

**Wellfleet Select Board Meeting  
Tuesday, August 28, 2018, at 7 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, Joseph Powers – Assistant Town Administrator / Town Clerk, Radu Luca – Executive Assistant to the Town Administrator.

**I. Announcements, Open Session and Public Comment**

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

Houk said one of the children at Sea Babies had left her bunny rabbit behind by mistake and he wanted to commend the Police Department and the Fire Department for returning the toy bunny to the little girl because she could not go to sleep without it.

Reinhart said that Porchfest was a huge success and thanked everyone who was involved with the event. Houk said that parking was limited, that people had trouble finding parking. Some of the people who attended the event double-parked and made rude remarks when they were asked to leave.

David Mead-Fox announced that the solar portion of Outer Cape Energize program has been extended to September 7<sup>th</sup> for anyone who would like to sign up for new solar panels.

**II. Public Hearings**

A. One Day Beer and Wine License in Wellfleet Memorial Garden – Betsy Groban

Betsy Groban from Cambridge MA was here to present her application for the use of Town property at the memorial garden at Preservation Hall.

Wilson thanked Groban for showing up and asked her why she wouldn't want to hold the ceremony on the lawn behind the building instead, and added that the recommendation from the Health and Conservation Commission agent was not to use the memorial garden as a venue. Houk asked why Groban applied for a one-day liquor license when Preservation Hall has its own liquor license. Also, Houk said he had received emails from people who had contributed to the garden who opposed the idea of holding a (wedding) ceremony there. Reinhart said that the garden is a memorial garden, the grass is new, and that from the feedback received, people opposed holding a wedding ceremony there. Groban said the garden is beautiful and is the perfect venue for a wedding ceremony. Groban also said that the liquor license held by Preservation Hall does not extend to the memorial garden. Groban suggested that it might be easier on the grass in the memorial garden if people were to stand and not have chairs on the lawn. Bacon said that the garden is town property and that there will be other applicants coming before the board to ask for permission to use it as a venue. At the same time, Bacon said that we did need to mind the fragility of the landscape and that Groban does indeed need a one-day beer and wine liquor license. Carlson asked whether Groban would be willing to reimburse the Town / Preservation Hall for any damage that might occur to the garden. She also said that it is subjective, as to what an appropriate use for the memorial garden might be. Houk said LeBart had a concern about the one-day beer and wine license but that he had no objection to the garden being used for a wedding. Wilson said that she is against having ninety-five people in that garden and on the lawn at this stage and suggested that Groban use the garden behind Preservation Hall. Groban said she had contracted with Preservation Hall for the dinner and she also said that she would be willing to put down a deposit for the use of the memorial garden lawn and that she would be willing to pay for any damage that might occur. Houk suggested that Groban make a charitable donation for the upkeep of the property and he also asked why the Conservation Commission was involved in this matter. Wilson responded and said that garden abuts wetlands and that's why it is a Conservation issue.

**I move to approve a one-day beer and wine license for Betsy Groban's wedding ceremony in the Wellfleet Memorial Garden at Preservation Hall on September 15<sup>th</sup>, from 4 to 6 pm, subject to the conditions, if any, as listed in the application form, that there be no chairs used in the garden during the ceremony , and to approve the use of town property by Betsy Groban on September 15<sup>th</sup>, 2018 from 4-6 pm, subject to the conditions, if any, as listed on the application at a fee of \$110.**

**Motion: Bacon                      Second: Carlson                      4-1-0. Motion carries.**

**Wilson opposed.**

Hoort said that Shawn Arsenault and his attorney had not been directly notified that they were to be on the agenda tonight and hence they were not present. Hoort suggested the Selectboard continued Shawn Arsenault's appeal until the following meeting.

**Motion: Bacon                      Second: Carslon                      5-0-0. Motion carries.**

### A. Parking Task Force

- Ginny Parker (3-year term)
- Daniel Murray (3-year term)
- C. Wilson Sullivan (3-year term)
- Janet Reinhart (3-year term) (withdrew application)

**I move to appoint Ginny Parker, Daniel Murray, C. Wilson Sullivan to the Parking Task Force for a three-year term ending June 30, 2021.**

**Motion: Carlson                      Second: Wilson                      5-0-0. Motion carries.**

**I move to approve Janet Reinhart as liaison to the Parking Task Force.**

**Motion: Carlson                      Second: Wilson                      5-0-0. Motion carries.**

#### **IV.     Use of Town Property**

- A. Wellfleet Memorial Garden at Preservation Hall – Betsy Groban wedding ceremony on Sep 15th (4-6 pm)

The Selectboard voted on this item agenda in the Public Hearing section of the meeting.

