

Speech and Conduct at Public Meetings

The SJC's Barron v. Kolenda case decided in March of 2023 held that "civility cannot be required regarding the **content of speech** at a public comment session in a public meeting."

Barron v. Kolenda also held that public bodies may impose restraints on the **conduct of individuals** at a public meeting:

"What can be required is that the public comment session be conducted in an "orderly and peaceable" manner, including designating when public comment shall be allowed in the governmental meeting, the time limits for each person speaking, and rules preventing speakers from disrupting others, and removing those speakers if they do. We have concluded that such time, place, and manner restrictions do not violate either the right to assembly under art. 19 or the right to free speech under art. 16.

In addition to the SJC's instructions in Barron v. Kolenda on a public body's right to require "orderly and peaceable" public comment, the Massachusetts Open Meeting Law contains rules for **conduct** at public meetings. From Mass. General Laws Chapter 30A, s. 20:

- No person shall address a meeting of a public body without permission of the chair, and all persons shall, at the request of the chair, be silent.
- No person shall disrupt the proceedings of a meeting of a public body.
- If, after clear warning from the chair, a person continues to disrupt the proceedings, the chair may order the person to withdraw from the meeting
- If the person does not withdraw, the chair may authorize a constable or other officer to remove the person from the meeting.

Public comment at Selectboard meetings

The Selectboard does not seek to, and will not regulate the **content** of speech by participants at public comment (with the exception of threats, incitements to violence, or other jeopardy to public safety). However, consistent with the Barron v. Kolenda case, the Chair will enforce the above rules to prevent disruption of meetings and to ensure "orderly and peaceable" public comment. Examples of conduct that disrupts a meeting include:

- Addressing the Board or the public when not recognized by the Chair, whether at the microphone or in the audience.
- Interrupting a speaker recognized by the Chair.
- Interrupting a Board member or Board discussion.
- Continuing to speak when time for comment has expired and the Chair has advised that the speaker is no longer recognized.
- Refusing to cease any of the above or other disruptive conduct when requested by the Chair

The Chair will flag disruptive conduct and issue a verbal warning to the individual engaged in it. If an individual who has received a verbal warning continues to disrupt proceedings (at that time or later in the meeting), the individual will be asked to leave the meeting. If the individual does not leave the meeting, the Chair will authorize his or her removal from the meeting.

Estimate of Available CPA Funds as of 6/30/23. For discussion purposes only 9-15-23

	Balance as of 6/30	4-23 ATM	7/1 Funds Available	7/1 Funds (less Grants)	Estimated new \$ for FY25	FY25 Estimate Available as of 7/1/23			
Open Space Reserves	\$119,543	\$78,688	\$198,231	\$198,231	\$72,000	\$270,231			
Historic Reserves	\$91,229	\$78,688	\$169,917	\$169,917	\$72,000	\$241,917			
Housing Reserves	\$0	\$78,688	\$78,688	\$0	\$72,000	\$72,000	(less \$53,397 for Maurices bond)		
Administration	\$8,723	\$39,344	\$48,067	\$48,067	\$36,050	\$84,117			
Undesignated Fund Balance:	\$738,031		\$738,031	\$631,439	\$0	\$631,439			
Budget Reserves:	\$562,234	\$513,330	\$1,075,564	\$1,831	\$406,250	\$408,081			
Total	\$1,519,760	\$788,738	\$2,308,498	\$1,049,485	\$658,300	\$1,707,785			
						\$1,907,785	(including possible \$200,000 Housing Return)		
ATM 4/23 Approved Grants		SOURCE OF AWARDS:		Estimated new CPA funds for FY25 on 7/1/24		New FY25 Grant Requests:		Approved 1/31/24	
Maurice's bond payment	\$25,000	Budgeted Reserves	\$1,073,733	Estimated Local Receipts:					
Access at ponds & beaches	\$32,760	Fund Balance	\$106,592	Estimated State Match:		PROJECT	REQUESTED	PURPOSE	APPROVED
ACC Landscape	\$9,890	Housing Reserve	\$78,668	\$221,933		ACC Walkway	\$100,000	Recreation	Deferred
Bandstand	\$63,844	Total	\$1,258,993	Total New CPA \$		Historical Commission	\$15,000	Historical	\$15,000
Downpayments, Closing, Re	\$100,000			\$721,933		AIM	\$21,680	Historical	\$15,000
95 Lawrence Rd.	\$1,000,000			\$200,000 (redirect from 2019 Housing grant*)		Breuer House	\$200,000	Historical	\$200,000
Orleans Cape Cod 5 Housing	\$20,000					Grey House	\$140,000	Historical	\$50,000
Lower Cape Housing Inst	\$7,500					Museum	\$194,850	Historical	\$100,000
Total	\$1,258,994					Blue Heron	\$25,000	Open Space	\$25,000
						Land Conservation Fund	\$150,000	Open Space	\$150,000
						Habitat OKH	\$175,000	Housing	\$175,000
						Housing Trust	\$750,000	Housing	\$750,000
						CDP	\$7,500	Housing	\$7,500
						Spring Rock Village	\$100,000	Housing	\$20,000
						Maurices Bond	\$53,397	Housing	\$53,397
						Total Requests	\$1,932,427		\$1,560,897
						Emergency Rent Assistance Return		Housing	-\$200,000
						Net CPA Grants for Spring Town Meeting			\$1,360,897

