## Wellfleet Select Board Meeting Tuesday, August 14, 2018, at 6:30 p.m. Wellfleet Senior Center, 715 Old Kings Highway, Wellfleet MA 02667

**Select Board Members Present:** Chair Janet Reinhart - Chair; Helen Miranda Wilson – Vice Chair, Justina Carlson – Clerk, Kathleen Bacon, Jerry Houk.

**Also Present:** Dan Hoort - Town Administrator, Joe Powers - Assistant Town Administrator / Town Clerk, Radu Luca - Executive Assistant to the Town Administrator.

#### I. Executive Session

Chair Janet Reinhart called the meeting to order at 6:30 pm and moved to go into executive session pursuant to G.L. c. 30A, §21(a)(3), to discuss strategy with respect to collective bargaining and litigation if the Chair declares that an open meeting may have a detrimental effect on the Town's bargaining and litigating position, the Board will discuss strategy recommendations for the Wellfleet Employees Association.

Motion: Reinhart Second: Wilson

Reinhart yea Wilson yea Carlson yea Bacon yea

4-0-0. Motion carries.

I move to adjourn from executive session and go into open session.

Motion: Houk Second: Wilson

Reinhart yea Wilson yea Carlson yea Bacon yea Houk yea

5-0-0. Motion carries.

The Selectboard resumed their public meeting at 7:15 pm.

## II. Announcements, Open Session and Public Comment

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

David Mead-Fox announced that Outer Cape Energize received from the State permission to extend their solar program from August 8<sup>th</sup> to September 7<sup>th</sup>. The reason for the extension is the interest in the program and increased demand, which takes time to process. A press

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release will go out tomorrow (Wednesday, August 15) to publicize the program. Up-to-date there are eighty-one solar systems that have been contracted for and Mead-Fox said there would be well over one hundred by the time this round would be finished.

Mary Rogers said that the new CPC Grant deadline is Monday, October 15<sup>th</sup> at 4 pm. Anyone with an idea on community housing, historic preservation, and open space or recreation is encouraged to apply. Applications and guidelines are available online and at Town Hall.

Chief Fisette announced that the Wellfleet Police Station has been officially opened since last week. Terkanian said we had received our certificate of occupancy and other documentation required. We should have about \$400K left in the contingency fund. Fisette said we're looking at Saturday, Sep 22 to have an open house, hours TBD.

Bacon said whether the temporary police station had been closed. Fisette said that not yet, but we're in the process of doing so and everything that could've been repurposed and reused had been repurposed. Fisette also commended the DPW and the Beach Department for their hard work during the weekend of Pan Mass Challenge.

## III. Appointments/Reappointments

A. Lower Cape Community Access TV – Tom Cole as Wellfleet Representative (2-year term)

Tom Cole was present to speak to his reappointment. Wilson thanked Tom Cole for all of his hard work.

I move to reappoint Tom Cole to the Lower Cape Community Access TV for a two-year term ending June 30, 2020.

Motion: Bacon Second: Wilson 5-0-0. Motion carries

B. Cape Light Compact – David Mead-Fox for Alternate (fill term to 6.30.2019)

I move to appoint David Mead-Fox as alternate member to the Cape Light Compact to fill a term ending June 30, 2019.

Motion: Wilson Second: Bacon 5-0-0. Motion carries.

## C. Parking Task Force

Wilson asked whether we should establish the amount of people to be on the Task Force and suggested the number nine. Joe Powers made a clarification pertaining to the quorum requirements for the group to meet tomorrow if the five candidates on the list for tonight's

approval were appointed, in which case, three people present in the room would constitute a quorum.

I move to approve the charge for the Parking Task Force.

Motion: Wilson Second: Bacon 5-0-0. Motion carries.

Dennis O'Connell and Wayne Clough were present to speak on their applications and interest in joining the task force.

I move to appoint Dale Donovan, Dennis O'Connell, Sheila Lyons, Joe Aberdale, Wayne Clough to the Parking Task Force for a three-year term ending June 30, 2021.

Motion: Wilson Second: Bacon 5-0-0. Motion carries

#### IV. Use of Town Property

A. Sean & Jessica Williams-August 23, 2018. 5:30-8pm, Bakers Field Tent

Matt Zella was present to represent Sean and Jessica Williams. Their plan is to have a small wedding ceremony reception at Bakers Field tent for a small group of people, thirty-five or forty. The renters have made trash pickup and porta potties arrangements on their own.

I move to approve the use of Town-owned property for Sean and Jessica Williams at the Bakers Field Tent on Thursday, August  $23^{\rm rd}$ , 2018 from 5:30pm to 8 pm, subject to the terms and conditions, if any, as listed in the application, for a fee of \$110.

