route options and state’s plan



Figure 15. Comparison of Routes Z, Q₂, and A

Table 7
Comparison of Route Z, Q₂, and A features

Features	Option 1 - Route Z	Option 2 - Route Q ₂	State's plan - Route A
Provides connectivity from South Wellfleet to Truro	Shared-use-path links directly from South Wellfleet Rail Trail to Collins Rd in Truro	Shared-use-path from Rail Trail to Gull Pond Rd, share-the-road on Gull Pond Rd, then shoulder lanes on Rt 6 to Truro	Shared-use-path from Rail Trail to DCR terminus continuing along Rt 6 until just past Main St, then shoulder lanes along Rt 6 to Truro
Segments rejected by CCNS	57-58-59-60-61 1.7 mi along Old Kings Highway (town-owned)	--	--
Portions accessible to all users (including athletes, purposive users, families with children, individuals with limited mobility, pedestrians, etc.)	4.8 mi of shared-use-path accessible to all users	3.5 mi of shared-use-path accessible to all users	2.0 mi of shared-use-path accessible to all users
Portions for experienced cyclists only (not recommended for children, path users with limited mobility, or pedestrians)	--	0.8 mi of share-the-road (Gross Hill Rd) 1.2 mi of shoulder lanes along Rt 6	0.4 mi of shared-use-path along Rt 6; high-stress and dangerous due to curb cuts 2.3 mi shoulder lanes along Rt 6
Overall route ranking (out of 28)	1 st	17 th	28 th

Route score comparisons by goal

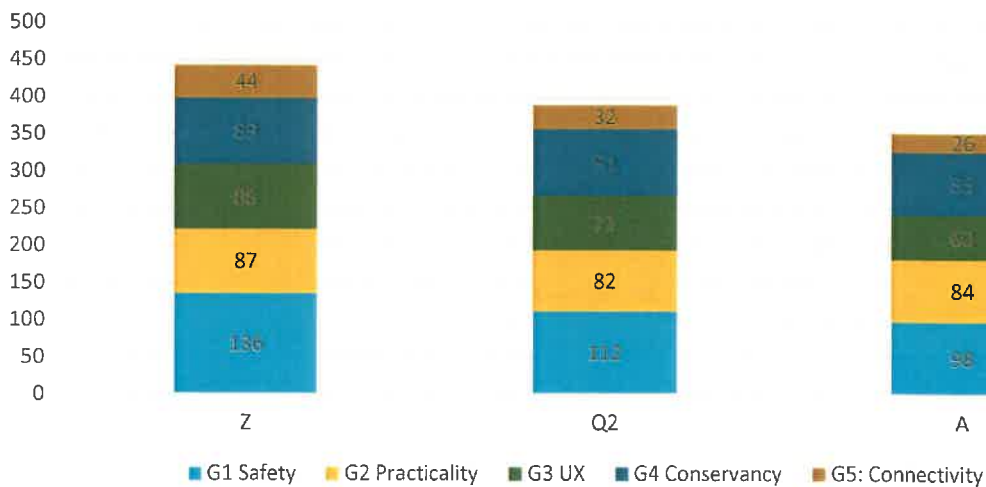


Figure 14. Score comparisons of Routes Z, Q₂, and A

RECOMMENDATIONS REGARDING THE STATE PLANS

The DCR and MassDOT bikeway plans, which comprise Route A in this study, score objectively as the least suitable option for Wellfleet (see details in the Results section of this report). However, it is likely the DCR and MassDOT, partnered with Stantec Corporation, will continue to apply pressure to the Town Government.

The DCR project

Reject phase 2 beyond Old County Road

The BWC recommends the Selectboard reject phase 2 of the DCR project beyond Old County Road. To be clear, the BWC recommends the Rail Trail terminate at Old County Road, where it can join the highest ranked bikeway route (Route Z) or second option (Route Q₂) discussed above.

Relocate the DCR proposed terminus to Old County Road

DCR states they are not yet building their bikeway terminus parking lot at Route 6 although the lot is already taking shape. It would be better to locate it away from Route 6. The BWC recommends the Selectboard identify and assess alternatives to propose to the DCR. Both Route Z and Q₂ support a terminus at Old County Road.

If the DCR forces their proposed Route 6 trail head and parking lot against the wishes of the town, the BWC recommends the Selectboard insist two additions to their designs must be put forward: a) a transit stop to provide safe connectivity to the town or to other points of interest, and b) secure bicycle parking to provide cyclists an option to leave their bikes and use safer transit options into town or to other points of interest.

The MassDOT project

Shoulder bike lanes: Increase buffers, add bollards/barriers for along the busiest segments of Route 6

Shoulder bike lanes provide a valuable addition to making Route 6 safer. The BWC recommends incorporating these bike lanes along Route 6 with increased safeguards described below.

On the busiest portions of Route 6 (segments 6, 7, 8, and 9), the road shoulder bike lanes should be separated from the motor vehicle lanes by a wide painted buffer instead of a narrow white border stripe. Vehicles frequently use the existing bike lanes to pass others waiting to turn—it is likely this will be more of a problem when MassDOT reduces the traffic lanes from two to one in each direction. A wide buffer helps remind motor vehicle drivers not to encroach into the bike lane and provides cyclists with more space if they need to swerve away from an encroaching motor vehicle (MassDOT, 2006).

The BWC recommends incorporating removable barriers and/or bollards) along the busiest portions of Route 6 (segments 6, 7, 8, and 9) that can be used seasonally when roadway and bikeway use are at their highest and be taken away during the low season to accommodate snow removal. Such devices are available in a wide array of designs, some of which are attractive and seem practical for Route 6 in Wellfleet.

No shared-use-path beside Route 6

An ordinary, 5-foot-wide pedestrian sidewalk will be a more appropriate option along the east side of Route 6. This allows for increased pedestrian safety for those who choose to use it but eliminates the dangers (and false sense of security) created by a broad shared-use-path that invites two-way cycle traffic and crosses a dense collection of commercial curb cuts along a highway known for high-volume and hazardous seasonal traffic. Cyclists who feel confident along Route 6 can thereby use the Route 6 shoulder bike lanes with greater safety. Other cyclists and hikers can use the nearby, highly accessible Route Z bikeway recommended by the BWC. The temptation for recreational cycling along Route 6 will decrease substantially; lives will likely be saved.

Add public transit options

Cyclists who do not feel confident along Route 6 can be encouraged to find alternative transportation means. For short distances along Route 6 they can walk along the provided pedestrian sidewalks; for longer distances they can use public transportation options or drive. MassDOT's design policies call for a thorough examination of opportunities to enhance transit opportunities such as public buses (MassDOT, 2020). Safe, easy-access buses and transit stops are comfortable and low-cost for users and have limited impact on traffic flow—especially compared to a predictably unsafe bikeway crossing high-use driveways and intersections. The BWC recommends the Selectboard work with MassDOT to provide enhanced transit opportunities (i.e., bus stops) at critical areas along Route 6, at the Rail Trail terminus, and in town. This will enable connectivity into Wellfleet Center for pedestrians or other bikeway users who do not choose to use share-the-road paths.

No sidewalk on East Main Street

The requirement for a paved sidewalk on the south side of the street was waived due to proximity to the marsh—the sidewalk on the north side should be waived for the same reason. Both sides of Main Street are well within the bounds of the 50' wetland no-go buffer, and the density of driveways and parking areas along that stretch makes a north-side sidewalk impractical. Looking at the MassDOT plans, more than 50% of the proposed Main Street sidewalk would consist of level driveway crossings—an unsightly and unnecessary strip of cement across shelled driveways, with no curb, offering no safety for pedestrians.

If a paved sidewalk is unavoidable, it can only be practical if businesses along that stretch of Main Street are required to close off their roadside parking areas and increase the available space for a sidewalk with a raised curb. To be clear: The BWC opposes this idea.

East Main Street is challenging for pedestrians, and the proximity of the marsh and business driveways means there is no straightforward solution. The BWC recommends the Selectboard explore the option of expanding the pedestrian trail on the south side of the road. If it were improved even slightly, the vegetation maintained, and more of the attractive stone or wooden posts added as a buffer, it can be a safe, and attractive pedestrian path for that portion of Main Street with little or no impact on the Duck Creek marsh. MassDOT's high valuation of context-sensitive design should allow for some leeway to enable this walkway alternative (MassDOT, 2006).

Sharrows, not shoulder bike lanes on Main Street

The proposed shoulder lanes end after only 450 ft and just before the crest of a hill. Cyclists and drivers alike may be surprised by the end of the shoulder bike lanes, making it more dangerous to merge the cyclists into Main Street traffic. The hill at that location also reduces sight distance, increasing risk of traffic accidents when drivers try to go around merging cyclists. The BWC recommends sharrows on Main Street indicating that cars and bikes share the road will be much safer than shifting traffic lane conditions and bike lanes which end. This same solution can be easily implemented further into town, and at low cost with no construction requirements.

NEXT STEPS

Improve communication with DCR

The DCR has demonstrated significant communication failures in the course of the Rail Trail project. The BWC advises the Selectboard to ask specific questions and require clear, direct answers from the DCR regarding any and all current and future DCR-related projects and plans affecting Wellfleet.

DCR says phase 2 is not currently on their near-term or 5-year plans.

- What is the cut-off date for putting this on their next year or 5-year plans?
- Will DCR notify the town when the issue does come up in their funding plans?

The Amsler lot is currently being used as a “staging area” for construction.

- What will happen to the lot when phase 1 construction is complete?
- If it takes years to decide to go forward (DCR pointed out that phase 2 is not on their 5-year plan), will they clean up the lot, stabilize the hill, plant ground cover, etc. in the interim?

Make a new plan with MassDOT and Stantec

The MassDOT project keeps moving ahead despite strong criticism from the public. Per MassDOT guidelines (2006), the Town is quickly running out of time to request any design changes. Ironically, the Town is funding the design its residents oppose. The contracted designers at Stantec, who have a longstanding work partnership with MassDOT, will provide the town-funded design to MassDOT for implementation. The BWC recommends that the Selectboard engage immediately with the project designers at Stantec and their MassDOT colleagues to do the following:

Implement design changes

MassDOT’s Route 6 project should not be treated as a solution for a Wellfleet bikeway. The scope of the project should be limited to the following:

- Shoulder bike lanes with widened buffer and bollards/barriers along Route 6
- Ordinary pedestrian sidewalks along Route 6 (no shared-use-path)
- Intersection improvement as planned, but with no other construction on Main Street
- New transit stops at critical points on Route 6

Schedule the 25% Design Public Hearing

Initially MassDOT indicated great urgency in holding the hearing before the end of June 2021. On June 14, MassDOT postponed the hearing indefinitely (Wellfleet Town Media, 2021). The BWC recommends the Selectboard offer a date and facilities for the 25% Design Public Hearing to take place in Fall 2021. Wellfleet's summer season is a peak working time for many residents; a Fall hearing date will support--and does not exclude--town residents.

Request the Design Justification Workbook

Per MassDOT's updated policies (2020), the project designer must prepare a Design Justification Workbook explaining design decisions. Given the current stage of the project, this is very likely already completed. This information should be shared with the Selectboard and, if relevant, the public so there can be transparency throughout the design process. The MassDOT project is already contentious—if design documentation is held back, it will be harder to gain public support.

Request the Alternatives Evaluation Matrix

This MassDOT design documentation step precedes the newly required Design Justification Workbook listed above. Since the design has been in work for years, the evaluation matrix—a required step in prior planning—should be available. This matrix will help the Town understand the planning decisions made in the past that led to the current project situation.

Request the updated environmental impact determination

The requisite environmental impact study addresses many issues beyond natural environmental concerns (such as traffic flow, safety, etc.). The MassDOT project began as a smaller intersection improvement before it ballooned into a \$10M highway reconstruction project. The intersection project was not originally linked to DCR Rail Trail extension, which may send over 1,000 cyclists per day to Route 6 (CCNS, 2010). The environmental impact study still reflects the original intersection project and was not updated when the scope of the project grew.

Discuss transit provisions

MassDOT's Healthy Transit policy places high value on transit (i.e., buses, shuttles, etc.), and these options may be excellent solutions for the largely seasonal needs of summer visitors and workers. The BWC recommends that the Selectboard work with MassDOT to improve the fixed-route transit networks, with special attention to the planned affordable housing area at Lawrence Road and in any areas known to particularly attract seasonal workers.

It may also be worthwhile to explore seasonal shuttles between areas of interest, such as town destinations and the beaches. This could prove a safe, comfortable alternative for recreational transportation that also reduces carbon emissions from private vehicles and the strain on shrinking ocean beach parking lots. It could be a convenient, low-impact solution to a seasonal problem. The BWC recommends the Selectboard explore this idea.

Designate a Wellfleet Liaison to DCR and MassDOT

The BWC advises that Wellfleet needs a more effective relationship with the DCR and MassDOT regarding ongoing and future plans and projects in Wellfleet. This can be achieved by a body or

individual duly authorized by the Town Government as a communication conduit. The BWC recommends the Selectboard appoint, in coordination with the Town Administrator, a qualified person who does not work on projects influenced by either of those agencies, and is not a member of the Selectboard, to act as the Town Liaison to the DCR and MassDOT regarding ongoing and future plans and projects in Wellfleet.

New discussions with CCNS

The CCNS opposition to the most desirable potential bikeway segments hampers Wellfleet's efforts to develop a suitable bikeway. The BWC recommends the Selectboard open new lines of communication with the CCNS to address their concerns. Wellfleet residents and visitors passionately share the CCNS staff's interest in protecting our unique, beautiful, publicly-owned natural resources, just as we know the CCNS staff shares Wellfleet's interest in enabling safe enjoyment of the outdoors. Given these mutual interests, it is likely that further discussion will lay open new options to mitigate the CCNS staff's concerns about the impact of a single bikeway on town-owned Old Kings Highway.

The BWC recommends the following points for future discussions with the CCNS:

- An unsuitable bikeway will not mark an end to the issue. There will be continued demand for a safe bikeway through Wellfleet (unlikely to be accomplished along Route 6). State policies are progressing rapidly for the development of more bike-friendly transport options (MassDOT, 2020). The town has a close relationship with CCNS; it is better to work together to put something acceptable in place, rather than to wait for the state to mandate something in the future that may not respect CCNS and town interests.
- There are many means of limiting negative environmental impact through park areas. Such means are used throughout the National Park Service, including existing CCNS trails and bikeways through CCNS land in Truro and Provincetown, and raised walkways through multiple wetlands with rare features (i.e., White Cedar Swamp, Red Cedar Swamp). Each trail or bikeway employs suitable means of protecting the natural surroundings. The BWC recommends the Selectboard advocate using these standard methods, including native plantings, fences, foliage barriers, and well-maintained trashcans, to reduce negative impact. The BWC likewise recommends the Selectboard advocate environmentally friendly path surface-material options, particularly for any portions of a bikeway through the CCNS.
- Wellfleet residents share the CCNS staff's desire to prevent overuse and overdevelopment of the public lands within the CCNS. To this end, the BWC recommends the Town and the CCNS create a memorandum of agreement that, after the installation of a single, carefully planned bikeway route on Old Kings Highway, there will not be any newly constructed (paved or otherwise) paths for bikes or pedestrians as "spur" routes through the CCNS. This can finally and formally address CCNS staff concerns and restrict further bikeway development within the CCNS boundaries.
- The CCNS staff has stated the CCNS is not budgeted for building a new bikeway through CCNS lands. Congress has created federal programs to facilitate transportation through federal lands, including lands managed by the NPS. Such programs provide means which might facilitate a bikeway using existing rights-of-way within the CCNS (including public roadways owned by the town). The BWC recommends the Selectboard work directly with the CCNS to explore these and other opportunities. CCNS partnership and local knowledge will prove valuable in planning.

- The Federal Lands Highway Program (FLHP), administered by the NPS, provides funding for an integrated approach to addressing transportation needs in national parks through the Park Roads and Parkways Program (PRPP) including infrastructure for alternative transportation (e.g., bikeways). The FLHP helps to manage existing transportation resources while also aiding in resource protection, energy conservation, and reducing noise and air pollution (NPS, 2018).
- The Federal Lands Access Program (FLAP) was established to improve transportation facilities that provide access to, are adjacent to, or are located within federal lands. The FLAP supplements state and local resources for public roads and other transportation facilities, with an emphasis on high-use recreation sites and economic generators (FHWA, 2021).
- Transportation Alternatives Set-Aside Program funds the development of facilities for nonmotorized transportation, community improvement activities such as historic preservation and vegetation management, and environmental mitigation related to stormwater and habitat connectivity (FHWA, 2017).
- Recreational Trails Program (RTP) provides funding to states to create and maintain recreational trails for motorized and nonmotorized trail uses, including hiking and bicycling (NPS, 2017).
- Federal Lands Transportation Program (FLTP) was established under the Moving Ahead for Progress in the 21st Century Act (MAP-21) and continued under the Fixing America's Surface Transportation Act (FAST), (23 USC § 203) to improve transportation facilities for the Federal Land Management Agency (FLMA) partners, including the NPS (NPS, 2020).

Communicate with Wellfleet residents

The BWC recommends the Selectboard increase transparent communication with the public to encourage inputs and address concerns. When a decision is made regarding the final bikeway route, it should be described in full, with the reasoning, advantages, and risk mitigations fully explained.

It is crucial that the public be enabled to prepare for and participate in the MassDOT 25% Design Public Hearing. As noted previously but repeated here for emphasis, the BWC recommends the Selectboard ensure the 25% public hearing for the Route 6 project take place after the end of the busy summer tourist season, the public hearing is well-advertised, and residents are given ample opportunity to prepare and submit comments and questions ahead of the meeting.

Conclusion

Wellfleet seeks to develop a safe, usable, bikeway that serves the public and compliments the region's distinctive qualities. The challenge of creating a suitable bikeway through Wellfleet has continued for decades, with many environmental, geographic, and traffic concerns as obstacles. The diverse needs of a seasonally changing town population complicate the issue. Through this data-driven study, founded on bikeway planning best-practices and bolstered by public inputs and local context, the Wellfleet BWC has determined two options for developing a Wellfleet Bikeway. The BWC offers these options for the Selectboard's consideration, along with actionable recommendations, including next steps in engaging stakeholder agencies.

The highest-scoring option, identified as Route Z in this study, will provide a safe, practical, enjoyable bikeway through Wellfleet. The primary obstacle is the CCNS staff's resistance to Wellfleet's use of the town-owned Old Kings Highway which proceeds within the western boundary of the CCNS.

The second option is the highest scoring alternative that avoids the National Seashore. Route Q₂ is the highest-scoring route under that constraint. It is worth noting that although Route Q₂ scores in the acceptable range, it ranks in the bottom half of all the alternatives.

The route proposed by state agencies, identified as Route A in this study, ranks lowest of all the routes considered. It is worth repeating that the scoring parameters in this study were developed through an independent research effort which investigated best practices nationwide, firewalled from any consideration of the specific alternative routes to be evaluated in Wellfleet. Route A has scored, objectively, as the most dangerous to cyclists and pedestrians, the most dangerous to motor vehicle traffic, the least valuable to promote cycling or other transportation alternatives, and the most damaging to the Town of Wellfleet. Route A is not recommended. The BWC offers several actionable recommendations to make the state's projects less unsuitable if, in fact, the state agencies force their projects on Wellfleet despite public opposition and the objective results of this study.

With the information and recommendations provided in this report, the BWC hereby provides the Selectboard with tools to strengthen its position in working with external agencies to implement a safe and successful bikeway in Wellfleet.

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Appendix A. Town-State correspondence regarding Rail Trail Extension

Figure A1. Letter from Wellfleet Selectboard to Governor Baker – 26 August 2020



TOWN OF WELLFLEET
OFFICE OF THE SELECTBOARD
300 MAIN STREET WELLFLEET MASSACHUSETTS 02667
Tel (508) 349-0300 Fax (508) 349-0305
www.wellfleet-ma.gov

August 26, 2020

Massachusetts State House
24 Beacon St.
Office of the Governor, Room 280
Boston, MA 02133

Dear Governor Baker, Lt Governor Polito and DCR Commissioner Jim Montgomery,

As members of the Wellfleet Selectboard, we represent our residents and taxpayers in all matters that important public issues. We are writing to bring to your attention a serious, ongoing public safety concern related to where the DCR plans to end the Cape Cod Rail Trail Bike Path in Wellfleet.

Our town is very supportive of continuing the Bike Path through Wellfleet and appreciates all the hard work and planning that has gone into the project. However, we do not support the current DCR plan, as it has the proposed Bike Path project terminus immediately abutting and corresponding with an expanded bike lane on Route 6 proposed by the DOT, at the busiest and most congested stretch of the highway in Wellfleet. At issue is the foreseeable increase in use of this dangerous section of road for cyclists to reach nearby attractions. Members of our community have repeatedly voiced their public safety concerns with this proposal at public meetings hosted by the DCR, and in smaller gatherings with DCR and DOT staff, but they feel that their valid considerations have been overlooked.

On April 23, 2019 at our Annual Town Meeting, citizens of Wellfleet voted almost unanimously in favor of Article 44, which requested

“that the Board of Selectmen, the Conservation Commission and the Planning Board consider alternate routes for the Bike Trail Extension and to ask the appropriate agencies to halt any planning or construction of the bike trail extension beyond Old County Road until those deliberations have occurred.”

Therefore, we formally request that the DCR postpone any further construction and planning of the bike trail extension beyond Old County Road (also known as Old Kings Highway) due to public safety concerns. We ask that in future planning, the DCR work with DOT staff, the Town, and the Superintendent of the Cape Cod National Seashore, to seek alternative routes and safely continue the Cape Cod Rail Trail through Wellfleet.

We request your help in giving the Town of Wellfleet an effective role in this process, so that we may protect the safety of our citizens and our visitors.

Sincerely,

The Wellfleet Selectboard



Michael DeVasto, Chair

Janet Reinhart, Vice-Chair



Ryan Curley, Clerk



Helen Miranda Wilson

Justina Carlson

CC:
The Honorable Lt. Governor Karen Polito
DCR Commissioner Jim Montgomery

Figure A2. Letter from DCR Commissioner to Wellfleet Selectboard – 24 September 2020



September 24, 2020

Mr. Michael DeVasto, Chair
Town of Wellfleet Select Board
300 Main Street,
Wellfleet, MA 02267

Dear Chairman DeVasto,

I just received your letter of August 26, 2020, expressing the Town's concerns over the extent and current timeline of the DCR Wellfleet extension project for the Cape Cod Rail Trail (CCRT).

Thank you for your input and communication. At this time DCR has elected to phase our project and only construct the CCRT extension from the Lecount Hollow trailhead to DCR's Wellfleet Hollow Campground. We hope to initiate construction of this project early next calendar year and complete it sometime in 2022. We believe that this Phase One project will be a benefit to both Wellfleet and Commonwealth residents.

While we appreciate your desire to explore alternative shared-use pathway routes north of Old County Road, DCR does not own any other rights of way and would defer any feasibility studies to the Town and other parties. In addition, DCR continues to believe that the safest and best approach for users of the CCRT, and for Wellfleet residents of all ages, will be to continue the CCRT on the former railroad corridor to a new terminus trailhead at Route 6. However, as requested, we have placed those plans on hold for the present.

As a part of our current project, we do ask that the Town work with DCR to provide temporary alternative parking for the Lecount Hollow trailhead near the Chamber of Commerce on the Town-owned old State Highway.

We hope that this addresses the Town's concerns, and we look forward to working with you as the Phase One project moves into construction. Please feel free to reach out to me again, or to Craig Cashman, DCR Director of Legislative Affairs, (craig.r.cashman@mass.gov), or Paul Jahnige, DCR Director of Trails and Greenways (paul.jahnige@mass.gov) with any questions.

Sincerely,



Jim Montgomery
Commissioner

CC: Maria Broadbent, Town Administrator, Maria.Broadbent@Wellfleet-MA.gov
Senator Julian Cyr Julian.Cyr@masenate.gov
Rep. Sarah Peake: Sarah.Peake@mahouse.gov
Craig Cashman, DCR
Paul Jahnige, DCR

COMMONWEALTH OF MASSACHUSETTS EXECUTIVE OFFICE OF ENERGY & ENVIRONMENTAL AFFAIRS

Department of Conservation and Recreation
251 Causeway Street, Suite 600
Boston, MA 02114 2199
617-626-1250 617-626-1351 Fax
www.mass.gov/orgs/department-of-conservation-recreation



Charles D. Baker
Governor

Karyn E. Polito
Lt. Governor

Fathleen A. Theoharides, Secretary, Executive
Office of Energy & Environmental Affairs

Jim Montgomery, Commissioner
Department of Conservation & Recreation

Appendix B. Resource documents for bikeway planning principles

Regional Reports	
Outer Cape Bicycle and Pedestrian Master Plan Final Report, 2017	https://www.capecodcommission.org/resource-library/file/?url=/dept/commission/team/WebsiteResources/initiatives/OuterCapeBikePedPlan/OCBPMPFinalReport9-2016UpdateFeb2017.pdf
Integrated Bicycle Plan for Cape Cod Bicycle Feasibility Study In Partnership with the Cape Cod Commission, 2010	https://www.capecodcommission.org/resource-library/file?url=%2Fdept%2Fcommission%2Fteam%2Ftr%2Freference%2FBike-Ped%2F2010%20CCNS%20Bike%20Feasibility.pdf
Parkwide bicycle trail study/traffic safety study/environmental assessment, 1987	https://ia801601.us.archive.org/8/items/parkwidebicyclet00romo/parkwidebicyclet00romo.pdf
Cape Cod Commission 2011 report for bike lanes in all the 15 Cape towns	https://www.capecodcommission.org/resource-library/file?url=%2Fdept%2Fcommission%2Fteam%2FWebsiteResources%2Ftransportation%2FBikePedPlanningRecReport%20Sept2011.pdf
2016 Cape Cod Regional Transportation Plan	https://www.capecodcommission.org/resource-library/file/?url=/dept/commission/team/tr/Transportation%20Plans/RTP/2016%20RTP/Final%20Report/Cape%20Cod%202016%20Regional%20Transportation%20Plan%20-%20without%20Appendices%20(Endorsed%207-20-15).pdf
Cape Cod National Seashore Foundation Document	https://www.nps.gov/caco/learn/management/upload/CACO_FD_508.pdf
State and federal guidelines	
Federal Highway Administration Separated Bike Lane Planning and Design Guide	https://www.fhwa.dot.gov/environment/bicycle_pedestrian/publications/separated_bikelane_pdg/page04.cfm
MassDOT Separated Bike Lane Planning and Design Guide	https://www.mass.gov/lists/separated-bike-lane-planning-design-guide
MassDOT Design Guides and Manuals	https://www.mass.gov/lists/design-guides-and-manuals#design-guides-and-manuals-
Massachusetts Bicycle Transportation Plan Public Engagement Results, 2019	https://www.mass.gov/doc/bike-plan-public-engagement-results/download
MassDOT Municipal Resource Guide for Bikeability, 2019	https://www.mass.gov/files/documents/2019/06/13/2019_Municipal_Resource_Guide_for_Bikeability.pdf
Massachusetts Bicycle Transportation Plan, 2019	https://massdot.maps.arcgis.com/apps/MapJournal/index.html?appid=c80930586c474a3486d391a850007694
National Environmental Policy Act	https://www.epa.gov/nepa/what-national-environmental-policy-act
National Historic Preservation Act	https://www.nps.gov/subjects/historicpreservation/laws.htm

Federal Lands Access Program	https://highways.dot.gov/federal-lands/programs-access/ma
DCR Trails Guidelines and Best Practices	https://www.americantrails.org/resources/dcr-trails-guidelines-and-best-practices-manual#:~:text=DCR%20Trails%20Guidelines%20and%20Best%20Practices%20Manual.%20The,procedures%2C%20and%20best%20practices%20in%20sustainable%20trail%20development
Other bikeway studies	
South Orleans to Orleans Trail Study	https://www.town.orleans.ma.us/bike-and-pedestrian-committee/pages/south-orleans-to-orleans-trail-study
Billerica MA evaluation of bikeway alternatives	http://www.town.billerica.ma.us/DocumentCenter/View/3539/Yankee-Doodle-Bike-Path-Alternative-Analysis?bidId=)
Cupertino CA study, listing 7 criteria.	https://altago.com/wp-content/uploads/Cupertino-Bicycle-Transportation-Plan-6.pdf
Sunnyvale CA study	https://sunnyvale.ca.gov/civicax/filebank/blobdload.aspx?BlobID=23225
Marin County CA study of routes, listing 13 criteria (pp3-3 and 3-4).	http://walkbikemarin.org/documents/mv_cm_study/FINAL%20Study/3%20Alternatives%20Evaluation.pdf
Santa Clara CA study giving 12 general criteria but a wealth of information and perspectives about the methodologies of choosing alternative paths.	https://www.stevenscreektrail.org/Resources/LosAltos/LA_SCT_FeasibilityStudy/Alta_FinalReport/SCT%20FINAL%20FEASIBILITY%20STUDY.pdf
Portland OR study of improving a city bike lane that lists 8 general criteria.	https://www.portlandoregon.gov/transportation/article/702764
A Florida study that lists 8 general criteria (p4).	https://www.ecrc.org/document_center/Programs/Bay%20County%20TPO/Plans%20and%20Documents/DRAFT%20Bay%20TA%20Scoring%20Criteria%20.pdf
Meta-study by Texas looking at how other states evaluate options for bike routes (and other things), and then what they recommend for TX.	https://static.tti.tamu.edu/tti.tamu.edu/documents/3988-1.pdf
2020 National Cycling Plan for Germany.	https://nationaler-radverkehrsplan.de/en/federal-initiatives/national-cycling-plan-nvp-2020
How the European Union (EU) approaches selection, design, operation, and maintenance of bike paths.	https://ec.europa.eu/transport/themes/clean-transport-urban-transport/cycling_en
A Greek (Thessaloniki) study of alternative bike routes with 8 criteria.	https://www.researchgate.net/publication/236630986_The_implementation_of_a_cycle_network_in_the_city_of_Thessaloniki-Greece_Evaluation_remedial_proposals_and_policies

Appendix C. Bikeway analysis goals, objectives, and criteria

Goal 1: *Safety* [30%]: Minimize accident risk.

Objective 1.a: *Limit exposure to motor vehicle traffic danger.* Minimize users' direct exposure to the collision threats, stress, noise, pollution, and other dangers of roadways. [35%]

Criterion 1.a.1: Motor vehicles cannot accidentally intrude onto the route. [50%]

Criterion 1.a.2: The route does not discourage use by less experienced cyclists or pedestrians by presenting obvious dangers. [15%]

Criterion 1.a.3: Stressors such as noise, pollution, or proximity to high-velocity high-volume traffic are unlikely to create risks for users of varying ability levels, such as children and seniors. [20%]

Criterion 1.a.4: The route does not cross dense clusters of roadway curb cuts. [15%]

Objective 1.b: *Prevent accidents on the path.* Ensure sufficient path width, visibility, grades, and turn radii to minimize user collisions, going off track, over-working, and other physical problems. [30%]

Criterion 1.b.1: The route's features are unlikely to cause user loss of control or collision. [30%]

Criterion 1.b.2: The route edges will not immediately border dangerous features such as drop-offs, wetlands and streams, or solid natural walls. [30%]

Criterion 1.b.3: There is sufficient space for a reasonable distribution of stopping points along the route (e.g., at points of interest), to enhance user safety. [15%]

Criterion 1.b.4: The route is not excessively arduous such that it will predictably lead to injury/overexertion for some users. [25%]

Objective 1.c: *Ensure intersection and road-sharing safety.* Implement best-practices safety measures when the path intersects with, or road-shares on, secondary roads. [25%]

Criterion 1.c.1: Road crossings are not at points which present significant difficulties, such as a steeply banked surface, multiple roads, or frequent surface water/sand. [20%]

Criterion 1.c.2: Route users have adequate visibility at intersections. [20%]

Criterion 1.c.3: Roadway drivers have adequate visibility at intersections. [20%]

Criterion 1.c.4: Road-sharing does not occur on narrow roads or where side features preclude a safe shoulder. [20%]

Criterion 1.c.5: Road crossing or road-sharing does not occur on stretches of secondary roads known to be unsafe (verified by the Wellfleet Police Department). [20%]

Objective 1.d: *Minimize risks to motor vehicle traffic.* Limit driver distraction or overload that increases the risk of vehicular traffic accidents. [10%]

Criterion 1.d.1: Route users are unlikely to impede high-volume road traffic by obstructing high-use curb cuts. [50%]

Criterion 1.d.2: Route users and required safety signage are unlikely to distract drivers, especially in high-volume traffic. [50%]

Goal 2: *Practicality* [20%]: Ensure that the bike path will be reasonable to build and maintain, direct in its course, and have negligible adverse impact to traffic congestion on roadways.

Objective 2.a: *Promote constructability.* Select routes with features that reduce expected construction difficulty. [30%]

Criterion 2.a.1: The route follows public rights of way. [20%]

Criterion 2.a.2: No new trails will be blazed through deep, untraveled, undisturbed, virgin natural terrain unaligned with existing rights of way. [20%]

Criterion 2.a.3: No bridges or underpasses need to be built. [15%]

Criterion 2.a.4: Extensive grading of the route is not required. [15%]

Criterion 2.a.5: Construction costs are likely to be reasonable. [15%]

Criterion 2.a.6: The route does not adversely impact utility easements, drainage features, and similar roadway considerations, nor shall these features unnecessarily prevent a path route (verified by the Wellfleet Department of Public Works). [15%]

Objective 2.b: *Facilitate authorizations.* Avoid major foreseeable difficulties in obtaining approvals and legal actions. [30%]

Criterion 2.b.1: The authorization process to use rights-of-way is anticipated to be reasonable. [30%]

Criterion 2.b.2: The route does not require authorization of new trails through undeveloped National Seashore land. [30%]

Criterion 2.b.3: Town-owned land has no intended purpose that would conflict with a path route (verified by the Wellfleet Department of Public Works). [10%]

Criterion 2.b.4: The route does not require acquisition of privately-owned land. [30%]

Objective 2.c: *Limit new traffic congestion.* Limit adverse impact on traffic congestion along traffic arteries. [15%]

Criterion 2.c.1: The route will not foreseeably create significant adverse impacts to the flow of roadway traffic. [50%]

Criterion 2.c.2: The route will not foreseeably require speed limit adjustments or additional traffic lights on a roadway. [50%]

Objective 2.d: *Ensure directness.* Avoid unreasonably circuitous routes through Wellfleet. [15%]

Criterion 2.d.1: The route distance is close to the straight-line distance from Wellfleet Hollow Campground to Rose Road or Collins Road in Truro. [70%]

Criterion 2.d.2: The route's natural features do not reduce travel efficiency (e.g., sharp turns, steep slopes). [30%]

Objective 2.e: *Ensure reasonable maintenance requirements.* The route will not require extraordinary effort to maintain. [10%]

Criterion 2.e.1: The route's features will not pose foreseeable and chronic special maintenance issues (e.g. excessive accumulation of sand, water, or roadway debris). [60%]

Criterion 2.e.2: No special support structures (e.g. guy wires, buttresses, special borders, special shoring up) appear necessary on the route. [40%]

Goal 3: *User Experience* [20%]: Provide an interesting, satisfying, and supportive experience for both recreational and purposive users.

Objective 3.a: *Enhance usability.* Accommodate users passing in both directions. [30%]

Criterion 3.a.1: There is sufficient space for multi-directional traffic, ideally a 12' wide 2-way separated bikeway with a 2' shoulder on each side. [40%]

Criterion 3.a.2: The route side features will enable a path that is laterally even and flat so users can comfortably pass in both directions. [20%]

Criterion 3.a.3: The route is accessible for less able users. [20%]

Criterion 3.a.4: The route provides users reasonable visibility to comfortably share the pathway with other users. [20%]

Objective 3.b: *Share natural experiences.* Expose path users to Wellfleet's natural beauty. [25%]

Criterion 3.b.1: There is little vehicular or industrial noise or smell on the route. [25%]

Criterion 3.b.2: There are few buildings or commercial equipment/structures visible on the route. [25%]

Criterion 3.b.3: The route provides 360° immersion in nature. [30%]

Criterion 3.b.4: The route offers one or more unobstructed natural vista (e.g. view of ponds, marsh, dunes). [20%]

Objective 3.c: *Accommodate areas for stopping along the path.* Allow for reasonable stopping areas to access nearby public car parking, rest and repair areas, and points of interest. [25%]

Criterion 3.c.1: The route is close to areas which have or could accommodate public car parking for path users. [35%]

Criterion 3.c.2: Space exists to construct off-path rest areas for extended stops (e.g. eating, attending to equipment, and making calls). [35%]

Criterion 3.c.3: Space exists to construct pull-over areas for quick stops (e.g. reading signs, taking photos). [30%]

Objective 3.d: *Improve purposive user experience.* Serve the timeliness and travel efficiency intentions of purposive users. [20%]

Criterion 3.d.1: The route's location and practical qualities are likely to promote an increase in cycling transportation. [50%]

Criterion 3.d.2: The route promotes low-stress travel both to centers of town activity and to recreational locations. [50%]

Goal 4: Conservancy [20%]: Minimize impact on cultural, scenic, community, or environmental areas or values.

Objective 4.a: *Protect the environment.* The path will not negatively impact any aspect of Wellfleet's environment. This includes natural (e.g. ponds, streams, marshes, wildlife) and iconic cultural features. [40%]

Criterion 4.a.1: Path construction on the route will not disrupt the physical environment (e.g. diverting natural water flows, increasing dune instability, removing slope-anchoring plant life, or cutting through forested hills). [25%]

Criterion 4.a.2: The route does not cause significant disruption to wildlife patterns (e.g. encroaching on animal breeding areas) (verified by the National Seashore). [10%]

Criterion 4.a.3: The route does not directly border any pond in the National Seashore (verified by the National Seashore). [40%]

Criterion 4.a.4: The route does not border the protected "Cape Cod Modern" buildings (verified by the National Seashore). [25%]

Objective 4.b: *Preserve the Town's character.* Preserve Wellfleet's existing historical and iconic streets, sidewalks, architecture, small-town character, historical legacy, and cultural nature. [30%]

Criterion 4.b.1: The route does not require land that is currently part of historic properties. [30%]

Criterion 4.b.2: The route will not create traffic conditions which overcrowd the parking areas, streets, and sidewalks in Wellfleet Center. [40%]

Criterion 4.b.3: The route does not foreseeably lead to roadway expansion within the Town of Wellfleet that would disrupt the character, historical legacy, architecture, and cultural nature of Wellfleet. [30%]

Objective 4.c: *Respect adjacent property.* Minimize adverse effects on adjacent private or public property, including temptation to trespass, negative impacts on views, noise levels, and ambient light experience of abutters or others who can view or hear the path. [30%]

Criterion 4.c.1: The route does not disrupt or eliminate the sole means of access of a property owner to or from their property. [25%]

Criterion 4.c.2: The route does not create a foreseeable major disturbance, obstruct views, or otherwise cause concern to nearby private residences. [25%]

Criterion 4.c.3: Necessary path stops on the route (e.g., at intersections or attractive vistas) are located away from and out of sight of abutting residences. [25%]

Criterion 4.c.4: The route will not foreseeably encourage unauthorized access to sensitive National Seashore sites (verified by the National Seashore). [25%]

Goal 5: *Connectivity* [10%]: Facilitate connectivity with cultural, commercial, and community centers; public transportation; services; and scenic areas.

