

Wellfleet Selectboard Meeting
Tuesday, January 15, 2019 at 6 pm
Wellfleet Senior Center

Selectboard Members Present: Chair Janet Reinhart; Kathleen Bacon, Justina Carlson, Jerry Houk, Helen Miranda Wilson

Regrets:

Also Present: Town Administrator Dan Hoort; Assistant Town Administrator Joseph Powers

Chair Reinhart called the meeting to order at 6:00 p.m.

ANNOUNCEMENTS, OPEN SESSION AND PUBLIC COMMENT

- Bacon commended the Wellfleet Fire Department and Lt. Joe Capello for their outstanding response to the recent house fire.
- Houk announced he will not run for re-election and received a standing ovation for his years of service to the Town of Wellfleet.
- Wilson expressed her thanks to John Cumbler for his years of service on the Bike and Walkways Committee.
- Town Administrator Hoort introduced Courtney Butler, our new Executive Assistant to the Town Administrator and BOS Secretary.
- Hoort informed the viewers of Winter Wednesdays, classes are held in Provincetown, and that there was more information on the Visitor's tab on the Town's web site.
- Shellfish Constable Nancy Civetta spoke of her involvement with the Massachusetts Shellfish Initiative and discussed its program as a Task Force. It is now forming.
- Audience member Rhoda Flaxman informed viewers of the Open University program. Additional information is available on the Town's web site under the Visitor's tab.
- Audience member Merrill Mead-Fox attended the bike path meeting, organized by concerned citizens, the previous evening and encouraged those in support of the bike path extension to write letters.

PUBLIC HEARINGS

Change in Wellfleet Shellfish Policy & Regulations

Shellfish Constable Civetta explained the change to sections 7.8.1 and 7.2 in the Wellfleet *Shellfish Policy & Regulations*.

Carlson asked for clarification on the details of a 5-year business plan that applicants for grants must submit. Civetta explained that the plan should be an outline of resources to be used and planting plans over time. Civetta also said that annual reports, which include business plans for upcoming years, are already being provided by grant holders.

Audience member Damien Parkington asked Civetta if the Town would prefer to see grants transferred back to the Town after use and then redistributed to potential grant holders, through the Town, rather than simply naming someone else to the grant. Civetta replied that either returning a grant back to the Town or adding someone else to the lessees already named to the

grant. Parkington also suggested that an open-book assist test be administered to all applicants to ensure the applicant is familiar with navigating the databases necessary for compliance with applicable laws and regulations. He also shared concerns that requiring applicants to have experience for 3 to 4 years prior to applying for a grant could deter younger fishermen from being interested in starting their own business.

Civetta said that the regulation only adds one more year of experience, in commercial shellfishing or aquaculture, needed by applicants. Catch reports, filed with the State, which can validate this can also be submitted. She also shared that these new regulations were designed with keeping the next generation of fishermen in mind.

Wilson shared that this process was discussed in previous years and the importance of someone having as much experience as possible before getting a lease. Working as an employee on a grant serves as an apprenticeship.

Carlson said that she sees a lot of young people working on grants and that it does take a lot of time and knowledge to successfully run a grant.

Bacon shared that she sees Damien's point and agreed that it would be great to get younger people into this industry sooner rather than later, but that there must be some assurance that they do have the experience and knowledge.

Audience member Ginny Parker asked about Wellfleet residents who are currently working as fishermen in Hyannis but may want to return to Wellfleet to farm someday and how this regulation would affect them. Civetta stated that if they can supply documentation supporting their experience in the industry, and are domiciled residents, they could apply.

There was further discussion on the requirements of applicants to obtain grants and licenses.

Wilson moved to approve the changes to section 7.8.1 and 7.2 of the Wellfleet *Shellfish Policy & Regulations* as recommended by the Shellfish Constable.

Carlson seconded, and the motion carried 5-0.

Shellfish Grant Transfer and Renewal

Michael Parlante, Caroline Mindebro and Daniel Rice requested a transfer of Shellfish Grants #735, 735A and 736 from the three holders to Michael Parlante and Daniel Rice.

Bacon moved to approve the transfer of Shellfish Grant #'s 735, 735A and 736 from Michael Parlante, Caroline Mindebro and Daniel Rice to Michael Parlante and Daniel Rice.

Wilson seconded, and the motion carried 5-0.

Michael Parlante and Daniel Rice had also applied on November 21, 2018 for a renewal of shellfish grant licenses 735, 735A and 736 for a ten-year period.