- B. Town Hall Lawn – Friends of Town Hall Spruce Trees – Sep 23<sup>rd</sup> (5-8 pm)

Chuck Cole was present to speak in support of Rand Burkert's application for the use of the Town Hall lawn. Reinhart asked whether Rand had arranged for electric hookup. Cole said he didn't know and he asked the Selectboard whether they would consider waiving the \$50 processing fee.

**I move to approve the use of town property by Rand Burkert on September 23<sup>rd</sup>, 2018 from 5-7:30 pm, subject to the conditions, if any, as listed on the application form and that the Principal Clerk return the \$50 processing fee.**

**Motion: Bacon                      Second: Carlson                      4-1-0. Motion carries.**

Wilson was opposed because she didn't think that the processing fee should be waived for anyone – it wasn't a fee for the use Town property, and that she

would rather pay for the processing fee out of her own pocket than make an exception that we make for no one else.

## V. Business

A. Approval of Taxation Aid Committee Tax Bill Insert [Manny Smith]

Manny Smith spoke in favor of the tax bill insert. There is now \$40,000, in the fund. Donations to the fund are tax deductible.

**I move to approve the Taxation Aid Committee 2018 tax bill insert.**

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

B. Approval of Recycling Committee Tax Insert Bill [Christine Shreves]

Christine Shreves was present to speak in favor of the committee's tax bill insert. The Recycling Committee now has a collection of items that may be loaned for events, etc., like flatware, compost bins, umbrellas and utensils. Bacon asked where all these new items were stored. Shreves said that the Library has been helpful with the storage needs.

**I move to approve the Recycling Committee tax bill insert.**

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

C. Discussion of plans and directions for the Comprehensive Wastewater Management Planning Committee and the Wastewater Management Authority [Alex Hay]

Alex Hay and Curt Felix from the CWMPC were present for an update. Discussion ensued. Hay said that they were looking for clarification as to their scope after the appointing of the WMA two weeks before. Hay said the committee was taken off guard by the appointment of the WMA because the CWMPC was appointed over 10 years before and he is looking for clarification from the Selectboard on their path going forward. Hay asked whether the CWMPC should continue on their current path or transfer everything over to the WMA now that they have a charge. Wilson said that she and Alex had

**I move to rescind the charge for the Wastewater Management Authority that was voted on at the July 24<sup>th</sup> meeting.**

Wilson made a point of order: this item was not on the agenda for tonight and Carson withdrew her motion and would like to have this item added to the September 11 meeting agenda.

Meeting materials are available on the Town of Wellfleet web site: <http://www.wellfleet-ma.gov>. Motions may be offered and votes may be taken by the Board on any agenda item except for Announcements & Public Comment

Hoort said that Articles 1-3 were provided to us by and vetted by our Town Counsel and that the Selectboard had already voted in favor of the matters pertaining to these articles.

Articles 1.2 1nd 3 which were about the Solar Array on the landfill were discussed. Reinhardt asked for a vote to insert and recommend Articles 1, 2 and 3 in the 2018 Special Town Meeting.

**I move to insert and recommend Articles 1, 2, and 3 in the 2018 Special town Meeting Warrant as printed.**

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

(Prior year invoices, PILOT program, purchase agreement)

**I move to insert and recommend Article 4, in the 2018 Special Town Meeting Warrant.**

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

**I move to insert and recommend Article 5 (authorization to fund a new full-time firefighter/paramedic/EMT) in the 2018 Special Town Meeting Warrant.**

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

**I move to insert place and recommend Article 6 (funding for new lifeguard stands) in the 2018 Special Town Meeting Warrant.**

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

(Funding for Lawrence Road Police Station communictions)

**Article 7 was withdrawn.**

**Easement for Eversource to get wires to the Police station**

**I move to insert and recommend Article 8 (easement to Verizon for 35 Lawrence Road, the Police Station in the 2018 Special Town Meeting Warrant.**



**5-0-0. Motion carries.**

Wilson asked if the Selectboard was looking at the new language handed out before the meeting about the limitation on the number of retail marijuana establishment licenses.