Objective 5.a: *Provide access to points-of-interest.* Accommodate convenient connections to Wellfleet Town Center, businesses and services, the National Seashore sights and beaches, and bikeways in the neighboring towns. [80%]

Criterion 5.a.1: The route promotes convenient connectivity to the Town center and commercial sites. [30%]

Criterion 5.a.2: The route promotes convenient connectivity to scenic and recreational sites (e.g., beaches). [30%]

Criterion 5.a.3: The route supports diverse user interests by providing convenient connectivity to a balanced mix of destinations. [40%]

Objective 5.b: *Anticipate network improvement.* Plan for future possibilities for low-impact expansion to points of interest. [20%]

Criterion 5.b.1: There are reasonable opportunities for future bikeway expansion to additional points of interest (e.g., links to highly-rated segments from the bikeway study that are not used in final route). [50%]

Criterion 5.b.2: There are reasonable opportunities for future foot path expansion to additional points of interest. [50%]

Appendix D. Suggested route alternatives

Table D1

Proposed route alternatives included in bikeway analysis

Route	Description	Segments
A	[State's proposal] Proceed on the DCR Rail Trail to Route 6, then follow Route 6 to Truro. Also add a 450ft spur along Main Street from Route 6.	[1-2-3-4-5-6-7-8-9-109-10-11-12-13-14-47]
B	Proceed on the Rail Trail to Dog Park Fire Road. Proceed to Cahoon Hollow Road, then follow Cahoon Hollow Rd to Ocean View Drive. Take Ocean View Drive to Gross Hill Road, then Gross Hill Road to Gull Pond Rd. Proceed to Old Kings Highway, then follow Old Kings Highway to Collins Road in Truro.	[1-2-3-16-39-38-113-112-33-35-37-96-100-101-58-59-60-61]
C	Proceed on the Rail Trail to Old County Road. Follow a new path just inside the edge of the woods east of the power lines, then proceed a short distance west along Cahoon Hollow Road to the utility right-of-way. Follow the utility right-of-way all the way to Rose Road in Truro.	[1-2-3-4-18-42-110-111-22-23-24-25-26-27-28-29]
D	Proceed on the Rail Trail to Old County Road. Proceed to the utility right-of-way and continue to Cahoon Hollow Road. Follow Cahoon Hollow Road to Route 6, then follow Route 6 to Truro.	[1-2-3-4-21-43-44-45-46-7-8-9-109-10-11-12-13-14]
E	Proceed on the Rail Trail to Old County Road. Follow a new path just inside the edge of the woods east of the power lines. Proceed along Cahoon Hollow Road to Route 6, then follow Route 6 to Truro.	[1-2-3-4-18-42-43-44-45-46-7-8-9-109-10-11-12-13-14]
F	Proceed on the Rail Trail to Old County Road. Continue along a path built beside Old County Road to Cahoon Hollow Road, then west along Cahoon Hollow Road to Route 6, then follow Route 6 to Truro.	[1-2-3-4-17-41-42-43-44-45-46-7-8-9-109-10-11-12-13-14]
G	Proceed on the Rail Trail to Old County Road. Continue along a path built beside Old County Road to Cahoon Hollow Road, then west along Cahoon Hollow Road to a path just east of the cemetery that connects to Old Kings Highway. Follow Old Kings Highway to Collins Road in Truro.	[1-2-3-4-17-41-42-43-44-45-52-55-56-57-58-59-60-61]
H	Proceed on the Rail Trail to Old County Road. Proceed to Cahoon Hollow Road, then follow Cahoon Hollow Road east to Way 623/Forrest Road. Take Forrest Road to Long Pond Road, then Long Pond Rd to Old Long Pond Rd to Route 6. Follow Route 6 to Truro.	[1-2-3-4-17-40-39-64-65-80-23-86-10-11-12-13-14]
I	Proceed on the Rail Trail to Old County Road. Proceed to Cahoon Hollow Road, then follow Cahoon Hollow Road east to Way 623/Forrest Road. Take Forrest Road to Long Pond Road, and Long Pond Road to Route 6 (via a ramp), then follow Route 6 to Truro.	[1-2-3-4-17-40-39-64-65-80-81-82-83-85-109-10-11-12-13-14]
J	Proceed on the Rail Trail to Old County Road. Proceed to Cahoon Hollow Road, then follow Cahoon Hollow Road east to Way 623/Forrest Road. Take Forrest Road to Long Pond Road, and Long Pond Road to Sapokonish Way to Gull Pond Road. Take Gull Pond Road to Old Kings Highway, then follow Old Kings Highway to Collins Road in Truro.	[1-2-3-4-17-40-39-64-65-79-114-92-100-101-58-59-60-61]

K	Proceed on the Rail Trail to Old County Road. Proceed to Cahoon Hollow Road, then follow Cahoon Hollow Road east to Way 54. Continue on Way 626 to Long Pond Road. Take Long Pond Road to Route 6 (via a ramp), then follow Route 6 to Truro.	[1-2-3-4-17-40-39-38-113-62-77-78-79-80-81-82-83-85-109-10-11-12-13-14]
L	Proceed on the Rail Trail to Old County Road. Proceed to Cahoon Hollow Road, then follow Cahoon Hollow Road east to Way 54. Continue on Way 626 to Long Pond Road. Take Long Pond Road to Old Long Pond Road to Route 6. Follow Route 6 to Truro.	[1-2-3-4-17-40-39-38-63-69-77-78-79-80-23-86-10-11-12-13-14]
M	Proceed on the Rail Trail to Old County Road. Proceed to Cahoon Hollow Road, then follow Cahoon Hollow Road east to Way 54. Continue on Way 626 to Long Pond Road. Take Long Pond Road east to Sapokonish Way to Gull Pond Road. Take Gull Pond Road to Old Kings Highway, and proceed to Collins Road in Truro.	[1-2-3-4-17-40-39-38-63-69-77-78-114-92-100-101-58-59-60-61]
N	Proceed on the Rail Trail to Dog Park Fire Road. Proceed to Cahoon Hollow Road, then follow Way 623 to bear northward just after Dyer Pond along the fire road to the utility right-of-way. Continue along the utility right-of-way across Gross Hill Road to Old Kings Highway, then follow Old Kings Highway to Collins Road in Truro.	[1-2-3-16-39-64-73-74-22-23-24-57-58-59-60-61]
O	Proceed on the Rail Trail to Old County Road, then follow the utility right-of-way all the way to Rose Road in Truro.	[1-2-3-4-21-110-111-22-23-24-25-26-27-28-29]
P	Proceed on the Rail Trail to Old County Road. Proceed along the utility right-of-way and continue to Long Pond Road. Take Long Pond Road east to Sapokonish Way to Gull Pond Road. Proceed along Gull Pond Road to Old Kings Highway, then follow Old Kings Highway to Collins Road in Truro.	[1-2-3-4-21-110-111-22-80-79-114-92-100-101-58-59-60-61]
Q	Proceed on the Rail Trail to Old County Road. Continue along a path built beside Old County Road to Cahoon Hollow Road, then west along Cahoon Hollow Road to the utility right-of-way. Proceed along the utility right-of-way to Old Long Pond Road, take Old Long Pond Road to Route 6, then follow Route 6 to Truro.	[1-2-3-4-17-41-42-110-111-22-23-86-10-11-12-13-14]
Q₂	Proceed on the Rail Trail to Old County Road. Continue along a path built beside Old County Road to Cahoon Hollow Road, then west along Cahoon Hollow Road to the utility right-of-way. Proceed along the utility right-of-way to Gull Pond Road. Take Gull Pond Road west to Route 6, then follow Route 6 to Truro.	[1-2-3-4-17-41-42-110-111-22-23-24-25-102-12-13-14]
R	Proceed on the Rail Trail to Old County Road. Continue along a path built beside Old County Road to Cahoon Hollow Road, then west along Cahoon Hollow Road to the utility right-of-way. Proceed along the utility right-of-way to Long Pond Road. Take Long Pond Road to Route 6 (via a ramp), then follow Route 6 to Truro.	[1-2-3-4-17-41-42-110-111-22-81-82-83-85-109-10-11-12-13-14]
R₂	Proceed on the Rail Trail to Old County Road. Continue along a path built beside Old County Road to Cahoon Hollow Road, then west along Cahoon Hollow Road to the utility right-of-way. Proceed along the utility right-of-way to Long Pond Road. Take Long Pond Road to Lawrence Rd. Take Lawrence Road/Gross Hill Rd to Route 6, then follow Route 6 to Truro.	[1-2-3-4-17-41-42-110-111-22-81-82-87-10-11-12-13-14]

S	Proceed on the Rail Trail to Dog Park Fire Road to Cahoon Hollow Road. Continue along Way 623/Forrest Road to Long Pond Road. Take Long Pond Road east to Sapokonish Way. Approximately halfway along Sapokonish Way, proceed on a new trail through the woods directly to the intersection of Gull Pond Road and School House Hill Road. Proceed along School House Hill Road almost to Old Hay Road. Cut the corner through the woods a short distance to Old Hay Road, then proceed to Old Kings Highway. Follow Old Kings Highway to Slough Pond Road, then take Slough Pond Road to Rose Road in Truro.	[1-2-15-64-65-79-114-66-67-68-59-60-107-108]
T	Proceed on the Rail Trail to Dog Park Fire Road to Cahoon Hollow Road. Continue along Way 623/Forrest Road to Long Pond Road. Take Long Pond Road east to Sapokonish Way. Approximately halfway along Sapokonish Way, proceed on a new trail through the woods directly to the intersection of Gull Pond Road and School House Hill Road. Proceed along School House Hill Road almost to Old Hay Road. Cut the corner through the woods a short distance to Old Hay Road, then proceed to Old Kings Highway. Follow Old Kings Highway to Collins Road in Truro.	[1-2-15-64-65-79-114-66-67-68-59-60-61]
U	Proceed on the Rail Trail to Old County Road. Take the utility right-of-way briefly to connect to the Old Kings Highway right-of-way that connects to Howard Court. Proceed on Howard Court to Cahoon Hollow Road. Follow Cahoon Hollow Road to Zoeth Smith Way, then down steep slope on a new pathway to Old Kings Highway behind the Seamen's Bank on Route 6. Continue on Old Kings Highway to Collins Road in Truro.	[1-2-3-4-19-44-53-54-115-55-56-57-58-59-60-61]
V	Proceed on the Rail Trail to Old County Road. Follow a new path just inside the edge of the woods east of the power lines, then proceed a short distance west along Cahoon Hollow Road to the utility right-of-way. Proceed along the utility right-of-way to the trail leading in the direction of Forrest Road. Prior to Forrest Road, turn left onto the Fire Road leading back to the utility right-of-way. Proceed along the utility right-of-way to Gross Hill Road, then follow Old Kings Highway to Collins Road in Truro.	[1-2-3-4-18-42-110-75-74-22-23-24-57-58-59-60-61]
W	Proceed on the Rail Trail to Dog Park Fire Road. Proceed to Cahoon Hollow Road, then follow Way 623 to Forrest Road. Take Forrest Road to Long Pond Road to Sapokonish Way. Approximately halfway along Sapokonish Way, proceed on the trail that leads northwest to Gross Hill Road, which it then crosses and intersects with Old Kings Highway. Follow Old Kings Highway to Collins Road in Truro.	[1-2-3-16-39-64-65-79-114-93-94-58-59-60-61]
X	Proceed on the Rail Trail to Old County Road. Proceed to the utility right-of-way and continue to Gross Hill Road, then follow Old Kings Highway across Gull Pond Road to Collins Road in Truro.	[1-2-3-4-21-110-111-22-23-24-57-58-59-60-61]
Y	Proceed on the Rail Trail to Old County Road. Follow a new path just inside the edge of the woods east of the power lines, then proceed a short distance along Cahoon Hollow Road to the utility right-of-way. Continue along the utility right-of-way to Gross Hill Road, then	[1-2-3-4-18-42-110-111-22-23-24-57-58-59-60-61]

	follow Old Kings Highway across Gull Pond Road to Collins Road in Truro.	
Z	Proceed on the Rail Trail to Old County Road. Continue along a path built beside Old County Road to Cahoon Hollow Road, then west along Cahoon Hollow Road to the utility right-of-way. Proceed along the utility right-of-way to Gross Hill Road, then follow Old Kings Highway across Gull Pond Road to Collins Road in Truro.	[1-2-3-4-17-41-42-110-111-22-23-24-57-58-59-60-61]

The following route spurs were proposed and analyzed, but not included in the final consideration for a route because they do not serve the intent to create a new spine route that links the South Wellfleet and Truro bikeway routes.

Table D2
Route spur alternatives

Route	Description	Segments
Spur A	Inner Cape Corridor: Proceed using the state's plans into East Main Street, then a share-the-road route to connect to the Saltonstall Route – West Main Street to Pole Dike Road, Bound Brook Island Road, Old County Road up to Truro, eventually to Collins Rd.	[47-48-49-50-51]
Spur B	From DCR Rail Trail to Route 6, then Oriole Lane to rear of Bay Sails Marine. Continue behind Bay Sails Marine to Cumberland's parking lot, across to PJs Restaurant parking lot.	[5-20]
Spur C	From any route which intersects Long Pond Road, add a spur west on Long Pond Road to Main Street – a share-the-road route to connect to the Saltonstall Route at Wellfleet Center.	[81-82-84]
Spur D	From the South Wellfleet Rail Trail, proceed along Le Count Hollow Road to Ocean View Drive, to Long Pond Road. Another spur would continue on Ocean View Drive to Newcomb Hollow Beach. The main path would turn off Long Pond Road at Lawrence Road to Gross Hill Road/Route 6.	[31-32-33-35-112-62-77-78-79-80-81-82-87]

Appendix E. Bikeway analysis segments

Segment	Length	Pathway	Proposed path type
1	0.717 mi	DCR Rail Trail Ext LeCount Hollow Rd → Campground	DCR Rail Trail Ext - shared-use-path
2	0.242 mi	DCR Rail Trail Ext Campground → Duck Pond Fire Rd	DCR Rail Trail Ext - shared-use-path
3	0.637 mi	DCR Rail Trail Ext Duck Pond Fire Rd → Dog Park Fire Rd	DCR Rail Trail Ext - shared-use-path
4	0.164 mi	DCR Rail Trail Ext Dog Park Fire Rd → Old County Rd	DCR Rail Trail Ext - shared-use-path
5	0.251 mi	DCR Rail Trail Ext Old County Rd → Route 6	DCR Rail Trail Ext - shared-use-path
6	0.244 mi	Route 6 DCR Rail Trail proposed terminus → Cahoon Hollow Rd	Shared-use-path along east side of Route 6 & shoulder bike lanes
7	0.114 mi	Route 6 Cahoon Hollow Rd → Main St	Shared-use-path along east side of Route 6 & shoulder bike lanes
8	0.037 mi	Route 6 Main St → Old Kings Hwy	Shared-use-path along east side of Route 6 & shoulder bike lanes
9	0.211 mi	Route 6 Old Kings Hwy → Long Pond Rd	Shoulder bike lanes
10	0.39 mi	Route 6 Gross Hill Rd → Briar Ln	Shoulder bike lanes
11	0.142 mi	Route 6 Briar Ln → Gull Pond Rd	Shoulder bike lanes
12	0.293 mi	Route 6 Gull Pond Rd → Coles Neck Rd	Shoulder bike lanes
13	0.653 mi	Route 6 Coles Neck Rd → Black Pond Rd	Shoulder bike lanes
14	0.281 mi	Route 6 Black Pond Rd → Rose Rd	Shoulder bike lanes
15	0.729 mi	Duck Pond Fire Rd DCR Rail Trail Ext → Cahoon Hollow Rd	Shared-use-path
16	0.604 mi	Dog Park Fire Rd DCR Rail Trail Ext → Cahoon Hollow Rd	Shared-use-path
17	0.354 mi	Old County Rd DCR Rail Trail Ext → Cahoon Hollow Rd	Shared-use-path
18	0.316 mi	New path behind COA DCR Rail Trail Ext → Cahoon Hollow Rd	Shared-use-path
19	0.353 mi	Old Kings Hwy ROW/ Howard Ct DCR Rail Trail Ext at Old County Rd → Cahoon Hollow Rd	Shared-use-path
20	0.247 mi	Oriole Ln/ New pathway DCR Rail Trail Ext → PJ's parking lot	Shared-use-path

21	0.323 mi	Utility ROW DCR Rail Trail Ext → Cahoon Hollow Rd	Shared-use-path
22	0.192 mi	Utility ROW E-W Fire Rd SW of Long Pond → Long Pond Rd	Shared-use-path
23	0.051 mi	Utility ROW Long Pond Rd → Old Long Pond Rd	Shared-use-path
24	0.189 mi	Utility ROW Old Long Pond Rd → Gross Hill Rd	Shared-use-path
25	0.305 mi	Utility ROW Gross Hill Rd → Gull Pond Rd	Shared-use-path
26	0.37 mi	Utility ROW Gull Pond Rd → Old Hay Rd	Shared-use-path
27	0.411 mi	Utility ROW Old Hay Rd → Black Pond Rd	Shared-use-path
28	0.116 mi	Utility ROW Black Pond Rd → Slough Pond Rd	Shared-use-path
29	0.329 mi	Utility ROW Slough Pond Rd → Rose Rd	Shared-use-path
30	0.074 mi	LeCount Hollow Rd Route 6 → Old Railroad - DCR Ext	Share-the-road
31	0.657 mi	LeCount Hollow Rd DCR Rail Trail Ext → Ocean View Drive	Shared-use-path along side of road
32	1.74 mi	Ocean View Drive Lecount Hollow Rd → Cahoon Hollow Rd	Share-the-road
33	0.141 mi	New path adjacent to Ocean View Drive Cahoon Hollow Rd → Long Pond Rd	Shared-use-path along inland Ocean View Dr
34	0.134 mi	Ocean View Drive Cahoon Hollow Rd → Long Pond Rd	Share-the-road
35	0.694 mi	New path adjacent to Ocean View Drive Long Pond Rd → Way 634	Shared-use-path along inland Ocean View Dr
36	0.698 mi	New path adjacent to Ocean View Drive Long Pond Rd → Way 634	Share-the-road
37	0.314 mi	New path adjacent to Ocean View Drive Way 634 → Gross Hill Rd	Shared-use-path along inland Ocean View Dr
38	0.523 mi	Cahoon Hollow Rd Ocean View Drive → Forrest Rd	Shared-use-path along side of road
39	0.039 mi	Cahoon Hollow Rd Forrest Rd → Dog Park Fire Rd	Shared-use-path along side of road
40	0.433 mi	Cahoon Hollow Rd Dog Park Fire Rd → Old County Rd	Shared-use-path along side of road
41	0.205 mi	Cahoon Hollow Rd Old County Rd → New path behind COA	Shared-use-path along side of road
42	0.031 mi	Cahoon Hollow Rd New path behind COA → Utility ROW	Shared-use-path along side of road
43	0.059 mi	Cahoon Hollow Rd Utility ROW → Howard Ct	Share-the-road

44	0.136 mi	Cahoon Hollow Rd Howard Ct → Zoheth Smith Way	Share-the-road
45	0.062 mi	Cahoon Hollow Rd Zoheth Smith Way → New path behind cemetery	Share-the-road
46	0.075 mi	Cahoon Hollow Rd New path behind cemetery → Route 6	Share-the-road
47	0.106 mi	Main St Route 6 → Wicked Oyster	Shoulder bike lanes
48	0.143 mi	Main St Wicked Oyster → Long Pond Rd	Share-the-road
49	0.186 mi	Main St Long Pond Rd → School St	Share-the-road
50	0.262 mi	Main St School St → Briar Ln	Share-the-road
51	0.19 mi	West Main St Briar Ln → Old Chequessett Neck Rd	Share-the-road
52	0.167 mi	New path behind cemetery Cahoon Hollow Rd → Old Kings Hwy	Shared-use-path
53	0.273 mi	Zoheth Smith Way/Major Doane Rd Cahoon Hollow Rd → New path on hill	Share-the-road
54	0.047 mi	New path on hill Major Doane Rd → Old Kings Hwy	Shared-use-path
55	0.244 mi	Old Kings Hwy New path on hill → Long Pond Rd	Share-the-road
56	0.326 mi	Old Kings Hwy Long Pond Rd → Gross Hill Rd	Share-the-road
57	0.327 mi	Old Kings Hwy Gross Hill Rd → Gull Pond Rd	Shared-use-path
58	0.415 mi	Old Kings Hwy Gull Pond Rd → Old Hay Rd	Shared-use-path
59	0.432 mi	Old Kings Hwy Old Hay Rd → Black Pond Rd	Shared-use-path
60	0.11 mi	Old Kings Hwy Black Pond Rd → Slough Pond Rd	Shared-use-path
61	0.407 mi	Old Kings Hwy Slough Pond Rd → Collins Rd	Shared-use-path
62	0.263 mi	Trail east of Northeast Pond Cahoon Hollow Rd → Long Pond Rd	Shared-use-path
63	0.39 mi	Way 54/Trail on north shore of Great Pond Cahoon Hollow Rd → Way 626	Share-the-road
64	0.64 mi	Way 623 Cahoon Hollow Rd → Forrest Rd	Share-the-road
65	0.279 mi	Forrest Rd Way 623 → Long Pond Rd	Share-the-road
66	0.377 mi	Interpond transect Long Pond Rd → Gull Pond Rd	Shared-use-path

67	0.268 mi	School House Hill Rd Gull Pond Rd → Gull Pond Landing	Share-the-road
68	0.605 mi	School House Hill Rd and Old Hay Rd Gull Pond Landing → Old Kings Hwy	Share-the-road
69	0.25 mi	Way 626 Long Pond Rd → Trail on north shore of Great Pond	Share-the-road
70	0.151 mi	Way 626 Trail on north shore of Great Pond → Way 625	Share-the-road
71	0.241 mi	Buttry Way Long Pond Rd → Way 626	Share-the-road
72	0.463 mi	Way 625 Way 626 → Forrest Rd	Share-the-road
73	0.041 mi	E-W Fire Rd SW of Long Pond Forrest Rd → NE Trail from ROW toward Dyer Pond	Shared-use-path
74	0.124 mi	E-W Fire Rd SW of Long Pond NE Trail from ROW toward Dyer Pond → Utility ROW	Shared-use-path
75	0.227 mi	Fire Rd South of Long Pond Utility ROW → Fire Rd from ROW toward Dyer Pond	Shared-use-path
76	0.413 mi	Long Pond Rd Ocean View Drive → Way 626	Shared-use-path along side of road
77	0.288 mi	Long Pond Rd Way 626 → Way 625	Shared-use-path along side of road
78	0.548 mi	Long Pond Rd Way 625 → Sapokonish Way	Shared-use-path along side of road
79	0.037 mi	Long Pond Rd Sapokonish Way → Forrest Rd	Shared-use-path along side of road
80	0.212 mi	Long Pond Rd Forrest Rd → Utility ROW	Shared-use-path along side of road
81	0.193 mi	Long Pond Rd Utility ROW → Old Kings Hwy	Shared-use-path along side of road
82	0.199 mi	Long Pond Rd Old Kings Hwy → Lawrence Rd	Shared-use-path along side of road
83	0.162 mi	Long Pond Rd new westbound exit ramp Lawrence Rd → Route 6	Shared-use-path
84	0.276 mi	Long Pond Rd Lawrence Rd → Main St	Share-the-road
85	0.085 mi	Long Pond Rd new east bound exit ramp Maine St → Route 6	Shared-use-path
86	0.598 mi	Old Long Pond Rd Utility ROW → Gross Hill Rd	Share-the-road
87	0.173 mi	Lawrence Rd Long Pond Rd → Old Long Pond Rd	Share-the-road
88	0.069 mi	School St Route 6 → Mill Hill Rd	Share-the-road

89	0.249 mi	School St Mill Hill Rd → Main St	Share-the-road
90	0.354 mi	Mill Hill Rd School St → Briar Ln	Share-the-road
91	0.494 mi	Briar Ln Main St → Route 6	Share-the-road
92	0.361 mi	Sapokonish Way Interpond Transect → Gross Hill Rd	Share-the-road
93	0.296 mi	E-W Fire Rd NW of Long Pond Sapokonish Way → Gross Hill Rd	Shared-use-path
94	0.312 mi	E-W Fire Rd NW of Long Pond Gross Hill Rd → Old Kings Hwy	Shared-use-path
95	0.441 mi	Way 634/Way 632 Ocean View Drive → Gross Hill Rd	Share-the-road
96	0.665 mi	Gross Hill Rd Ocean View Drive → Gull Pond Rd	Shared-use-path along side of road
97	0.472 mi	Gross Hill Rd Gull Pond Rd → E-W Fire Rd NW of Long Pond	Shared-use-path along side of road
98	0.146 mi	Gross Hill Rd E-W Fire Rd NW of Long Pond → Utility ROW	Shared-use-path along side of road
99	0.629 mi	Gross Hill Rd Utility ROW → Route 6	Share-the-road
100	0.372 mi	Gull Pond Rd Gross Hill Rd → School House Hill Rd	Share-the-road
101	0.292 mi	Gull Pond Rd School House Hill Rd → Old Kings Hwy	Share-the-road
102	0.77 mi	Gull Pond Rd Old Kings Hwy → Route 6	Share-the-road
103	0.054 mi	Old Hay Rd Old Kings Hwy → Utility ROW	Share-the-road
104	0.051 mi	Old Hay Rd Utility ROW → Mayflower Dr	Share-the-road
105	0.554 mi	Mayflower Dr/Chris Dr Old Hay Rd → Gull Pond Rd	Share-the-road
106	0.064 mi	Black Pond Rd Old Kings Hwy → Utility ROW	Share-the-road
107	0.025 mi	Slough Pond Rd Old Kings Hwy → Utility ROW	Share-the-road
108	0.454 mi	Slough Pond Rd Utility ROW → Rose Rd	Share-the-road
109	0.186 mi	Route 6 Long Pond Rd → Gross Hill Rd	Shoulder bike lanes
110	0.226 mi	Utility ROW Cahoon Hollow Rd → Fire Rd South of Long Pond	Shared-use-path
111	0.142 mi	Utility ROW Fire Rd South of Long Pond → E-W Fire Rd SW of Long Pond	Shared-use-path

112	0.416 mi	Cahoon Hollow Rd Trail east of Northeast Pond → Ocean View Drive	Shared-use-path along side of road
113	0.052 mi	Cahoon Hollow Rd Way 626 → Trail east of Northeast Pond	Shared-use-path along side of road
114	0.177 mi	Sapokonish Way Long Pond Rd → Interpond Transect	Share-the-road
115	0.109 mi	Old Kings Hwy New path behind cemetery → New path on hill	Share-the-road

Appendix F. Description of bikeway analysis calculations

Bikeway analysis criteria weights

Overall criteria weights = Criteria weight x Objective weight x Goal weight

Table F1

Overview of bikeway analysis weighted criteria

Goal/Obj	Criteria	Weight (%)
Goal 1: Safety [30%]		
1.a	1.a.1 Motor vehicles cannot intrude on route	5.3%
	1.a.2 Obvious dangers discourage use	1.6%
	1.a.3 Few stressors (noise, pollution, traffic)	2.1%
	1.a.4 No dense clusters of curb cuts	1.6%
1.b	1.b.1 Features will not cause loss of control	2.7%
	1.b.2 No dangerous route edges	2.7%
	1.b.3 Space for distributed stop points along route	1.4%
	1.b.4 Not arduous leading to injury	2.3%
1.c	1.c.1 Road crossings not at difficult points	1.5%
	1.c.2 Route users have visibility at intersections	1.5%
	1.c.3 Drivers have visibility at intersections	1.5%
	1.c.4 No road-sharing where narrow or no shoulder	1.5%
	1.c.5 No road-sharing/crossing unsafe 2 roads	1.5%
1.d	1.d.1 Route users will not impede curb cuts	1.5%
	1.d.2 Route users and signs will not distract drivers	1.5%
Goal 2: Practicality [20%]		
2.a	2.a.1 Route follows public rights of way	1.2%
	2.a.2 No trails blazed through undisturbed terrain	1.2%
	2.a.3 No bridges or underpasses need to be built	0.9%
	2.a.4 Extensive grading of route not required	0.9%
	2.a.5 Construction costs likely reasonable	0.9%
	2.a.6 Route does not impact utilities, drainage, etc	0.9%
2.b	2.b.1 Authorization process will be reasonable	1.8%
	2.b.2 No auth required for new trails on NS land	1.8%
	2.b.3 No intended use conflict on Town land	0.6%
	2.b.4 No required acquisition of private land	1.8%
2.c	2.c.1 Does not adversely impact road traffic flow	1.5%
	2.c.2 No need for speed limit change or new lights	1.5%
2.d	2.d.1 Route distance close to straight-line distance	2.1%
	2.d.2 Features do not reduce travel efficiency	0.9%
2.e	2.e.1 No chronic special maintenance issues	1.2%
	2.e.2 No special support structures needed	0.8%
Goal 3: User experience [20%]		
3.a	3.a.1 Space for 2-way traffic, preferably 12' with 2' shoulder	2.4%
	3.a.2 Side features allow comfortable even/flat path	1.2%
	3.a.3 Accessible for less able users	1.2%

	3.a.4 Users have visibility to comfortably share path	1.2%
3.b	3.b.1 Little vehicular or industrial noise or smell	1.3%
	3.b.2 Few buildings, commercial equipment visible	1.3%
	3.b.3 360° immersion in nature	1.5%
	3.b.4 One or more unobstructed natural vista	1.0%
3.c	3.c.1 Close to existing or potential public parking	1.8%
	3.c.2 Space for off-path rest areas for long stops	1.8%
	3.c.3 Space for pull-over areas for quick stops	1.5%
3.d	3.d.1 Practical for more cycling transportation	2.0%
	3.d.2 Low-stress travel to town and rec sites	2.0%
Goal 4: Conservancy [20%]		
4.a	4.a.1 Construction will not disrupt physical environment	2.0%
	4.a.2 No disruption to wildlife patterns	0.8%
	4.a.3 Does not border pond in National Seashore	3.2%
	4.a.4 Does not border "Cape Cod Modern" buildings	2.0%
4.b	4.b.1 Route does not require historic property land	1.8%
	4.b.2 Will not cause traffic overcrowding in town	2.4%
	4.b.3 Will not lead to road expansion in town	1.8%
4.c	4.c.1 Does not disrupt sole access to property	1.5%
	4.c.2 Will not be major disturbance to private property	1.5%
	4.c.3 Path stops are out of sight of abutting residences	1.5%
	4.c.4 Will not encourage access to sensitive NS sites	1.5%
Goal 5: Connectivity [10%]		
5.a	5.a.1 Promotes connectivity to town center and biz	2.4%
	5.a.2 Promotes connectivity to scenic and rec sites	2.4%
	5.a.3 Supports diverse user interests, mix destinations	3.2%
5.b	5.b.1 Opportunities for future bikeway expansion	1.0%
	5.b.2. Opportunities for improving future access to specific attractions	1.0%

Segment-level criteria calculations

The scores of the 49 criteria assessed at the segment level are added together, along with their weights, to yield an overall Segment Suitability Score.

$$\text{Segment Suitability Score} = (1.a.1 \text{ score} \times 1.a.1 \text{ weight}) + (1.a.2 \text{ score} \times 1.a.2 \text{ weight}) + \dots (\text{etc.})$$

The weighted segment-level criteria make up 79.8% of the total criteria, so the highest possible Segment Suitability Score is 399 points. The lowest possible segment score is 79.8 points.

Route-level criteria calculations

The route-level criteria are calculated using the same method as the segment-level criteria.

$$\text{Route-level Cr. Score} = (1.b.3 \text{ score} \times 1.b.3 \text{ weight}) + (2.d.1 \text{ score} \times 2.d.1 \text{ weight}) + \dots (\text{etc.})$$

The weighted route-level criteria make up 20.2% of the total criteria, so the highest possible Route-level Criteria Score is 101 points. The lowest possible score is 20.2 points.

Route segment score

Not all routes contain the same number of segments, nor are the segments of even lengths. Therefore, segment scores must be weighted against their lengths relative to the total route length before they can be added into the total Route Score.

$$\text{Route Segment Score} = \text{Seg}_1 \text{ Score} \times (\text{Seg}_1 \text{ Lgth} / \text{Rte Lgth}) + \text{Seg}_2 \text{ Score} \times (\text{Seg}_2 \text{ Lgth} / \text{Rte Lgth}) + \dots (\text{etc.})$$

Total route score

The total route score is the sum of the route segment score and the route-level criteria score. The highest possible score is 500 points; the lowest possible score is 100 points.

$$\text{Total route score} = \text{route segment score} + \text{route-level criteria score}$$

This is the first value used for route analysis, as it gives an overview of the comparative suitability of all proposed routes.

Route goal scores

The route scores for each goal, indicating how well the route meets the separate bikeway goals, are broken out from the total by combining just the segment scores (weighted by segment length) with the route-level criteria related to each goal.

$$\text{Goal 1 Score} = (\text{Seg}_1 \text{ G1 Score} \times \text{Seg}_1 \text{ Lgth} + \text{Seg}_2 \text{ G1 Score} \times \text{Seg}_2 \text{ Lgth} + \dots (\text{etc.})) / \text{Rte Lgth} + \text{Rte G1 Criteria Score}$$

Note. See Table 4 for which goal criteria are segment-level vs route-level

Purposive users score

46% of the total score directly addresses the needs of purposive users—or rather, people who use bikeways to get to destinations. They prefer shorter distances, they don't like delays, and they want to get where they're going efficiently and without undue risk of accident or injury.

The following are the weighted goals, objectives, and criteria that most directly affect purposive users:

- *Criterion 1.a.2* - few obvious dangers to discourage use
- *Objective 1.b* - path accident prevention
- *Objective 1.c* - intersection safety
- *Objective 1.d* - traffic safety
- *Objective 2.d* - directness
- *Objective 3.a* - usability
- *Criterion 3.c.1* - close to (potential) parking
- *Criterion 3.d.1* - practical for cycling transportation
- *Criterion 3.d.2* - enable low-stress travel

- *Goal 5 - connectivity*

These are combined using the same method as the route goal score calculations to compare routes' suitability for purposive users.

$$\text{Purposive User Score} = (\text{Seg}_1 \text{ Purp User Score} \times \text{Seg}_1 \text{ Lgth} + \text{Seg}_2 \text{ Purp User Score} \times \text{Seg}_2 \text{ Lgth} + \dots (\text{etc.})) / \text{Rte Lgth} + \text{Rte Purp User Criteria Score}$$

Incidence of unsatisfactory ratings

The number of unsatisfactory scores of "1" at the criteria level are tracked to inform decisions in selecting a final route. This is calculated by a simple count of the number of times a score of 1 appears in the segment- or route-level criteria ratings.