Motion: Bacon Second: Wilson 5-0-0. Motion carries.

#### V. Business

A. Approval of contract for new Shellfish Dept. barge. [TA]

The Shellfish Constable said that this new barge is part of our propagation efforts and she hopes we will have it in place next year. Civetta said that the RFP had been sent out and only one proposal had come in and an agreement was reached. Wilson asked whether this came up before Town Meeting not too long ago. Hoort said this issue had been discussed maybe 5 years before.

I move to approve the contract for the new shellfish barge as presented and authorize the Town Administrator to sign the contract as presented.

Motion: Bacon Second: Wilson 5-0-0. Motion carries.

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## B. Proclamation of "September 9th – 15th Suicide Prevention Awareness Week" [Deb Martin]

I move to proclaim the week of September 9<sup>th</sup> through the 15<sup>th</sup> as "Suicide Awareness Week."

Motion: Bacon Second: Carlson 5-0-0. Motion carries.

## C. Approval of FY 2019 Goals [TA]

Reinhart said we have a dredging committee in place we asked the Board whether this should be included in our FY2019 goals. Bacon said our dredging efforts have been delayed as it and we should have this as one of our goals. Houk said that we contribute a lot of money to the County and the County went ahead a bough a dredge that cannot be used in Wellfleet. Reinhart said that for the County dredge to be able to be used in Wellfleet, we need to dredge our Federal channel first. Bacon said that the dredge purchased by the County will be able to be used for our maintenance needs, but it cannot handle the amount of black mayonnaise that we currently have in our harbor.

Carlson suggested we took the financial reorganization item out of order since we have members present in the audience who would like to speak to this agenda item.

# I move to approve the FY 2019 Goals as compiled and presented by the Town Administrator.

Motion: Wilson Second: Bacon 5-0-0. Motion carries.

#### D. Staff Reorganization [TA]

Hoort presented the background for this financial reorganization, which was triggered by the retiring of Marianne Nickerson, our long-term Town Collector. Hoort addressed the reorganization in the financial department and he said this is a one-time opportunity for the Town to be more efficient and offer pay increases and advancements to its employees. Hoort said that the next step would be to discuss the matter with the Executive Board of the WEA.

Wilson invited members of the Staff to speak to this reorganization.

Miriam Spencer – the Assistant Town Clerk and Assistant to the Town Treasurer, said she in favor of this reorganization and this would streamline things for the Town, for the employees and the customers.

Rosemary Moriarty, the Town Treasurer, said she is in favor of this reorganization and she said that upon her hiring she had been told that the Collector position would be made

available to her when Marianne Nickerson retired. Moriarty also said that many towns in the Commonwealth of Massachusetts have a combined position of Treasurer / Collector and it's a good move and it works.

Carlson agrees with Hoort and said that next step is to work together with the WEA Board. Reinhart said he have a good group of people at Town Hall and the right thing to do is to reorganize and give those Staff their increases and promotions. Houk said that under the current agreement, the Town has the right to reorganize its staff. Bacon said that she is for this reorganization as it stands now, but staff will change and retire within the next five years or so and that this reorganization makes sense, including financially, as it currently stands.

Powers suggest the BOS rescinded the previous motion pertaining to this matter.

I move to rescind the motion against the financial reorganization presented at the July  $24^{\rm th}$  meeting.

Motion: Wilson Second: Bacon 5-0-0. Motion carries.

I move to approve the staff reorganization as presented by the Town Administrator and the Assistant Town Administrator.

Motion: Wilson Second: Bacon 5-0-0. Motion carries.

## E. Discussion of Outer Cape Intermunicipal Agreement [TA]

Hoort presented background information on this agreement. Reinhart said this is agreement is great for all parties involved and that it has been in the works for years, although de facto it had been done.

Wilson said this agreement puts a lot of trust on our TA because the Selectboard doesn't have the right of veto per se. Wilson addressed the issue of liability, particularly on matters pertaining to plowing private roads in the winter, the tick-related disease and prevention programs. Houk thinks the language in the agreement should read "Town Mangers and Town Administrators" instead of just "Town Managers." Wilson agrees with Houk, especially since that's what their called in the Charter.

Ahern asked whether Town Counsel has looked at the contract. Hoort said that KP Law drafted the agreement.

David Mead-Fox spoke in support of this agreement, and asked Hoort to possibly look into having an annual plan or document (i.e. mutual goals) that would bring the Outer Cape together and be beneficial to the residents.

No motion is required at this time.

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#### F. BOS Review of Town Administrator [Chair]

This matter will be discussed at the Sep 24 meeting.