Needs Lists for CPA Hearing – February 6, 2024

Open Space Needs

1. Preserve threatened resources especially in ACEC land.
2. Protect regional water supply/aquifer.
3. Protect regional wetlands and bordering areas.
4. Protect shellfishing/wildlife habitat.
5. Preserve special and unique native vegetation.
6. Provide links with existing conservation land for wildlife corridors.
7. Protect for limited and appropriate public access land near ocean, bay and ponds.
8. Seek land for passive recreation.
9. Continue to educate the population regarding the benefits of conservation, and the relationship between excessive growth and ground water quality, waste disposal, harbor health, natural resources, and town character.
10. Acquire conservation restrictions or fee title to coastal land that allows inland migration of coastal wetlands with sea-level rise

Community Housing Needs

1. Continue to work to create 120 units of affordable housing to meet the needs of low and moderate income residents and meet the State guideline of having 10% of year round housing be affordable.
2. Engage professional Housing Specialist and Planner on Town staff.
3. Secure Community Preservation funds, short term rental tax funds, grant funds and donations to support housing projects.
4. Provide support as needed for the ongoing housing projects: rental housing at Lawrence Hill and Paine Hollow Rd., home ownership at Old Kings Highway and Freeman Ave.
5. Support the Maurice's Planning Committee in developing year-round affordable and community housing rental and/or ownership homes and seasonal housing.
6. Support the creation of ADUs
7. Pursue creating affordable and attainable housing under the new cottage colony and small lots bylaws and the "Vail" Plan.
8. Pursue adoption of Multi-Family bylaws to create more affordable, year-round homes.
9. Pursue special legislation to allow designated funds to be used for housing for households earning up to 200% of the Area Median Income (AMI).
10. Support and advocate for the new state Affordable Homes Act.
11. Continue to rally public support, understanding and involvement in housing initiatives.

Historic Preservation Needs

1. Historic Places
 - a) Documenting Wellfleet's historic properties on building inventory forms (Form B's)
 - b) Posting signs identifying points of historical interest
 - c) Conducting a survey of Wellfleet's school houses

- d) Identifying buildings relocated from Billingsgate Island and Bound Brook Island
- e) Locating and mapping Wellfleet's historic brooks and springs
- 2. New England Industries (Wellfleet and the Region)
 - a) Creating an on-line historical maps room
 - b) Producing a monograph on saunas and ice houses in Wellfleet (Fire and Ice)
 - c) Documenting shipbuilding in Wellfleet
 - d) Producing a monograph on cranberry bogs
- 3. Cultural History
 - a) Updating the 2005 Guide to Wellfleet's monuments, memorials, and burial grounds
 - b) Documenting Wellfleet's Native American cultural history
 - c) Documenting the history of Wellfleet's immigrant populations, including Finns and Jamaicans
 - d) Digitizing oral histories of fishermen, oystermen, and other Wellfleet people
 - e) Digitizing the Town of Wellfleet Photograph Collection
 - f) Working conjointly with the Wampanoag Advisory Council of Cape Cod National Seashore to update a memorial recognizing a 16th century Wampanoag woman on Great Island
 - g) Creating a survey of local slang and place names
 - h) Placing a plaque to identify the Women's Christian Temperance Union Water Fountain at Town Hall
 - i) Identifying and mapping local paths, cart ways and historic vistas

Outdoor Recreation Needs

1. Replace the covering for the bandstand at the end of the pier.
2. Replace the dance floor at the Baker's Field Pavilion.
3. Purchase additional temporary shade coverings for the Baker's Field Facility: Tennis/pickleball courts and field and picnic areas.
4. Construct a Bocce/ Boule Court
5. Continue current programs while exploring new ways to serve the recreational needs of the town's citizens of various ages given current growth and changing demographics
 - Contribute to community efforts to construct a dog park
 - Contribute to regional effort to extend bike trail from Wellfleet-P-Town.
6. Coordinate with town members, existing groups, departments and institutions in the active pursuit of recreational goals and needs.
 - Preserve and enhance Town owned ponds and ocean/bay beach facilities with water fountains, showers and/or foot showers.
 - Preserve and enhance historic walking trails and fire roads in and around town ponds, ocean/bay beaches & woodlands