Ser.	Safety										Practicality										User Experience										Conservancy					Connectivity																					
	1a.1	1a.2	1a.3	1a.4	1b.1	1b.2	1b.4	1c.1	1c.2	1c.3	1c.4	1d.1	1d.2	2a.1	2a.2	2a.3	2a.4	2a.5	2a.6	2b.1	2b.2	2b.3	2b.4	2c.1	2c.2	2d.1	2d.2	2e.1	2e.2	3a.1	3a.2	3a.3	3a.4	3b.1	3b.2	3b.3	3c.1	3c.2	3c.3	4a.1	4a.2	4a.3	4a.4	4b.1	4b.2	4b.3	4c.1	4c.2	4c.3	4c.4							
30	1	1	1	1	3	4	1	3	3	2	1	1	5	5	5	2	5	5	2	5	4	5	5	1	3	1	5	5	2	5	2	5	2	3	3	3	3	1	1	1	1	5	5	5	5	5	2	1	5								
31	5	3	3	4	4	5	3	4	4	3	3	3	5	5	5	4	5	5	5	5	5	5	3	5	3	4	4	5	5	3	4	3	4	3	4	3	4	3	4	3	5	5	5	5	5	4	4	5									
32	3	3	3	5	4	3	4	3	3	2	3	3	5	5	5	5	5	5	5	5	5	5	5	3	5	3	4	5	5	3	2	4	5	5	3	3	4	5	5	5	5	5	5	5	5	3	3	5									
33	5	4	5	5	2	3	3	3	3	5	5	5	5	5	3	2	3	5	5	5	2	5	5	4	4	4	4	4	4	3	3	3	5	5	4	5	5	5	5	4	4	5	5	5	5	5	5	5	5	5							
34	3	3	3	5	4	3	4	3	3	2	3	3	5	5	5	5	5	5	5	5	5	5	5	2	3	3	3	3	5	5	3	2	3	3	4	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5							
35	5	4	5	5	2	3	3	3	3	5	5	5	5	5	2	2	3	5	5	5	5	5	5	4	4	2	4	2	4	2	3	3	5	5	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4					
36	3	3	3	5	4	3	4	3	3	2	3	3	5	5	5	5	5	5	5	5	5	5	5	2	3	3	3	5	5	3	2	3	3	4	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5							
37	5	4	5	5	2	3	3	3	3	5	5	5	5	5	3	2	3	5	5	5	2	5	5	4	4	4	4	4	4	3	3	3	5	5	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4						
38	5	5	3	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4							
39	5	5	3	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4							
40	5	5	3	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4							
41	5	5	3	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4							
42	5	5	3	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4							
43	2	2	3	3	4	5	2	2	2	5	5	2	2	5	5	3	2	5	5	5	3	5	5	2	2	3	5	5	3	4	1	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2						
44	2	2	3	3	4	5	2	2	2	5	5	2	2	5	5	3	2	5	5	5	3	5	5	2	2	3	5	5	3	4	1	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2					
45	2	2	3	3	4	5	2	2	2	5	5	2	2	5	5	3	2	5	5	5	3	5	5	2	2	3	5	5	3	4	1	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2					
46	2	2	3	3	4	5	2	2	2	5	5	2	2	5	5	3	2	5	5	5	3	5	5	2	2	3	5	5	3	4	1	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2					
47	1	3	2	2	3	3	4	3	2	2	1	2	3	5	4	5	5	2	5	5	2	5	5	1	2	4	3	4	2	1	3	4	4	1	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2					
48	2	2	2	2	3	3	3	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2						
49	2	2	2	2	3	3	3	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2						
50	2	2	2	2	3	3	3	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2						
51	2	2	2	2	3	3	3	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2						
52	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5						
53	4	3	4	3	4	4	4	3	4	4	3	3	5	4	5	5	3	5	5	5	3	5	5	3	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5					
54	5	1	2	5	2	1	5	4	5	4	3	5	5	5	5	4	5	1	2	5	1	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5				
55	2	3	4	3	5	5	5	5	4	4	3	4	5	4	5	4	3	5	4	5	4	5	5	3	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5				
56	2	4	3	3	4	4	3	4	4	5	3	4	4	5	4	5	4	4	5	4	5	4	5	3	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5				
57	5	5	5	5	5	5	3	4	4	4	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5					
58	5	4	5	5	5	5	3	4	3	5	3	5	5	5	5	4	5	2	4	5	5	5	5	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4					
59	5	5	5	5	5	5	3	5	4	3	5	5	5	5	5	4	5	2	4	5	5	5	5	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4					
60	5	5	5	5	5	5	3	5	4	3	5	5	5	5	5	4	5	2	4	5	5	5	5	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4					
61	5	5	5	5	5	5	3	5	4	3	5	5	5	5	5	4	5	2	4	5	5	5	5	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4					
62	5	5	5	5	5	3	4	5	3	3	5	5	5	5	5	1	5	1	2	5	1	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5					
63	5	3	5	5	2	2	5	3	3	3	5	5	5	5	5	4	2	3	5	2	5	5	5	3	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5					
64	4	4	4	5	4	5	4	5	4	4	3	4	4	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5					
65	3	3	5	4	4	3	4	5	3	4	4	4	5																																												

Table G2. Route-level criteria scores

Route	Safety			Practical			User Experience			Connectivity				
	1.b.3	2.d.1	3.b.4	3.c.1	3.d.1	3.d.2	5.a.1	5.a.2	5.a.3	5.b.1	5.b.2			
A	3	4	2	5	4	2	3	2	3	2	2			
B	4	1	5	5	1	2	1	4	3	2	3			
C	5	5	4	5	3	4	3	5	5	5	4			
D	3	4	2	5	3	2	3	2	3	3	2			
E	3	4	2	5	3	2	3	2	3	3	2			
F	3	4	2	5	3	2	3	2	3	3	2			
G	3	4	5	5	3	3	3	3	4	4	4			
H	4	2	5	5	3	3	3	3	3	4	3			
I	3	2	4	5	2	3	3	3	3	4	3			
J	4	2	4	5	2	3	3	4	4	4	3			
K	3	1	4	5	2	2	2	3	2	3	3			
L	3	1	5	5	2	2	2	3	2	4	4			
M	5	1	5	5	2	2	2	4	3	4	4			
N	5	4	5	5	2	3	2	5	4	5	4			
O	5	5	4	5	3	4	3	5	5	5	4			
P	5	3	5	5	3	3	3	5	4	4	4			
Q	4	3	5	5	3	3	3	3	3	4	4			
Q ₂	4	3	5	5	3	3	3	3	4	4	4			
R	3	3	3	5	3	3	3	3	3	3	3			
R ₂	3	4	3	5	3	3	3	3	3	3	3			
S	5	4	5	3	2	3	2	4	4	4	4			
T	5	4	5	3	2	3	2	4	4	4	4			
U	3	4	5	5	3	3	3	3	4	3	4			
V	5	4	5	5	3	4	3	5	5	5	4			
W	5	3	5	5	2	3	2	4	4	4	4			
X	5	4	5	5	3	4	3	5	5	5	4			
Y	5	4	5	5	3	4	3	5	5	5	4			
Z	5	4	5	5	3	4	3	5	5	5	4			
Spur A	3	5	2	2	4	2	3	2	3	3	3			
Spur B	3	5	3	5	3	2	3	1	1	2	1			
Spur C	2	5	2	2	4	4	5	3	3	3	3			
Spur D	2	3	2	2	4	4	5	3	3	3	3			

Appendix H. Bikeway analysis calculated scores

Table H1. Segment suitability scores

Seg.	Safety Weighted Score					Practicality Weighted Score					UX Weighted Score					Cons. Weighted Score					Overall Suitability		Score Incidence	
	1.a	1.b	1.c	1.d	Tot G1	2.a	2.b	2.c	2.d	2.e	Tot G2	3.a	3.b	3.c	Tot G3	4.a	4.b	4.c	4.c	Tot G4	TOTAL	Suitability	"1"	"5"
1	51	38	29	15	132.7	26	26	12	4.5	8.8	78.1	30	16	15	60.75	38	30	24	92	363.53	Excellent	0	33	
2	53	38	30	15	135.8	27	30	12	4.5	10	83.8	30	19	15	63.25	40	30	30	100	382.8	Outstanding	0	40	
3	53	38	30	15	135.8	27	30	12	4.5	10	83.8	30	19	15	63.25	40	30	30	100	382.8	Outstanding	0	40	
4	51	38	27	15	131.2	27	30	12	4.5	10	83.8	30	19	15	63.25	40	30	30	100	378.23	Outstanding	0	38	
5	41	33	21	6	101.3	27	30	6	3.6	8.8	75.7	26	9.3	15	50.4	40	13	27	80.2	307.63	Acceptable	2	21	
6	11	27	17	3	57.45	26	30	3	2.7	8	69.2	18	4	3.3	25.25	36	13	20	68.7	220.6	Unsatisfactory	18	17	
7	11	33	15	3	61.35	26	30	3	2.7	8	69.2	18	4	3.3	25.25	36	13	20	68.7	224.5	Unsatisfactory	18	17	
8	14	30	17	6	66.3	27	30	3	2.7	8	71	14	4	3.3	21.65	36	24	20	79.5	238.45	Unsatisfactory	13	16	
9	14	30	17	6	66.3	27	30	3	2.7	8	71	9.6	6.5	3.3	19.35	36	24	21	81	237.65	Unsatisfactory	12	15	
10	15	27	18	6	66.68	27	30	3	2.7	8	71	9.6	4	3.3	16.85	32	20	18	70.4	224.93	Unsatisfactory	16	15	
11	15	33	18	6	72.08	27	28	6	4.5	8	74	9.6	4	3.3	16.85	36	20	21	77.4	240.33	Unsatisfactory	12	15	
12	15	33	18	6	72.08	27	28	6	4.5	8	74	9.6	4	3.3	16.85	36	24	21	81	243.93	Marginal	11	15	
13	15	30	18	6	69.38	27	28	6	4.5	8	74	9.6	4	3.3	16.85	36	24	21	81	241.23	Unsatisfactory	11	15	
14	15	27	18	6	66.68	27	28	6	4.5	8	74	9.6	12	3.3	24.85	36	24	21	81	246.53	Marginal	9	16	
15	48	13	33	15	108.4	13	16	15	1.8	4	49.6	19	20	13	52.2	8	30	21	59	269.18	Marginal	12	21	
16	51	38	35	15	138.7	27	26	12	4.5	8	77.9	28	20	16	63.85	20	30	24	74.4	354.83	Excellent	3	32	
17	50	33	35	15	132.8	25	26	12	3.6	9.2	76.1	28	16	16	59.85	38	30	26	93.5	362.2	Excellent	0	29	
18	53	33	33	15	133.8	20	19	14	4.5	10	67.3	28	19	16	62.35	29	30	21	79.8	343.25	Excellent	5	30	
19	37	31	35	12	113.9	29	28	11	2.7	10	80.5	28	13	9.8	50.6	40	30	18	88	332.95	Acceptable	2	28	
20	13	17	18	3	50.25	24	19	6	2.7	10	62.2	18	4	3.3	25.25	33	11	14	57.7	195.4	Unsatisfactory	19	12	
21	53	33	30	15	130.8	25	16	11	4.5	8.8	64	29	17	16	62.3	38	30	18	85.6	342.7	Excellent	2	30	
22	42	28	30	14	113.9	21	23	12	2.7	6	64.2	24	19	16	58.75	34	30	27	91	327.8	Acceptable	0	20	
23	42	28	32	14	115.4	21	26	12	2.7	6	67.8	24	19	16	58.75	34	30	23	86.5	328.4	Acceptable	0	20	
24	53	28	30	14	124.4	21	23	12	3.6	6	65.1	24	19	16	58.75	38	30	27	95	343.2	Excellent	0	24	
25	42	28	30	14	113.9	21	23	12	2.7	6	64.2	24	19	16	58.75	34	30	24	88	324.8	Acceptable	0	19	
26	42	28	30	14	113.9	21	23	12	2.7	6	64.2	24	19	16	58.75	34	30	26	89.5	326.3	Acceptable	0	20	
27	42	28	32	14	115.4	19	19	12	2.7	6	58.8	24	19	16	58.75	23	30	20	72.3	305.2	Marginal	3	15	
28	42	28	32	14	115.4	23	26	12	2.7	6	69.6	24	19	16	58.75	23	30	20	72.3	316	Acceptable	3	18	
29	42	28	30	14	113.9	23	26	12	2.7	6	69.6	24	19	16	58.75	23	30	20	72.3	314.5	Acceptable	3	18	

Seg.	Safety Weighted Score					Practicality Weighted Score					UX Weighted Score				Cons. Weighted Score				Overall Suitability		Score Incidence		
	1.a	1.b	1.c	1.d	Tot G1	2.a	2.b	2.c	2.d	2.e	Tot G2	3.a	3.b	3.c	Tot G3	4.a	4.b	4.c	Tot G4	TOTAL	Suitability	"1"	"5"
30	11	20	15	3	48.3	27	28	6	0.9	10	72.4	17	4	3.3	24.05	40	20	20	79.9	224.65	Unsatisfactory	18	19
31	44	33	24	9	109.4	29	30	12	3.6	10	84.7	20	13	13	46.65	40	25	27	92.2	332.98	Acceptable	0	23
32	35	26	23	9	91.8	30	30	7.5	2.7	10	80.2	17	16	9.8	42.8	38	30	24	92	306.8	Acceptable	0	22
33	50	26	26	15	116.6	21	25	12	3.6	7.2	68.7	20	19	13	51.9	34	30	29	92.5	329.65	Acceptable	0	24
34	35	26	23	9	91.8	30	30	7.5	2.7	10	80.2	17	16	9.8	42.8	38	30	24	92	306.8	Acceptable	0	22
35	50	26	26	15	116.6	23	26	12	1.8	6.4	69.4	20	19	13	51.9	34	30	29	92.5	330.35	Acceptable	0	25
36	35	26	23	9	91.8	30	30	7.5	2.7	10	80.2	17	16	9.8	42.8	38	30	24	92	306.8	Acceptable	0	22
37	50	26	26	15	116.6	21	25	12	3.6	7.2	68.7	20	19	13	51.9	34	30	29	92.5	329.65	Acceptable	0	24
38	47	31	30	12	119.3	25	26	12	3.6	10	77.2	19	17	13	49.45	25	30	30	85.2	331.18	Acceptable	1	20
39	47	31	30	12	119.3	25	26	12	3.6	10	77.2	19	17	13	49.45	25	30	30	85.2	331.18	Acceptable	1	20
40	47	31	30	12	119.3	25	26	12	3.6	10	77.2	19	17	13	49.45	38	30	30	98	343.98	Excellent	0	21
41	47	31	30	12	119.3	25	26	12	3.6	10	77.2	24	17	13	54.25	38	30	30	98	348.78	Excellent	0	21
42	47	31	30	12	119.3	25	26	12	3.6	10	77.2	24	17	13	54.25	38	30	30	98	348.78	Excellent	0	21
43	25	29	20	6	78.98	26	26	6	2.7	10	70.6	16	8	4.8	28.35	40	20	21	80.8	258.73	Marginal	2	18
44	25	29	20	6	78.98	26	26	6	2.7	10	70.6	16	8	4.8	28.35	40	20	21	80.8	258.73	Marginal	2	18
45	25	29	20	6	78.98	26	26	6	2.7	10	70.6	16	8	4.8	28.35	40	20	21	80.8	258.73	Marginal	2	18
46	25	29	20	6	78.98	26	26	6	2.7	10	70.6	16	8	4.8	28.35	40	20	21	80.8	258.73	Marginal	2	18
47	17	25	14	7.5	63.53	26	17	9	2.7	6.4	61.6	16	6.8	3.3	25.6	31	8.4	20	58.7	209.43	Unsatisfactory	12	10
48	21	20	17	6	63.75	30	30	7.5	2.7	7.2	77.4	14	9.3	3.3	26.9	40	13	20	72.7	240.75	Unsatisfactory	6	17
49	21	20	17	6	63.75	30	30	7.5	2.7	10	80.2	14	8	3.3	25.65	38	13	20	70.7	240.3	Unsatisfactory	6	18
50	21	20	20	6	66.75	30	30	6	2.7	10	78.7	14	9.3	3.3	26.9	40	13	20	72.7	245.05	Marginal	6	19
51	21	23	18	6	67.95	30	30	6	2.7	10	78.7	16	9.3	4.8	29.6	40	17	20	76.9	253.15	Marginal	2	19
52	53	38	35	15	140.3	19	23	15	4.5	6	67.2	30	16	3.3	49.5	32	28	21	80.6	337.55	Acceptable	7	34
53	39	31	27	9	105.5	27	26	12	3.6	10	79	28	15	15	56.6	36	28	18	81.6	322.65	Acceptable	2	20
54	40	13	29	15	96	19	23	15	1.8	4	62.5	13	12	4.8	29.95	32	30	18	80	268.45	Marginal	9	22
55	28	38	32	14	111.6	26	25	12	4.5	10	77.2	23	17	13	52.8	36	30	24	90	331.6	Acceptable	0	26
56	28	31	29	12	98.93	27	26	12	3.6	10	79	22	15	9.8	46.1	38	26	21	84.8	308.83	Acceptable	0	16
57	53	34	30	15	131.3	28	30	12	3.6	10	83.8	24	19	16	59	25	30	23	77.3	351.35	Excellent	3	31
58	51	34	27	15	126.7	25	30	14	3.6	8.8	81.1	23	20	16	59.05	25	30	24	78.8	345.63	Excellent	3	30
59	53	34	33	15	134.3	25	30	14	3.6	8.8	81.1	23	20	16	59.05	25	30	24	78.8	353.2	Excellent	3	33
60	53	34	33	15	134.3	25	30	14	3.6	8.8	81.1	23	20	16	59.05	25	30	24	78.8	353.2	Excellent	3	33
61	53	34	32	15	132.8	25	30	14	3.6	8.8	81.1	23	20	16	59.05	25	30	24	78.8	351.7	Excellent	3	32
62	53	31	32	15	129.6	19	23	15	1.8	7.6	66.1	30	20	9.8	59.75	8	30	24	62	317.45	Acceptable	8	32
63	49	15	26	15	105.2	21	25	12	1.8	5.2	64.6	13	20	16	49.45	10	30	17	56.5	275.7	Marginal	5	21
64	44	33	32	12	120.4	30	28	15	4.5	10	87.7	26	20	16	62.65	16	30	20	65.5	336.23	Acceptable	4	30
65	37	28	29	12	105.7	26	26	12	2.7	6.4	73.3	14	18	6.3	38.15	10	30	14	53.5	270.63	Marginal	5	14

Seg.	Safety Weighted Score					Practicality Weighted Score					UX Weighted Score					Cons. Weighted Score					Overall Suitability		Score Incidence	
	1.a	1.b	1.c	1.d	Tot G1	2.a	2.b	2.c	2.d	2.e	Tot G2	3.a	3.b	3.c	Tot G3	4.a	4.b	4.c	Tot G4	TOTAL	Suitability	"1"	"5"	
66	49	26	18	15	108	15	16	7.5	1.8	6	45.9	24	20	8	52	23	30	24	76.8	282.7	Marginal	8	21	
67	28	33	29	15	104.6	25	26	15	3.6	10	79.9	26	19	13	57.9	12	30	18	60	302.43	Marginal	4	22	
68	37	26	30	11	102.9	22	26	14	3.6	7.2	72.6	23	20	13	55.8	12	28	24	63.6	294.9	Marginal	4	17	
69	39	18	21	6	83.85	23	26	12	2.7	8	72.2	23	19	6.5	48.05	8	30	20	57.5	261.6	Marginal	5	17	
70	37	23	24	6	89.78	22	26	12	2.7	8	71.3	23	18	3.3	43.55	10	30	18	58	262.63	Marginal	6	15	
71	28	20	23	11	81.6	24	25	12	1.8	4	66.4	11	19	9.5	39.05	8	30	17	54.5	241.55	Unsatisfactory	7	16	
72	39	23	24	6	91.35	26	30	12	2.7	8	78.5	23	19	6.5	48.05	8	30	21	59	276.9	Marginal	5	19	
73	51	28	33	15	127.3	26	26	14	3.6	10	79.6	26	19	13	58.15	16	30	24	70	335.03	Acceptable	4	28	
74	51	28	35	15	128.8	26	26	14	3.6	10	79.6	26	19	13	58.15	16	30	24	70	336.53	Acceptable	4	29	
75	51	28	35	15	128.8	26	26	14	3.6	10	79.6	26	19	13	58.15	16	30	24	70	336.53	Acceptable	4	29	
76	45	18	24	11	97.65	25	26	11	0.9	5.2	67.6	22	15	6.5	42.85	34	30	29	92.5	300.6	Marginal	1	20	
77	44	23	30	9	105.1	25	26	12	1.8	7.6	72.4	24	16	6.5	46.5	34	30	24	88	311.98	Acceptable	0	22	
78	45	23	26	9	102.2	25	26	12	1.8	10	74.8	24	16	16	56.25	34	30	24	88	321.2	Acceptable	0	26	
79	45	30	32	9	115.8	28	26	12	2.7	10	79.3	28	16	9.8	53.35	34	30	24	88	336.45	Acceptable	0	28	
80	45	18	26	7.5	96.15	26	26	12	1.8	10	75.7	23	16	6.5	45.3	34	30	24	88	305.15	Marginal	0	22	
81	45	31	27	12	114.8	29	26	9	3.6	8.8	76.9	18	11	3.3	31.75	34	30	21	85	308.4	Acceptable	2	19	
82	45	28	23	12	107.6	27	26	9	3.6	8.8	74.8	18	13	6.5	37.75	34	30	23	86.5	306.6	Acceptable	0	17	
83	41	23	23	11	97.43	25	25	7.5	1.8	4	62.5	17	9	3.3	29.05	36	26	29	90.3	279.28	Marginal	3	17	
84	31	23	21	15	89.93	29	28	11	3.6	10	81.4	24	12	9.8	45.75	40	26	24	89.8	306.88	Acceptable	0	21	
85	41	23	21	11	95.93	25	25	7.5	1.8	4	62.5	17	9	3.3	29.05	36	26	29	90.3	277.78	Marginal	3	17	
86	28	23	17	14	80.78	23	23	7.5	2.7	4.8	61.2	16	12	6.5	34.1	32	28	18	77.6	253.68	Marginal	5	14	
87	26	21	15	6	67.95	24	25	6	1.8	8.8	64.9	13	9.3	13	35.45	38	30	26	93.5	261.8	Marginal	2	16	
88	18	23	17	6	63.3	26	28	4.5	2.7	10	71.8	12	9.3	6.5	27.75	40	17	21	78.4	241.25	Unsatisfactory	4	17	
89	18	23	17	6	63.3	26	28	4.5	2.7	10	71.8	12	9.3	6.5	27.75	40	17	21	78.4	241.25	Unsatisfactory	4	17	
90	23	28	23	12	85.95	30	30	12	4.5	10	86.5	19	11	3.3	32.95	40	19	26	84.7	290.1	Marginal	2	25	
91	28	28	27	9	92.18	28	30	9	4.5	10	81.7	24	11	6.5	41	40	22	21	82.6	297.48	Marginal	0	24	
92	53	36	27	15	130.5	27	26	12	3.6	10	79.3	28	20	16	63.85	14	30	17	60.5	334.15	Acceptable	4	30	
93	53	33	35	15	135.3	27	30	15	3.6	10	85.3	26	19	16	61.4	12	30	20	61.5	343.5	Excellent	4	33	
94	53	33	35	15	135.3	24	26	15	3.6	10	79.3	26	19	16	61.4	25	30	24	78.8	354.8	Excellent	3	33	
95	44	23	20	15	101	23	26	15	3.6	4.8	72.6	17	20	6.5	43.3	32	30	27	89	305.93	Marginal	1	22	
96	47	23	24	15	109.2	26	26	15	2.7	6	76.5	23	17	11	51.3	36	30	30	96	333	Acceptable	0	26	
97	47	28	33	15	123.6	25	26	12	2.7	8.4	74.7	18	16	11	45.25	38	30	21	89	332.55	Acceptable	1	23	
98	47	28	33	15	123.6	25	26	12	2.7	8.4	74.7	18	16	11	45.25	38	30	21	89	332.55	Acceptable	1	23	
99	21	26	23	7.5	76.65	26	30	15	0.9	10	82.3	13	16	9.8	38.95	36	26	24	86.4	284.3	Marginal	2	20	
100	25	23	17	9	72.68	26	30	7.5	1.8	6	71.7	12	14	3.3	28.75	40	26	18	84.4	257.53	Marginal	5	16	

Seg.	Safety Weighted Score				Practicality Weighted Score				UX Weighted Score			Cons. Weighted Score			Overall Suitability		Score Incidence							
	1.a	1.b	1.c	1.d	Tot G1	2.a	2.b	2.c	2.d	2.e	Tot G2	3.a	3.b	3.c	Tot G3	4.a	4.b	4.c	4.c	Tot G4	TOTAL	Suitability	"1"	"5"
101	24	23	21	7.5	75.15	29	30	7.5	3.6	6	76.2	16	14	9.8	38.85	40	26	24	24	90.4	280.6	Marginal	0	17
102	28	18	21	9	75.83	30	30	11	1.8	10	82.3	14	11	6.5	31.65	40	26	26	26	91.9	281.68	Marginal	1	20
103	42	33	33	9	116.9	26	26	14	3.6	8	77.9	28	18	13	58.1	14	30	23	23	66.5	319.35	Acceptable	4	25
104	51	31	29	15	125.5	28	28	7.5	4.5	10	78.4	25	9.3	8	42.45	40	30	21	21	91	337.33	Acceptable	0	30
105	34	31	27	9	100.7	28	28	7.5	3.6	10	77.5	25	9.3	8	42.45	40	30	21	21	91	311.6	Acceptable	0	23
106	53	34	32	15	132.8	24	28	14	4.5	10	79.9	26	20	13	59.4	40	30	26	26	95.5	367.55	Excellent	0	32
107	53	34	32	15	132.8	24	28	14	4.5	10	79.9	26	20	13	59.4	40	30	26	26	95.5	367.55	Excellent	0	32
108	53	34	32	15	132.8	24	28	14	4.5	10	79.9	26	20	13	59.4	40	30	26	26	95.5	367.55	Excellent	0	32
109	15	33	17	6	70.58	28	30	4.5	2.7	8	73.4	9.6	6.5	3.3	19.35	40	24	24	24	88	251.33	Marginal	11	18
110	42	28	30	14	113.9	21	23	12	2.7	6	64.2	24	19	16	58.75	34	30	26	26	89.5	326.3	Acceptable	0	20
111	42	28	33	14	116.9	21	23	12	2.7	6	64.2	24	19	16	58.75	34	30	26	26	89.5	329.3	Acceptable	0	21
112	49	31	29	15	123.9	30	26	9	1.8	10	77.2	22	16	13	50.6	40	30	30	30	100	351.7	Excellent	0	31
113	49	31	29	15	123.9	30	26	9	1.8	10	77.2	22	16	13	50.6	40	30	30	30	100	351.7	Excellent	0	31
114	51	36	27	15	128.9	25	23	12	3.6	10	73.3	26	20	16	62.65	38	30	23	23	90.5	355.38	Excellent	0	29
115	28	38	30	14	110.1	26	25	12	4.5	10	77.2	23	17	13	52.8	36	30	24	24	90	330.1	Acceptable	0	26

Table H2. Route suitability scores

Route	Sequence	Length (mi)	Score (Up/Down)							# of "1" scores	Suitability
			G1	G2	G3	G4	G5	Purp. User			
A	[1-2-3-4-5-6-7-8-9-109-10-11-12-13-14-47]	4.667	98.3	84.2	60.1	84.7	25.6	146.1	145	Marginal	
B	[1-2-3-16-39-38-113-112-33-35-37-96-100-101-58-59-60-61]	7.073	126.7	79.3	74.3	88.9	26.6	148.9	25	Acceptable	
C	[1-2-3-4-18-42-110-111-22-23-24-25-26-27-28-29]	4.439	130.8	82.0	87.1	88.6	44.2	191.5	14	Excellent	
D	[1-2-3-4-21-43-44-45-46-7-8-9-109-10-11-12-13-14]	4.721	102.0	83.7	59.4	86.2	26.6	147.1	123	Marginal	
E	[1-2-3-4-18-42-43-44-45-46-7-8-9-109-10-11-12-13-14]	4.745	102.3	84.0	59.4	85.8	26.6	147.3	126	Marginal	
F	[1-2-3-4-17-41-42-43-44-45-52-55-56-57-58-59-60-61]	4.989	103.3	84.6	60.1	87.3	26.6	147.9	121	Marginal	
G	[1-2-3-4-17-41-42-43-44-45-52-55-56-57-58-59-60-61]	5.037	130.5	88.0	82.7	88.0	35.2	176.9	28	Excellent	
H	[1-2-3-4-17-40-39-64-65-80-23-86-10-11-12-13-14]	6.126	110.2	80.7	69.8	83.8	31.0	153.8	74	Marginal	
I	[1-2-3-4-17-40-39-64-65-80-81-82-83-85-109-10-11-12-13-14]	6.300	110.1	81.5	65.7	84.9	31.0	150.7	88	Marginal	
J	[1-2-3-4-17-40-39-64-65-79-114-92-100-101-58-59-60-61]	6.110	127.9	84.0	79.0	83.9	36.6	168.8	31	Acceptable	
K	[1-2-3-4-17-40-39-38-113-62-77-78-79-80-81-82-83-85-109-10-11-12-13-14]	7.092	110.5	77.8	64.5	87.5	24.4	138.8	89	Marginal	
L	[1-2-3-4-17-40-39-38-63-69-77-78-79-80-23-86-10-11-12-13-14]	7.242	107.6	76.7	66.3	84.8	26.4	138.1	77	Marginal	
M	[1-2-3-4-17-40-39-38-63-69-77-78-114-92-100-101-58-59-60-61]	7.151	125.4	79.5	76.6	84.9	32.0	156.0	34	Acceptable	
N	[1-2-3-16-39-64-73-74-22-23-24-25-26-27-28-29]	5.169	137.3	88.7	84.6	82.9	38.6	183.2	31	Excellent	
O	[1-2-3-4-21-110-111-22-23-24-25-26-27-28-29]	4.415	130.6	81.7	87.1	88.9	44.2	191.4	11	Excellent	
P	[1-2-3-4-21-110-111-22-80-79-114-92-100-101-58-59-60-61]	5.459	128.7	83.3	82.7	86.7	40.0	177.1	23	Excellent	
Q	[1-2-3-4-17-41-42-110-111-22-23-86-10-11-12-13-14]	5.320	109.0	80.3	69.3	87.5	32.0	156.9	64	Marginal	
Q₂	[1-2-3-4-17-41-42-110-111-22-23-24-25-102-12-13-14]	5.454	112.3	82.2	72.7	91.0	35.2	161.7	32	Acceptable	
R	[1-2-3-4-17-41-42-110-111-22-81-82-83-85-109-10-11-12-13-14]	5.494	109.1	81.4	66.1	88.6	30.0	153.8	78	Marginal	
R₂	[1-2-3-4-17-41-42-110-111-22-81-82-87-10-11-12-13-14]	5.235	109.5	83.8	67.3	88.8	30.0	156.5	63	Marginal	
S	[1-2-15-64-65-79-114-66-67-68-59-60-107-108]	5.091	126.1	81.0	77.2	74.9	35.2	166.9	43	Acceptable	
T	[1-2-15-64-65-79-114-66-67-68-59-60-61]	5.021	126.0	81.0	77.1	73.2	35.2	166.3	46	Acceptable	
U	[1-2-3-4-19-44-53-54-115-55-56-57-58-59-60-61]	4.939	128.4	88.8	82.8	87.2	34.2	175.4	30	Excellent	
V	[1-2-3-4-18-42-110-75-74-22-23-24-25-58-59-60-61]	4.809	137.1	86.5	88.0	86.5	44.2	191.8	28	Excellent	
W	[1-2-3-16-39-64-65-79-114-93-94-58-59-60-61]	5.346	137.4	87.3	83.9	80.2	35.2	177.8	32	Excellent	
X	[1-2-3-4-21-110-111-22-23-24-57-58-59-60-61]	4.575	136.6	85.8	88.2	88.2	44.2	191.6	17	Excellent	
Y	[1-2-3-4-18-42-110-111-22-23-24-57-58-59-60-61]	4.600	136.8	86.0	88.2	87.9	44.2	191.6	20	Excellent	
Z	[1-2-3-4-17-41-42-110-111-22-23-24-57-58-59-60-61]	4.843	136.3	86.5	87.7	89.2	44.2	191.3	15	Excellent	
Spur A	[48-49-50-51]	0.781	69.8	89.3	44.8	73.2	27.6	119.9	20	Marginal	
Spur B	[20]	0.247	54.3	72.7	47.0	57.7	15.8	107.5	22	Unsatisfact	
Spur C	[81-82-84]	0.668	105.0	88.6	60.8	87.4	34.8	154.7	2	Marginal	
Spur D	[31-32-33-35-112-62-77-78-79-80-81-82-87]	5.562	107.1	82.6	68.4	90.1	34.8	147.9	12	Acceptable	



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: August 10, 2021



BUSINESS ~ A

REQUESTED BY:	Town Clerk
DESIRED ACTION:	To Discuss and vote to submit the home rule petitions approved at the June 26, 2021, Town Meeting to state legislators
PROPOSED MOTION:	I move to approve the letters written and reviewed by town counsel to be sent to the state legislators.
SUMMARY:	There were 4 home rule petitions approved at town meeting and letters need to be sent with the town clerk certified stamp once approved by the Selectboard.
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____



TOWN OF WELLFLEET
OFFICE OF THE SELECTBOARD

300 MAIN STREET WELLFLEET MASSACHUSETTS 02667
(508) 349-0300 (508) 349-0305 (FAX)
www.wellfleet-ma.gov

July 29, 2021

Hon. Julian Cyr
State Senator
State House, Room 312-E
24 Beacon Street
Boston, MA 02133

Hon. Sarah K. Peak
State Representative
State House, Room 7
24 Beacon Street
Boston, MA 02133

Re: Town of Wellfleet – Home Rule Petition for Special Legislation
Establishment of Real Estate Transfer Fee

Dear Senator Cyr and Representative Peak:

Please accept this letter as a request, pursuant to Article II, Section 8, Paragraph 1, Clause (1) of the Amendments to the Constitution, as amended by Article LXXXIX, that you file legislation with the General Court on behalf of the Town of Wellfleet. The June 26, 2021, Annual Town Meeting approved the within request under Article 37 of the warrant for said meeting. Article 37 proposed to authorize the Selectboard to petition the General Court for special legislation authorizing the Town to assess a one percent fee on certain transfers of interest in real estate and to deposit the funds into the Town's Capital Improvement Stabilization Fund and Affordable Housing Trust. **[insert something here about why this is being sought]**. Town Meeting approved Article 37 as printed in the warrant.

Enclosed herewith please find certified copies of the warrant for the June 26, 2021, Town Meeting, and the vote taken thereunder.

The Selectboard respectfully requests that you file the special legislation on behalf of the Town and appreciates your consideration of this important matter. Please contact the Acting Town Administrator Charles Sumner with any further questions concerning the proposed legislation.

Hon. Julian Cyr
Hon. Sarah K. Peak
Jul 29, 2011
Page 2

Your prompt attention to this important matter is greatly appreciated.

Respectfully submitted,

Town of Wellfleet Selectboard

Ryan Curley, Chair

Michael DeVasto, Vice Chair

Janet Reinhart

John A. Wolf

Helen Miranda Wilson

Enc.

583242/SWAM/0001



TOWN OF WELLFLEET

300 MAIN STREET WELLFLEET, MASSACHUSETTS 02667

Office of the Town Clerk

Townclerk@wellfleet-ma.gov

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

Wellfleet-ma.gov

ARTICLE 37: Home Rule Petition to Authorize the Town of Wellfleet to Establish a Real Estate Transfer Fee. To see if the Town will vote to petition the General Court to enact a special act of the Town of Wellfleet, the text of which is set forth below, and that the General Court be authorized with the approval of the Selectboard to make constructive changes in the text thereof as may be necessary or advisable in order to accomplish the intent of this legislation to secure its passage, as follows:

AN ACT AUTHORIZING THE TOWN OF WELLFLEET TO ESTABLISH A REAL ESTATE TRANSFER FEE

Be it enacted by the Senate and House of Representatives in the General Court assembled, and by the authority of the same as follows:

SECTION 1. For purposes of this act, the words and phrases set forth in this section shall have the following meanings:

"Purchaser", shall refer to the transferee, grantee or recipient of any real property interest.

"Purchase price," all consideration paid or transferred by or on behalf of a purchaser to a seller or his nominee, or for his benefit, for the transfer of any real property interest, and shall include, but not be limited to, all cash or its equivalent so paid or transferred; all cash or other property paid or transferred by or on behalf of the purchaser to discharge or reduce any obligation of the seller; the principal amount of all notes or their equivalent, or other deferred payments, given or promised to be given by or on behalf of the purchaser to the seller or his nominee; the outstanding balance of all obligations of the seller which are assumed by the purchaser or to which the real property interest transferred remains subject after the transfer, determined at the time of transfer, but excluding real estate taxes and other municipal liens or assessments which are not overdue at the time of transfer; the fair market value, at the time of transfer, of any other consideration or thing of value paid or transferred by or on behalf of the purchaser, including, but not limited to, any property, goods or services paid, transferred or rendered in exchange for such real property interest.

"Real property interest" shall refer to any present or future legal or equitable interest in or to real property, and any beneficial interest therein, including the interest of any beneficiary in a trust which holds any legal or equitable interest in real property, the interest of a partner or member in a partnership or limited liability company, the interest of a stockholder in a corporation, the interest of a holder of an option to purchase real property, the interest of a buyer or seller under a contract for purchase and sale of real property, and the transferable development rights created under chapter 183A of the General Laws; but shall not include any interest which is limited to any of the following: the dominant estate in any easement or right of way; the right to enforce any restriction; any estate at will or at sufferance; any estate for years having a term of less than 30 years; any

reversionary right, condition, or right of entry for condition broken; and the interest of a mortgagee or other secured party in any mortgage or security agreement.

"Seller" shall refer to the transferor, grantor or immediate former owner of any real property interest.

"Seasonal" shall be defined as a period commencing April 1 of each calendar year and termination November 30 of the same calendar year.

"Time of transfer" of any real property interest shall mean the time at which such transfer is legally effective as between the parties thereto, and, in any event, with respect to a transfer evidenced by an instrument recorded with the appropriate registry of deeds or filed with the assistant recorder of the appropriate registry district, not later than the time of such recording or filing.

"Town" shall refer to the Town of Wellfleet acting by and through its Selectboard.

SECTION 2. There is hereby imposed a Real Estate Transfer Fee equal to

1. a fee in the amount of one (1) percent of said purchase price shall be due and payable by the seller; and (B) a fee in the amount of one (1) percent of said purchase price shall be due and payable by the purchaser upon the transfer of any real property interest in any real property situated in the Town of Wellfleet. Said fee shall be the liability of the buyer and seller of such property interest, and any agreement between the purchaser and the seller or any other person with reference to the allocation of the responsibility for bearing said fee shall not affect such liability of the purchaser. The fee shall be paid to the Town of Wellfleet. The first \$50,000 collected in each fiscal year shall be deposited in the Town's Capital Improvement Stabilization Fund. The remaining funds collected each fiscal year shall be deposited into the Wellfleet Affordable Housing Trust.

SECTION 3. The following transfers of real property interests shall be exempt from the Real Estate Transfer Fee:

A. First time homebuyers who live in the home for at least 5 years. A lien shall accompany the deed stating that "There is running with the land a lien equal to the amount of fee exempted, plus accumulated interest and penalties until such time as all conditions of this sub-section are met."

C. Transfers to the Government of the U.S., The Commonwealth, the Town of Wellfleet and any of their instrumentalities, agencies or sub-divisions, such as the Wellfleet Housing Authority and The Wellfleet Housing Trust.

D. Transfers made without additional consideration to confirm, correct, modify or supplement a transfer previously made.

E. Transfers of convenience with consideration under \$100.00 which include: name change, into trusts, out of trust, etc.

F. Transfers to any charitable organization as defined in Clause Third of Section Five of Chapter 59 of the General Laws or any religious organization providing that the real property interests so transferred will be held solely for public charitable or religious purposes.

G. Transfers between immediate family members, marriage partners, parents and children, grandchildren, step-parents and step-children, brothers and sisters, or beneficiaries of an estate.

H. 120% of the previous fiscal year's median single family home assessed value as assessed by the Wellfleet Town Assessor. This exemption shall not apply to properties occupiable on a seasonal basis only. This exemption shall not apply to properties with a sale price above \$2,000,000.

SECTION 4.

A. The fee imposed shall be due at the time of the transfer of the real property interest.

B. The buyer shall pay interest on any unpaid amount of the fee at the rate the Town collects on unpaid Real Estate Taxes.

C. The Town shall notify a buyer by Registered or Certified Mail of any failure to discharge the amount in full of fee due.

D. The fee shall be paid to the Wellfleet, or its designee, and shall be accompanied by a copy of the deed or other instrument evidencing such transfer, if any, and an affidavit signed under oath or under the pains and penalties of perjury by the purchaser or his legal representative and the seller or his legal representative, attesting to the true and complete purchase price and the basis, if any, upon which the transfer is claimed to be exempt in whole or in part from the fee imposed hereby. The Town, or its designee, shall promptly thereafter execute and issue a certificate indicating that the appropriate fee has been paid or that the transfer is exempt from the fee, stating the basis for the exemption. The register of deeds for Barnstable County, and the assistant recorder for the registry district of Barnstable County, shall neither record nor register, or receive or accept for recording or registration, any deed, except a mortgage deed, to which has not been affixed such a certificate executed by the Town or its designee. The Town is authorized to provide for the collection and securing a lien of any outstanding transfer fee. The Town shall have such remedies to collect said amount as provided by law with respect to the collection of real property taxes. Failure to comply with this requirement shall not affect the validity of any instrument.

SECTION 5. Annual Report. The Town shall prepare and issue an annual report that (i) identifies fee receipts by payer category and unit type; and (ii) quantifies housing programs funded, including type and purpose.

SECTION 6. Severance Clause. The determination or declaration that any provision of this act is beyond authority of the general court or is preempted by law or regulation shall not affect the validity or enforceability of any other provisions.

SECTION 7. This Act shall take effect on passage.

Majority vote required.

**Selectboard Recommends 5-0
Finance Committee:**

It was moved and seconded:

Article 37: Home Rule Petition to Authorize the Town of Wellfleet to Establish a Real Estate Transfer Fee.

Motion: It was moved and seconded that Article 37, Home Rule Petition to authorize the Town of Wellfleet to establish a real estate transfer fee, be adopted as printed in the warrant.

The Moderator declared the motion carries by a Majority Vote.

A TRUE RECORD ATTEST:

Jennifer M. Congel, Town Clerk

July 20, 2021



TOWN OF WELLFLEET
OFFICE OF THE SELECTBOARD

300 MAIN STREET WELLFLEET MASSACHUSETTS 02667
(508) 349-0300 (508) 349-0305 (FAX)
www.wellfleet-ma.gov

July 29, 2021

Hon. Julian Cyr
State Senator
State House, Room 312-E
24 Beacon Street
Boston, MA 02133

Hon. Sarah K. Peak
State Representative
State House, Room 7
24 Beacon Street
Boston, MA 02133

Re: Town of Wellfleet – Home Rule Petition for Special Legislation
 Establishment of Prevailing Wages

Dear Senator Cyr and Representative Peak:

Please accept this letter as a request, pursuant to Article XXX, Section 8, Paragraph 1, Clause (1) of the Amendments to the Constitution, as amended by Article LXXXIX, that you file legislation with the General Court on behalf of the Town of Wellfleet. The June 26, 2021, Annual Town Meeting approved the within request under Article 38 of the warrant for said meeting. Article 38 proposed to authorize the Selectboard to petition the General Court for special legislation authorizing the Town to be exempt from complying with Sections 26 through 27G of Chapter 149 of general Laws doe projects estimated costs \$50,000 or less. **[insert something here about why this is being sought]**. Town Meeting approved Article 38 as printed in the warrant.

Enclosed herewith please find certified copies of the warrant for the June 26, 2021, Town Meeting, and the vote taken thereunder.