**I move to insert and recommend Article 9 as printed in the document that begins “Article 46 Wellfleet General Bylaws - Limit on Number of Retail Marijuana Licenses” in the 2018 Special Town Meeting Warrant.**

**5-0-0. Motion carries.**

**I move to insert and recommend Article 10 (acquisition of 3 Kendrick Avenue) in the 2018 Special Town Meeting Warrant.**

**5-0-0. Motion carries.**

If the STM approved Article 10, Wilson asked whether we could also include the ballot vote for the revised Charter if we had a special election to approve the funding for the Kendrick Avenue purchaser. Joe Powers laid out what the scheduling for such an election might be. Not very feasible. It was clarified that it might be possible to wait until the post-Annual Town Meeting election to appropriate the funding for the purchase.

E. Vote to close 2018 Special Town Meeting Warrant [TA]

**I move to close the 2018 Special Town Meeting Warrant.**

**5-0-0. Motion carries.**

## VI. Town Administrator's Report

Carlson inquired whether the Committee Secretary / Water Clerk job posting is one position or two. Hoort said it's set up as one position, but so far, we've received one application and we're looking at possibly reassessing the job description. Wilson said that it's impossible for one person to take minutes for



four different boards and do their job successfully. That in-depth knowledge of the board or committee function is essential to take good minutes. Powers said the Community Secretary / Water Clerk position is a full-time, full-benefits, Unit B Wellfleet Employees Association position and that any changes to the job description would need to be negotiated with the WEA.

## VII. Topics for Future Discussion

Houk would like to have the harbor dredging issue on a future agenda and invite the Harbormaster to come before the Board for an update. Wilson would like to talk about the use of the memorial park sooner rather than later. Wilson would also like to address the beach mob situation for next summer. Wilson would also like an update from the Local Housing Partnership about the Lawrence Road property (just a memo would be fine). Reinhart inquired about the letters of support pertaining to two separate pieces of legislation currently on the House floor for approval.

## VIII. Correspondence and Vacancy Report

## IX. Minutes (August 14, 2018)

Wilson said she didn't have the chance to read the draft minutes this time around and asked the Selectboard whether they would like to vote on them at their next meeting. Bacon said that she went through the minutes and that they are correct and she made a motion to have the minutes approved as presented.

**I move to approve the minutes of August 14, 2018 as presented.**

**Motion: Bacon                      Second: Carlson                      4-0-1. Motion carries.**

**Wilson abstained because she didn't have a chance to read the draft minutes.**

## X. Adjournment

**I move to adjourn.**

**Motion: Carlson**

**Second: Bacon**

**5-0-0. Motion carries.**

The meeting was adjourned at 9:30 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=84>**

**Public Records Materials of 8/28/18**

1. Public Hearing Notice – One-day beer and wine license for Betsy Groban
2. Public Hearing Notice – Shawn Arsenault shellfishing commercial permit revocation appeal
3. Application – Ginny Parker to Parking Task Force (Aug 14)
4. Application – Daniel Murray to Parking Task Force (Aug 15)
5. Application – C. Wilson Sullivan to Parking Task Force (Aug 17)
6. Application – Janet Reinhart to Parking Task Force (Aug 23) (withdrawn)
7. Use of Town Property – Betsy Groban – Wellfleet Community Garden (Aug 3)
8. Use of Town Property – Rand Burkert – Town Hall Lawn (July 31)
9. Taxation Aid Committee – tax bill insert
10. Recycling Committee – tax bill insert
11. Letter – Alex Hay to Selectboard re: Comprehensive Wastewater Management Committee update (Aug 22)
12. DRAFT – 2018 Special Town Meeting Warrant
13. Memo – Town Administrator Report (Aug 24)
14. Memo – Principal Clerk Vacancy Report (Aug 22)
15. DRAFT – Selectboard Minutes 8.14.2018
16. Letter – Betsy Groban re: Application for permit for wedding ceremony at Memorial Garden (Aug 28)
17. Amended language for Article 9 presented to the Selectboard at the meeting.
18. Letter from Town Counsel regarding Article 9 (Aug 29)