#### G. Update on Short-term Rental Tax [TA]

Hoort presented a synopsis of his memo included on the packet for tonight's meeting pertaining to this agenda item. This item doesn't need any action at the Fall Town Meeting, and he recommends that the Selectboard voted to allocate / earmark percentages to go towards certain projects / funds in town rather than just into the General Fund. Wilson said that the Conservation Agent would be perfect to be on the Wastewater Board. Carlson said that a representative from the Wastewater Committee, that worked for many years on the 208 Plan, would make a perfect candidate for the Wastewater Board. Bacon said that it's been a long wait and this piece of legislation would give an advantage and much needed help to all towns from the bridge to the outer cape.

#### H. Preliminary discussion of Special Town Meeting Warrant

Hoort gave the BOS summary of the six articles we have on the warrant as of right now. He said that the deadline for any petition articles would be August 21 and the Selectboard could discuss and vote on the articles at the scheduled August 28 meeting. Wilson said she'd like to have an article included on the warrant that would limit the number of licenses for many dispensaries. Hoort also addressed the article that would authorize the Town to purchase radio transmitting systems and communication devices at our beaches that would allow the lifeguards and law enforcement / fire rescue be in contact with each other at all times. Hoort invited Chief Pauley to speak on the draft article that would authorize the Town to hire another full-time on-call person for the Fire Department. There is no need for a request for funding for this position because there are currently funds available in the budget. Houk asked Chief Pauley to look at the overtime hours for the Fire Department and possibly decrease the number of hours. Chief Pauley said he's anticipating that \$75K would cover everything for the new position: base salary, fire academy training, OT hours. Chief Pauley was commended, from the audience, for his efforts to make safety one of his paramount goals.

## VI. Town Administrator's Report

The TA's report was included in the Selectboard's packet for tonight's meeting. Jerry Houk excused himself and left the room.

## VII. Topics for Future Discussion

Wilson said that at one of our next meeting we will be hearing an update from our Wastewater Management Committee.

Reinhart asked the Wastewater 208 matter to be placed at one of our September meetings.

Bacon said that the crosswalk at the intersection of the Bank and Commercial streets is ill-placed and would like the TA to look into possibly redo / replace the crosswalk since there in an obvious blind spot. Bacon also asked the TA for an update on the fence at the Masonic Lodge. The TA said that a meeting would be scheduled between the Town and the Lodge.

#### **VIII. Correspondence and Vacancy Report**

#### **IX. Minutes** (Draft BOS 7.24.2018)

Bacon suggested that whenever there is a split vote on a motion, the members who opposed should also be listed.

Bacon would like to look at a coastal management plan, not a "flooding plan," in the topics for future discussion portion of the minutes.

I move to approve the minutes of July 24th, 2018 as amended.

Motion: Wilson Second: Carlson 3-0-1. Motion carries. Houk was absent for this vote. Wilson abstained because she didn't have the chance to review the entire set of minutes.

#### X. Adjournment

I move to adjourn.

Motion: Bacon Second: Carlson 4-0-0. Motion carries. Houk was absent for this vote.

The meeting was adjourned at 8:55 pm.

Respectfully submitted,

Radu D. Luca,

Executive Assistant to the Town Administrator

#### Link to video here:

http://viewer.earthchannel.com/PlayerController.aspx?&PGD=wellfleetma&eID=80

#### **Public Records Materials of 8/14/18**

1. Application – David Mead-Fox to Cape Light Compact Board (July 20)

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- 2. Letter of Support Dick Elkin for David Mead-Fox (July 20)
- 3. Application Dale Donovan to Parking Task Force (July 30)
- 4. Application Dennis O'Connell to Parking Task Force (July 31)
- 5. Application Jennifer Wertkin to Parking Task Force (Aug 1)
- 6. Application Sheila Lyons to Parking Task Force (Aug 3)
- 7. Application Joe Aberdale to Parking Task Force (Aug 6)
- 8. Application Wayne Clough to Parking Task Force (Aug 8)
- 9. Use of Town Property Sean and Jessica Williams at Bakers Field Tent (July 16)
- 10. Agreement Shellfish barge
- 11. Proclamation Letter Cape & Islands Suicide Prevention Coalition (Aug 6)
- 12. FY 2019 Selectmen's Goals Summary
- 13. Memo TA to BOS re: Outer Cape Intermunicipal Agreement (Aug 14)
- 14. Agreement Outer Cape Intermunicipal (Aug 14)
- 15. Memo TA to BOS re: Short-term rental tax (Aug 14)
- 16. State House Bill #4841
- 17. Memo TA to BOS re: Special Town Meeting Warrant (Aug 14)
- 18. Memo TA to BOS: TA Report (Aug 10)
- 19. Memo Principal Clerk to BOS re: Vacancy Report (Aug 5)
- 20. Memo Executive Assistant to BOS re: Correspondence Report
- 21. Minutes Draft BOS July 24th, 2018