The Selectboard respectfully requests that you file the special legislation on behalf of the Town and appreciates your consideration of this important matter. Please contact the Acting Town Administrator Charles Sumner with any further questions concerning the proposed legislation.

Hon. Julian Cyr
Hon. Sarah K. Peak
Jul7 29, 201
Page 2

Your prompt attention to this important matter is greatly appreciated.

Respectfully submitted,

Town of Wellfleet Selectboard

Ryan Curley, Chair

Michael DeVasto, Vice Chair

Janet Reinhart

John A. Wolf

Helen Miranda Wilson

Enc.

583242/SWAM/0001



TOWN OF WELLFLEET

300 MAIN STREET WELLFLEET, MASSACHUSETTS 02667

Office of the Town Clerk

Townclerk@wellfleet-ma.gov

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

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ARTICLE 38: Prevailing Wage Legislative Petition. To see if the Town will vote to petition the General Court to enact a special act of the Town of Wellfleet, the text of which is set forth below, and that the General Court be authorized with the approval of the Selectboard to make constructive changes in the text thereof as may be necessary or advisable in order to accomplish the intent of this legislation to secure its passage, as follows:

AN ACT RELATIVE TO THE PREVAILING WAGE IN THE TOWN OF WELLFLEET
Be it enacted by the Senate and House of Representatives in the General Court assembled, and by the authority of the same as follows:

SECTION 1. Notwithstanding any general or special law to the contrary, the Town of Wellfleet shall be exempt from complying with Sections 26 through 27G of Chapter 149 of the General Laws for projects estimated to cost \$50,000 or less.

SECTION 2. This act shall take effect on the first day of the fiscal year following passage of this act and shall apply to taxes levied for fiscal years beginning that fiscal year and thereafter.

Or to take any other action relative thereto.

(Requested by Selectboard Member Curley)

Majority Vote Required

Selectboard: Recommends 5 – 0

It was moved and seconded:

Article 38: Prevailing Wage Legislative Petition.

Motion: It was moved and seconded that Article 38, Prevailing Wage Legislation Petition, be adopted as printed in the warrant.

The Moderator declared the motion carries by a Majority vote.

A TRUE RECORD ATTEST:

Jennifer M. Congel, Town Clerk

July 20, 2021



TOWN OF WELLFLEET
OFFICE OF THE SELECTBOARD

300 MAIN STREET WELLFLEET MASSACHUSETTS 02667
(508) 349-0300 (508) 349-0305 (FAX)
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July 29, 2021

Hon. Julian Cyr
State Senator
State House, Room 312-E
24 Beacon Street
Boston, MA 02133

Hon. Sarah K. Peak
State Representative
State House, Room 7
24 Beacon Street
Boston, MA 02133

Re: Town of Wellfleet – Home Rule Petition for Special Legislation
Expanding Residential Property Exemption

Dear Senator Cyr and Representative Peak:

Please accept this letter as a request, pursuant to Article II, Section 8, Paragraph 1, Clause (1) of the Amendments to the Constitution, as amended by Article LXXXIX, that you file legislation with the General Court on behalf of the Town of Wellfleet. The June 26, 2021, Annual Town Meeting approved the within request under Article 41 of the warrant for said meeting. Article 41 proposed to authorize the Selectboard to petition the General Court for special legislation there shall be an exemption equal to not more than 35 percent of the average assessed value of all class one residential parcels within the town of Wellfleet. **[insert something here about why this is being sought]**. Town Meeting approved Article 41 as printed in the warrant.

Enclosed herewith please find certified copies of the warrant for the June 26, 2021, Town Meeting, and the vote taken thereunder.

The Selectboard respectfully requests that you file the special legislation on behalf of the Town and appreciates your consideration of this important matter. Please contact the Acting Town Administrator Charles Sumner with any further questions concerning the proposed legislation.

Hon. Julian Cyr
Hon. Sarah K. Peak
Jul 29, 2011
Page 2

Your prompt attention to this important matter is greatly appreciated.

Respectfully submitted,

Town of Wellfleet Selectboard

Ryan Curley, Chair

Michael DeVasto, Vice Chair

Janet Reinhart

John A. Wolf

Helen Miranda Wilson

Enc.

583242/SWAM/0001



TOWN OF WELLFLEET

300 MAIN STREET WELLFLEET, MASSACHUSETTS 02667

Office of the Town Clerk

Townclerk@wellfleet-ma.gov

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

Wellfleet-ma.gov

At a legal meeting of the qualified voters of the Town of Wellfleet held on June 26, 2021, the following article 41 was printed in the Warrant:

ARTICLE 41: Expanding Residential Property Exemption: Home Rule Petition. To see if the Town will vote to petition the General Court to enact a special act of the Town of Wellfleet, the text of which is set forth below, and that the General Court be authorized with the approval of the Selectboard to make constructive changes in the text thereof as may be necessary or advisable in order to accomplish the intent of this legislation to secure its passage, as follows:

AN ACT EXPANDING THE EXEMPTION FOR RESIDENTIAL PROPERTY IN THE TOWN OF WELLFLEET

Be it enacted by the Senate and House of Representatives in the General Court assembled, and by the authority of the same as follows:

SECTION 1. Notwithstanding section 5C of chapter 59 of the General Laws or any other general or special law to the contrary, with respect to each parcel of real property classified as class one residential in the town of Wellfleet as certified by the commissioner of revenue to be assessing all local property at its full and fair cash valuation, and with the approval of the Selectboard, there shall be an exemption equal to not more than 35 per cent of the average assessed value of all class one residential parcels within the town of Wellfleet, or such other maximum percentage as may be established from time to time by the General Court; provided, however, that the exemption shall be applied only to: (i) the principal residence of the taxpayer as used by the taxpayer for income tax purposes; or (ii) a residential parcel occupied by a resident of the Town of Wellfleet, other than the taxpayer, occupied on a year-round basis and used as the resident's principal residence for income tax purposes. The town of Wellfleet may adopt and amend criteria to determine who qualifies as a resident under this act. This exemption shall be in addition to any exemptions allowable under section 5 of said chapter 59; provided, however, that the taxable valuation of the property, after all applicable exemptions, shall not be reduced to below 10% of its full and fair cash valuation, except through the applicability of clause eighteenth of said section 5 of said chapter 59. Where, under the provisions of said section 5 of said chapter 59, the exemption is based upon an amount of tax rather than on valuation, the reduction of taxable valuation for the purposes of the preceding sentence shall be computed by dividing the amount of tax by the residential class tax rate of the town of Wellfleet and multiplying the result by \$1,000. For the purposes of this paragraph, "parcel" shall mean a unit of real property as defined by the board of assessors of the town of Wellfleet in accordance with the deed for the property and shall include a condominium unit.

SECTION 2. A taxpayer aggrieved by the failure to receive the residential exemption authorized under this act may apply for the residential exemption to the Board of Assessors of the Town of Wellfleet in writing on a form approved by the board of assessors, on or before the deadline for an application for exemption under section 59 of said chapter 59. For the purposes of this act, a timely

application filed under this section shall be treated as a timely filed application pursuant to section 59 of chapter 59 of the General Laws.

SECTION 3. This act shall take effect on the first day of the fiscal year following passage of this act and shall apply to taxes levied for fiscal years beginning that fiscal year and thereafter.

Or to take any other action relative thereto.

Majority Vote Required

Selectboard recommends 5-0

Finance Committee:8-0

Affordable Housing Trust: 7-0

Article 41: Expanding Residential Property Exemption: Home Rule Petition.

It was moved and seconded that Article 41, Expanding Residential Property Exemption: Home Rule petition, be adopted as printed in the warrant.

The Moderator declared the motion carries on a Majority vote.

A TRUE RECORD ATTEST

Jennifer M. Congel, Town Clerk

July 21, 2021



TOWN OF WELLFLEET
OFFICE OF THE SELECTBOARD

300 MAIN STREET WELLFLEET MASSACHUSETTS 02667
(508) 349-0300 (508) 349-0305 (FAX)
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July 29, 2021

Hon. Julian Cyr
State Senator
State House, Room 312-E
24 Beacon Street
Boston, MA 02133

Hon. Sarah K. Peak
State Representative
State House, Room 7
24 Beacon Street
Boston, MA 02133

Re: Town of Wellfleet – Home Rule Petition for Special Legislation
 Authorizing the Commissioner Capital Asses Management to Grant an Easement in the town
of Wellfleet.

Dear Senator Cyr and Representative Peak:

Please accept this letter as a request, pursuant to Article II, Section 8, Paragraph 1, Clause (1) of the Amendments to the Constitution, as amended by Article LXXXIX, that you file legislation with the General Court on behalf of the Town of Wellfleet. The June 26, 2021, Annual Town Meeting approved the within request under Article 42 of the warrant for said meeting. Article 42 proposed to authorize the Selectboard to petition the General Court for special legislation authorizing the Town for no monetary consideration, a permanent nonexclusive easement to Judith Blakeley life certain parcel of land located with the town of Wellfleet. **[insert something here about why this is being sought]**. Town Meeting approved Article 42 as printed in the warrant.

Enclosed herewith please find certified copies of the warrant for the June 26, 2021, Town Meeting, and the vote taken thereunder.

The Selectboard respectfully requests that you file the special legislation on behalf of the Town and appreciates your consideration of this important matter. Please contact the Acting Town Administrator Charles Sumner with any further questions concerning the proposed legislation.

Hon. Julian Cyr
Hon. Sarah K. Peak
Jul 29, 2011
Page 2

Your prompt attention to this important matter is greatly appreciated.

Respectfully submitted,

Town of Wellfleet Selectboard

Ryan Curley, Chair

Michael DeVasto, Vice Chair

Janet Reinhart

John A. Wolf

Helen Miranda Wilson

Enc.

583242/SWAM/0001



TOWN OF WELLFLEET

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Office of the Town Clerk

Townclerk@wellfleet-ma.gov

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

Wellfleet-ma.gov

At a legal meeting of the qualified voters of the Town of Wellfleet held on June 26, 2021, the following Article 42 was printed in the Warrant:

ARTICLE 42: A Home Rule Petition Authorizing the Commissioner of Capital Asset Management and Maintenance to Grant an Easement in the Town of Wellfleet. To see if the Town will vote to petition the General Court to enact a special act of the Town of Wellfleet, the text of which is set forth below, and that the General Court be authorized with the approval of the Selectboard to make constructive changes in the text thereof as may be necessary or advisable in order to accomplish the intent of this legislation to secure its passage, as follows:

AN ACT AUTHORIZING THE COMMISSIONER OF CAPITAL ASSET MANAGEMENT AND MAINTENANCE TO GRANT AN EASEMENT IN THE TOWN OF WELLFLEET.

Be it enacted by the Senate and House of Representatives in the General Court assembled, and by the authority of the same as follows:

SECTION 1. Notwithstanding sections 32 to 37, inclusive, of chapter 7C of the General Laws or any other general or special law to the contrary, the Commissioner of Capital Asset Management and Maintenance, in consultation with the Commissioner of conservation and recreation, may convey, for no monetary consideration, a permanent nonexclusive easement to Judith Blakeley Life Estate, Richard Blakeley, Remainderman, and Blackfish Creek Shellfish Company in a portion of a certain parcel of land located within the town of Wellfleet, under the care and control of the Department of Conservation and Recreation and held for conservation and recreation purposes, described in a deed recorded with the Barnstable County Registry of Deeds in book 3377, page 069. The easement may be granted solely for purposes of a curb cut for vehicular access, the benefited land being described in a deed recorded with the Barnstable County registry of deeds in book 15500, page 50, and shall be subject to the further requirements of this act and subject to such additional terms and conditions consistent with this act as the Commissioner of Capital Asset Management and Maintenance may prescribe in consultation with the Department of Conservation and Recreation.

The easement described in this section shall be comprised of XXX square feet of land, more or less, identified as “_____” as shown on the plan of land entitled “_____” dated _____, prepared by _____. The plan shall be filed with the Department of Conservation and Recreation and to be recorded with the Barnstable County registry of deeds along with the easement.

Modifications to the easement description set forth in the plan and the plan may be made by the division of capital asset management and maintenance for conformance with this act. The easement shall be granted without warranties or representations by the Commonwealth.

SECTION 2. Notwithstanding any general or special law to the contrary, the Commissioner of conservation and recreation may grant a license or permit for nominal consideration to Judith

Blakeley Life Estate to provide Judith Blakeley Life Estate with use and occupation of the above referenced parcel, and liability and responsibility for such use and occupation, and, for the purposes of this act, such licenses or permits shall govern until the grant of easement authorized in this act takes effect.

SECTION 3. No easement instrument conveying, by or on behalf of the Commonwealth, the easement described in Section 1 shall be valid unless such easement instrument provides that the easement shall be used solely for the purposes described in said Section 1. The easement instrument shall include a clause that shall state that if the easement ceases to be used by the grantees, or their successors or assigns, for the purposes described in section 1 at any time, the easement shall terminate and all rights shall revert to the Commonwealth under the care and control of the Department of Conservation and Recreation, upon such terms and conditions as the Commissioner may determine.

SECTION 4. The fair market value of the easement described in Section 1, or the value in use as proposed, shall be based on independent professional appraisals, as commissioned by the Commissioner of Capital Asset Management and Maintenance. Judith Blakeley Life Estate shall compensate the Commonwealth in an amount greater than or equal to the full and fair market value, or the value in use of the easement as proposed, whichever is greater, as determined by the independent appraisals, plus the reasonable cost of such appraisal. All money paid to the Commonwealth by Judith Blakeley Life Estate as a result of the conveyances authorized by this section shall be deposited in the General Fund. The Commissioner of Capital Asset Management and Maintenance shall submit the appraisals and a report thereon to the inspector general for review and comment. The inspector general shall review and approve the appraisals and the review shall include an examination of the methodology utilized for the appraisals. The inspector general shall prepare a report of the review and file the report with the Commissioner of Capital Asset Management and Maintenance for submission by the Commissioner to the house and senate committees on ways and means and the Senate and House chairs of the Joint Committee on State Administration and Regulatory Oversight. The Commissioner shall submit copies of the appraisals, the report thereon and the inspector general's review and approval, and comments, if any, to the House and Senate Committees on Ways and Means and the Senate and House chairs of the Joint Committee on State Administration and Regulatory Oversight prior to the execution of the conveyance authorized by this Act.

SECTION 5. As a condition of the conveyance authorized in Section 1, Judith Blakeley Life Estate shall, in addition to any compensation from Judith Blakeley Life Estate to the Commonwealth required pursuant to Section 3, compensate the Commonwealth for the easement described in this act through the transfer to the Department of Conservation and Recreation of land or an interest therein or funding for the acquisition of land or an interest therein equal to or greater than the appraised value of the easement as determined pursuant to this act. The fair market value of any land or interest in land proposed to be conveyed to the Department pursuant to this Section shall be included within the appraisal required by Section 3. The land or interest therein or funding shall be acceptable to the Department of Conservation and Recreation and any land or interest therein, whether conveyed by Judith Blakeley Life Estate or acquired by the department, shall be permanently held and managed for conservation and recreation purposes by the department. All payments made to the Commonwealth pursuant to this section shall be deposited in the Conservation Trust established in Section 1 of chapter 132A of the General Laws.

Majority Vote Required

Selectboard recommends 5-0

Article 42: Home Rule Petition Authorizing the Commissioner of Capital Asset Management and Maintenance to Grant an Easement in the Town of Wellfleet.

It was moved and seconded that Article 42, Home Rule Petition: Authorizing the Commissioner of Public Assets Management and Maintenance to Grant an Easement, be adopted as printed in the warrant, however that the 2nd pragraph of Section 1 shall be amended to read as follows:

The easement shall be described in a plan filed with the Department of Conservation and Recreation.

The Moderator declared the motion carries as printed in the motions booklet by a unanimous vote.

A TRUE RECORD ATTEST:

Jennifer M. Congel, Town Clerk

July 21,2021



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: August 10, 2021

V

BUSINESS ~ B

REQUESTED BY:	Chair Ryan Curley
DESIRED ACTION:	To update the Board and Public on the Special Town Meeting and approve the memo in the selectboard packet.
PROPOSED MOTION:	I move to approve the memo as drafted in the selectboard packet
SUMMARY:	Information can be found in the Selectboard packet
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____

In discussions with interim town administrator Charles Sumner, and acting town accountants Lisa Souve and Mary McIsaac, I have tried to pin down a date for the Special Town Meeting. It appears that the date will be the week of November 13th, November 20th or possibly December 4th.

As part of the emergency legislation, Chapter 92 acts of 2020 passed on June 5th allows for a number of modifications to our form of Town Meetings in Sections 7 & 9. Its original provisions would have already expired or will have expired by the time we have a Special Town Meeting. On June 16th, Chapter 20 of the acts of 2021 amended Chapter 92 of 2020 and extended **Sections 7 & 9 to December 15th, 2021.**

In terms of planning, the quorum can be modified provided sufficient notice.

SECTION 7. (a) Notwithstanding section 13 of chapter 39 of the General Laws or any other general or special law, charter provision or by-law to the contrary, a town may act by vote of its select board or board of selectmen, in consultation and with the approval of the town moderator, to prescribe the number of voters necessary to constitute a quorum at any town meeting held during the governor's March 10, 2020 declaration of a state of emergency at a number that is less than the number that would otherwise be required by law, town by-law or town charter; provided, however, that the number of voters necessary to constitute a quorum shall not be less than 10 per cent of the number that would otherwise be required.

(b) The select board or board of selectmen shall publish notice of its intention to consider an adjustment of town meeting quorum requirements under this section not less than 7 days before the vote of the select board or board of selectmen. The select board or board of selectmen shall provide for adequate means of public access that will allow interested members of the public to clearly follow the deliberations of the select board or board of selectmen on making a quorum adjustment as those deliberations are occurring.

(c) Not less than 10 days after a vote of the select board or board of selectmen to adjust the quorum requirement under this section, the town clerk shall notify the attorney general of the adjusted quorum requirement.

(d) All actions taken pursuant to this section are hereby ratified, validated and confirmed to the same extent as if the town meeting had been conducted in accordance with all other applicable laws, charter provisions, ordinances and by-laws.

Additionally, Chapter 92 of 2020 allows for town meeting to be held outside of the bounds of Wellfleet. The Charter and the General Bylaws of the Town of Wellfleet do not specify that a town meeting has to be held within the bounds of Wellfleet.

SECTION 9. Notwithstanding section 9 of chapter 39 of the General Laws or any other general or special law, charter provision, ordinance or by-law to the contrary, in order to address the disruptions caused by the 2019 novel coronavirus, also known as COVID-19, during the governor's March 10, 2020 declaration of a state of emergency, a select board or board of selectmen, in consultation with and with the approval of the town moderator, may vote to hold town meeting outside the geographic limits of the town if the select board or board

of selectmen determines that it is not possible to adequately conduct town meeting in a location within the geographic limits of the town in a manner that ensures health and safety; provided, however, that a meeting for the election by ballot of federal, state or other officers or the determination of other matters that are to be determined by ballot at an election shall be held within the geographic limits of the town. The select board or board of selectmen shall publicly post notice of the location of town meeting to be held outside the geographic limits of the town not less than 10 days before the date of the meeting. Nothing in this section shall supersede or otherwise affect the validity of any special law, charter or by-law in place before the governor's March 10, 2020 declaration of a state of emergency that provides for holding town meeting outside the geographic limits of the town.

In terms of a timeline, the following is from the Charter:

Section 2-3 Special Town Meetings

2-3-1 The Selectboard may call a special town meeting at any time and shall call a special town meeting upon request in writing of two hundred voters of the Town. A special town meeting shall not be held earlier than forty-five days after the date on which the Selectboard votes to schedule the meeting.

2-3-2 A special town meeting shall not be held earlier than fourteen days after the date on which a constable has certified that copies of the Warrant have been posted in two or more public places in the Town, including the Wellfleet Post Office and the South Wellfleet Post Office, and has deposited with the Town Administrator for distribution printed copies of the Warrant, of a number not less than the number of voters of the Town.

2-4-2 The written petitions submitted under Section 2-4-1 shall be submitted at least sixty days prior to the date of an annual town meeting, and at least thirty-five days prior to the announced date of a special town meeting.

We can not close the warrant and thus send it to the printer until thirty-five days before a special town meeting, and we need to have the warrant printed, distributed, and posted no less than 14 days before the STM.

We will need to have our Special Town Meeting no later than December 15th if we plan on using any of the provisions available in the emergency legislation. To provide clarity to the town's various public bodies, I have prepared the following memo to be distributed to them as soon as possible.



TOWN OF WELLFLEET SELECTBOARD

300 MAIN STREET

WELLFLEET

MASSACHUSETTS

(508) 349-0300

(508) 349-0305 (fax)

www.wellfleet-ma.gov

To all boards, committees, commissions, or interested parties of the town of Wellfleet

Wellfleet will have a special town meeting later this fall. The likely dates are November 13, 2021, November 20, 2021, or possibly December 4, 2021. The warrant will close on October 9, 2021, if the town meeting is November 13th, October 16th if the town meeting is November 20th. With this in mind, please submit any warrant articles by Friday, September 17, 2021, to afford the Selectboard sufficient time to take up the articles prior to their inclusion in the Warrant.

Citizen petition initiatives for a Special Town Meeting require One-Hundred (100) signatures. These must be submitted to the Selectboard and the Town Clerk in writing not less than Thirty-Five (35) days before the Special Town Meeting.

Sincerely,
The Wellfleet Selectboard

Ryan Curley, Chair
Michael DeVasto, Vice-Chair
Janet Reinhart
Helen Miranda Wilson
John Wolf

Acts (2020)

Chapter 92

AN ACT RELATIVE TO MUNICIPAL GOVERNANCE DURING THE COVID-19 EMERGENCY.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to protect forthwith both public health and the viability of town meetings in the face of the state, national and global public health emergencies existing as a result of the COVID-19 pandemic, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public health and convenience.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Subsection (a) of section 1 of chapter 45 of the acts of 2020 is hereby amended by striking out the words “May 30, 2020” and inserting in place thereof the following words:- June 30, 2020.

SECTION 2. Said subsection (a) of said section 1 of said chapter 45 is hereby further amended by striking out the words “June 30, 2020” and inserting in place thereof the following words:- August 1, 2020.

SECTION 3. Said chapter 45 is hereby further amended by inserting after said section 1 the following section:-

SECTION 1A. The select board, board of selectmen, town council or board of registrars may vote to eliminate a municipal caucus, scheduled to occur between March 23, 2020 and July 31, 2020, if such board concludes that holding the municipal caucus would constitute a threat to the public health and safety due to the 2019 novel coronavirus, also known as COVID-19. In any town that eliminates the municipal caucus, nomination papers shall be used to nominate candidates pursuant to sections 7 and 10 of chapter 53 of the General Laws; provided, however, that such nomination papers shall be signed by not fewer than 10 registered voters of the town; provided, however, that to the extent that the forty-ninth day prior to the date of the election has passed, nomination papers shall be made available immediately, and shall be returned to the office of the board of registrars for certification no later than the date designated by the town clerk, which shall be no earlier than 36 days and no later than 32 days prior to the date of the election; provided further, that candidates shall be notified if their names will be placed on the ballot on the next business day after the deadline for filing, and the time for filing withdrawals and objections shall expire at 5:00 p.m. on the following business day.

SECTION 4. The second paragraph of section 4 of said chapter 45 is hereby amended by striking out the words “June 30, 2020” and inserting in place thereof the following words:- August 1, 2020.

SECTION 5. Subsection (a) of section 5 of said chapter 45 is hereby amended by striking out the words “June 30, 2020” and inserting in place thereof the following words:- August 1, 2020.

SECTION 6. The second sentence of section 11 of chapter 53 of the acts of 2020 is hereby amended by striking out the words “a city or town shall not” and inserting in place thereof the following words:- a city, town or district shall not.

SECTION 7. (a) Notwithstanding section 13 of chapter 39 of the General Laws or any other general or special law, charter provision or by-law to the contrary, a town may act by vote of its select board or board of selectmen, in consultation and with the approval of the town moderator, to prescribe the number of voters necessary to constitute a quorum at any town meeting held during the governor’s March 10, 2020 declaration of a state of emergency at a number that is less than the number that would otherwise be required by law, town by-law or town charter; provided, however, that the number of voters necessary to constitute a quorum shall not be less than 10 per cent of the number that would otherwise be required.

(b) The select board or board of selectmen shall publish notice of its intention to consider an adjustment of town meeting quorum requirements under this section not less than 7 days before the vote of the select board or board of selectmen. The select board or board of selectmen shall provide for adequate means of public access that will allow interested members of the public to clearly follow the deliberations of the select board or board of selectmen on making a quorum adjustment as those deliberations are occurring.

(c) Not less than 10 days after a vote of the select board or board of selectmen to adjust the quorum requirement under this section, the town clerk shall notify the attorney general of the adjusted quorum requirement.

(d) All actions taken pursuant to this section are hereby ratified, validated and confirmed to the same extent as if the town meeting had been conducted in accordance with all other applicable laws, charter provisions, ordinances and by-laws.

SECTION 8. (a) Notwithstanding any general or special law, charter provision, ordinance or by-law to the contrary, in order to address disruptions caused by the outbreak of the 2019 novel coronavirus, also known as COVID-19, during the governor's March 10, 2020 declaration of a state of emergency, if the moderator in a town having a representative town meeting form of government determines that it is not possible to safely assemble the town meeting members and interested members of the public in a common location while complying with any applicable state or local orders, directives or guidance concerning public assemblies, the moderator may request that the select board or board of selectmen of the town call for a representative town meeting to be held through remote participation, including, but not limited to, by means of a video or telephone conferencing platform. Such a request by the moderator to the select board or board of selectmen shall be in writing and shall include, but shall not be limited to: (i) the moderator's determination and request to hold a town meeting through remote participation in accordance with this section; (ii) the video or telephone conferencing platform the moderator has determined to use to hold the town meeting; (iii) confirmation that the moderator has consulted with the local disability

commission or coordinator for federal Americans with Disabilities Act compliance; and (iv) a certification by the moderator that: (A) the moderator has tested the video or telephone conferencing platform; and (B) the platform satisfactorily enables the town meeting to be conducted in substantially the same manner as if the meeting occurred in person at a physical location and in accordance with the operational and functional requirements set forth in this section.

A video or telephone conference platform used by a town meeting for remote participation under this section shall, at minimum, provide for the ability for: (i) the moderator, town meeting members, town officials and any other interested members of the public to identify and hear the moderator and each town meeting member who attends and participates in the remotely-held town meeting, as well as any other individuals who participate in the remotely-held town meeting; (ii) the ability to determine whether a quorum is present; (iii) a town meeting member, town official or other individual to request recognition by the moderator without prior authorization; provided, however, that to the extent technologically feasible, the request is visible or audible to the public in real time and upon review of the recording of the town meeting proceedings, preserved according to subsection (h); (iv) the moderator to determine when a town meeting member wishes to be recognized to speak, make a motion, raise a point of order or object to a request for unanimous consent; (v) the moderator to recognize a town meeting member, town official or other individual to speak and to enable that person to speak; (vi) the ability to conduct a roll call vote; (vii) any interested members of the public to access the meeting remotely for purposes of witnessing the deliberations and actions taken at the town meeting; and (viii) the

town meeting to be recorded. Registered voters residing in the town wishing to participate in a remote town meeting conducted pursuant to this section shall submit a request to participate to the town clerk not less than 48 hours in advance of the town meeting. Upon receipt of the request and verification of the requester's voter registration status, the clerk shall provide to the requester instructions for participating in the remote town meeting.

(b) Not later than 10 business days following receipt of a written request by the moderator for remote participation at a town meeting pursuant to subsection (a), the select board or board of selectmen shall vote to determine if the town meeting shall be held remotely by means of the video or telephone conferencing platform requested by the moderator.

(c) If the select board or board of selectmen votes to approve the request of the moderator for remote participation at a town meeting and the select board or board of selectmen has already issued a warrant pursuant to section 10 of chapter 39 of the General Laws calling a town meeting to be held not later than June 30, 2020, the select board or board of selectmen shall, at the same meeting of the board, approve and issue, in consultation with the moderator, a notice that expressly states: (i) that the town meeting shall be held remotely by means of the video or telephone conferencing platform requested by the moderator; (ii) the date and time of the meeting; and (iii) any information necessary for the moderator, town meeting members, town officials and interested members of the public to access and witness the deliberations and actions taken at the town meeting remotely.

The notice issued by the select board or board of selectmen shall be: (i) accompanied by the written request of the moderator submitted to the select board or board of selectmen under subsection (a); (ii) filed and posted in accordance with the requirements of subsection (b) of section 10A of chapter 39 of the General Laws; (iii) distributed to each town meeting member; and (iv) publicly posted not less than 10 days before the scheduled date of the remote town meeting. The notice may include a date, time and place for the town meeting to be resumed if the town meeting does not vote to continue the town meeting remotely pursuant to subsection (f).

(d) If the select board or board of selectmen votes to approve the request of the moderator for remote participation at a town meeting and the select board or board of selectmen has not yet issued a warrant for a town meeting, the select board or board of selectmen shall approve and issue a warrant pursuant to section 10 of said chapter 39 for the town meeting that expressly states: (i) that the town meeting shall be held remotely by means of the video or telephone conferencing platform requested by the moderator; (ii) the date and time of the meeting; and (iii) any information necessary for the moderator, town meeting members, town officials and interested members of the public to access and witness the deliberations and actions taken at the town meeting remotely.

The warrant issued by the select board or board of selectmen shall be: (i) accompanied by the written request of the moderator submitted to the select board or board of selectmen under subsection (a); and (ii) filed in accordance with said section 10 of said chapter 39, all other applicable laws and any relevant provisions of the town charter or by-

laws. The warrant may include a date, time and place for the town meeting to be resumed if the town meeting does not vote to continue the town meeting remotely pursuant to subsection (f).

(e) Not later than 5 business days after a vote of the select board or board of selectmen to approve the request of the moderator to hold a town meeting remotely pursuant to subsection (c) or (d), the town clerk shall submit certified copies of the vote of the select board or board of selectmen and the written request of the moderator to the attorney general.

(f) Prior to taking up any business at a representative town meeting held through remote participation under this section, the town meeting members present and voting at the meeting shall vote on whether or not to commence business at the town meeting remotely by means of the chosen video or telephone conferencing platform. If the town meeting votes to continue conducting the town meeting remotely, then the town meeting shall proceed by remote participation to address the articles included in the warrant. If the town meeting does not vote to continue conducting the town meeting remotely, then the town meeting shall be adjourned to the date, time and place specified in the notice or warrant under subsection (c) or (d). If no date, time and place has been specified in the notice or warrant, the town meeting shall immediately be dissolved without taking any votes on any other matters and the select board or board of selectmen may call the town meeting pursuant to a new warrant that provides for the town meeting to be held in person at a physical location in accordance with said section 10 of said chapter 39, all other applicable laws and provisions of the town charter and by-laws.

(g) Any roll call vote taken at a representative town meeting held through remote participation pursuant to this section shall be taken by any means that the moderator determines accurately and securely records the votes of those entitled to vote at the meeting, including, but not limited to, roll call vote, electronic voting, voting by ballot, voting by phone or any combination thereof. The vote of each town meeting member on a roll call vote shall be recorded and kept with the minutes of the town meeting.

(h) A representative town meeting held remotely pursuant to this section shall be recorded and the recording shall be preserved and made publicly available on the town's website for not less than 90 days after the conclusion of the remote town meeting.

(i) All actions taken during a remote town meeting held pursuant to this section are hereby ratified, validated and confirmed to the same extent as if the town meeting had been conducted in person and such actions are in accordance with all other applicable laws, charter provisions, ordinances and by-laws.

SECTION 9. Notwithstanding section 9 of chapter 39 of the General Laws or any other general or special law, charter provision, ordinance or by-law to the contrary, in order to address the disruptions caused by the 2019 novel coronavirus, also known as COVID-19, during the governor's March 10, 2020 declaration of a state of emergency, a select board or board of selectmen, in consultation with and with the approval of the town moderator, may vote to hold town meeting outside the geographic limits of the town if the select board or board of selectmen determines that it is not possible to adequately conduct town meeting in a location within the geographic limits of the

town in a manner that ensures health and safety; provided, however, that a meeting for the election by ballot of federal, state or other officers or the determination of other matters that are to be determined by ballot at an election shall be held within the geographic limits of the town. The select board or board of selectmen shall publicly post notice of the location of town meeting to be held outside the geographic limits of the town not less than 10 days before the date of the meeting. Nothing in this section shall supersede or otherwise affect the validity of any special law, charter or by-law in place before the governor's March 10, 2020 declaration of a state of emergency that provides for holding town meeting outside the geographic limits of the town.

SECTION 10. (a) Notwithstanding section 5B of chapter 40 of the General Laws or any other general or special law to the contrary, as a result of the outbreak of the 2019 novel coronavirus, also known as COVID-19, and the effects of the governor's March 10, 2020 declaration of a state of emergency, for fiscal year 2021, a town or city may suspend the dedication of revenues to 1 or more special funds for fiscal year 2021 when such revenues are dedicated to a stabilization fund under said section 5B of said section 40 or dedicated to a special fund pursuant to special law, and such revenues shall during fiscal year 2021 be credited to the general fund of the city or town.

(b) Notwithstanding said section 5B of said chapter 40 or any other general or special law to the contrary, for fiscal year 2021, a city, town or district may appropriate funds from any stabilization fund created pursuant to said section 5B of said chapter 40 or special fund established by special law for any lawful purpose notwithstanding the specified purpose of the fund.

(c) The options exercised pursuant to subsections (a) and (b) shall be exercised in a town with a town meeting form of government by a 2/3 vote of its select board, board of selectmen or town council and, in a city, by a 2/3 vote of its city or town council with the approval of the mayor or manager; provided, however, that an option exercised pursuant to said subsection (b) shall also require the approval of a city's or town's school committee when the stabilization fund has been established for educational purposes.

(d) Subsection (a) shall not apply to surcharges assessed pursuant to section 39M of chapter 40 or chapter 44B of the General Laws or any other special fund established pursuant to the General Laws.

SECTION 11. Notwithstanding section 32 of chapter 44 of the General Laws or any other general or special law, charter provision or ordinance to the contrary, if the mayor of a city is unable, as a result of the outbreak of the 2019 novel coronavirus, also known as COVID-19, and the effects of the governor's March 10, 2020 declaration of a state of emergency, to submit an annual budget for fiscal year 2021 to the city council within 170 days as required by the first paragraph of said section 32 of said chapter 44, the time periods and deadlines set forth in said section 32 of said chapter 44 for the mayor and city council to act on the annual budget shall be extended until 60 days after the termination of the governor's March 10, 2020 declaration of the state of emergency; provided, however, that within 30 days after the termination of the declaration of emergency or on July 31, 2020, whichever is earlier, the mayor shall submit to the city council the annual budget for fiscal year 2021 for the purposes of said section 32 of said chapter 44 and the time periods and deadlines set forth in said section 32 of said chapter 44 shall, if not inconsistent with this section,

otherwise thereafter apply; and provided further, that notwithstanding said section 32 of said chapter 44 to the contrary, the mayor may submit to the city council a continuing appropriation budget for the city on a month-by-month basis for a period not to exceed 3 months if the city has not approved an annual budget for fiscal year 2021 by June 30, 2020, as a result of the outbreak of COVID-19 and the governor's March 10, 2020 declaration of a state of emergency.

SECTION 12. (a)(1) Notwithstanding sections 52 and 56 of chapter 41 of the General Laws, a city or town may approve a payment for the period beginning on or after March 10, 2020 through the remainder of fiscal year 2020 on an existing service contract for school or education-related services entered into by the school committee or a service contract renegotiated or modified by the school committee in order to maintain the availability of and access to the services secured under the underlying contract between the parties; provided, that: (i) the underlying service contract was in effect before March 10, 2020 and the service contractor was unable to perform services under the contract as a result of the disruptions caused by the outbreak of the 2019 novel coronavirus, also known as COVID-19 and effects of the governor's March 10, 2020 declaration of a state of emergency; and (ii) there are sufficient unencumbered available funds remaining for such payment in the appropriation for the purpose.

(2) Before any payment, the service contractor shall present to the approving authorities set forth in subsections (b) and (c), a sworn statement reporting grants, discounted loans or other financial support that the service contractor has received from a state, federal or local government as a result of the outbreak of COVID-19 or, if the service contractor has not received any such grants, discounted loans or other

financial support, affirming that the service contractor has not received, and shall not receive thereafter, any such grants, discounted loans or other financial support. If the service contractor reports it has received grants, discounted loans or other financial support from a state, federal or local government, the payments to the service contractor made pursuant to this section and section 13 shall not exceed the total amount to which the service contractor is eligible under the service contract less the amount the service contractor received in such grants, discounted loans or other financial support and the sworn statement shall include an attestation that the payment is not in excess of that amount.

(b) In a city, the payment set forth in subsection (a) shall be approved by: (i) the school committee; (ii) a city auditor, accountant or other officer having similar duties; and (iii) the chief executive officer of the city as defined in clause Fifth B of section 7 of chapter 4 of the General Laws.

(c) In a town, the payment set forth in subsection (a) shall be approved by: (i) the school committee; (ii) a town accountant or other officer having similar duties; and (iii) the chief executive officer of the town as defined in clause Fifth B of section 7 of chapter 4 of the General Laws.

(d) This section shall not apply to tuitions and rates set by the bureau of purchased services within the operational services division pursuant to section 22N of chapter 7 of the General Laws, which are set and are non-negotiable for fiscal year 2020.

SECTION 13. (a)(1) Notwithstanding sections 52 and 56 of chapter 41 and section 16A of chapter 71 of the General Laws, a regional school district may approve a payment for the period beginning on or after March 10, 2020 through the remainder of fiscal year 2020 on an existing service contract for school or education-related services entered into by the regional school district or a service contract renegotiated or modified by the regional school committee in order to maintain the availability of and access to the services secured under the underlying contract between the parties; provided, however, that: (i) the underlying service contract was in effect before March 10, 2020 and the service contractor was unable to perform services under the contract as a result of the governor's March 10, 2020 declaration of a state of emergency or the outbreak of the 2019 novel coronavirus, also known as COVID-19; and (ii) there are sufficient unencumbered available funds remaining for such payment in the appropriation for the purpose.

(2) Before any payment, the service contractor shall present to the approving authorities set forth in subsection (b), a sworn statement reporting grants, discounted loans or other financial support that the service contractor has received from a state, federal or local government as a result of the outbreak of COVID-19 or, if the service contractor has not received any such grants, discounted loans or other financial support, affirming that the service contractor has not received, and shall not receive thereafter, any such grants, discounted loans or other financial support. If the service contractor reports it has received grants, discounted loans or other financial support from a state, federal or local government, the payments to the service contractor made pursuant to this section and section 12 shall not

exceed the total amount to which the service contractor is eligible under the service contracts less the amount the service contractor received in such grants, discounted loans or other financial support and the sworn statement shall include an attestation that the payment is not in excess of that amount.

(b) The payment set forth in subsection (a) shall be approved by the regional school committee and a business manager, assistant superintendent for business or other employee with title of similar import and responsibilities as those of a town accountant.

(c) This section shall not apply to tuitions and rates set by the bureau of purchased services within the operational services division pursuant to section 22N of chapter 7 of the General Laws, which are set and are non-negotiable for fiscal year 2020.

SECTION 14. (a) For purposes of this section, “emergency educator license” shall mean a license issued by the commissioner of elementary and secondary education pursuant to subsection (b) and subject to the provisions of this section.

(b) Notwithstanding section 38G of chapter 71 of the General Laws or any other general or special law to the contrary, in order to address disruptions caused by the outbreak of the 2019 novel coronavirus, also known as COVID-19, or the governor’s March 10, 2020 declaration of a state of emergency, the commissioner of elementary and secondary education may issue emergency educator licenses to individuals upon application to the commissioner. The commissioner may issue emergency educator licenses during the period of the state of emergency and for a period of 180 days after the termination of the state of emergency. An emergency educator license

shall be valid through June 30, 2021 or a different time specified by the commissioner, unless the commissioner suspends or revokes it for cause, pursuant to standards and procedures that shall be established by the board of elementary and secondary education.

(c) To be eligible to receive an emergency educator license, an individual must possess a bachelor's degree and must have been prevented from completing the testing, demonstration of subject matter knowledge, coursework or program requirements for an educator license as a result of the outbreak of COVID-19 or the March 10, 2020 declaration of a state of emergency. Emergency educator licenses shall be available only to individuals seeking their first Massachusetts academic and vocational teacher, specialist teacher, administrator or professional support personnel license. Individuals shall identify the field and level of the license sought in their application to the commissioner. If the regulations of the board of elementary and secondary education require an underlying educator license, the emergency educator license shall be available in that field only to individuals who hold the underlying license.

(d) Service of an employee under an emergency educator license shall not be counted as service in acquiring professional teacher status or other rights under section 41 of chapter 71 of the General Laws; provided, however, that if the employee obtains a temporary, initial, provisional or professional educator's license in the same field as the emergency educator's license by June 30, 2021 or a different deadline specified by the commissioner and continues to work for the same employer under the newly acquired license, the service under the emergency educator license shall be counted as service toward professional teacher status.

(e) The commissioner shall prescribe the form and manner of applications for the emergency educator license and may issue guidance or regulations for the implementation of this section.

SECTION 15. Notwithstanding any general or special law to the contrary, the actions taken by any town to postpone an election in accordance with this act or chapter 45 of the acts of 2020 or to postpone the statutory deadlines for circulating, filing and certifying nomination papers to new dates consistent with the date of their rescheduled election shall be ratified, validated and confirmed as though said chapter 45 had specifically authorized the same and this act had been in place prior thereto.

SECTION 16. If this act does not take effect until after the date of a scheduled municipal caucus or municipal election during the governor's March 10, 2020 declaration of a state of emergency, the actions of the board of selectmen, town council, city council and local election officials to postpone a municipal caucus or municipal election shall be ratified, validated and confirmed as if this act had been in place prior thereto.

SECTION 17. If this act does not take effect at least 15 days prior to the date of a scheduled representative town meeting to be held during the governor's March 10, 2020 declaration of a state of emergency, the actions of a town moderator, select board or board of selectmen, and town meeting that are substantially consistent with the requirements of section 8 shall be ratified, validated and confirmed in all respects as if this act had been in place prior thereto.

SECTION 18. Section 11 shall take effect on May 1, 2020.

Approved, June 5, 2020.

Acts (2021)

Chapter 20

AN ACT RELATIVE TO EXTENDING CERTAIN COVID-19 MEASURES ADOPTED DURING THE STATE OF EMERGENCY.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to extend certain COVID-19 measures adopted during the state of emergency, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public health.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Section 13 of chapter 53 of the acts of 2020, as amended by section 1 of chapter 118 of the acts of 2020, is hereby further amended by striking out the words “February 28, 2021” and inserting in place thereof the following words:- May 1, 2022.

SECTION 2. Said section 13 of said chapter 53 is hereby further amended by striking out the words “and (iv) a customer shall be limited to 192 ounces of malt beverages and 1.5 liters of wine per transaction” and inserting in place thereof the following words:- (iv) a customer shall be limited to 192 ounces of malt beverages and 1.5

liters of wine per transaction; and (v) the wine or malt beverages shall be sold at the same price for on-premises consumption and for off-premises consumption.

SECTION 3. Section 15 of said chapter 53 is hereby amended by striking out the words “and 60 days thereafter” and inserting in place thereof the following words:- or until December 15, 2021, whichever is later.

SECTION 4. Said section 15 of said chapter 53 is hereby further amended by striking out the word “section,” and inserting in place thereof the following words:- section or a corporation as defined in section 2 of chapter 180 of the General Laws,.

SECTION 5. Section 16 of said chapter 53 is hereby amended by striking out the words “and 60 days thereafter and” and inserting in place thereof the following words:- or until December 15, 2021, whichever is later, and.

SECTION 6. Section 2 of chapter 65 of the acts of 2020 is hereby amended by striking out the words “the termination of the COVID-19 emergency, due to the outbreak of the 2019 novel coronavirus, also known as COVID-19” and inserting in place thereof the following words:- December 15, 2021.

SECTION 7. Section 8 of chapter 71 of the acts of 2020 is hereby amended by striking out the words “3 business days after termination of the governor’s March 10, 2020 declaration of a state of emergency” and inserting in place thereof the following words:- on December 15, 2021.

SECTION 8. Subsection (a) of section 7 of chapter 92 of the acts of 2020 is hereby amended by inserting after the word “emergency” the following words:- or during a period ending on December 15, 2021, whichever period ends later,.

SECTION 9. Subsection (a) of section 8 of said chapter 92 is hereby amended by inserting after the word “emergency” the following words:- or during a period ending on December 15, 2021, whichever period ends later.

SECTION 10. Subsection (b) of section 2 of chapter 118 of the acts of 2020 is hereby amended by striking out the words “February 28, 2021” and inserting in place thereof the following words:- May 1, 2022.

SECTION 11. Said subsection (b) of said section 2 of said chapter 118 is hereby further amended by striking out the words “and (v) if the mixed drink in a sealed container is to be transported by a motor vehicle, either by delivery or pick-up, the driver of a motor vehicle shall transport the mixed drink in the trunk of the motor vehicle or some other area that is not considered the passenger area, as defined by section 24I of chapter 90 of the General Laws” and inserting in place thereof the following words:- (v) if the mixed drink in a sealed container is to be transported by a motor vehicle, either by delivery or pick-up, the driver of a motor vehicle shall transport the mixed drink in the trunk of the motor vehicle or some other area that is not considered the passenger area, as defined by section 24I of chapter 90 of the General Laws; and (vi) the mixed drink shall be sold at the same price for on-premises consumption and for off-premises consumption.

SECTION 12. Subsection (a) of section 1 of chapter 257 of the acts of 2020 is hereby amended by striking out the words “the termination of the state of emergency concerning the outbreak of COVID-19 as declared by the governor on March 10, 2020” and inserting in place thereof the following words:- the termination or nullification of the Temporary Halt in Residential Evictions to Prevent the Further Spread of COVID-19 Order issued by the federal Centers for Disease Control and Prevention.

SECTION 13. Said section 1 of said chapter 257 is hereby further amended by striking out subsection (a), as amended by section 12, and inserting in place thereof the following subsection:- (a) Notwithstanding section 11 or section 12 of chapter 186 of the General Laws, chapter 239 of the General Laws or any other general or special law to the contrary, a notice to quit for non-payment of rent given in writing by a landlord to a residential tenant pursuant to said section 11 or said section 12 of said chapter 186 shall be accompanied by a form that shall include, but not be limited to: (i) documentation of any agreements between the tenant and landlord for the tenant to repay the landlord for non-payment of rent; and (ii) information on: (A) rental assistance programs including, but not limited to, the residential assistance for families in transition program; (B) applicable trial court rules, standing orders or administrative orders pertaining to actions for summary process; and (C) any relevant federal or state legal restrictions on residential evictions. The form shall also prominently display the following statement:

“THIS NOTICE TO QUIT IS NOT AN EVICTION. YOU DO NOT NEED TO IMMEDIATELY LEAVE YOUR UNIT. YOU ARE ENTITLED TO A LEGAL PROCEEDING IN WHICH YOU CAN

DEFEND AGAINST THE EVICTION. ONLY A COURT ORDER CAN FORCE YOU TO LEAVE YOUR UNIT.”

The executive office of housing and economic development shall develop the form required under this subsection and make it publicly available on its website. The information in clause (ii) shall be made available in the 5 most common languages in the commonwealth, in addition to English. A court having jurisdiction over an action for summary process pursuant to said chapter 239, including the Boston municipal court department, shall not, in an eviction for non-payment of rent for a residential dwelling unit, accept for filing a writ, summons or complaint without proof of delivery of the form required under this subsection.

SECTION 14. Subsection (b) of said section 1 of said chapter 257 is hereby amended by striking out the words “, from the passage of this act until the termination of the state of emergency concerning the outbreak of the novel coronavirus disease, also known as COVID-19, declared by the governor on March 10, 2020”.

SECTION 15. Said section 1 of said chapter 257 is hereby repealed.

SECTION 16. Section 2 of said chapter 257 is hereby amended by inserting after the word “emergency”, the sixth and ninth times it appears, the following words:- or until April 1, 2022, whichever is later.

SECTION 17. Section 3 of said chapter 257 is hereby amended by inserting after the word “emergency”, the first time it appears, the following words:- or until January 1, 2023, whichever is later.

SECTION 18. (a) Notwithstanding any general or special law to the contrary, the governor shall provide notice to the clerks of the house of representatives and senate and the house and senate committees on ways and means not less than 45 days before the termination of the public health emergency declared by the governor on May 28, 2021 pursuant to section 2A of chapter 17 of the General Laws in response to the COVID-19 pandemic.

(b) Notwithstanding any general or special law to the contrary, the commissioner of public health shall provide notice to the clerks of the house of representatives and senate and the house and senate committees on ways and means not less than 45 days before the termination of any public health order established pursuant to section 2A of chapter 17 of the General Laws in response to the public health emergency declared by the governor on May 28, 2021.

SECTION 19. (a) As used in this section, the following words shall, unless the context clearly requires otherwise, have the following meanings:-

“Commission”, the alcoholic beverages control commission, established by section 70 of chapter 10 of the General Laws.

“Outdoor table service”, restaurant service that includes food prepared on-site and under a food establishment permit issued by a municipal authority pursuant to 105 CMR 590.00 that is served to seated diners outside the restaurant building envelope, whether on a sidewalk, patio, deck, lawn, parking area or other outdoor space.

(b) Notwithstanding chapter 40A of the General Laws, any special permit, variance or other approval issued thereunder or any general or special law to the contrary, from the effective date of this

act until April 1, 2022, a city or town may approve a request for expansion of outdoor table service, including in the description of licensed premises as described in subsection (c), or an extension of an earlier granted approval issued under section 4 of the governor's COVID-19 Order No. 35 or section 1 of the governor's COVID-19 Order No. 50. Before such approval, the mayor, select board or other chief executive officer, as established by charter or special act, shall establish the process for approving such requests. Such process shall not be required to comply with the notice and publication provisions of section 11 of said chapter 40A. An approval under this section may be exercised immediately upon filing of notice thereof with the city or town clerk, without complying with any otherwise applicable recording or certification requirements.

(c) Pursuant to subsection (b), a local licensing authority may grant approval for a change in the description of the licensed premises for the purpose of permitting outdoor alcohol service as the local licensing authority deems reasonable and proper, and issue an amended license to existing license holders, without further review or approval from the commission prior to issuance. Upon approval of an amended license, the local licensing authority shall provide notice of the amended license to the commission. Nothing in this section shall prevent the commission from exercising the commission's enforcement authority over an amended license.

(d) Before approving any request to extend an earlier granted approval issued under section 4 of the governor's COVID-19 Order No. 35 or section 1 of the governor's COVID-19 Order No. 50, a city, town or local licensing authority may modify the scope of the approval as the city, town or local licensing authority deems proper

and appropriate including, but not limited to, modifying the terms of an earlier granted approval to address potential issues with snow removal, pedestrian traffic or similar concerns.

(e) Any outdoor table service approved for expansion under this section, including an amended license issued by a local licensing authority under subsection (c), shall automatically revert back to the status prior to the approval of the change for expansion of outdoor table service or in the description of a licensed premises on April 1, 2022. Any extension of an earlier granted approval issued under section 4 of the governor's COVID-19 Order No. 35 or section 1 of the governor's COVID-19 Order No. 50 shall automatically revert back to the status prior to the approval issued under said section 4 of the governor's COVID-19 Order No. 35 or said section 1 of the governor's COVID-19 Order No. 50 on April 1, 2022.

SECTION 20. (a) For the purposes of this section, "adequate, alternative means of public access" shall mean measures that provide transparency and permit timely and effective public access to the deliberations of the public body, including, but not limited to, providing public access through telephone, internet, satellite enabled audio or video conferencing or any other technology that enables the public to clearly follow the proceedings of the public body while those activities are occurring.

(b) Notwithstanding section 20 of chapter 30A of the General Laws or any general or special law to the contrary, a public body, as defined in section 18 of said chapter 30A, shall not be required to conduct its meetings in a public place that is open and physically accessible to the public; provided, that if the public body does not

conduct the meeting in a public place that is open and physically accessible to the public, the public body shall ensure public access to the deliberations of the public body for interested members of the public through adequate, alternative means of public access. Where active, real-time participation by members of the public is a specific requirement of a general or special law, regulation or a local ordinance or by-law, pursuant to which the proceeding is conducted, any adequate, alternative means of public access shall provide for such participation and shall be sufficient to meet such participation requirement. A municipal public body that for reasons of economic hardship and despite best efforts is unable to provide adequate, alternative means of public access that will enable the public to follow the proceedings of the municipal public body as those activities are occurring in real time may instead post on its municipal website a full and complete transcript, recording or other comprehensive record of the proceedings as soon as practicable upon conclusion of the proceedings. This paragraph shall not apply to proceedings that are conducted pursuant to a general or special law, regulation or a local ordinance or by-law that requires allowance for active participation by members of the public. A public body shall offer its selected adequate, alternative means of public access to its proceedings without subscription, toll or similar charge to the public.

(c) Notwithstanding subsection (d) of section 20 of chapter 30A of the General Laws or any other general or special law to the contrary, a public body may allow remote participation by all members in any meeting of the public body and a quorum of the body and the chair shall not be required to be physically present at a specified meeting location.

(d) A public body that elects to conduct its proceedings under this section shall ensure that any party entitled or required to appear before it shall be able to appear through remote means, as if the party were a member of the public body and participating remotely as provided in subsection (b).

(e) All other provisions of sections 18 to 25 of chapter 30A of the General Laws and the attorney general's implementing regulations shall otherwise remain unchanged and fully applicable to the activities of public bodies.

(f) Notwithstanding said section 20 of said chapter 30A, if this section does not take effect until after June 15, 2021, a public body may provide for remote meetings as specified in this section and any action taken thereof shall be ratified, validated and confirmed as if this section had been in place.

SECTION 21. (a) For the purposes of this section "guidelines" shall mean the Guidelines for Use of Space for Screening, Testing or Sample Collection of Patient Presenting with possible COVID-19 Exposure or Illness as established in a memorandum prepared by the bureau of health care safety and quality in the department of public health and dated May 12, 2020.

(b) Notwithstanding any general or special law to the contrary, a health clinic may use space selected by the clinic on, adjacent to or reasonably proximate to the health clinic's premises for testing of possible COVID-19 patients; provided, however, that the clinic shall comply with the guidelines, as applicable, and receive any necessary local approvals required for the erection and use of temporary structures.

SECTION 22. (a) As used in this section, the following words shall, unless the context clearly requires otherwise, have the following meanings:

“Designated Massachusetts Military Division staff”, military personnel who are certified by the United States Army as Combat Lifesavers.

“Medical assistant”, a person who performs basic administrative, clerical and clinical duties under the direct supervision of a licensed physician, nurse practitioner or physician assistant.

“Podiatrist”, a person licensed pursuant to section 16 of chapter 112 of the General Laws to practice podiatric health.

“Phlebotomist”, a person whose responsibilities include, but are not limited to: (i) collecting blood samples from patients under the supervision of a licensed physician, nurse practitioner or physician assistant; (ii) separating blood into different test tubes in order for it to be used in medical tests; (iii) accurately labeling said tubes; and (iv) ensuring correct samples are sent to the laboratory.

(b) Notwithstanding sections 16 and 265 of chapter 112 of the General Laws or any other general or special law to the contrary, a podiatrist, a phlebotomist, a medical assistant who otherwise does not meet the requirements to administer vaccine pursuant to said section 265 of said chapter 112 and designated Massachusetts Military Division staff may administer COVID-19 vaccines with emergency use authorization from the United States Food and Drug Administration.

SECTION 23. Notwithstanding section 11 of chapter 19D of the General Laws or any other general or special law to the contrary, until the termination of the declaration that an emergency exists which is detrimental to the public health declared by the governor on May 28, 2021 or until December 15, 2021, whichever is sooner: (i) a nurse employed by an assisted living residence that is certified by the executive office of elder affairs may provide skilled nursing care in accordance with valid medical orders if the nurse holds a valid license to provide such care; (ii) an assisted living residence may retain residents who require skilled care for more than 90 consecutive days; (iii) the staffing requirements in 651 CMR 12.06(5)(b) shall not apply; provided, however, that an assisted living residence ensures that it has sufficient staffing at all times to meet the needs of the residents, as set out in guidance issued by the executive office of elder affairs on April 2, 2020; and (iv) the training requirements set out in 651 CMR 12.07 shall not apply; provided, however, that an assisted living residence shall procure staff with adequate experience and provide on-the-job training to safely perform their duties, as set out in said guidance issued by the executive office of elder affairs on April 2, 2020.

SECTION 24. Notwithstanding any general or special law to the contrary, the department of unemployment assistance shall continue to enforce the provisions of department's policy memorandum UIPP 2020.12 issued on October 8, 2020 as it applies to caregiver responsibilities and the adjudication of such claims until the expiration of section 4102(b) of the Families First Coronavirus Response Act, Public Law 116-127. Not less than 30 days prior to the discontinuation of any guidance or policy issued by the department that affects

claimant eligibility or changes benefits eligibility, a claimant shall be notified in their preferred language and via their preferred method of communication of the discontinuation.

SECTION 25. Notwithstanding sections 80, 80A and 80B of chapter 112 of the General Laws or any other general or special law to the contrary, a student who graduated from a registered nursing or practical nursing program approved by the board of registration in nursing established under section 13 of chapter 13 of the General Laws or who is a senior nursing student attending the last semester of a registered nursing or practical nursing program approved by the board may practice nursing and shall not be subject to the prohibitions against the unlicensed practice of nursing under said sections 80, 80A and 80B of said chapter 112; provided, however, that: (i) the individual is employed by or providing health care services at the direction of a licensed health care facility or a licensed health care provider; (ii) the individual is directly supervised while providing health care services; (iii) the health care services are provided in response to the COVID-19 outbreak; and (iv) the employing licensed health care facility or licensed health care provider has verified that the individual is a graduate of a registered nursing or practical nursing program approved by the board or that the individual is a senior nursing student attending the last semester of a registered nursing or practical nursing program approved by the board.

The board of registration in nursing shall issue guidance to implement this section, which shall include guidance regarding the appropriate supervision of nursing students.

SECTION 26. Notwithstanding any other general or special law or regulation to the contrary, a pharmacist or pharmacy intern licensed by the board of registration in pharmacy and in good standing with the board may administer methadone and buprenorphine as medication for the treatment of opioid use disorder in federally certified and Bureau of Substance Addiction Services licensed opioid treatment programs and certified acute treatment services pursuant to a qualified practitioner's order; provided, however, that administration of methadone and buprenorphine as medication for the treatment of opioid use disorder drugs shall be conducted in accordance with federal Substance Abuse and Mental Health Services Administration regulations, 42 CFR Part 8 and the policies and procedures established in accordance with 105 CMR 164.000 et seq; and provided further, that prior to administering drugs under this section, a pharmacist or pharmacy intern shall receive training in federal confidentiality regulation.

SECTION 27. Sections 20, 21, 22 and 25 are hereby repealed.

SECTION 28. Section 26 is hereby repealed.

SECTION 29. Section 13 shall take effect upon the termination or nullification of the Temporary Halt in Residential Evictions to Prevent the Further Spread of COVID-19 Order issued by the federal Centers for Disease Control and Prevention.

SECTION 30. Section 15 shall take effect on January 1, 2023.

SECTION 31. Section 27 shall take effect on April 1, 2022.

SECTION 32. Section 28 shall take effect on April 1, 2022 or 10 days following the date of publication in the Federal Register of a revocation of the National Emergency Concerning the Novel

Coronavirus Disease (COVID-19) Outbreak pursuant to Proclamation 9994, as continued in the Continuation of the National Emergency Concerning the Coronavirus Disease 2019 (COVID-19) Pandemic, whichever is earlier.

Approved, June 16, 2021.



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: August 10, 2021

V

BUSINESS ~ C

REQUESTED BY:	Chair Ryan Curley
DESIRED ACTION:	To approve the policy on remote participation
PROPOSED MOTION:	I move to approve the Policy on remote participation
SUMMARY:	Chair Ryan Curley presented to the Board back in June 2021 a remote participation policy, included in the packet is the department heads comments.
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s): _____
VOTED:	Yea _____ Nay _____ Abstain _____

Remote Participation Policy

Purpose

The Office of the Attorney General amended the Open Meeting Law regulations at 940 CMR 29.10 to allow members of public bodies, in limited circumstances, to participate remotely in meetings. While all members of Town Bodies shall try to attend meetings in person, current regulations allow greater participation in government meetings by enabling members to participate remotely when physical attendance would be unreasonably difficult. This Policy intends to establish clear guidelines on the practice of remote participation by Town Boards and Committees under the Open Meeting Law, M.G.L. c.30A, §§18-25. It is essential to recognize the long-term impact of COVID on public meetings as well the character of the town's population. Wellfleet must retain the expertise of those serving on boards who may be unable to attend in person. Furthermore The Town of Wellfleet values public participation, transparency, and lively, informed discussions. In light of this, the public shall always be provided with a means of remote partition, and meetings shall be recorded.

Adaptation

The Wellfleet Selectboard Hereby Adopts Remote Participation as allowed under The Massachusetts Attorney General's Regulations, 940 CMR 29.10(2)(a), for all town public bodies by majority vote. In accordance with 940 CMR 29.10(3), the Selectboard may revoke its adoption of 940 CMR 29.10 by a simple majority vote at any time.

This Policy and 940 CMR 29.10 shall apply to all Town boards, committees, commissions, subcommittees, and working groups regardless of whether such public bodies are appointed or elected. Where the Remote Participation Policy is more stringent than 940 CMR 29.10, the Policy shall control.

Minimum Requirements for Remote Participation

Members of the public body who participate remotely and all persons present at the meeting location shall be clearly audible to each other and, if possible, clearly visible to all persons present at the meeting location as required by M.G.L.c30A§20(d)

A quorum of the body, including the Chair or, in the Chair's absence, the person authorized to chair the meeting, shall be physically present at the meeting location, as required by M.G.L. c.30A, §20(d).

Members of the public body who participate remotely must have access to the same materials being used at the meeting location.

Members of public bodies who participate remotely may vote and shall not be deemed absent for the purposes of M.G.L. c. 39, §23D.

All Open Session meetings shall have the ability for the public to participate, instructions on how to join a meeting shall be posted on the Town of Wellfleet Website.

In recognition of the Town Media Policy, all meetings shall be recorded, the input of those participating remotely must be intelligible and unedited.

Reasons for Remote Participation

A Board member may attend a meeting through electronic conferencing only if physical attendance would be unreasonably difficult. Chairs of public bodies are encouraged to continue to induce all members to attend meetings in person as a general rule due to the inherent benefits of physical presence in a meeting. It is critical to note that a quorum must be physically present 940 CRM 29.10(4)(b).

Acceptable Methods of Remote Participation

Accommodations shall be made for any public body member who requires TTY service, video relay service, or other forms of adaptive communications.

The Wellfleet Selectboard authorizes the use of a Video Conferencing Platform to be used by all bodies of the Town of Wellfleet.

If technical difficulties arise due to remote participation, the Chair should suspend discussion while reasonable efforts are made to correct any problem that interferes with remote participant's ability to hear or be heard clearly by all persons at the meeting location. If technical difficulties result in a remote participant being disconnected from the meeting, that fact and the time at which the disconnection occurred and subsequent reconnection if achieved shall be noted in the meeting minutes. If a public hearing occurs after disconnection, the member shall be noted as absent.

Procedures for Remote Participation

Any member of a public body who wishes to participate remotely shall, at least 48 hours or as soon as reasonably possible prior to the meeting, notify the Chair or person chairing the meeting of his or her desire to do so and the reason for and facts supporting his or her request.

- (i) All posted public meetings of the Town of Wellfleet shall include the remote meeting information, and the public shall have the ability to participate remotely.
- (ii) Prior to the meeting, the Chair shall make every effort to ensure the equipment is available and functioning correctly. If the required equipment is not available, then the Chair shall deny the request for remote participation.
- (iii) At the start of the meeting, the Chair shall announce the name of any member who will be participating remotely. This information shall also be recorded in the meeting minutes.
- (iv) All votes taken during any meeting in which a member participates remotely shall be by roll call vote. Members may participate remotely even if they are not qualified to vote.
- (v) Remote participants shall preserve the confidentiality of the executive session. The remote participant shall state at the start of any such session that no other person is present and/or able to hear the discussion at the remote location, unless presence of that person is approved by simple majority vote of the public body, and that the session is not being remotely recorded by any device.

Rebekah Eldridge

From: Jennifer Wertkin
Sent: Wednesday, July 28, 2021 12:36 PM
To: Rebekah Eldridge
Subject: Re: Town Media Policy

Hi Rebekah,

I realize I am a day late. Apologies.

My comments are (from experience as someone who does programming in a town building and as a member of the Cable Advisory Committee), I do not think there can be a recording setup that will work without a staff member who is running it (if we are talking about a hybrid setup). I do not see how the requirements of the policy will be met (i.e., people being audible to each other) without someone there to ensure it.

This is far too involved and important to be a DIY operation.

Thanks,
Jennifer

Jennifer Wertkin
Director
Wellfleet Public Library
55 West Main St.
Wellfleet, MA 02667
(508) 349-0310
wellfleetlibrary.org

From: Rebekah Eldridge <Rebekah.Eldridge@wellfleet-ma.gov>
Sent: Monday, June 28, 2021 2:13 PM
To: Dept. Heads <DeptHeads@wellfleet-ma.gov>
Subject: Town Media Policy

At the June 8, 2021 selectboard meeting the Board voted to have Department Heads review and comment on the amended media policy. They are asking for your comments on this policy by July 27, 2021.

Please send any comments or remarks you have to me and I will be sure it is placed on their agenda.

Thanks so much

Rebekah



Rebekah L . Eldridge
Executive Assistant to the Town Administrator
(508) 349-0300 ext 1100
774-383-2609 (cell)
M-F 8am-12noon; 1pm-4pm

Rebekah Eldridge

From: Michael Hurley
Sent: Monday, July 5, 2021 8:56 AM
To: Rebekah Eldridge
Subject: RE: Town Media Policy

I don't have any changes looks good to me. The Police Department has a conference room that could hold a committee doing a hybrid meeting (not sure an audience would fit). When the station was renovated they added some technology in this room which could be helpful for hybrid meetings. They would definitely need a tech person as we struggle in using the stuff.

Mike

Michael P. Hurley
Chief of Police
Wellfleet Police Department
36 Gross Hill Road
Wellfleet, MA 02667
Phn: (508) 349 – 3702
Fax: (508) 349 – 7683

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M-F 8am-12noon; 1pm-4pm

Rebekah Eldridge

From: Hillary Lemos
Sent: Friday, July 2, 2021 9:08 AM
To: Rebekah Eldridge
Subject: RE: Town Media Policy

I am fine with this, although I think if we could find money and a new space for meetings to be held we could look a lot more professional and be able to offer a hybrid style meeting like some of our neighboring communities.

From: Rebekah Eldridge <Rebekah.Eldridge@wellfleet-ma.gov>
Sent: Tuesday, June 29, 2021 11:25 AM
To: Dept. Heads <DeptHeads@wellfleet-ma.gov>
Subject: RE: Town Media Policy

I have pasted below Ryan Curley's response in asking for an original policy verses his changes. Let me know if you have any questions
Rebekah

We do not have a media policy currently. Its been proposed a couple of times so I am guessing that they are referring to previous drafts which have differed to some extent from one another. I did not track changes because there isn't a current policy and I can't really go back. But this a summary of the changes

We basically have three viable meeting rooms, Town Hall Basement (I know Hillary is leary of it), COA meeting room. Each of these rooms could be outfitted with the necessary amenities to facilitate both this policy and the remote meeting policy. There is a lot of overlapping equipment and other towns are doing this. For funding, the Comcast payments would cover it and staff if needed and that funding can only be used for governmental or educational content. I hesitate to ask about prior years' payments and this was also an issue identified in the auditor's report.

The small upstairs meeting room is not viable right now IMO and is less than ideal under pre covid conditions.

Differences from past drafts

Rather than call it *Wellfleet Channel 18: Policy and Usage Guidelines*

Now Simply: *Wellfleet Town Media AV Channels: Policy*

Rather than referring to channel 18 thought-out, it has been updated to say Town Media Channels though-out. Because I dislike using the word mash of commissions, boards, committees, trusts, councils, etc they are Town bodies throughout.

I. Adds the town youtube to be included as a Town media channel.

II. All open meetings of any town body would be recorded. If staff is not available it is the responsibility of the chair, vice-chair, or secretary to record the meeting. Recordings would need to be provided to town staff within 72 hours. Removed the town website as a hosting location. Excludes ex-sessions and the taxation aid committee. Struck the parts about the boards to be recorded, as that is not relevant in this draft.

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Rebekah Eldridge

From: Suzanne Thomas
Sent: Tuesday, June 29, 2021 12:25 PM
To: Rebekah Eldridge
Subject: RE: Town Media Policy

Thx!

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Rebekah



Rebekah L . Eldridge
Executive Assistant to the Town Administrator
(508) 349-0300 ext 1100
774-383-2609 (cell)
M-F 8am-12noon; 1pm-4pm

Rebekah Eldridge

From: Wellfleet Historical Commission <wellfleethistoricalcommission@gmail.com>
Sent: Wednesday, July 14, 2021 4:33 PM
To: Jennifer Congel
Cc: Rebekah Eldridge; Gordon Kahn
Subject: Re: Applicants to the Historical Commission

Thanks, Jennifer. Good to know. Some of our potential members would need this option for their three year terms, and others want to get back to in-person meetings ASAP. We are hoping a hybrid model is in the works that could accommodate both.

I do know that there is an application on the website, but people seem to have difficulty finding it, so I have had to send it to them as a link. I even had a friend who is a retired Mayor of another Massachusetts town ask me what positions are open on Wellfleet town committees. It would be so much easier to recruit new committee/commission members if all of the relevant material were in one easily accessible place on the town website. Please feel free to let me know if I should direct this request elsewhere.

Thanks again,
Merrill

Wellfleet Historical Commission
Town Hall
300 Main Street
Wellfleet, Massachusetts 02667

Tel. 508 349 0300

On Wed, Jul 14, 2021 at 3:24 PM Jennifer Congel <Jennifer.Congel@wellfleet-ma.gov> wrote:

Hi Merrill,

We have some time..

“On June 16, 2021, Governor Baker signed into law An Act Extending Certain COVID-19 Measures Adopted During the State of Emergency. This Act includes an extension, until April 1, 2022, of the remote meeting provisions of his March 12, 2020, Executive Order Enhancing Certain Provisions of the Open Meeting Law.”

Also the SB has started discussions regarding our local remote participation policy, which I believe would cover us in the future, but Rebekah would have more knowledge on that than I.

Also we do have the application on the Administration page <https://www.wellfleet-ma.gov/town-administrator>, but will say

our website is not the easiest to navigate. Rebekah may also have some thoughts on this.

Best,

Jennifer

From: Wellfleet Historical Commission <wellfleethistoricalcommission@gmail.com>

Sent: Wednesday, July 14, 2021 2:59 PM

To: Jennifer Congel <Jennifer.Congel@wellfleet-ma.gov>; Rebekah Eldridge <Rebekah.Eldridge@wellfleet-ma.gov>

Cc: Gordon Kahn <gik@gkassociates.com>

Subject: Applicants to the Historical Commission

Hi Jennifer and Rebekah,

The Historical Commission has had two applicants who would have difficulty avoiding missing four meetings in a row, unless we are able to continue with a Zoom option once we are meeting in person. Do either of you know whether we will be allowed to offer the option of joining meetings by Zoom after town committees and commissions start meeting in person?

I also want to ask if it would be possible to set up the town website to make it easier for volunteers to apply to committees. Something like a tab that says "Would you like to volunteer for a committee in Town?" that gives a link to the application and explains the process would be very useful. It would also be great if there were an updated list of positions available linked to that question. I'm not sure who to ask about this, so please feel free to direct me accordingly.

Thanks so much,

Merrill Mead-Fox

Co-Chair

Wellfleet Historical Commission

Town Hall

300 Main Street

Wellfleet, Massachusetts 02667

Tel. 508 349 0300



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: August 10, 2021

VI

BUSINESS ~ D

REQUESTED BY:	Chair Ryan Curley & Town Administrator Charlie Sumner
DESIRED ACTION:	To Discuss the process and when to begin the Town Administrator Search
PROPOSED MOTION:	To Be Determined
Summary:	The board will discuss the beginning stages of a town administrator search
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____

To: Selectboard
From: Charles L. Sumner, Interim Town Administrator
Subject: Town Administrator Search Process
Date: August 5, 2021

I have attached a series of documents that we utilized when I was working as the Provincetown Interim Town Manager in relative to the search process for a new Town Manager. I have reformatted the various items to try to reflect the Town of Wellfleet for drafting purposes. I thought this approach would be helpful relative to generating a conversation amongst the Selectboard relative to the approach that your might consider for your community. The documents included, are as follows:

1. Guideline for the Search Committee Protocol as developed by KP Law. This document also provides important information related to the open meeting law, public records law, and the conflict-of-interest law.
2. Solicitation of price quotes for executive search consulting for the recruitment and selection of a Town Administrator.
3. Committee charge for a Town Administrator Screening Committee.
4. Public notice for volunteers to serve on the Town Administrator Search Committee.
5. Employment Interview guidance chart as developed by KP Law.
6. Town Administrator Search Questions.

Obviously, this is the first step in a lengthy and important process to find a permanent Town Administrator for the Town of Wellfleet. I believe you need to start a dialogue about the overall schedule and timeline that you want to establish as a goal. Additionally, if you are going to create a Search Committee, what is the make-up of that committee going to be in terms of size and composition, i.e., number of citizens and/or department heads. Do you want to hire an executive search consultant and what services would you want to procure?

I will add that I did serve on the Provincetown Town Manager Search Committee and would be interested in participating on your process should that be desired. Alternatively, I suspect that a Town Manager/Town Administrator from a neighboring town might be willing to assist in your process.

Sincerely,
Charlie Sumner
Interim Town Administrator



SEARCH COMMITTEE PROTOCOL

The following procedures may be used as a general guideline for conducting a search for a position to be filled by a committee:

General Guidance:

- All provisions of the Open Meeting Law (“OML”) apply to the search committee, including the requirements for posting detailed meeting notices, convening open sessions prior to going into executive session, making the statement required prior to convening executive session, taking a roll call vote for such purposes, and keeping detailed minutes of all open meetings and executive sessions.
- As a general rule, matters discussed in executive session may not be publicly discussed or disclosed except in accordance with a vote of the search committee, particularly where privacy rights of individuals may be implicated.
- Communications between or among members either in person, or by telephone, e-mail or social media are strongly discouraged, and communications initiated by members of the search committee must be limited to scheduling purposes only.
- All provisions of the Public Records Law (“PRL”) apply, subject to the exemptions contained therein, meaning that the materials created by or submitted to the search committee are subject to the law and are subject to disclosure unless falling within one of the limited exemptions to the law.
- Members of the search committee are Municipal Employees for purposes of the Conflict of Interest (“COI”) Law and should be aware of the restrictions and obligations of the law; unless designated as “special”, this fact can vastly limit the ability of members to appear on behalf of others in matters in which the Town has a direct and substantial interest.

Procedures:

The below suggested steps are meant as a guide; variations may be made to suit a particular hiring situation, provided that the applicable provisions of state law, and local charter or bylaws, are observed.

Step 1: Establish Parameters of the Search Process – Open Session (whether done by the appointing body or the search committee)

- Develop job criteria, minimum qualifications and application procedures.
- Establish a procedure for issuance and receipt of applications and deadlines for submissions and decision making.
- Determine how many candidates will be recommended to the appointing body as finalists, so that it is clear when the search committee's work is done. (Must be more than one; at least one court has concluded that using the preliminary screening process to winnow applicants down to only one finalist, all in executive session, violates the OML).

Step 2: Receive and Discuss Applications – Executive Session if OML Conditions are Met (Note - Step 2 and Step 3 may occur in reverse order or simultaneously)

- Pursuant to G.L. c. 30A, §21(a)(8), the search committee may meet in executive session to consider or interview applicants for employment **if the chair declares** that an open meeting will have a detrimental effect in obtaining qualified applicants.
- Generally, the search committee may enter executive session if one or more candidates have stated that they wish their candidacy to be considered confidentially at the initial stages of the search process.
- At this initial stage, if confidentiality is invoked, the search committee may discuss in executive session each of the applications received and determine which candidates, if any, will be invited for the first round of interviews.

Step 3: Develop Interview Questions – Open Session

- Core questions should be developed by the search committee in open session prior to the interviews.
- It is generally recommended that each candidate be asked the same core questions.
- If there is interest in asking candidates questions for which they are required to provide an instinctive answer, each member of the search committee could be asked to prepare a single question for such purposes, and each candidate could be asked that question in executive session.

Step 4: First Round of Interviews – Executive Session if OML Conditions are Met

- The search committee may interview each candidate in executive session if the requirements of Purpose 8 of the Open Meeting Law are met, as described above.

- The search committee may discuss in executive session the merits of each candidate, and decide whether the candidate will be invited for a second round of interviews or named as a finalist to be recommended to the appointing body.

Step 5: Second Round of Interviews – If Applicable

- Additional candidates may be interviewed.
- Similarly, candidates previously interviewed may be called back for a second interview provided that number of eligible candidates has not dropped to the number of candidates the search committee has indicated will be recommended as finalists to the appointing body.

Step 6: Notify Finalists and Make Recommendation to the Appointing Body

- Once the search committee has recommended finalists to the appointing body, Purpose 8 of the Open Meeting Law no longer applies and the remainder of the process must be carried out in open session.
- Prior to making a recommendation, each finalist should be notified of the search committee's decision and given an opportunity to withdraw their name from consideration.
- If the process was conducted in executive session, only the names of the finalists who agree to be considered by the appointing body should be released publicly.

Step 7: Appointing Body Interviews Finalists – Open Session

- Once finalists have been recommended to the appointing body, such board or committee's consideration of such finalists must occur in open session, including interviews of the candidates identified as finalists.
- There is no limit on the number of times a particular candidate may be interviewed in open session.
- Executive session may only be used for strategy with respect to negotiations with non-union personnel, or to actually negotiate an employment contract; in our experience, the appointing body will often delegate this responsibility to a single member, and then have that person bring recommendations back to the entire board.
- If all interviews are unsuccessful, the search committee may be tasked to revisit the search process, starting as far back in the process as Step 1, or later in the process.

Open Meeting Law, Public Records Law, and Conflict of Interest Law Implications

As noted above, the Open Meeting Law, Public Records Law, and Conflict of Interest Law apply to screening committees and their members.

Open Meeting Law –

1. Screening committee meetings must be posted in accordance with the OML, and all meetings must first convene in open session. The screening committee must provide 48 hours posted notice of any meeting, Saturdays, Sundays, and legal holidays excluded. The agenda must include notice of an executive session (if one is to be held), and the general topics to be discussed.

For instance:

- “To review resumes of candidates as part of the preliminary screening process.”
 - “To conduct interviews of candidates as part of the preliminary screening process.”
 - “To screen candidates as part of the preliminary screening process.”
 - “To develop a short-list of candidates for further screening or to recommend to the Board of Selectmen.”
2. Where executive session is appropriate, both the Agenda and the motion to convene in executive session should state that the chairman has determined that an open meeting will have a detrimental effect in obtaining qualified applicants.
 - The chairman may only make this declaration if one or more candidates have stated that he or she wishes that their candidacy be considered during the preliminary screening stages only in executive session.
 - Candidates should be asked this question prior to the screening process. It is advisable to include this question on the application form.
 3. Where an executive session is held, the vote to go into executive session and any votes taken during executive session must be by roll call. The vote to exit the executive session should also be by roll call. The vote to convene in executive session must state whether the screening committee will return to open session after the executive session.
 4. Of course, detailed minutes of both open and executive session meetings must be kept. We recommend that the executive session minutes be kept separate and apart from the minutes of any open session. The names of candidates screened must be included in the minutes. Do not discuss any matters in executive session that do not relate directly to the screening of candidates or were not included in the agenda notice.

5. Provided that the preliminary screening process was appropriately conducted in executive session, the names of candidates considered during the screening process may be kept confidential even after the selection is made, which includes redacting the names from the executive session meeting minutes in response to a public records request for same. (Protection of privacy rights under G.L. c. 214, s.1B and Exemption (7) of the OML – to comply with the provisions of any general or special law).
6. General OML principles govern email communications between screening committee members, and even communications between committee members and applicants, board of selectmen, town employees or officials, and the like. As such, avoid the use of email except for scheduling purposes. (The chair of the screening committee or a staff member may send an email to committee members scheduling meetings and distributing information.) Screening committee members should never email each other or engage in any discussions by email. Avoid sharing ideas, beliefs, reflections, or opinions in email communications, and never use “reply to all”.

Public Records Law –

1. Emails of screening committee members that relate to the business of the committee, even if exchanged through private email addresses, are public records and must be retained and disclosed if requested and if no exemption from disclosure applies.
2. Of note, given the privacy interests held by applicants who do not reach the finalist stage, it may be that the executive session minutes of the screening committee meetings might never properly be released. This has to be analyzed on a case-by-case basis.
3. Application materials, including resumes, of candidates that are never considered in open session, may be withheld from disclosure in response to a public records request. Resumes of finalists (but not other application materials), discussed in open session, are public records.

Conflict of Interest Law –

1. Members of a screening committee are considered municipal “employees” for purposes of the COI Law. G.L. c. 268A, s. 23(C) provides, in relevant part:
 - (c) No current or former officer or employee of a state, county or municipal agency shall knowingly, or with reason to know:
 - (1) accept employment or engage in any business or professional activity which will require him to disclose confidential information which he has gained by reason of his official position or authority;

(2) improperly disclose materials or data within the exemptions to the definition of public records as defined by section seven of chapter four, and were acquired by him in the course of his official duties nor use such information to further his personal interest.

2. As a result, it is a violation of the COI Law to reveal executive session information until the reason for the executive session no longer applies and the full committee votes to release the minutes.
3. Furthermore, screening committee members may not participate in any matter in which he or she or an immediate family member has a financial interest. Other prohibitions apply. If you are in doubt, contact the State Ethics Commission or Town Counsel (through the Town Manager's office.) If a screening committee member learns that an immediate family member, neighbor, friend, or business associate has applied for the position, the committee member should not participate any further in the screening process until an opinion has been issued with respect to the COI question.

Helpful Links

Attorney General's Open Meeting Law Website:

<http://www.mass.gov/ago/government-resources/open-meeting-law/>

Secretary of the Commonwealth Public Records Law:

<http://www.sec.state.ma.us/pre/preidx.htm>

State Ethics Commission Website:

<http://www.mass.gov/ethics>

Contact Information

Kopelman and Paige, P.C.
101 Arch Street, 12th Floor
Boston, MA 02110
(617) 556-0007

500897

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Page 6 of 8



Reasons for Convening Executive Session (M.G.L. c.30A, Sec. 21(a) – Effective July 1, 2010)

- 1. To discuss the reputation, character, physical condition or mental health, rather than professional competence, of an individual, or discuss the discipline or dismissal of, or complaints or charges against, a public officer, employee, staff member or individual. (*See Rights of Individuals – next page*)**
- 2. To conduct strategy sessions in preparation for negotiations with non-union personnel or to conduct collective bargaining sessions or contract negotiations with non-union personnel.**
- 3. To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares.**
- 4. To discuss the deployment of or strategy regarding security personnel or devices, e.g., a sting operation.**
- 5. To investigate charges of criminal misconduct or to consider the filing of criminal complaints.**
- 6. To consider the purchase, exchange, lease or value of real estate, if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body.**
- 7. To comply with, or act under the authority of, any general or special law or federal grant-in-aid requirements.**
- 8. To consider or interview applicants for employment by a preliminary screening committee, if the chair declares that an open meeting will have a detrimental effect in obtaining qualified applicants. This shall not apply to any meeting regarding applicants who have passed a prior preliminary screening.**
- 9. To meet with a mediator regarding any litigation or decision; provided that (i) any decision to participate in mediation shall be made in open session and the parties disclosed and (ii) no action shall be taken with respect to the issues involved without deliberation and approval of the action at an open session.**
- 10. To discuss trade secrets or confidential or proprietary information regarding activities by a governmental body as energy supplier, municipal aggregator or energy cooperative, if an open session will adversely affect conducting business relative to other entities making, selling or distributing energy.**

Procedures for Convening Executive Session

- 1. The meeting must be convened in an open posted session, with executive session listed on the agenda when reasonably anticipated by the chair.**
- 2. The chair states the purpose for the executive session, stating all subjects that may be revealed without compromising the purpose of the executive session (and, under exemptions 3, 6, and 8, makes the required declaration).**
- 3. A majority must vote in a recorded roll call to go into executive session.**
- 4. The chair announces whether the meeting will reconvene in open session.**
- 5. Accurate minutes and other records of the executive session must be maintained, with all votes recorded by roll call.**

Rights of Individuals (Exemption 1)

- 1. When a governmental body wishes to discuss: (a) the reputation, character, physical or mental health of an individual; or (b) the discipline or dismissal of or complaints or charges brought against a public officer, employee, staff member or individual, it must notify that person in writing at least 48 hours in advance of the meeting, not including Saturdays, Sundays or holidays.**
- 2. Written notice may be waived by the individual.**
- 3. The individual may request that the meeting be held in open session.**
- 4. If an executive session is held, the individual has the right to be present for deliberations and to speak, and to have counsel or a representative of choice present for the purpose of giving advice but not for active participation.**
- 5. The individual may have an independent record of the executive session created by audio recording or transcription, at the individual's expense.**

TOWN OF WELLFEET
SOLICITATION OF PRICE QUOTATIONS
EXECUTIVE SEARCH CONSULTING SERVICES FOR THE
RECRUITMENT AND SELECTION OF A TOWN ADMINISTRATOR

A. Purpose of this Solicitation for Quotes

The Town of Wellfleet Select Board seeks consulting services for the recruitment and selection of an appropriate candidate for the position of Town Administrator for the Town of Wellfleet, Massachusetts.

B. Schedule

Interested parties shall submit a written quote for services. Quotes shall be received by the Select Board, in the Selectmen's Office, Wellfleet Town Hall, 300 Main Street, Wellfleet, MA 02667 **no later than 3:00 PM on (date)**.

C. Awarding Authority

The awarding authority is the Town of Wellfleet acting by and through its Select Board.

D. Clarification of Quotes

The Town of Wellfleet reserves the right to contact any party for the purpose of clarifying a quote and/or requesting additional information.

E. Confidentiality

Under Massachusetts General Laws, the Town cannot assure the confidentiality of any material or information that may be submitted by any parties in response to this Solicitation for Quotes. Thus, those who choose to submit confidential material or information do so at their own risk. Quotes received by the Town become public documents available for inspection by interested parties. All quotes received are subject to the Massachusetts Public Records Law, M.G.L. c. 66, § 10, and to M.G.L. c. 4, § 7, cl. 26.

F. Quality Requirements

Each quote shall meet all of the following criteria:

1. Consulting agencies shall have been in business for a minimum of five years.
2. Consulting agencies shall have experience doing comparable satisfactory work for at least five municipalities.
3. Consulting agencies shall have at least two qualified persons available to work on this project who will be able to start work on the project within ten days of the award of the contract and be able to work continuously to complete the project at the earliest possible date consistent with professional performance.

G. Execution of Agreement

Upon the acceptance of a quote, the Town will prepare and submit an Agreement to the successful Consulting agency for signing. Incorporated by reference into the Agreement that is to be entered into by the Town and the successful Consulting agency pursuant to this Solicitation for Quotes will be:

All of the information presented in or with this Solicitation for Quotes and the Consulting

agency's response thereto including

1. A Certificate of Tax Compliance and a Certificate of Non-Collusion.
2. A Certificate of Corporate Vote attesting to the authority of the person signing to bind the corporation, if applicable.
3. The Town reserves the right to negotiate the final price of the contract.

H. Required Format

Each applicant shall furnish all requested information in the formats specified by this Solicitation for Quotes. Specifically, each proposal shall, consist of the following:

Item 1: Transmittal Letter

The Consulting agency shall submit a transmittal letter signed by an authorized representative of the consulting agency and include the names of the individuals authorized to conduct business with the Town. The consulting agency's mailing address, telephone number and email address shall also be included.

Item 2: Quote

An original and five (5) copies of the quote, which must contain the following sections and information to be considered:

1. Describe the consulting agency's background, relevant experience in the business of providing recruitment and selection consulting services to municipal governments.
2. List cities or towns for which the consulting agency has done work in the past five years. This list should specifically identify the type of recruitment performed and the tenure of the hired candidate
3. At least three references from municipal clients worked for in the past five years. The Town reserves the right to solicit additional references. Poor references may be a basis for a determination the consulting agency is not a responsible bidder.
4. Specify the composition of the project team who will be providing the services specified in this Solicitation for Quotes, including appropriate resumes.
5. Provide a work plan outlining the consulting agency's proposed timetable for each aspect of the Work (see Detailed Requirements for Selected the consulting agency, below).
6. Provide samples of work, such as reports, a sample position profile, evaluation forms and other decision-making tools.
7. Show evidence of the consulting agency's knowledge of the Select Board/Town Manager model of government.
8. A price proposal which shall include all costs associated with the project and shall include a schedule of payments which shall be dependent upon completion of elements of work required by Scope of Services, Detailed Requirements. Quotes shall be mailed or delivered to the following address:

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

Quotes shall be received no later than 3 pm on (date) in order to be considered. Late submissions will be rejected and returned to the consulting agency unopened.

The selected consulting agency shall provide all services, labor, materials and facilities to perform the work as specified in the following Scope of Services.

Scope of Services for Selected Consulting Agency

1. Prepare, in consultation with the Select Board, a plan for the search, recruitment and selection of a candidate for the position of Town Administrator for the Town of Wellfleet. Consult with and assist Select Board in defining the appropriate roles and level of participation of the Select Board and the Search Committee in the overall search process.

The plan shall be presented in a written report and shall include the following:

- a) A profile of the position and a profile of the desired candidate, reflecting the qualities and attributes the Select Board believes the next Town Administrator should possess.
 - b) Specification of the process for receiving and screening resumes or applications for the position including criteria by which candidates are to be evaluated, along with background and preliminary reference checks.
 - c) Description of a detailed procedure for interviewing qualified candidates, which may include role-playing exercises deemed helpful to assess the sound judgment and capabilities of a candidate.
2. The consulting agency shall perform the following services following acceptance and approval of the plan to be developed as specified.
 - a) Prepare advertising for the position and assist in the selection of media for publication.
 - b) Conduct active recruitment of potential candidates known to the consulting agency and Town officials who may not respond to other recruiting measures.
 - c) Recommend in written reports to the Search Committee, all qualified candidates for further evaluation through an informal interview process which may be conducted by telephone (informal prescreen).
 - d) Assist with and participate with the Search Committee in the conduct of structured interviews with preliminarily qualified candidates. One interview may be held in executive session pursuant to Massachusetts law.

- e) After completion of the recruiting and evaluation process to this point, recommend in writing the best qualified candidates, in consultation with the Search Committee, to be interviewed in a public meeting or meetings by the Select Board.
 - f) Assist the Search Committee and Select Board with compensation issues.
 - g) Assist the Select Board in preparing for public interviews under the Massachusetts Open Meeting law of the best qualified candidates recommended by the Search Committee.
3. The consulting agency shall meet with the Search Committee as frequently and for such time as may be necessary to carry out his or her work and shall regularly update the Select Board as to the progression of the process.
 4. The principal shall be prepared to commit no fewer than (60) sixty hours to such meetings in the execution of this task.

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 - b) Specification of the process for receiving and screening resumes or applications for the position including criteria by which candidates are to be evaluated, along with background and preliminary reference checks.
 - c) Description of a detailed procedure for interviewing qualified candidates, which may include role-playing exercises deemed helpful to assess the sound judgment and capabilities of a candidate.
2. The consulting agency shall perform the following services following acceptance and approval of the plan to be developed as specified.
 - a) Prepare advertising for the position and assist in the selection of media for publication.
 - b) Conduct active recruitment of potential candidates known to the consulting agency and Town officials who may not respond to other recruiting measures.
 - c) Recommend in written reports to the Search Committee, all qualified candidates for further evaluation through an informal interview process which may be conducted by telephone (informal prescreen).
 - d) Assist with and participate with the Search Committee in the conduct of structured interviews with preliminarily qualified candidates. One interview may be held in executive session pursuant to Massachusetts law.

Wellfleet Town Administrator Screening Committee

Committee Charge

The Town Administrator Screen Committee is responsible for presenting the names of 3-5 individuals, who shall be considered finalists, to the Select Board for consideration as appointment as the Town Administrator of Wellfleet. The Screening Committee members shall use their best judgment and understanding of the criteria for selection of the Town Administrator that is outlined in the Position Profile that has been prepared by the Town's recruitment consultant with the input and information of the Select Board and other town officials and community members; and that will be utilized in conducting outreach to solicit candidates for the position. The Screening Committee shall work collaboratively with the Town's recruitment consultant and Interim Town Administrator in executing their responsibilities.

The Screening Committee's work shall include:

1. Meet to choose a committee Chairperson and Clerk
2. Work with the Town's Recruitment Consultant to conduct a Community Forum to obtain residents' ideas and opinions on the skills and attributes sought in the next Wellfleet Town Administrator.
3. Meet with the Town's Recruitment Consultant to review the Position Profile, review process of interviews, discuss questions as prepared by recruitment consultant and possible additional questions, and set interview dates.
4. Receive and review resumes of Semi-finalists as presented by the recruitment consultant.
5. Conduct interviews of selected candidates utilizing established questions.
6. Compare the experience, qualifications and interview performance of candidates to identify up to 5 finalists for reference and background check by the recruitment consultant.
7. Meet with the recruitment consultant to review the outcome of the reference and background checks and take a vote to present an unranked list of the chosen candidates to the Select Board.
8. Chairperson meets with the Select Board to present names and resumes of the Finalists.

It is anticipated that the work of the Screening Committee will be completed within 4-8 weeks. The Committee shall function as a governmental body of the Town as defined in the Massachusetts Open Meeting Law, and utilize the provisions of said law pertaining to Executive Session in order to act in the best interests of the Town. To the extent permitted by law, the Screening Committee shall maintain the names and any information about the candidates in strict confidence until it votes its recommendations. Names and information pertaining to candidates not chosen as Finalists shall be retained as confidential.

Public Notice

Town Administrator Search Committee

The Wellfleet Select Board is inviting applications and letters of interest from town residents to serve on a committee to assist the Board and its consultant in the search for a new town manager. Charges for this committee are listed below.

Charge: Town Administrator Search Committee

Overall Charge: To assist the Select Board and consultant in the initial screening and selection of a new Town Manager for the Town of Provincetown.

Specific Charges

1. Become familiar with the role, responsibility, and authority of the position of Town Administrator. Study the Home Rule Charter that established the form of government and in particular Chapter 3 Select Board and Chapter 5 Town Administrator.
2. Encourage town officials, employees, committees, and residents to offer views regarding issues facing the town government and the Administrator community including to hold at least one Public Forum to receive input from citizenry.
3. Make suggestions to the Select Board and consultant concerning a profile of the Town of Wellfleet and the Town Administrator's position. The profile prepared by the consultant shall be reviewed and approved by the Select Board prior to publication.
4. With the assistance of the consultant consider, in confidence, applications and resumes submitted for the position; compare the experience and qualifications of candidates against the profile established by the Selectboard for the position; screen applications for further review and personal interviews by the consultant and search committee.
5. Recommend approximately three (3) to five (5) of the most qualified candidates to the Select Board for the Board's further consideration.
6. Members of the search committee are to treat all applications in confidence; are not to divulge the identity or resume information on any applicants

Applications can be obtained online at www.wellfleet-ma.gov or at the Office of the Select Board, Town Hall, 300 Main St., Wellfleet, MA 02667 and should be submitted no later than (date) at 11:00 am to: Select Board, Town Hall, 300 Main St., Wellfleet, MA 02667 or emailed to rebekah.eldridge@wellfleet-ma.gov

Posted: <http://www.wellfleet-ma.gov>

What not to ask during an employment interview

The below chart is based upon content contained in 804 CMR §3.02. It has been modified to account for changes in the law that have occurred since this regulatory provision was last issued. It has also been expanded in order to provide further clarity and guidance.

TOPIC	EMPLOYERS MAY ASK	EMPLOYERS MAY NOT ASK
Age	<p>Generally; the only proper question is, "Are you under 18, yes or no?"</p> <p>Questions about age may be allowed if necessary to satisfy the provisions of a state or federal law (for example, certain public safety positions have age limits for hiring and retiring). Also, if the MCAD has previously identified age as a bona fide occupational qualification for the position.</p>	<p>Inquiry into the date of birth or age of the applicant, except as indicated to the left.</p>
Disability/ Handicap		<p>Inquiry into whether the applicant has a physical or mental disability, handicap or about the nature or severity of the disability/handicap.</p> <p>Inquiry into whether an applicant is alcoholic or drug addicted.</p> <p>Inquiry into whether an applicant has AIDS.</p>
National Origin/Ancestry/Citizenship	<p>"Are you legally authorized to work in the United States?"</p> <p>An employer may require an employee to produce documentation which evidences his or her identity and employment eligibility under federal immigration laws.</p>	<p>Inquiry into the birthplace of an applicant or the birthplace of his or her parent(s), spouse and/or other close relatives.</p> <p>Inquiry into the national origin ancestry or ethnicity of an applicant.</p> <p>Inquiry into whether an applicant for employment or an applicant's parent(s), and/or spouse are nationalized or native born citizens of the United States.</p>

TOPIC	EMPLOYERS MAY ASK	EMPLOYERS MAY NOT ASK
Medical Examinations	Once an offer of employment has been made, an employer may condition that offer on the results of a medical examination conducted solely for the purpose of determining whether the employee, with or without reasonable accommodation, is capable of performing the essential functions of the job.	
Race/Color	No questions.	Inquiry into the race or color of an applicant.
Photograph	No questions.	An employer cannot ask for photograph to accompany an application.
Religious Creed	No questions, except by religious organizations as provided in 804 CMR 3.01(7)(a).	Inquiry into the religious denomination or practices of an applicant, his or her religious obligations, or what religious holidays he or she observes.
Sex(Gender)	Generally, no questions. However, questions regarding gender may be permissible if they relate to a bona fide occupational qualification, which has been ruled to be a legitimate requirement for a particular position, as provided in 804 CMR 3.01(3)(b).	Inquiry into an applicant's maiden name or any question that pertain to only one sex (for example inquiries into marital status only asked of women). Inquiries into whether applicant has children, plans to have children, or has child care arrangements. Inquiries about transgender status.
Sexual Orientation	No questions.	Inquiry into applicant's sexuality (gay, bisexual, lesbian, heterosexual).
Education/ Experience/ References/ Organizations	Inquiry into the academic, vocational or professional education of an applicant for employment. Inquiry into the work experience shall also contain a statement that the applicant may include in such history any verified work performed on a volunteer basis. Inquiry into references.	Questions about education designed to determine how old the applicant is. Inquiry into the organizations which the applicant for employment is a member, the nature, name or character of which would likely disclose the applicant's protected class status.
Lie Detector Test	No questions.	It is unlawful to require or administer a lie detector test as a condition of employment or continued employment.

TOPIC	EMPLOYERS MAY ASK	EMPLOYERS MAY NOT ASK
Criminal Record	<p>Employers may ask the following series of questions:</p> <ol style="list-style-type: none"> 1. Have you been convicted of a felony? Yes or no? 2. Have you been convicted of a misdemeanor within the past five years (other than a first conviction for any of the following misdemeanors: drunkenness, simple assault, speeding, minor traffic violations, affray or disturbance of the peace)? Yes or no? 3. Have you completed a period of incarceration within the past five years for any misdemeanor (other than a first conviction for any of the following misdemeanors: drunkenness, simple assault, speeding, minor traffic violations, affray or disturbance of the peace)? Yes or no? 4. If the answer to question number 3 above is "yes" please state whether you were convicted more than five years ago for any offense (other than a first conviction for any of the following misdemeanors: drunkenness, simple assault, speeding, minor traffic violations, affray or disturbance of the peace)? Yes or no? 	<p>It is unlawful for an employer to make any inquiry of an applicant or employee regarding: 1. An arrest, detention or disposition regarding any violation of law in which no conviction resulted;</p> <ol style="list-style-type: none"> 2. First convictions for the misdemeanors of drunkenness, simple assault, speeding, minor traffic violations, affray or disturbance of the peace. "Minor traffic violations" include any moving traffic violation other than reckless driving, driving to endanger and motor vehicle homicide. 3. Any conviction of a misdemeanor where the date of the conviction or the completion of any period of incarceration resulting therefrom, which ever date is later, occurred five or more years prior to the date of such inquiry, unless such person has been convicted of any offense within five years immediately preceding the date of the inquiry. <p>No person shall be held under any provision of any law to be guilty of perjury or of otherwise giving a false statement by reason of his failure to recite or acknowledge such information as he has a right to withhold, as outlined above.</p>

Please note that with respect to inquiries about criminal background, NO questions whatsoever may be asked of an applicant on an employment application (unless the position applied for is one for which a federal or state law, regulation, or accreditation disqualifies an applicant based on a conviction; or the employer has an obligation under a federal or state law or regulation not to employ persons who have been convicted of a crime.) This is as a result of a statutory change in 2010. Questions about criminal background may be asked during an interview of an applicant, subject to the limitations described above.

Furthermore, while it is up to the hiring authority's discretion whether or not to reject a candidate due to criminal background, there are certain factors that should be considered, namely:

- Relevance of the record the position;
- The nature of work being performed;
- Time since the conviction;
- Age of the candidate at the time of the offense;

- Seriousness and specific circumstances of the offense;
- The number of offenses;
- Whether there are pending charges;
- Any relevant evidence of rehabilitation or lack thereof; and
- Any other relevant information, including information submitted by the candidate or requested by the organization.

As a general recommendation, a screening committee should not have access to, nor should it ask applicants, questions concerning criminal background generally, as the recommended approach is to only conduct criminal background checks on the finalist (a conditional offer of employment would first be made, contingent upon the successful passing of a CORI check). Of course, if the candidate brings it up in an interview conducted by the screening committee, the committee can make note of the comments from the candidate, but it is best if the committee members do not ask follow up questions or otherwise base their decision whether to advance a candidate to the next round in the process upon this information.

Also, please be aware that if a candidate is rejected at any stage in the process, due to criminal background, state regulations require advance notice to the applicant of the possibility of an adverse decision based upon his/her criminal background, together with other notice provisions, which can be found at 803 CMR §§2.17 and 2.18.

500749

TOWN ADMINISTRATOR SEARCH QUESTIONS

INTRODUCTION (5 Minutes)

1. Can you share with the Search Committee how you learned about the position and your reasons for applying? What are the four most important issues that will determine your further interest in the position?

KNOWLEDGE OF WELLFLEET (15 minutes)

2. Please share with us your overall knowledge of Wellfleet prior to applying and what you have learned since. What issues do you foresee as short term and which issues do you think are more long term?

DESCRIPTION OF CURRENT TOWN OF EMPLOYMENT (20 Minutes)

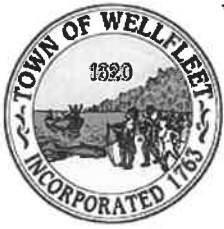
3. Please provide us with a brief snapshot of your current Town's demographics, sources of revenue, residents' occupations, social and economic drivers as well as the housing situation, schools, and any other information you feel is important for the Committee to know.
4. In your current community, describe to us which major capital improvement projects have been projected, started and completed. What role did you play in these projects and how were these projects funded?
5. Describe to us the major financial and strategic issues that your current community has faced over that last five years? Were these issues sources of unification or divisiveness for the community? Were these issues addressed or are they still looming? What was your involvement with identifying these issues and/or coming up with solutions?
6. Does your current Town follow a 3-5 Year Strategic Short- and Long-Term Community Plan that is the basis for development of their annual operating and capital budgets as well as long term decision making? If so, when and how was this developed.

MANAGEMENT (60 Minutes)

7. If the Town Administrator's Search Committee were to review your performance evaluations from your current and previous employers; what would your employers say about you? Where did they think you excelled and which areas did they seek improvements? Please include how would your employees and community members at large would rate your performance as a manager.
8. Please describe to us your work culture you inherited initially, versus how it is currently. Explain what specific actions you initiated to change cultures, where are you currently in accomplishing your vision of the changes you wished to make? Were there changes you wished you had handled differently? How would you have handled it differently and why?
9. Please describe your management style with employees: with whom do you work closest and how much time during the week do you spend on work related items? What barometers would you utilize in your first year on the job to determine whether your meeting expectation of the Select Board and the community? Who would you rely upon for input on your performance? What are some of the things that you do to keep your work life separate from your personal life?
10. As stated earlier, ??% of the homes in Wellfleet are secondary homes. With limited land to develop and limited housing availability, Wellfleet now has a housing shortage. Do you have any experience with affordable and community housing projects?
11. How has your current community been affected by the COVID-19 Pandemic? In addition to government financial impacts, please include any housing and economic stability concerns of your residents if there have been any.
12. Lastly, please explain to the Committee why you are considering leaving your current position. What are things that you will miss most and least if

you were to leave? And based on your knowledge of Wellfleet, what are the key similarities and differences you see between your current town and Wellfleet.

13. If we were to offer you the position and entered into negotiations, is there anything that would prevent you from starting; selling your home? Family? Notice requirements? The potential of a counter salary offer from your current employer?



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: August 10, 2021



SELECTBOARD REPORTS:

Reported by:	Topic:



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: August 10, 2021

IX

TOWN ADMINISTRATORS REPORT

- Please see selectboard packet

To: Selectboard
From Charles L. Sumner, Interim Town Administrator
Rebecca Slick, Assistant Town Administrator
Subject: Town Administrator's Report
Date: August 5, 2021

Please find enclosed a copy of my report for the period of July 9, to July 20, 2021:

1. **Media Operations:**

I had originally intended to meet with a prospective vendor on media operations on Thursday, July 29, however I had to take a day off to address some personal reasons at home. We have rescheduled this meeting to next week, so I will give you an update at the August 24, 2021, Selectboard meeting.

2. **Staffing Issues** – As I mentioned in my last report, we have 2 critical vacancies that we are working on currently.

a. We have started the initial interview process for the Building Commissioner's position during the week of August 1, 2021. We hope to review and rank candidates and continue this process in an expediated manner.

b. Secondly, we have advertised the DPW Superintendent's position as of August 6, 2021.

3. **Route 6 & Main Street Intersection Project** – We did receive an email from Jill McLaughlin from Santec Engineering on this project. Essentially it appears that we can not move forward with the design public hearing until we provide some comment on the following 2 issues:

a. There was a relatively recent conversation about the installation of green infrastructure on Main Street and Route 6. After an internal review MassDOT does not want to include this design element along Route 6 as it would not significantly contribute to reduction in nitrogen loading. Understanding that this is important to the Town, MassDOT did offer that we could evaluate adding green infrastructure along Route 6 that the Town would be responsible for maintenance of and we could only direct layout drainage to this basin, i.e., only Main Street flows and not Route 6.

b. In addition, MassDot has also been discussing the design of Route 6 cross section relative to bike accommodations. They have developed a couple of alternatives to include buffered bike lanes in the road with separate sidewalks that also allows for the future build out of a shared use path if ever needed.

They cannot move forward with scheduling the design public hearing until MassDOT decides on these matters, and Stantec updates the design documents.

4. **Marijuana Community Impact Fee** – We did receive a report from the Piping Plover in accordance with the Host Agreement, as follows:

- Seven Wellfleet residents are currently employed at The Piping Plover,
- The Piping Clover has paid the Town of Wellfleet 3% of the gross revenues as a Community Impact fee for Q4 in the amount of \$3,740.85.
- Company management ha remained in close contact with the Wellfleet Police and Fire Departments,
- Several site visits were conducted the Fire, Police and Building Departments.
- Company officials has maintained communications with its abutting residents and businesses to review and discuss the written policies and procedures created to address concerns and grievances between neighbors.

5. **Herring River Restoration Project** – Thanks to the efforts of Carol Ridley I did participate in a Zoom meeting on Monday, August 2, 2021, with a variety of State, Federal, Local, and other

NGO coalition members to discuss a strategy for pursuing funding opportunities for this restoration project. The participants are collaborating to develop a matrix to show projected project costs and possible funding alternatives.

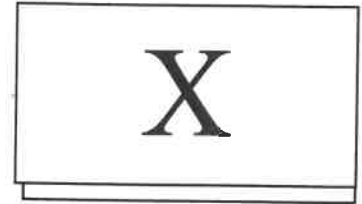
6. **Mass Cultural Council** - I did participate in a follow-up meeting with Gigi Ledkovsky, co-chair of the Wellfleet Cultural Council. She provided some background information about the history and efforts by the Council as well as the Wellfleet Cultural District. Additionally, there is some concern and confusion about the status of account balances for the cultural district and donation accounts. I will work with Lisa Souve to provide some clarity on these matters over the next several weeks.
7. **Financial Review Study** – We did receive notice that the Massachusetts Department of Revenue/Division of Local Services will begin their evaluation of the Town of Wellfleet starting on Wednesday, July 28, 2021. The first day of this evaluation will include interviews with myself, Miriam Spenser, Town Treasurer; Karen Murphy, Town Collector; Jane Tesson, Assistant Town Accountant; Nancy Vail, Town Assessor; and Lisa Souve & Mary McIlsac, Interim Town Accountants. Going forward they will also want to meet with members of the Selectboard and the Chair of the Finance Committee. At the conclusion they will be issuing a detail report of finding and recommendation going forward.
8. **Community Preservation Act Grants** – The Community Preservation Committee did execute 2 CPA grant agreements, as follows:
 - a. Contribution to Affordable Housing Trust - \$500,000
 - b. Baker’s Field Pavilion Stage - \$17,450
9. **Police Department** – We just executed a purchase order in the amount of \$87,826 for a 3-year lease program for Police Department body cameras equipment and support with a vendor named Axon Enterprises under a nationwide collective purchasing agreement.

Sincerely,
Charlie Sumner
Interim Town Administrator
And
Rebecca Slick
Assistant Town Administrator



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: August 10, 2021



TOPICS FOR FUTURE AGENDAS

Requested by:	Topic:	Requested to be on:



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: August 10, 2021

XI

CORRESPONDENCE AND VACANCY REPORTS

****Please see packet****

!	📎	📧	📧	From	Subject	Received	Size	🚩
Today								
				Wellfleet Cha... Herring River Adventure at the Wellfleet Farmers Market		Thu 8/5/2021 1...	76 KB	
				Book signing on Wednesday, August 11				
				Jeanne Macl... RE: use of town		Thu 8/5/2021 1...	26 KB	
				Benton, Because I didn't receive the information needed by the time I specified to you, your request for use of town property will not				
				📎 cookpd@co... Bikeway Route Analysis Report		Thu 8/5/2021 1...	10 MB	
				To the Selectboard: Please see the attached Analysis of Alternative Bikeway Routes through Wellfleet to Truro. Thank you to all the				
				📎 jaygmca@aol... MINUTES OF JULY 14, 2021 WHC MEETING		Thu 8/5/2021 1...	3 MB	
				Attached are the approved minutes of the July 14, 2021 Wellfleet Historical Commission meeting. Please note that the meeting				
Yesterday								
				📎 Charles Sum... FW: Cape Cod Mosquito Control IPM plan for Herring River Basin		Wed 8/4/2021 ...	46 KB	
				Good evening all, I simply wanted to share a copy of District's plan for Wellfleet. I suspect you might receive some questions from				
				Wellfleet Cha... Hello, August 🎧 Wellfleet Chamber Monthly Newsletter		Wed 8/4/2021 ...	250 KB	
				📎 Christine Bates Approved 6/24/21 ZBA minutes		Wed 8/4/2021 ...	150 KB	
				For your files / info. Chris Christine Bates Committee Secretary for ZBA and Conservation Commission				
Tuesday								
				MA Municipa... Important News About Your State House News Service Account		Tue 8/3/2021 2:...	44 KB	
				<https://www.informz.net/admin31/images/spacer.gif>				
				📎 cookpd@co... Bikeway Route Analysis Report set for Committee vote this week		Tue 8/3/2021 1:...	11 KB	
				To the Selectboard:				
				Wellfleet Cha... 🎧 Housing Angels in Story & Song to Benefit the Wellfleet Affordabl...		Tue 8/3/2021 1:...	77 KB	
				Wed, Aug 11 @ 5:00pm // Wellfleet Preservation Hall				
				📎 Chris Morin Independence House prevention conference		Tue 8/3/2021 7:...	176 KB	
				Good Morning,				
Monday								
				MA Division ... 2021 Season I Commercial Atlantic Sea Herring Fishery in Managemen...		Mon 8/2/2021 ...	48 KB	
				2021 Season I Commercial Atlantic Sea Herring Fishery in Management Area 1A to Close				
				Helen Mirand... Fwd: This Month in the Division of Open Government: Executive Session Pur...		Mon 8/2/2021 12...	74 KB	
				I've been signed up for these newsletters for awhile.				
Sunday								
				📎 Gary Sorkin Housing Angels in Story and Song, Wed Aug 11, 5:00 at Pres Hall		Sun 8/1/2021 7:...	10 MB	
				Hi Housing Fans,				
				📎 Rich Pauley Fwd: Wellfleet Structure Fire Press Release		Sun 8/1/2021 4:...	66 KB	
				Sent from my iPhone				
Last Week								
				Helen Miran... Fwd: This Month in the Division of Open Government: Executive Sessio...		Sat 7/31/2021 ...	74 KB	
				I have signed up for these newsletters. SB, no reply please.				
				📎 Owen Fletcher Barnstable County Assembly of Delegates 08/04/21 Regular Meeting ...		Fri 7/30/2021 4...	263 KB	
				As attached in PDF and available on the web at https://www.barnstablecounty.org/event/assembly-of-delegates-regular-meeting/				
				Ryan Curley Fyi CDC study on Provincetown Cluster		Fri 7/30/2021 4...	14 KB	
				Selectboard please no reply				
				📎 Christine Bates 7/7/21 approved Cons Comm mtg mins		Fri 7/30/2021 2...	411 KB	
				Christine Bates Committee Secretary for ZBA and Conservation Commission				
				Jude Ahern Fwd: Open Meeting Law Complaint - Wellfleet Selectboard		Fri 7/30/2021 2...	202 KB	
				The Selectboard did nothing. Never made any agenda, nobody wanted to explain to the public. DeVasto refers to a document the				
				📎 Zachary Ment The Piping Plover Select 2021 Select Board Report		Fri 7/30/2021 2...	140 KB	
				Hi Rebecca, Please see attached The Old Bank LLC DBA The Piping Plover's Select Board report for FY2021. As mentioned in the				
				Jude Ahern and Helen's memos to everyone		Fri 7/30/2021 1...	15 KB	
				She references a memo she sent around about Damian Parkington's summation of the meeting yet it doesn't appear listed as any				
				Jude Fwd: Public hearing 5 months too late		Fri 7/30/2021 1...	18 KB	
				And the SAB written minutes from June 4 say "2-1/2 hour discussion" and Helen thinks that's sufficient for the public record and				
				Jude Public hearing 5 months too late		Fri 7/30/2021 1...	15 KB	
				The meeting happened on June 4 and has continued behind the scenes all orchestrated by Helen and Nancy to try to hide their				
				📎 Douglas Bran... Pre-existing Bias: 4th response for the Planning Board Public Hearing ...		Fri 7/30/2021 1...	35 KB	
				Dear Mrs. Plantier: Attached in Word is a letter that is my 4th response to the proposed 2-Lot 70 Rowell Road Subdivision for the				

!	📄	✉	📧	From	Subject	Received	Size	🚩
				MA Division ...	Public Comment Sought on In-Season Adjustments to 2021 Commerci...	Fri 7/30/2021 1...	51 KB	
					Having trouble viewing this email?🔗			
				Ryan Curley	FYI	Fri 7/30/2021 1...	18 KB	
					Walter A. Orenstein, associate director of the Emory Vaccine Center, said he was struck by data showing that vaccinated people who			
				Jude Ahern	Fwd: slade maps are not the standard	Fri 7/30/2021 7...	553 KB	
					And again, as an IRS Certified Appraiser who is required to follow USPAP standards, one page from an appraisal report CANNOT be			
				Jude Ahern	Fwd: slade maps are not the standard	Fri 7/30/2021 7...	544 KB	
					She also needs to explain what the Town earmarked those 4 acres for. DeVasto explained that this is the reason why he went about			
				Jude Ahern	Fwd: slade maps are not the standard	Fri 7/30/2021 7...	548 KB	
					Keep in mind, on June 4, 2021, over two years later, Civetta claims she is new to the job and has no idea.			
				Jude Ahern	slade maps are not the standard	Fri 7/30/2021 7...	15 KB	
					what the Town filed with the registry of deeds is. With the subdivision laid out. Nancy needs to explain why the survey we paid \$			
				Capital Strat...	Laying the Groundwork for Infrastructure Improvements	Thu 7/29/2021 ...	59 KB	
					Infrastructure is critical to a community's ability to grow and prosper...			
				HYTORC Ind...	Lithium Series II Webinar LIVE - expanded functionality, durability and...	Thu 7/29/2021 ...	78 KB	
					The most award winning electric bolting tool today.			
				Wellfleet Cha...	Updated Masking Requirements and Recommendations	Wed 7/28/2021...	79 KB	
				Jude Ahern	Fwd: Open Meeting Law Complaints - Town of Wellfleet	Wed 7/28/2021...	118 KB	
					Dear Selectboard and Mr. Sumner (since DeVasto said you make the agendas): Again, nothing should appear on an agenda that has			
				Jude Ahern	Fwd: here is DeVasto stating his opinion about an alternate voting and...	Wed 7/28/2021...	60 KB	
					Oh here he is again stating his opinion during the June 4 SAB meeting: ALL OF THIS WILL BE IN MY REQUEST FOR FURTHER REVIEW.			
				Jude Ahern	he who "sets the menu"	Wed 7/28/2021...	43 KB	
					Dear Selectboard and Mr. Sumner: Below is Helen Wilson speaking at the June 21 SAB meeting about how Selectboard agendas are			
				Jude Ahern	here is DeVasto stating his opinion about an alternate voting and our ...	Wed 7/28/2021...	36 KB	
					During June 4 SAB meeting. This will all be in my request for further review. This delayed their letter which they intended to write to			
				Cape Cod Co...	You're Invited to the Selectmen and Councilors Association Breakfast ...	Wed 7/28/2021...	38 KB	
				Charles Sum...	FW: Complimentary Registration - OneCape Summit	Wed 7/28/2021...	56 KB	
					Good morning all, The CCC has provided Wellfleet with 2 passes to the upcoming OneCape Summit on August 23 and 24, 2021.			
				HYTORC Ind...	HYTORC Online Training in August - Full schedule planned	Wed 7/28/2021...	86 KB	
					Time zone choices - Check out new Vector Pump Training			
				Jude Ahern	the Selectboard agenda	Wed 7/28/2021...	249 KB	
					Dear Selectboard and Mr. Sumner: Please read the attached document from our actual Town Clerk, dated July 6th, four days after			
				Ryan Curley	Re: muting and kicking someone out of a meeting are two different th...	Tue 7/27/2021 ...	17 KB	
					Hi Jude it was my decision to remove you from the meeting. In regards to the policy, I drafted it and Helen contributed some			
				Jude	Fwd: General Law - Part I, Title XIX, Chapter 130, Section 60	Tue 7/27/2021 ...	18 KB	
					So no more minimum requirements for grant activity, forged signatures on annual reports are OK, no scrutiny of business plans nor a			
				Jude	Fwd: you kicked me out of that meeting	Tue 7/27/2021 ...	17 KB	
					Until someone explains how the forged paperwork for devasto's grant and the feb 7 letter to the Selectboard nobody on the			
				Jude	No more live YouTube	Tue 7/27/2021 ...	15 KB	
					Since Mia left? Major point in my complaint about getting kicked out out of a public zoom meeting by an underling who endangered			
				Jude	No power	Tue 7/27/2021 ...	15 KB	
					You are completely irrelevant now. That's one good thing. Do please tell me though, because you didn't in the meeting tonight,			
				Jude Ahern	Fwd: you kicked me out of that meeting	Tue 7/27/2021 ...	21 KB	
					Reminder: if Rebecca happens to get cc'd and gets her fragile feelings hurt, too bad. This is a direct message to the Selectboard.			
				Jude Ahern	Fwd: you kicked me out of that meeting	Tue 7/27/2021 ...	18 KB	
					She's a huge liability and is actually horrible at minutes.			
				Rebekah Eldr...	FW: you kicked me out of that meeting	Tue 7/27/2021 ...	14 KB	
					-----Original Message-----			
				Rebekah Eldr...	RE: muting and kicking someone out of a meeting are two different th...	Tue 7/27/2021 ...	23 KB	
					I do feel threatened and not okay with that email.			
				Rebekah Eldr...	FW: muting and kicking someone out of a meeting are two different t...	Tue 7/27/2021 ...	21 KB	
					Just want this all on record...			
				Jude Ahern	muting and kicking someone out of a meeting are two different things	Tue 7/27/2021 ...	15 KB	
					And Helen, weren't you DESPERATE to put this on the agenda at your last meeting? And now you don't want to talk about it? You all			
				Helen Miran...	Amendments to 7/13/21 DRAFT Sb minutes in blue.	Tue 7/27/2021 ...	92 KB	

!	📄	📧	📧	From	Subject	Received	Size	🚩
				Charles Sum...	FW: Marconi 'Landing Strip' property	Tue 7/27/2021 ...	6 MB	
				Good afternoon all, No reply please but I received some additional information today from Mr. Carlstrom relative to this evening's				
				Cape Cod Co...	2021 OneCape Summit Registration Open	Tue 7/27/2021 ...	45 KB	
				Wellfleet Cha...	Important: Home Test Kits for your Employees	Tue 7/27/2021 ...	72 KB	
				Please reply to express interest in the program				
				Wellfleet Cha...	Selectboard Meeting Tonight: Tuesday, July 27 at 7:00pm	Tue 7/27/2021 ...	83 KB	
				Jude	Fwd: Your reply	Tue 7/27/2021 ...	19 KB	
				All of these OML complaints need to be considered comprehensively. A public hearing about shellfish grant expansions after you just				
				Helen Miran...	PS re. 6/22 minutes.	Tue 7/27/2021 ...	13 KB	
				Ryan's amendments are in red, mine are in blue. <end>				
				Ryan Curley	Tonight's Agenda in Regards to the Herring River Project.	Tue 7/27/2021 ...	19 KB	
				Hello All,				
				Helen Miran...	June 22cnd, '21 Sb minutes with amendments indicated.	Tue 7/27/2021 ...	66 KB	
				Hi Everyone. Sb, no response please. I will also be sending a few amendments to the July 13th minutes when I get them from				
				Jude Ahern	Fwd: public records request for "the attorney" records DeVasto consta...	Tue 7/27/2021 ...	236 KB	
				The Secretary of State has already ruled that you cannot charge me for these records. Shall I resend that decision? Now it's \$ 330?!				
				Ryan Curley	Fwd: 6.22.21 Minutes as Amended	Tue 7/27/2021 ...	50 KB	
				----- Forwarded message -----				
				MA Municipa...	Reminder: Register for MSA Leadership Conference Webinar July 28	Tue 7/27/2021 ...	45 KB	
				Register for Fourth MSA Leadership Conference Webinar				
				Nancy Civetta	Recreational Shellfishing Crier: Important reminders and opportunities	Mon 7/26/2021...	35 KB	
				Town Recreational Shellfish Crier July 26, 2021				
				Rebekah Eldr...	utilizing the HDYLTA parcel public hearing	Mon 7/26/2021...	209 KB	
				I have attached the Hearing Notice that will go into the paper. Join Zoom Meeting				
				Helen Miran...	Re: Doodle Poll for an Executive Session in relation FD & PD Chiefs' Co...	Mon 7/26/2021...	10 KB	
				Hi Everyone. Thursday, 8/12 we have the Seasonal Residents' meeting at 7. And I have the HRTT all day meeting also on that day.				
				Ryan Curley	Public Hearing 8/16 @ 7pm, Planning How the Town May Utilize the ...	Mon 7/26/2021...	37 KB	
				Hi all, thank you to everyone who participated in the poll. I am planning on holding the public hearing on August 16th at 7pm. Thank				
				Ryan Curley	Re: Reminder Doodle Poll on Scheduling a Hearing in Relation to the P...	Mon 7/26/2021...	55 KB	
				Yes that's the correct time.				
				Rebekah Eldr...	RE: Reminder Doodle Poll on Scheduling a Hearing in Relation to the P...	Mon 7/26/2021...	40 KB	
				It looks like Monday August 16th at 7pm is the best date fore everyone. Once the chair gives me the okay I will set up a zoom				
				Helen Miran...	Re: Reminder Doodle Poll on Scheduling a Hearing in Relation to the P...	Mon 7/26/2021...	17 KB	
				Hi Everyone. May we please pin down this date? Thank you. Helen				
				Ryan Curley	Revised Policy on Conduct and Civil Discourse	Mon 7/26/2021...	47 KB	
				Hi all,				
				Ryan Curley	Doodle Poll for an Executive Session in relation FD & PD Chiefs' Contr...	Mon 7/26/2021...	15 KB	
				Hi, both of the chief's contracts are up for renewal. I expect that the session should be relatively short, and will be about how the				
				Charles Sum...	RE: PAYT Bag Shortage	Mon 7/26/2021...	21 KB	
				Good morning Mr. Cornell, There has in fact been a production delay problem that our vendor has been dealing with relative to				
				Ryan Curley	Fyi p town	Sun 7/25/2021 ...	14 KB	
				https://www.capecodtimes.com/story/news/2021/07/24/delta-variant-confirmed-provincetown-covid-department-public-health-vacc				
Two Weeks Ago								
				Nancy Civetta	RE: Dredging Announced - Proposed date and time	Sat 7/24/2021 ...	42 KB	
				The Cape Cod times story is online. Looks great! Please share.				
				Wellfleet Cha...	Important message from Health and Conservation Department	Fri 7/23/2021 5...	77 KB	
				Jean Stanley	RE: FY21 CDBG Application for Cape & Island - HOUSING REHAB & CH...	Fri 7/23/2021 4...	94 KB	
				Thank you Rebekah, I didn't see a zoom link but I do have a different zoom meeting scheduled for the same early evening. Not sure				
				Rebekah Eldr...	RE: FY21 CDBG Application for Cape & Island - HOUSING REHAB & CH...	Fri 7/23/2021 3...	94 KB	
				Hi Jean, I wanted to reach out and let you know that you are on the Selectboard's July 27th agenda. They will be discussing a letter				
				Jean Stanley	FW: FY21 CDBG Application for Cape & Island - HOUSING REHAB & C...	Fri 7/23/2021 3...	185 KB	
				Hello, I am following up on a request for a letter of support for the FY21 Brewster Regional Housing Rehab Program. We are				
				Ryan Curley	Wastewater Meeting	Fri 7/23/2021 2...	15 KB	
				Hello all,				

!	📄	✉	📧	From	Subject	Received	Size	🚩
				James Cornell	PAYT Bag Shortage	Fri 7/23/2021 1...	15 KB	
				Dear Town Officials, Over the last 24 hrs I have tried to find large PAYT bags. Wellfleet Market Place had none of any size and the				
				Douglas Bran...	3rd Response to Proposed 2-Lot 70 Rowell Road Subdivision for the Pl...	Fri 7/23/2021 1...	37 KB	
				Dear Mrs. Plantier: Attached in Word is a letter that is my 3rd response to the proposed 2-Lot 70 Rowell Road Subdivision for the				
				Jodi Lyn Cutler	Re: MassDEP Free PFAS testing for selected private wells in Wellfleet	Fri 7/23/2021 1...	75 KB	
				Looking forward to seeing all who are able to join us today at noon.				
				Rebekah Eldr...	Re: Dredging Announced - Proposed date and time	Fri 7/23/2021 1...	42 KB	
				Awesome!!				
				Nancy Civetta	RE: Dredging Announced - Proposed date and time	Fri 7/23/2021 1...	39 KB	
				I reached out to Denice Coffey at the Cape Cod Times, and she said that her story on the dredging awards is supposed to run in				
				Hillary Lemos	FW: 7/23/21 Barnstable County COVID Update	Fri 7/23/2021 8...	1 MB	
				Just a county Covid update.				
				MA Municipa...	Here's your Summer issue of The Beacon from the MMA	Thu 7/22/2021 ...	46 KB	
				< https://www.informz.net/admin31/images/spacer.gif >				
				Carole Ridley	Chapter 91 License Applications for Herring River	Thu 7/22/2021 ...	763 KB	
				Charlie,				
				U.S. DOT Fed...	FHWA Local Aid Support Announces 2021 Build a Better Mousetrap A...	Thu 7/22/2021 ...	27 KB	
				< https://content.govdelivery.com/attachments/fancy_images/USDOTFHWA/2021/04/4352268/babm-2021-grfx_original.jpg >				
				Capital Strat...	PFAS Risk Communication Resources for Your Community	Thu 7/22/2021 ...	65 KB	
				PFAS have garnered a great deal of public attention...				
				Eric Winslow	Stairway to Historical museum plans	Thu 7/22/2021 ...	3 MB	
				Please find attached the plans for the stairway from the Wellfleet town Hall parking lot to the Historical Museum. Eric Winslow				
				MA Municipa...	Reminder: Register for MSA Leadership Conference Webinar July 28	Thu 7/22/2021 ...	45 KB	
				Register for Fourth MSA Leadership Conference Webinar				
				Ryan Curley	Fwd: Wellfleet Dredging - Request for quote	Wed 7/21/2021...	33 KB	
				----- Forwarded message -----				

Date: August 5, 2021
To: Board of Selectmen
From: Jeanne Maclauchlan
Re: Vacancies on Town Boards

Bike and Walkways Committee (5 members)

Vacant Positions	Appointing Authority	Length of Term
1 Position	Board of Selectmen	1 year (complete term)

Requesting Appointment: No applications on file

Board of Assessors (3 members, 1 alternate)

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

Requesting Appointment: No applications on file

Board of Health (5 members, 2 alternates)

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

Requesting Appointment: No applications on file

Board of Water Commissioners

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

Requesting Appointment: No applications on file

Building and Needs Assessment Committee (5 Members)

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

Requesting Appointment: No applications on file

Cable Advisory Committee (5 Members)

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

Requesting Appointment: No applications on file

Commission on Disabilities (up to 5 Members)

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

Requesting Appointment: **One** application on file

Conservation Commission (7 Members + 2 alternates)

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

Requesting Appointment: No applications on file

Council on Aging (11 Members)

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

Requesting Appointment: **One** application on file

Cultural Council (no more than 15 Members)

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

Requesting Appointment: No applications on file

Dredging Task Force (7 Members)

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

Requesting Appointment: No applications on file

Finance Committee (9 members, 2 alternate)

Vacant Positions	Appointing Authority	Length of Term
1 Alternate Position	Town Moderator	3 years

Requesting Appointment: No applications on file

Historical Commission (7 members)

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

Requesting Appointment: **One** application on file

Marina Advisory Committee (7 Members, 2 Alternates)

Vacant Positions	Appointing Authority	Length of Term
1 position	Board of Selectmen	2 years

1 Alternate Position

Requesting Appointment: No applications on file

Natural Resources Advisory Committee (7 Members)

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

Requesting Appointment: No application on file

Open Space Committee (7 Members)

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

Requesting Appointment: No applications on file

Personnel Board (4 members + TA + FinCom Rep)

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

Requesting Appointment: No applications on file

Planning Board (7 members + 2 alternates)

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

Requesting Appointment: No applications on file

Recreation Committee (7 Members)

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

Requesting Appointment: No applications on file

Recycling Committee (7 Members + 2 Alternates)

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

Requesting Appointment: No applications on file

Shellfish Advisory Board (7 members + 2 Alternates)

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

Requesting Appointment: No applications on file

Zoning Board of Appeals (5 Members, 4 Alternates)

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

Requesting Appointment: No applications on file



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: August 10, 2021

XII

MINUTES

REQUESTED BY:	Executive Assistant
DESIRED ACTION:	Approval of Minutes for June 22, 2021, July 13, 2021 & July 27, 2021
PROPOSED MOTION:	I move to approve the Minutes of June 22, 2021 as amended, July 13, 2021 as amended, and July 27, 2021, as printed in Draft form
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____

**Wellfleet Selectboard
Tuesday June 22, 2021; 6pm
Virtual Meeting ~ Zoom
Meeting Minutes**

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

Others Present: Charles Sumner, Town Administrator; Nancy Civetta, Shellfish Constable; Lara Henry, Wellfleet Chamber of Commerce; Shea Murphy, Shellfisherman; Will Sullivan, Harbormaster; Pat Winslow, Shellfisherman; Chief Michael Hurley, Police Chief; Ginny Parker, Shellfish Advisory Board; Tim McNulty, Lobster and Chowder House; Zach Pawa, Sacred Surf School; Merrill Mead-Fox, Wellfleet Historical Commission; Dan Silverman, Town Moderator; Jeanne Maclauchlan, Principal Clerk.

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.

- Civetta announced that the Shellfish Department is participating with the Mass Oyster project, she explained there are eight different restaurants will be participating and will be collecting oyster and clam shells to be brought to the transfer system and then used for cultch in the spring.

II. *COVID-19 Updates and Recommendations*

- Chair DeVasto updated the public that the governor had extended the emergency orders to allow virtual meetings and the Board will continue discussions on allowing the public to participate remotely.

III. *Public Hearings*

A. Aquaculture Grant Extension for Shea Murphy– Shellfish Constable, Nancy Civetta

Chair DeVasto recused himself from the shellfishing extensions and handed over the chair position to the vice chair Reinhart. She asked Civetta to please inform the Board of the extension plan.

Civetta stated that this will allow Murphy to expand his business and livelihood. She also stated that this is a long process, but it is beginning.

Wilson asked the Board if they were able to watch the Shellfish Advisory Board Meeting in June and she stated there were many issues brought up and stated there were many issues that needed to be addressed before the land is further developed. Wilson continued stating the issues and what she felt regarding this.

Reinhart stated she read both letters from the Shellfish Constable and the Harbormaster and trusts the both of them and asked Civetta to weigh in with her thoughts. Civetta explained she understands both sides. She explained her point of view. Reinhart questioned Sullivan on his opinion. He stated they are here now, and the town needs to move in the right direction. He stated to goal is to

make everything work together. He gave some thoughts on ideas that had been presented to him. Marks on buoys to indicate which grant was which. He stated anything the town does will affect their future and he doesn't want working shellfisherman to lose their livelihood. He also stated he didn't believe these grant extensions were making a huge impact in the land but moving forward they will work things out and try their best to make it happen for everyone. Curley stated that he would like in the future he would like to see a copy of the posting in the packet. He also stated that he does feel there needs to be more planning.

Carlson stated she wanted regulations and procedures are done she would want to vote what was in front of her.

Board Member Curley moved; Board Member Wilson seconded; and it was not voted to approve grant extension 01-2 extension B, and extensions 2007 B & C with an area of approximately 1.8 acres for Shea Murphy.

Wilson stated again her preference for a plan before any further development of the HDYLTA parcel.

Civetta explained there is already a 01-2 extension, so it needed to be renamed.

Roll Call Vote: 2-1-1 (Wilson voted no); (Carlson abstained)

Board Member Wilson moved; Board Member Curley seconded; and it was voted to extend the hearing to a future date.

Roll Call Vote: 4-0

B. Aquaculture Grant Extension for Pat and Chelsea Winslow ~ Shellfish Constable, Nancy Civetta

Civetta stated she feels the same way as she did with the previous grant extension, she stated he needs a little bit more room to make his business grow and work.

Reinhart stated she didn't feel comfortable not approving these grant extensions, she feels they are young hard-working individuals and feels the first come first serve is fair. Curley stated that the vote to continue the previous extension was already voted on, so they were unable to go back. They discussed this extension a little further.

Curley spoke about the concern for navigation.

Sullivan spoke about making sure it is clearly marked and it may aid navigation.

Winslow explained how he arrived at the dimensions for the extension and that the SAB had a robust discussion about planning and there was not overwhelming support one way or the other for a plan.

Reinhart said that was really important to know that the SAB voted not to have a moratorium.

Curley stated he wanted a different marker.

Summer raised a concern that the previous motion may have passed.

Wilson said that the SAB had discussed planning options for the use of the HDYLTA parcel four times but that the Selectboard, as the Shellfish Regulatory Board, had not.

Carlson said that she was not aware that the SAB voted not to have a moratorium.

Board Member Curley moved; Board Member Carlson seconded; and it was voted to reconsider the extensions applied for by Shea Murphy.

Roll Call Vote: 4-0

- A.** Murphy spoke to his extension, and he plans to use it. The Board continued to discuss this further.

Board Member Curley moved; Board Member Reinhart seconded; and it was voted to approve the grant extension 01-2B and 2007 B & C with an area of approximately 1.8 acres.

Roll Call Vote: 3-1 (Wilson voted no)

Board Member Curley moved; Board Member Wilson seconded; and it was voted to reconsider the extension of the public hearing for Shea Murphy.

Roll Call Vote: 4-0

- B.** Board Member Carlson moved; Board Member Reinhart seconded; and it was not voted to approve an approximate .45-acre grant extension to grant numbers 9—01 for Pat and Chelsea Winslow.

Roll Call Vote: 2-2 (Wilson and Curley voted no)

Board Member Curley moved; Board Member Wilson seconded, and to extend the hearing to a future date.

The Board continued to discuss this extension and the layout of it. Civetta explained that she isn't comfortable making decisions on the fly.

Civetta stated that she wants to just have fairness. Curley stated he has sailed in and out of that area for many years and he feels it is to far out.

Roll Call Vote to extend the hearing : 4-0

Winslow told the Board stating that he has been waiting a very long time for this and received his first farm in 2008 and could have asked for more but wanted to wait until he was a more seasoned shellfisherman. He continued to explain his extension. The Board agreed to meet on this at their next meeting.

Sullivan stated that he feels at this point they are trying to stop a building from being built after the foundation has been laid down. He continued stating that there are rules and regulations for these people, and they have followed all the steps and now they are being told no. He didn't feel it was right.

- C.** Approve the addition of a domicile exception to the Shellfishing Regulations ~ Shellfish Advisory Board & Shellfish Constable Nancy Civetta

Civetta explained this item and explained there is a strong feeling within the community to have some amendments. She stated she feels they have added some checks and balances and asked them to seriously consider this exception given the housing problem within the town. She also informed the Board that she did take this to the Shellfish Advisory Board, and they agreed, she stated if she encounters problems, she will bring it back to the Board. The Board discussed this change at great length.

Board Member Wilson moved; Board Member Curley seconded; and it was voted to amend section 2 shellfishing policy for the town of Wellfleet and

approve the addition of 6.1.2 domicile requirement and exception and 7.8.2 domicile requirement and exception in the town of Wellfleet's shellfishing policy and regulations as presented by the shellfish constable on behalf of the Shellfish Advisory Board.

Roll Call Vote: 4-0

IV. *Licenses*

- A. Weekday & Sunday Entertainment ~ Lobster & Chowder House ~ Hours will be 1:00pm – 10:00pm**

The Board asked McNulty some questions about when the entertainment would be playing. He stated he is applying for the license and will go from there. He stated he had been approached from some local artists asking to play acoustic music. Very soft and low key.

Board Member moved; Board Member Carlson seconded; and it was voted to approve the weekday and Sunday Entertainment License for the Lobster and Chowder House from the hours of 1:00pm to 10:00pm located at route 6 Wellfleet, MA with a copy of the noise bylaw be accompanied with the application.

Roll Call Vote: 5-0

V. *Use of Town Property*

- A. Sacred Surf School ~ White Crest Beach ~ Zach Pawa, June -Labor Day
Board Member Curley questioned the fee.**

Board Member Curley moved; Board Member Carlson seconded; and it was voted to approve the use of White Crest Beach to Zach Pawa for the Sacred Surf School from June 22, 2021 to Labor Day 2021 for a fee of \$385.

- B. Chamber of Commerce ~ 4th of July Parade Route ~ September 6, 2021**

Henry spoke to the Board about moving the fourth of July parade to Labor Day weekend just to be safer. She also stated she wanted to amend the date to the Saturday of Labor Day Weekend instead of the Monday so there is more participation. Chair DeVasto explained that there has been a large amount of communication with the town's health officials, and they are in agreement with the date move.

Board Member Wilson moved; Board Member Reinhart seconded; and it was voted to approve the use of The fourth of July Wellfleet parade route and the town marina parking lot on September 24, 2021, from 8am to 11am to the Wellfleet Chamber of Commerce.

Roll Call Vote: 5-0

VI. *Board/Committee Appointments and Updates*

- A. Reappointment of the Shellfish Constable, Nancy Civetta; for another three-year term ~ Wellfleet Selectboard**

Chair DeVasto recused himself in this matter and Board Member Reinhart took over as chair. Board Member Reinhart stated she has heard nothing but good things about Civetta and believes the shellfish industry has blossomed with her as the constable.

Board Member Carlson stated it is very clear how much Civetta loves the job and how hard working she is in the position.

Board Member Carlson moved; Board Member Wilson seconded; and it was voted to reappoint Constable Nancy Civetta for another three-year term ending August 9, 2024.

Roll Call Vote: 4-0

B. Reappointments of various committee members ~ Principal Clerk

****Please see packet for a full list of reappointments****

Chair DeVasto came back to the meeting and stated there was a name that was incorrect on the list of reappointments. It was Roberta Ward as an election worker not Robin.

Board Member Reinhart moved to reappoint the town of Wellfleet Boards and Committee Members as listed in the Selectboard Packet dated June 22, 2021, once reappointed the Board and Committee Members must make and appointment with the Town Clerk Jennifer Congel to be sworn in.

Roll Call Vote: 5-0

C. Reappointments of Election Workers ~ Town Clerk

Peter Cook ~ Warden

Roberta Ward ~ Deputy Warden

Martha Dilts ~ Clerk

Chair DeVasto moved; Board Member Wilson seconded; and it was voted to reappoint Peter Cook as Warden, Roberta Ward as Deputy Warden and Martha Dilts as clerk for the elections.

Roll Call Vote: 5-0

VII. Business

A. Fidelity Gift Documents ~ Miriam Spencer, Town Treasurer

Board Member Carlson moved; Board Member Curley seconded; and it was voted to approve Michael DeVasto to execute any and all documents related to the gifted Fidelity Account.

Roll Call Vote: 5-0

B. Presentation by Historical Committee ~ Merrill Mead-Fox

Mead- Fox spoke to the Board thanking the Selectboard for their hard work over the past year during the pandemic. She also stated that three members will be leaving the commission when their term is up at the end of June 2021.

She stated they are trying to recruit three new members and gave some background information on the commission.

She continued to explain and give updates on what the commission is currently doing throughout the town. Chair DeVasto thanked her for the update and attending the meeting.

C. Discussion on changing the meeting time from 6pm to 7pm ~ Chair DeVasto.

Chair DeVasto asked to have this discussion with the board stating he needs the daylight hours in the summertime given his occupation.

The Board discussed making a motion.

Chair DeVasto moved; Board Member Curley seconded; and it was voted to move the regular meeting time from 6pm to 7pm.

Roll Call Vote: 5-0

D. Discussion on Town Meeting ~ Dan Silverman, moderator.

Silverman spoke to the Board giving them an update regarding town meeting and some details he felt needed to be brought up and shared. He stated the task force for the meeting has been meeting to make sure the meeting runs smoothly. He thanked the forum for the pre-town meeting and the meet the candidates meeting. He stated he hoped the participants listening were able to get their questions answered.

He continued to address the motion booklet, he explained the reason for the booklet and gave a little more information.

He continued explaining the sheets that various committee or boards will be in the motions booklet as long as they were submitted within the deadline time.

He requested the chair make all the motions and the vice-chair second the motions. He explained that the Board will need to share 3 microphones at the table this year. The issue is that sound vendor is also doing another town meeting in Truro, so they are restricted with equipment.

Board Member Curley asked about the quorum being reduced since the legislature passed a more relaxed. It was stated that there wasn't enough time to post for the amended quorum, which he believed was 48 hours.

The Board discussed amending the quorum. Silverman explained that a quorum is assumed unless it is questioned, if it is questioned then the meeting must stop, and a head count needs to be taken.

Board Member Wilson stated that the Board could meet on Friday morning to amend and reduce the quorum. She also questioned more microphones. IT was explained that there are no extra microphones.

Silverman asked Sumner if he could look into lowering the quorum. Sumner stated he will look into it first thing the next morning. The Board will hold a 10am meeting Friday June 25, 2021 to reduce quorum for town meeting.

E. Amend Food Truck Permit ~ Tanya Felix.

Chair DeVasto gave an update on this permit. Stating that the Harbormaster had some issues with the truck coming in and out of the parking lot and issued Felix an overnight permit. The Board discussed this, and their regulations were brought up. Board Member Wilson stated in the regulations the Board and the Selectboard have the right to change them on an individual basis. They discussed this permit change.

Board Member Wilson moved; Chair DeVasto seconded; and it was voted to amend the food truck permit for Tanya Felix with the following conditions: the food truck must remain in the dedicated overnight parking

space purchased from the marina; To only be moved at the discretion of the harbormaster or in the event that there is a risk to public health, safety, and or equipment. Further, we suspend the requirement in the food truck regulations section titled "Operating Requirements for Mobile Food Vendors, Section 1" which requires food trucks to be removed from the licenses area each day and not be allowed to remain overnight.

Roll Call Vote: 5-0

- F. Add Provincetown Independent as a Newspaper of Record ~ Board Member Ryan Curley

Chair DeVasto explained that he spoke to Jeanne, who didn't have any issues adding the paper but stated to him that there are deadlines for each paper, and she needs the papers that will allow her to post in a timely manner.

Curley stated this is a paper that a lot of residents use and would like to remove the other papers. Maclauchlan explained to the Board that the Independent has a much harder schedule to advertise in and it becomes difficult posting with them. The Board continued to discuss this and decided they could add the Independent and not take any of the other papers.

Chair DeVasto moved; Board Member Curley seconded; and it was voted to add the Provincetown Independent as a newspaper of record.

Roll Call Vote: 4-0-1 (Reinhart abstained)

- G. 925 Chequessett Neck Road Easement ~ Administrator Sumner/ KP Law

Sumner explained to the Board that this has been an issue he has been working with Town Counsel on. He gave some details about the easements. Stating that there is a requirement that this party get an insurance policy and they are asking the town to waive the insurance coverage.

Board Member Reinhart stated she feels it would be crazy to eliminate insurance coverage. Board member Wilson agreed, stating the town would be liable if there was an incident. Sumner explained that the party was stating it was difficult for them to get insurance. Chair DeVasto stated he wasn't willing to waive the insurance requirement unless something was signed by the owners stating the town isn't liable for any issues pertaining to this. The Board agreed insurance is a must for this and are not willing to waive the requirements.

Chair DeVasto moved; Board Member Wilson seconded; and it was voted to sign the 925 Chequessett Neck Road Easement as presented by the Town Administrator.

Roll Call Vote: 5-0

- H. Refer Wellfleet Town AV Channel Policy ~ Board Member Curley

Board Member Curley explained what he was asking for. He explained it is a modification that was presented by Mia Baumgarten in late 2019. He stated he has updated it and the main issue changed is that all meetings throughout the town will be recorded. The Board discussed changing how the meetings are recorded and moving forward how they will be posted.

Board Member Carlson stated that just because we have the technology doesn't mean we need to use it. She continued stating the Board should soften the language a little bit but not change it completely. Baumgarten weighed in stating the town has the ability to spend the money to record all meetings. Baumgarten also stated that the town needs to verify the amount of money that the town gets from Comcast.

The Board debated the amendment made by Board Member Curley. Curley stated it is very beneficial to have all meetings recorded to the residents who want to go back and reference it. Baumgarten explained she will be leaving Wellfleet July 6, 2021, to go to a full-time job. Baumgarten continued to explain the PEG funds and it needs to be used only for programming to be used on Channel 18.

Board Member Curley moved; Board Member Carlson seconded; and it was voted to refer the Wellfleet's Town Media AV Policy as drafted to the Town Administrator to distribute to Department Heads, Public Bodies of the town, and Town Counsel for comment and review as required under the Policy on Policies to be returned to the selectboard no later than August 30, 2021.

Roll Call Vote: 5-0

I. Vote to reconsider, amend, and vote on some Town Meeting Warrant Articles. ~ Administrator Sumner

Sumner discussed with the Board that things needed to be changed and amended due to the struggle with upcoming town meeting and the numbers being incorrect. He continued to discuss the spending plan/budget. He went over Articles 1-3 stating that some of those numbers needed to be changed and amended. He explained to the Board that he has been reviewing revenues and the spending plan. Sumner went over the accounting issues and the numbers he has gone over with Mary McIsaac and Lisa Souve, stating there isn't as much money in the funds (Beach, Ambulance, Sea Mass) that was originally thought. He explained to the Board that they will need to make amendments on town meeting floor. He stated he was only going to give the major issues. Sumner went through each motion in the motion booklet that needed changes to be made.

The Board had some questions about the budget and transfers. Curley asked when the amount of money that was taken from the stabilization fund be able to be paid back in full. Sumner stated he didn't know but would continue to report back to the Board with any and all updates.

DeVasto questioned free cash that was never allocated into a budget. Sumner explained that because it is a new year the cash can't be used unless it is recertified.

They continued to discuss the use of free cash and the ability to use it now. Chair DeVasto stated that all the changes made by Sumner need to be allowed so the town can start to rebuild. Sumner stated he will have more information for town meeting floor, so he is able to figure out the formulas.

Chair DeVasto moved; Board Member Wilson seconded; and it was voted to recommend the town administrator's proposal on article 1 on the FY 2022 Operating Budget.

Roll Call Vote: 5-0

Sumner went into the Budget Transfers that are labeled Article 2 in the motion's booklet. He explained what they were and entertained questions from the Board. He stated he over utilized the snow and ice budget he thought he had more money, he explained he will amend that on town meeting floor.

They discussed these changes, and it was stated that the Board never voted on this article before as the numbers weren't known. It will be amended on town meeting floor.

Chair DeVasto moved; Board Member Wilson seconded; and it was voted to recommend Article 2 Budget Transfers in the amount of \$292,642,000.

Roll Call Vote: 5-0

Sumner continued with Article 3. Fiscal 2022 Capital and Debt Budgets. He explained they are removing the town clerk's asking for shelving and microfilming because there has already been money allocated to those. He went into detail about the amendments he will need to be making on town meeting floor.

Chair DeVasto moved; Board Member Curley seconded; and it was voted to approve the Town Administrator's Capital and Debt Fiscal Year 2022 Budgets with proposed amendments.

Roll Call Vote: 5-0.

Sumner continued to go over different articles that need to be amended, explaining the CPC articles are off by about twelve-thousand dollars. He continued explaining different articles that need to be pulled and brought to the special fall town meeting. Articles 25 & 26 will be brought to the fall town meeting.

The Board discussed having a meeting before town meeting to discuss some changes that will be made on town meeting floor.

Chief Hurley offered the police station to meet.

- J.** Vote to amend the meeting agenda and minutes of the January 26, 2016. Selectboard Meeting to include Michael DeVasto Shellfish grantor 855 & 855B Chair DeVasto excused himself from this portion of the meeting and Vice Chair Reinhart took over. Reinhart explained why this is before them explaining that DeVasto was unintentionally left out of the advertisement, but his name is on the lease and was issued to both him and Ramsdell. Civetta explained how this works. Carlson stated that the paperwork was in order and DeVasto's name is on the proper license paperwork. She was confused as to why Curley wanted to postpone until he heard from Town Counsel. Civetta explained it was a clerical error and it needs to be discussed on the town level. Curley stated we aren't sure if there needs to be another hearing, which is why he needed to hear from town counsel for a better understanding.
- No Action was taken.**

VIII. *Selectboard Reports*

There were no reports given other than town meeting notice. The electronic sign on route 6 will be advertising the time, date and place of town meeting.

IX. *Town Administrator's Report*

Sumner reported to the Board that he will be meeting with the Finance Committee this Thursday to give them an update on the state of the Town's finances. He stated the Chair Fred Magee has been very helpful. He also reported he attended a webinar from DOR to go over and learn about financial issues.

He has people coming in to interview the finance staff and help them work through issues.

He reported that Mia has given her notice and will be leaving.

He stated he will be working on Covid issues and reopening once town meeting is done. He will work with Hillary and The Board of Health.

He reported that the Building Inspector Paul Fowler is leaving the town.

Curley questioned the grants that were applied for and why it wasn't brought in front of the Selectboard for approval.

X. *Topics for Future Discussion*

Reinhart expressed the need for a meeting with Department Heads and the Selectboard to discuss how the board can function better and how they can be a better support system to the staff. Figuring out why they are losing good staff members.

Curley would like to discuss the Main Street and Route 6 Project with the public, so the residents have a better understanding of what the actual scope is.

XI. *Correspondence and Vacancy Reports*

XII. *Minutes*

A. June 8, 2021

Chair DeVasto asked to postpone the minutes as he would like to make sure what's in the minutes is correct.

No Action was taken.

XIII. *Adjournment*

Wilson moved; Curley Seconded; and it was voted to adjourn

Meeting adjourned 10:15pm

Public Records:

Grant extension applications from Shea Murphy and Pat and Chelsea Winslow

Addition of a domicile exception for Shellfish Regulations

Application for weekday and Sunday Licenses from the Lobster and Chowder House

Application for Use of Town Property:

Sacred Surf School

DRAFT ** A full recording of this meeting can be found on the town's website. **

Wellfleet Chamber of Commerce

List of reappointments for various town boards and committees

List of election officials to be reappointed.

Fidelity Documents regarding gift left by a Wellfleet resident.

Amended paperwork for Tanya Felix's permit (use of town property)

Easement for 925 Chequessett Neck Road

Agenda and meeting minutes from Wellfleet Selectboard dated January 26, 2016.

Town Administrators Report dated June 21, 2021

Meeting Minutes dated June 8, 2021

**Wellfleet Selectboard
Virtual Meeting ~ Zoom
Tuesday July 13, 2021; 7pm
Meeting Minutes**

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

Other Present: Charlie Sumner, Town Administrator; Rebecca Slick, Assistant Town Administrator; Rebekah Eldridge, Executive Assistant; Michael Hurley, Police Chief; Rich Pauley, Fire Chief; Nancy Civetta, Shellfish Constable; Hillary Greenberg-Lemos; Health Agent; Kevin LaRocco; Police Lieutenant; Patrick Winslow, grant extension applicant; Jeanne Maclauchlan, Principal Clerk; Manishaben Marfartia, new owner of Wellfleet Liquor store; John Kenney, Lawyer for Ekdanta Package Corporation; Jay Norton, Acting Director of the DPW; Lydia Vivante; Anna Meichenbaum, New Shellfish Constable for Wellfleet; Jordan Halloran, New Shellfish Constable; Evelene Lakis, applicant for a few town committee; Jennifer Wertkin, Director for the Library; Jay Norton, acting DPW Director; Dan Silverman; Town Moderator

Chair DeVasto called the meeting to order at 7:01pm

I. *Announcements, Open Session and Public Comments*

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

Chief Hurley updated the public that the South Wellfleet General store lot is overrun with parking, and he reminded everyone there is a two-hour parking limit. He asked for patience. He also thanked his police staff for their hard work and help over the Fourth of July weekend. He stated they are 1,000 calls a day more than they were last year at this time. He thanked the Fire Department for buying them lunch. Hurley stated the department is averaging 500-1000 calls a day.

II. *COVID-19 Updates and Recommendations*

Lemos stated there were Covid cases on the rise on the Outer Cape. Curley asked about the cluster in Provincetown if those people that have Covid are both vaccinated and unvaccinated. She stated yes many of the Covid cases were people who had been vaccinated.

III. *Public Hearings*

A. Continued Aquaculture grant extensions for Pat and Chelsea Winslow ~ Shellfish Constable, Nancy Civetta

Reinhart took over as Chair and DeVasto removed himself from the meeting and recused himself. Reinhart asked Civetta to explain the updated information for the grant extension. She explained that she and the Harbormaster went out to see the grants and they felt this extension wouldn't cause any issues. Reinhart asked if anyone in the audience had questions. No questions were asked.

Board Member Curley moved; Board Member Wolf Seconded; and it was voted to approve the grant extension of approximately .45 acres to grant 09-01 for Patrick and Chelsea Winslow.

Wilson stated that ~~the Board there weren't still hadn't held~~ a community discussion to go over ~~the management of the HYDLTA property. the small extension.~~ She questioned approving ~~further development until that happened. the way extensions are approved.~~ She stated ~~that~~ she wished this wasn't on the agenda. Wolf agreed with Wilson but expressed that the other grants that came before the Board were allowed an extension, so he feels the Board should allow this extension to go through. Winslow spoke to the Board and stated he has ~~followed~~ **filed** all the paperwork and had filled out an application before ~~the memo Constable and Harbormaster's went out in April.~~ He continued explaining his position and why he needs the grant extension.
Roll Call Vote: 5-1 (Wilson voted No)

- B.** Approve 2016 Grant Renewal for Michael DeVasto; grant numbers 855 and 85-5-B to correct paperwork oversight ~ Principal Clerk Jeanne Maclauchlan

Reinhart moved on to the grant renewal due to a paperwork oversight. Civetta gave the background information on this grant renewal. In 2016 the renewal was made for Michael Ramsdell in a public hearing; in the notice of the public hearing was only in Ramsdell's name and Michael DeVasto's name was inadvertently left out. The license was made for both Ramsdell and Michael DeVasto. This she explained needed to be corrected.

Wilson questioned that they are renewing the license not the areas of the license. Curley pointed out that all the details and the guidelines were followed with the application.

DeVasto spoke to the Board as an individual and stated that the licensed area is up for renewal for a 10-year period, giving background on how that works.

This was discussed further.

Board Member Wolf moved; Board Member Wilson Seconded; and it was voted to approve 2016 grant renewal for Michael DeVasto grant numbers 855 & 855-B to correct the paperwork oversight in January of 2016.

Roll Call Vote: 5-0

- C.** Transfer, pledge of license and pledge of inventory of the seasonal all alcohol license at 2586 State Highway, Route 6 from Patriot Spirits, Inc. dba Liquor N More, Michael J. Patterson, manager, to Ekdanta Package Corporation, Manishaben Marfartia, manager.

Attorney Kenney explained what his clients were looking to do with the property. He explained to the Board that they were not looking to make changes to the liquor store. He continued to give background information on the owners and the experience they have running liquor stores.

Chair DeVasto Moved; Board Member Curley Seconded; and it was voted to approve the transfer, pledge of license and pledge of inventory of the seasonal all alcohol license at 2586 State Highway, Route 6 from Patriot Spirits, Inc. dba Liquor N More, Michael J. Patterson, manager, to Ekdanta Package Corporation, Manishaben Marfartia, manager.

Roll Call Vote: 5-0

IV. Use of Town Property

- A.** Provincetown Community Compact ~ Great Pond ~ September 11, 2021; 7am-11am

The applicant gave details on why he wanted to use Great Pond and explained they had used this pond two-years ago for this race. Curley stated he didn't understand the

rational to limiting this even to 50 people. He responded that they chose 50 at the time because at the time they booked the pond they agreed it was a fitting number.

Wilson also questioned Great Pond and stated Gull Pond has better access.

Chair DeVasto moved; Board Member Reinhart Seconded; and it was voted to approve the use of Great Pond located on 500 Cahoon Hollow Road to Provincetown Community Compact on September 11, 2021, from 7am – 11am. Roll Call Vote: 5-0

B. Sprint Triathlon ~ Various locations ~ September 18, 2021; 5am – 11am

Brayden explained to the Board the details of this event. She explained this is a triathlon that has been going on for a few years now. About 150 athletes. Chief Pauley explained that this is a burden on the Wellfleet Fire department. Stating that his staff is too small.

Curley stated he felt that \$110 fee for this was not high enough considering they were using various locations around Wellfleet. Wilson questioned the modification that the health agent requested. Brayden explained that was for a different race in Wellfleet. Curley stated he felt \$600 was a sufficient amount to request given the number of locations they are using. Chair DeVasto stated he felt this was a high amount for a nonprofit organization. Wolf agreed that \$600 was high. They discussed the event and the amount this organization contributes to the town. The applicants expressed that they would be willing to pay a fee. Chair DeVasto asked for a number to be discussed for this use. It was discussed and decided on \$

Board Member Wilson Moved; Board Member Wolf Seconded; and it was voted to approve the use of various locations throughout Wellfleet for the Wellfleet Sprint Triathlon as listed in the application to be held on September 18, 2021, from 5am to 11am with conditions as listed on the application and in compliance with any Covid protocols in place at that time. To leave the various locations in the condition in which it was found, to the satisfaction of the DPW and the Wellfleet Health Agent, for a fee of \$400.

Roll Call Vote: 5-0

C. New England Endurance ~ Various locations ~ September 25, 2021; 5am – 1pm

The same applicants presented to the Board. They explained this is a smaller event and the participants are spread out. It is an event that this year will benefit the United Way Covid Relief Fund. They continued to give details on the event. Chief Pauley stated again that although this was a smaller event this is a longer event and requires more time of his staff. He stated again that he wants to discuss these issues moving forward. He continued that it takes a lot of resources. Curley stated they are missing the operational plans for this event. He stated they are supposed to charge for each parcel in town that is being utilized. The Board discussed this further stating some concerns. Curley asked Norton from the DPW, what would this event entail for the DPW? Norton explained the department would clean the streets beforehand. He was asked if they provided trash for the event. The DPW doesn't provide trash receptacles for the event. Wilson stated having large amounts of people can be dangerous and that this is a different time. She continued stating there was no mention of the amount of people. She stated she didn't feel Wellfleet should hold this event this year, given the amount of people in Wellfleet, and the amount of stress it causes the departments asked to be involved with the event. Chair DeVasto stated this even it September

which isn't as busy as July or August. He would be inclined to come up with a fee and take a vote. They continued to discuss this event and having it. Curley didn't feel the application wasn't filled out appropriately.

Board Member Wilson Moved; Chair DeVasto Seconded and it was voted to approve the use of various locations throughout Wellfleet as listed in the applicants' operations plans and as approved by the police and fire departments by the New England Endurance Events Organization on September 25, 2021, from 5am to 1pm with a fee of \$400; and in compliance with any conditions listed on the applications.

Roll Call Vote: 3-1-1 (Curley abstained; Wilson voted no)

- D. Lydia Vivante ~ Town Hall Driveway, 300 Main Street, Wellfleet; driveway by Abiyoyo ~ Saturday, August 7, 2021; 8am – 10:30am

Vivante explained what she is doing on the day at town hall. She gave some background on the thrift shop and explained this is a volunteer event and admittance is free. She requested that the Board waive the usage fee for the event. The Board discussed waiving the fee and agreed it was a good cause.

Board Member Reinhart moved; Board Member Wilson Seconded; and it was voted to approve the side driveway of town hall beside the store Abiyoyo to the AIM Thrift Shop for their annual art sale on Saturday August 7, 2021; from 8am to 10:30am and to waive the fee of \$110.

Roll Call Vote: 5-0

V. ***Board/Committee Appointments and Updates***

- A. Reappointment of Sam Peper ~ Marina Advisory Committee

Chair DeVasto Moved; Board Member Curley Seconded; and it was voted to reappoint Sam Peper to the Marina Advisory Committee to be sworn in by the Town Clerk Jennifer Congel.

Roll Call Vote: 5-0

- B. Appointing two new Seasonal Deputy Shellfish Constables ~ Shellfish Constable Nancy Civetta

*Jordan Halloran

*Anna Meichenbaum

Civetta explained to the Board that there were some staff that left due to needing more year-round work. She explained they have hire two seasonal deputy constables. She stated a person working for Americore applied and was given the job. She stated to the Board how pleased she was to have these two people on her staff. Halloran and Meichenbaum both introduced themselves to the Board and gave some of their background to the Board.

Curley thanked the two women for applying and excepting the positions.

Board Member Wolf Moved; Board Member Curley Seconded; and it was voted to appoint the two new Seasonal Deputy Constables Jordan Halloran and Anna Meichenbaum to the town of Wellfleet Shellfish Department

- C. Evelene Lakis ~ Application to the Historical Commission, Council on Aging, & Cultural Council

Lakis explained she works for the Thrift Shop and wanted to be a part of that. She noticed on the website that there was a need for members on other boards as well and stated that she would like to help out where she can.

Curley stated he would like to shrink the Council on Aging and Cultural Council to smaller member groups stating the member size is large.

Mead-Fox addressed the Board and stated how happy their Board would be if she was appointed to the Historical Commission.

Chair DeVasto moved; Board Member Curley Seconded; and it was voted to appoint Evelene Lakis to the Historical Commission to be sworn in by the Town Clerk Jennifer Congel, to read and follow all the towns rules and regulations for Board and Committee Members a three-year term ending June 30, 2024.

Roll Call Vote: 5-0

D. Barbara Carboni ~ Application for Rights of Public Access

Chair DeVasto explained they received some letters of support. The Board stated how grateful they were that she has applied to serve the community.

Board Member Reinhart Moved; Board Member Seconded; and it was voted to appoint Barbara Carboni to the Rights of Public Access Committee to be sworn in by the Town Clerk Jennifer Congel and to read and follow all the towns rules and regulations for Boards and Committees; for a term of two years ending June 30, 2023.

Roll Call Vote: 5-0

E. John Grieb ~ Application for Open Space Committee

Board Member Reinhart moved; Board Member Seconded; and it was voted to appoint John Grieb to the Open Space Committee to be sworn in by the Town Clerk Jennifer Congel, to read and follow all the towns rules and regulations for Board and Committee Members. For a three-Year term ending June 30, 2021.

Roll Call Vote: 5-0

VI. *Business*

A. Discussion and possible vote on reopening plan ~ Hillary Greenberg-Lemos/Health Agent

Lemos discussed her reopening plan with the Board that she had worked on. She expressed that flexibility is a must with this plan and it is ever changing due to the covid numbers on the rise. She explained the plan, and which offices will be open (unlocked doors) to the public reiterating that all town buildings are still open by appointment only the other 3 days that the doors are not locked. She continued to discuss mask regulations.

Curley stated he didn't want any meetings to take place in person until the public is able to participate remotely, Lemos explained that at this point the town doesn't have the technology to be able to host hybrid meetings. She agreed that this is a good option and she is committed to looking into it. Curley also expressed his concern that the library meeting room is being used for storage, stating that it is one of the best rooms to meet in. Wertkin was on the meeting and explained that part of her reopening plan is to get people to move through the building quickly, so they have removed all sitting areas. In doing that all the tables, chairs, and toys have been moved into the meeting room. Curley stated he still would like that room vacated. He suggested moving her things from the library to the Town Hall basement.

Wilson stated she doesn't like hybrid meetings stating she feels it changes the dynamic of the meetings. She continued to state she would like to have zoom meetings continue for as long as possible, there is a much higher attendance rate. Wilson asked Lemos if it was possible to do zoom meetings for as long as they like. Sumner explained that the legislature for zoom meetings good until February 2022. Wolf asked if the DPW had any extra storage so the library can use that meeting room. Norton stated that they had no extra storage for the library materials. Chair DeVasto asked the Board if they could leave this until Labor Day and then readdress this then. Wolf asked Lemos about town hall offices. And why not opening them all days. Lemos explained that some staff are not vaccinated and during the summer there are many visitors and random people walking into town hall which is concerning to many of the town hall staff. Lemos also added the reason she put an in person meeting because she had heard of an in person meeting that had happened. The Board discussed the plan and asked that the Board of Health vote on the plan. Wilson asked Lemos why they can't mandate people to wear masks, Lemos explained that she didn't want staff fighting with the public about wearing masks and then end up in an uncomfortable situation. Lemos again stated that this is not a Board of Health Regulation, but the Board has approved this reopening plan and supports it. Wolf added that he was in agreement with Ryan about not having in person meetings. They asked to make a change to no in person meetings. Chair DeVasto stated he didn't have a problem with the way the plan was written, Curley stated he was not comfortable having in person meetings without them being able to be hybrid. The Board changed the language a little bit. Sumner gave his input and stated they will strike this out and bring it back to the board with the changes they have suggested. **Chair DeVasto Moved; Board Member Wolf Seconded; and it was voted to approve the municipal reopening plan with the last two sentences of section 9 removed.**

Roll Call Vote: 5-0

B. Recap on town meeting ~ Dan Silverman

Silverman gave an update to the Board regarding Town Meeting. He thanked all the Department Heads and Chief Pauley, Harry Terkanian, Charlie Sumner, and Rebekah Eldridge for all their help in getting ready for town meeting. He stated he will give the Board a memo giving more details of the meeting. He stated the warrant articles need to go out to the Town Committee and Meetings, so they are able to vote on the articles that need to be voted on. He stated the motion booklets are a good thing. He also commented was that he really appreciated that the town meeting was help on a Saturday he stated it would have been two very long meetings and the Saturday meeting made it easy to finish by the end of the day. His last point was the need for a Fall Town meeting and stated he had been talking to Sumner with plans to have the meeting one of the last two Saturdays in October. He also stated that he would like it to be held indoors.

Wolf spoke to the fall meeting and stated that he had an issue with meeting in the middle of the day when he felt a lot of people weren't able to attend town meeting. It was agreed on this being a future topic for discussion. Chair DeVasto thanked Terkanian again for all his help with putting this warrant together.

Wilson spoke to the board, stating she liked having Saturday meetings, stating they are long meetings and she heard from many people they appreciated the Saturday meeting.

C. Reorganization of the Selectboard ~ Selectboard

Reinhart nominated Michael DeVasto to be reappointed as chair of the Selectboard; DeVasto seconded

~~Roll Call Vote: 3-0~~

stating he did a great job as chair throughout the past year and was very well spoken. DeVasto stated he would be happy to do it.

Wolf nominated Ryan Curley to be chair of the Selectboard, stating that it was **not** a negative reflection on the current chair, but Curley has a strong attention to detail. Wilson stated she sent an email to the Board ~~asking saying to the Board to identify~~ what they would all be willing to do. She stated that she would be willing to be vice-chair on the board. She continued stating she feels that rotating the positions on the Board is a good idea. She asked to hear from each member and asking if they could state what they would be willing to do. [Add email to the public records list at end of minutes.](#)

DeVasto nominated Ryan Curley; Wolf seconded.

Roll Call Vote: 4-1 (Reinhart voted no)

Reinhart stated that she heard rumors that shellfish people were trying to take over the Board and questioned if there was some type of collusion between the three board members. Wilson stated she has only ~~discussed~~ [stated what she herself was willing to serve as this year in the email and that DeVasto had told her he was willing to be Chair again when she contacted him about having her suggested discussion on the agenda. wanted to do with the Board.](#) Wolf stated he has only spoken to Curley about this asking if he would be chair. Curley stated he hasn't spoken to anyone other than Wolf.

They discussed rotating the chair of the Board. Some were in agreement and others were not. DeVasto stated he was honored to serve as chair this past year and there were no hard feelings on his end towards Curley. Reinhart stated that it takes more than one year to get the hang of being the Chair and she doesn't support rotating the Chair for only one year. She said maybe every two or three years would be better. DeVasto agreed that there is a learning curve to be chair.

The Board discussed other positions on the Board.

DeVasto stated that is has always been the newest member on the board is usually the clerk. Wolf stated he would be happy to do that.

DeVasto moved; Curley Seconded; and it was voted to appoint John Wolf to take the position as Clerk and the person who will be able to sign all the warrants and documents on behalf of the Selectboard.

Roll Call Vote: 5-0

Curley nominated Michael DeVasto as Vice Chair; Wolf Seconded; and it was voted to appoint Michael DeVasto as Vice Chair.

Roll Call Vote: 5-0

The Board discussed the other appointments for Liaisons for various town Committees and Boards, they will make those appointments at another meeting. Wilson gave a list of committees that need liaisons. Curley stated that they could revisit this at the next meeting.

D. July 4, 2021; weekend update on Cahoon Hollow Beach ~ Lieutenant Kevin LaRocco Hurley gave an update and breakdown of the July 4th weekend costs. He asked LaRocco to give an update to the Board. LaRocco explained that the 4th of July weekend at Cahoon Hollow beach. He stated there was a record number of buses stating there were 73 buses beginning Friday through Sunday. He also stated there were hundreds of Ubers, ride shares, and Taxis to the beach as well. He thanks officer Seagull who set up a drop off area for the ride shares allowing the people to get safely to the beach.

He stated there were 4 officers on ATV's and 4 officers on traffic control. He continued stating there were people that they were taken into custody due to intoxication, and others who were asked to leave the beach. There were people who needed first aide. He continued his update to the Board. He finished his update stating that the drop offs continue to be a growing problem.

Wilson asked LaRocco if he could compare this weekend to 2019 in terms of numbers. He said it was a higher number of buses from 2018 and 2019. Chief Hurley stated that this year they will see more than 100 buses. He stated it is becoming difficult to manage considering they have a whole town to patrol, and the beach is taking a lot of their time. He suggested setting up a sub-committee to meet in the fall and try to hash this out and try to come up with a plan. Chief Pauley spoke to the growing issues and agreed with Chief Hurley that there needs to be a plan set into place before the summer of 2022.

Curley stated he does believe this is a strain on the resources of the town. DeVasto agreed and asked specifically the tools that the chiefs are looking for from the board. Chief Hurley stated a working group to find out what they're legal options are. The biggest problem right now is there is no alcohol allowed on Wellfleet beaches but it is permitted on the National Seashore which causes a huge problem and it is a public safety issue. He continued stating money is an issue. Reinhart agreed and stated Suzanne Grout Thomas should also be on the task force. She volunteered to be on the task force as well.

E. Fire Department Aerial Ladder Approval ~ Chief Rich Pauley

Chief Pauley presented to the Board the ladder truck that he had acquired. Stating he put this out to bid with the proper RFP's with the Assistant Town Administrator Rebecca Slick and they received two bids he gave the details of those bids and explained he decided to go with the 2005 Seagrave, stating the other company gave a bid for a truck that is no longer being serviced and this would make it very hard for them to get parts if something should happen. He asked the Board to sign a contract with Greenwood Emergency Vehicles. Wilson stated how much she appreciated all the documentation that the Chief sent to the Board.

Chair Curley moved; Board Member Wilson Seconded; and it was voted to approve the purchase by the Wellfleet Fire Department of the 2005 Seagrave 75-foot aerial ladder truck from Greenwood Emergency Vehicles.

Roll Call Vote: 5-0

Chief Hurley asked how to proceed with the Cahoon Hollow Beach issues. Chair Curley explained that he would speak with Sumner and figure out what needs to happen and when. He agreed that it is an issue that needs to be fixed. Reinhart stated that when they appointed

the Parking Task force, she was the chair and had a good turn out for people interested in being on the committee.

VII. *Selectboard Reports*

There were no reports given by Selectboard Members

VIII. *Town Administrator's Report*

See Selectboard Packet for full written report

Sumner updated the Board that they are out to bid for the 95 Lawrence Road project and those bids are due August 2nd. He stated there is also a posting for the Building Commissioner now up also done by Slick. He continued that he wanted to talk about the financial plan and stated that they have been working diligently on this plan and will give updates on a more regular basis now the fiscal year is closed. He stated that Mary McIsaac and Lisa Souve will be joining the meetings in the future to help with the updates. He continued that the coming Thursday the final warrant of 2020 will be ready to be signed. The Selectboard and the Finance Committee will have a joint meeting that night to discuss and approve transfers.

Wilson questioned who was putting the videos on You Tube. Eldridge stated she would be putting all videos on the town's website and on the towns, You Tube Channel. The Board continued to talk about Sumner's report

IX. *Topics for Future Discussion*

- A. Task force for Cahoon Hollow Beach
- B. A separate meeting to talk about how the town works regarding staff meetings, how to run meetings. Getting town hall to run a little more smoothly.
- C. Wolf stated having a public hearing at one of the meetings regarding grant extensions.
- D. Wilson would like at the next meeting they need to decid who will be on the water related committees from the Selectboard, she continued stating that there has been some discourtesy with correspondence, she would like and agenda item on standard discourse.
- E. She continued that the Historical Commission would like to put the stairs up behind town hall and she would like this on the next agenda.
- F. She also spoke about having the round table and the options of that meeting on the next agenda.
- G. DeVasto asked that Wastewater be put in front of the Board as they will be on the Town Fall meeting warrant.
- H. The Fee Structure for use of town property, he also stated he wanted to point out that in a previous shellfish advisory meeting he was accused of blocking an agenda item and stated that isn't what happened.

X. *Correspondence and Vacancy Reports*

See Selectboard Packet

Chair Curley stated there were a number of openings on different Boards and he would like people to join boards if they so desire.

XI. *Minutes*

June 8, 2021, ~ **Board Member Reinhart moved; Board Member Wolf seconded; and it was voted to approve the minutes of June 8, 2021.**

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

June 22, 2021~ Curley stated he amended the meeting minutes to make them easier to read. The Board asked if they could postpone them to the next meeting.

XII. *Adjournment*

Board Member Reinhart moved; Board Member Wilson seconded; and it was voted to adjourn.

Meeting adjourned 10:45pm.

*****Public Records*****

Letter or recommendation for Pat Winslow's Shellfish Grant Extension Application ~ Nancy Civetta (Shellfish Constable)

Letter giving details about the grant extension for the Winslow's ~ Nancy Civetta & Will Sullivan (Shellfish Constable & Harbormaster)

Application for shellfish grant extension ~ Patrick and Chelsea Winslow

Public Hearing Notice for Michael DeVasto to fix a clerical error on a license

Alcohol License Application for Wellfleet Wine & Spirits

Application for Use of Town Property ~ Great Pond ~ Provincetown Community Compact, Inc.

Application for Use of Town Property ~ Various Locations around Wellfleet ~ Sprint Triathlon

Application for Use of Town Property ~ Various Location around Wellfleet ~ New England Endurance

Application for Use of Town Property ~ Driveway on the side of Town Hall ~ AIM Thrift Shop Art Sale ~ Lydia Vivante

Letters to appoint two new seasonal deputy Shellfish Constables ~ Nancy Civetta (Shellfish Constable)

Application to be on Historical Commission ~ Evelene Lakis

Application to be on the Rights of the Public Access Committee ~ Barbara Carboni

Application to be on Wellfleet Open Space Committee ~ John Grieb

Wellfleet Reopening Plan ~ Hillary Greenberg-Lemos

Memorandum on Cahoon Hollow Beach over the 4th of July weekend ~ Chief Michael Hurley & Lieutenant Kevin LaRocco

Aerial Ladder Truck bid Paperwork ~ Chief Rich Pauley

Town Administrators Report ~ Charlie Sumner

Correspondence Spread Sheet ~ Ryan Curley

Vacancy Report for town Boards and Committees ~ Jeanne Maclauchlan

Meeting Minutes June 8, 2021 7 June 22, 2021 ~ Rebekah Eldridge

**Wellfleet Selectboard
Virtual Meeting ~ Zoom
Tuesday July 27, 2021; 7PM
Meeting Minutes**

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

Others Present: Charles Sumner, Town Administrator; Rebekah Eldridge; Executive Assistant; Michael Hurley, Chief of Police; Greg Corbo, Town Counsel, KP Law; Brian Carlstrom, National Seashore; Carole Ridley, Project Coordinator, Herring River Restoration Project; Will Sullivan, Harbormaster; Kevin Coakley, Resident; Jude Ahern, Eric Winslow, Jay Norton; Acting DPW director; Jim Hood, Chair of the Board of Water Commissioners; Brian Carlstrom, National Seashore Director; Carole Ridley, Herring River Project Manager; Lauren McKean, National Seashore; Laura Runkle, Resident; Nancy Civetta, Shellfish Constable; Martha Craig, Herring River Project.

Chair Curley called the meeting to order at 7:01PM

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.

Sullivan wanted to thank the Chequessett Neck Yacht Club thanking the club for pulling together such a great event for the grant acceptance from the state.

Coakley spoke to the Board about Mac's on the Pier, he stated to the board that there have been an additional 4 picnic tables added to the property which is town owned. He stated that there are now 14 tables on the property allowing 112 people to sit in the small area. He asked that the board address this issue.

II. *Open Meeting Law Complaint ~ Jude Ahern ~ Received July 8 and 15, 2021*

– acknowledge receipt of complaints; discussion and possible vote to authorize responses thereto. ~ Attorney Gregg Corbo, KP Law

Chair Curley asked Corbo to give a summary of what was filed. Corbo thanked the Board and gave a summary of the open meeting law violations that were filed against the Board. He stated that open meeting law requires that you supply meeting notice to the town clerk within 48 hours of the meeting which anyone from the public is able to read the notice and understand what the meeting will entail. He stated that reading these complaints, in his opinion they meet the requirements of Open Meeting Law, and he feels the Board did not violate open meeting law. He stated the next steps for the Board are to acknowledge they have received the complaints and they need to have Corbo respond to the state regarding the complaints against them.

He continued to address the second complaint stating that the meeting was posted in the sufficient time frame and that no one from the public was hurt. Ahern addressed the Board and questioned Corbo, about the violations. She stated it was published in

the Cape Cod Times on a Saturday of a holiday weekend and because the town hall was closed there was no way for the public to see the notice. She questioned that now she needs to prove to the Board that she has been harmed? Corbo addressed her concerns and again stated that there is no violation of open meeting law.

Wilson asked Civetta if shellfish hearings needed 14 days before a hearing. Civetta stated it is 10 days before a hearing. She continued asking about the papers that the town uses to publish hearings. She continued asking which papers were used for public notices, Civetta stated that in the regulations it does not state which paper needs to be used it simply states that it needs to be put into a local newspaper.

Ahern asked to speak and Chair Curley stated that he would like other Board members to speak before recognizing her again.

Wolf spoke to the Board stating that he feels this seems to be part in parcel of how things have been run and feels there have been corners cut and he feels there is an opportunity to correct this and change how they do business in Wellfleet.

DeVasto stated to the Board that items that go on the agenda go through administration, the Shellfish Constable and other department heads. He stated the Chair is able to remove an item but the chair doesn't place public hearings on the agenda.

Ahern spoke to DeVasto asking who put the public hearings on the agenda. She began yelling at the board and stated they were violating Massachusetts law and they are aware of it. Ahern asked where the three public places that the hearing was listed.

Civetta explained to the board the process of how a hearing is placed on an agenda. Chair Curley asked Corbo how they should proceed with these complaints. Corbo offered a motion for the board to make.

Board Member Wilson Moved; Board Member Reinhart Seconded; and it was voted to acknowledge the receipt of the Open Meeting Law Complaints filed on July 8, 2021, and July 15, 2021, and to authorize town counsel to respond on the board's behalf.

Roll Call Vote: 5-0

Chair Curley asked permission of the Board to take the Covid issues out of order and have this discussion before the appointments. The Board agreed.

III. *COVID-19 Updates and Recommendations*

- A. The Board discussed how the National Seashore has closed all their indoor buildings, Provincetown is no mandating masks for all indoor spaces. Wilson asked if they were allowed during this meeting have a vote to require masking in public buildings. They discussed action to be taking requiring masking in public buildings. Wolf suggested that the town require indoor masking and look at the numbers in the next five days to see how the numbers are. He stated at this point the Board doesn't know how many visitors that Wellfleet has on a daily basis. DeVasto stated that the Board usually gets the Health Agent's recommendation or the Board of Health. There are currently 12 active cases in Wellfleet which is up substantially from last week. Wilson stated that she feels the Board should vote to mandate masks and follow what the Board of Health originally gave the Board. She continued stating her thoughts. She would like to follow the requirements that

were given to the Board by the Board of Health. DeVasto stated he doesn't think they need to go back to the very beginning of the pandemic, but he does feel they need to mandate mask wearing indoor. The Board continued to discuss mask mandating. Wilson stated that the children have not all been vaccinated. Sumner stated that he hadn't had the chance to speak with Lemos and explained that at this point, town hall is open to the public Wednesday's and Thursday's from 8am-3pm he suggested that maybe they don't fully open until after Labor Day. Sumner stated to keep the current plan in place and monitor the town moving forward. The town has been able to accommodate everyone's needs with the town being closed and by appointment only. He stated there are employees that aren't vaccinated and to be safe they should wear masks indoors. Hood spoke to the board and stated that the CDC recommendations today were that everyone vaccinated or not vaccinated need to wear masks because the virus can spread and could be asymptomatic.

**Board Member Curley moved, Board Member Reinhart Seconded; and it was voted to require masking in all public buildings where social distancing cannot be maintained.
Roll Call Vote: 5-0.**

**Board Member DeVasto Moved; Board Member Reinhart Seconded; and it was voted to require all visitors entering public buildings must wear a mask.
Roll Call Vote: 5-0**

The Board discussed mandating masks be worn in businesses in Wellfleet, Chief Hurley spoke to the Board about guidance with this and the ability to enforce masking to the public.

**Board Member Wilson Moved; Board Member DeVasto Seconded and it was voted to recommend businesses require masks when people are in the buildings.
Roll Call Vote: 5-0**

IV. *Board Committee Appointments/Updates*

A. Cape Cod Water Protection Fund Management Board ~ Helen Miranda Wilson
Chair Curley stated that this is a requirement for a town official to be on the Board. A previous board member was on the committee and there needs to be a current member. Wilson asked Chair Curley if he would be willing to be on the Board

Board Member Wilson Moved; Board Member Reinhart seconded; and it was voted to appoint Ryan Curley as the town's representative to the Cape Cod Water Protection Fund Management Board for a term ending June 30, 2023.

Roll Call Vote: 5-0

B. Cape Cod Water Protection Collaborative ~ Helen Miranda Wilson

Chair Curley explained this is also a two-year term that was held previously by Justina Carlson. Wilson asked Chair Curley if he would be willing to do this also as they are together, he agreed with Wilson and stated it made sense for him to do both.

Board Member Wilson Moved; Board Member Reinhart Seconded; and it was voted to appoint Ryan Curley to the Water Protection Collaborative for a term ending June 30, 2023.

Roll Call Vote: 5-0

- C. Delegate a liaison in regard to the rail trail extension project ~ Helen Miranda Wilson

Chair Curley stated this was something that Wilson brought forward. Wilson stated she wanted to be a liaison for the bike extension and be able to contact the people she had been in contact with for the round table meeting. She continued stating that she would like to be able to report back to the board with the process. Reinhart stated that this should be something that is up to staff or the TA. She questioned if they should be talking to town officials? Wilson explained she wouldn't discuss her point of view or the board's she just wanted to be able to communicate.

Board Member DeVasto moved; Board Member Wilson seconded; and it was voted to appoint Helen Miranda Wilson as a liaison regarding the rail trail extension.

After discussion Board Member DeVasto Rescinded his motion.

Board Member DeVasto Moved; Board Member Wilson Seconded; and it was voted to appoint Helen Miranda Wilson to be able communicate with the members that were previously communicated with regard to the rail trail extension project and the upcoming Bike & Walkways presentation.

Roll Call Vote: 4-1 (Reinhart voted No)

V. ***Business***

- A. Historical Society Stairs accepted as a gift ~ Michael DeVasto

Board Member DeVasto explained that this gift was brought to the Board before Chair Curley was on the Board. He continued stating that there were concerns of liability to the town. He stated town counsel was contacted and he has spoken with Sumner who recommended that the Board except this gift and the requirements are that it meets all safety protocols, meet the building codes of Massachusetts and the Building Department. Board Member Reinhart questioned Norton about the upkeep of these stairs. He stated that he and Mark Vincent had previously stated the DPW did not want to be responsible for the maintenance of these stairs. Winslow stated that the Historical Society has agreed to maintain the stairway. Sumner spoke to the Board stating that he felt the Board should accept the gift and then work out the details. Wilson thanked the Historical Society for the stairs. Norton agreed with Sumner and stated that he believed this would be minimal maintenance for the town.

Board Member Moved; Board Member Reinhart Seconded; and it was voted to accept the donation of the set of stairs from the Historical Society

as described in the Selectboard packet conditioned on an approved building permit.

Roll Call Vote: 5-0

- B. Wellfleet Drive-In** – discussion of request by Wellfleet Drive-in for connection to Town of Eastham water supply; discussion and possible vote to authorize Town Counsel to represent both Wellfleet and Eastham in the matter. ~ Attorney Gregg Corbo, KP Law

Corbo explained to the board that the Wellfleet Drive-in is looking to have solar panels installed and are looking to connect to a public water supply and because Wellfleet's public water doesn't go that far down route 6 they are looking to connect to Eastham's public water supply. He explained that he does work for both towns and would be willing to work for both towns with this matter. He continued that he needs consent of both towns to be able to represent both towns. He gave more details about extending the water line for the drive-in. He stated he has provided a form for the Board to sign if they agree to this and he will begin the process of an agreement.

Hood spoke to the board explaining that the Water Commissioners discussed this at a previous meeting and had no issues with the drive-in connecting to Eastham's public water supply only asking that if Wellfleet does eventually run water that far down that the drive-in be required to connect to Wellfleet's public water supply. They discussed the conditions and logistics of the drive-in connecting to town water.

Chair Curley Moved; Board Member DeVasto Seconded; and it was determined by the Selectboard that KP Law does not have a current conflict of interest in representing the towns of Eastham and Wellfleet in relation to water line extension from the town of Eastham to the Wellfleet drive-in and to authorize the chair to sign on behalf of the board.

Roll Call Vote: 4-1 (Wilson voted No)

- C. Pan Mass Challenge update** ~ Chief Hurley

Chief Hurley gave a quick update on the race that will be taking place on August 8, 2021. He stated that there is a letter from Pan Mass Challenge in their packets and explained that there was a slight change in the route of the race due to construction taking place by the rail trail. He gave a detailed explanation of the route. He explained there will be additional officers for this race. Chair Curley asked if the chief was looking for a vote? Chief Hurley stated there was no vote needed just an update as this was a large event.

- D. Herring River** ~ Herring River Project ~ Discussion of Land Exchange by the Town of Wellfleet and Cape Cod National Seashore for the Herring River Restoration Project ~ Carol Ridley/ Brian Carlstrom

Chair Curley stated that before the Board began discussing this item he stated the motion that was put into the packet should be disregarded as there is no motion at this point that needs to be made, this would be just a presentation as this project is in the early stages. He asked the Board to limit discussions on why an exchange of land is needed.

Carlstrom asked for Eldridge to share the slides that he wanted to show the Board. She began screensharing and he explained what this project will do for the Seashore, the town, for the state. It will improve shellfishing, habitats, and land. He continued this will help to restore ecological damage. He explained each slide to the board. Carlstrom continued to explain and go over in detail each slide that was prepared by the National Seashore. There were a few questions regarding the exchange and the details of how it would happen. Runkle spoke to the Board about what the town is discussing with the Seashore. She is looking for a response that the residents are wanting the towns best interest to be followed. She also questioned if there was a grant that would go towards this. Ridley spoke to the land exchange and questions that Runkle questioned. She stated that the grant from the state was completely different from the land exchange with the seashore. Civetta, spoke to the Board asking does NPS (National Park Service) have the authority to grant easements for permits for access in perpetuity over parcels that may be taken into consideration that may be used in this land exchange. McKean stated that she didn't believe they had the ability to grant easements, but she stated she would investigate that further for them. Civetta, stated she wasn't discussing construction rather two parcels that would be used for shellfishing or fishing. Should the town and park agree that this parcel be used in the land exchange and if so, would the seashore be willing to grant an easement for access to the parcel. Carlstrom stated he would investigate this further and get back to the town with the correct answer. The Board continued to discuss this exchange of land and details regarding it. DeVasto questioned the chair why they weren't allowed to discuss specific parcels. Chair Curley stated he would like to have an executive session before they discuss specific parcels. Wilson stated she wanted to do this all in public and Chair Curley explained that there were certain issues that needed to be discussed only in executive session. Craig spoke to the Board and thanked them for discussing this with the Seashore and having it be discussed in a public forum. Chair Curley stated he will bring this back to the public once the Board has had a chance to work through some of the issues.

- E. Contract Renewal for Charles Sumner ~ Selectboard to approve extension
Chair Curley explained that Sumner's contract expires on August 7, 2021, and the next Selectboard meeting is August 10, 2021. The Board needs to decide tonight to extend his contract or not.

Board Member DeVasto stated that he was hoping Sumner would see the Board and town through to the next town Administrator and through the hiring process
Board Member DeVasto Moved; Board Member Wilson Seconded and it was voted to approve the contract extension for Charles Sumner as printed for 90 days.

Roll Call Vote: 5-0

The Board will sign the contract or designate Eldridge to use the board members stamps.

- F. Civil Discourse Standards ~ Helen Miranda Wilson & Ryan Curley
Chair Curley stated they were over two-hours into the meeting and asked the Board if they would be willing continue this to a later meeting. Board Member DeVasto stated he would like more time to read over the policy. Wilson stated that she would like to pass on this item as well. Wolf stated he would discuss it if the Board wanted. Wilson stated that it is very important that the Board look this over and understand what they were reading. Ahern interrupted the board numerous times and Chair Curley asked Eldridge to mute her and then remove her from the meeting. Ahern was removed from the meeting at 9:23pm.
- G. CDBG Application for Cape & Islands to write a support letter ~ Jean Stanley
Chair Curley stated this is a letter of support from the Board and needed to be signed so that it could be sent by Friday.
Board Member Reinhart Moved, Board Member Wolf Seconded; and it was voted to approve the letter that was written and to be signed by the Board in support of The Cape & Islands Housing Rehab and Childcare.
Roll Call Vote: 5-0

VI. *Selectboard Reports.*

Chair Curley asked if there were any Selectboard reports. Reinhart mentioned the dredging event that happened on the 22nd of July and thanked everyone who helped to make it a fabulous event. She thanked all the state representatives that were in attendance and the Harbormasters that attended. DeVasto stated that Provincetown is still offering a free Covid testing site from 10am to 3pm daily. He stated if anyone is having symptoms or been in contact with a positive case, they are able to go get tested for free.

VII. *Town Administrator's Report*

Sumner gave his report to the Board (for full report please see the Selectboard Packet dated July 27, 2021) beginning with Mia who has left the town and they are beginning to reach out to media options and will be meeting with some people that work with Eastham and Truro. He stated that he is hopeful they will be able to help the town. He continued stating the Julian Cyr informed him that there are grants available to the town and he and Lisa Souve have applied for a few and will keep the Board informed.

He informed the Board that he, Chair Curley, and Board Member Wolf were able to go out to other town buildings and meet with department heads. He informed them that there are two openings for town employees, and they will conduct interviews for the building commissioner in the following weeks. He gave updates on meeting with members of "The Rights of the Public Access Committee"

He ended discussing with the board the Department of Revenue will be in town the following day and will be meeting with all the necessary finance team members to go over financial issues. He told the Board that he will begin giving regular updates to the Board regarding the financial plan. He stated to the Board that Lisa Souve has set up a whole new chart of accounts for the town and has sent them out to department heads and staff who pay bills for the town.

Board Member DeVasto questioned Sumner about the purple bag situation. Having the shortage.

VIII. *Topics for Future Discussion*

Wilson stated the video policy is due back to the Board at the next meeting.

Wilson also stated she would like to figure out the issue with the property next to Mac's at the pier. She stated she would like to have this relationship formalized.

Wolf asked about charging for parking at the marina and questioned the role of the parking task force. Reinhart stated that the Parking Task Force was dissolved and before they were dissolved, they wrote up a long report addressing the issues and the possibilities if charging for Parking.

DeVasto stated that the Natural Resource Advisory Board is currently updating their Harbor Management plan and the Shellfish Advisory Board is working on updating their comprehensive Shellfish Management plan, The Marina Advisory Committee is charged with advising on the marina operations. He would like to request the Marina Operating plan for assessment, scoping and management plan.

IX. *Correspondence and Vacancy Reports*

A full correspondence report can be found in the Selectboard Packet Dated July 27, 2021

X. *Minutes*

A. June 22, 2021, ~ Curley questioned the board if they were able to read the amendments.

B. July 13, 2021

The Board decided to postpone all minutes until the first August meeting.

XI. *Adjournment*

Board Member Wilson Moved; Board Member Reinhart Seconded; and it was voted to adjourn.

Roll Call Vote: 5-0

Meeting Adjourned 9:45pm



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: August 10, 2021

XIII

ADJOURNMENT

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