Bacon moved to renew shellfish grant licenses #'s 735, 735A and 736 for a ten-year period for Michael Parlante and Daniel Rice.

Wilson seconded, and the motion carried 5-0.

Shellfish Grant Renewal for Edward Tesson

In an application received on November 27, 2018, Edward Tesson requested the renewal of his shellfish grant license #2010-01 for a ten-year period.

Wilson moved to renew shellfish grant license #2010-01 to Edward Tesson for a period of ten years.

Bacon seconded, and the motion carried 5-0.

Shellfish Grant Renewal for Patrick Winslow

Patrick Winslow applied on November 27, 2018 for a renewal of shellfish grant license #2000-10 for a period of 10 years and five months. Winslow asked to amend his request to renew for a period of 5 years. Civetta agreed this was a great request, so that both grants could renew at the same time, later on, for business planning purposes.

Wilson moved to renew shellfish grant license #2000-10 for a period of 5 years for Patrick Winslow.

Bacon seconded, and the motion carried 5-0.

Beer and Wine License

Wellfleet SPAT had applied on December 14, 2018 for a two-day beer and wine license for October 19 & 20, 2019, in the Town Hall parking lot.

Michelle Insley introduced Gisele Gauthier, the new OysterFest Event Coordinator.

Helen Miranda Wilson shared the Police Department's request that the serving of alcohol be stopped at 4:30 pm and not be consumed after 5:00 pm.

Wilson moved to approve a two-day beer and wine license for Wellfleet SPAT in a secure and contained area located in the Town Hall parking lot on October 19 & 20, 2019 from 10 am to 5 pm each day with a condition that alcohol will not be served after 4:30pm and alcohol will not be drunk after 5pm.

Bacon seconded, and the motion carried 5-0.

LICENSES

Class II License for Vintage Auto

Carlson moved to approve the renewal of the Class II License for Vintage Auto.

Bacon seconded, and the motion carried 5-0.

APPOINTMENTS/REAPPOINTMENTS

Appointment of Autumn H. Edwards and Anne Suggs to the Local Housing Partnership

Autumn H. Edwards and Anne Suggs both requested appointment to the one-term position on the Local Housing Partnership.

Anne Suggs was not present. Autumn shared that she thought it might be best to postpone her appointment to the Partnership for a few months, so she can attend meetings. She also said that she is interested in a position with the Housing Authority and would prefer to wait to be appointed to the Partnership, in case she did not get on the Housing Authority.

Wilson moved to appoint Anne Suggs to the Local Housing Partnership for a term to expire June 30, 2019.

Bacon seconded, and the motion carried 5-0.

Appointment of Rebecca Brodwick Noble to the Bike and Walkways Committee

Rebecca Brodwick Noble presented her reasons for wanting to serve on the Bike and Walkways Committee.

There was discussion of a conflict of interest for Noble, since she is an abutter of the bike trail and an owner of a bike shop. Noble shared that she is in favor of the bike trail and would be happy to recuse herself if needed.

There was discussion of when the last meeting of the Committee took place and how many members are on the Committee. The last time the Committee met was July 13, 2017.

Wilson moved to appoint Rebecca Brodwick Noble to the Bike and Walkways Committee for a term to expire June 30, 2021.

Bacon seconded, and the motion carried 3-2. Carlson and Houk voted against the motion.

Appointment of Laura Gazzano to the Council on Aging Advisory Committee

Laura Gazzano has applied for an opening on the Council on Aging Advisory Committee and explained her background and interest in serving on the committee.

Bacon moved to appoint Laura Gazzano to the Council on Aging Advisory Committee for a term to expire on June 30, 2021.

Wilson seconded, and the motion carried 5-0.

USE OF TOWN PROPERTY

Wellfleet SPAT requested the use of Town owned property for OysterFest on October 19 & 20, 2019.

Wilson shared concerns about the use of the Live for Lou Memorial Garden at Wellfleet Preservation Hall and requested SPAT check with the Health/Conservation Agent on parameters of use for the space. Bacon stated that the Conservation Commission has active regulations for the use of that property, and that OysterFest uses it every year. Michelle Insley, of SPAT, said that SPAT was very respectful of the space last year.

Wilson also said that because of the time needed to set up and take down equipment, the use of Town property will actually run from October 15 through October 22.

Miranda moved to approve SPAT's use of Town-owned property for the Wellfleet OysterFest on October 15th through the 22nd, 2019 subject to the conditions, if any, as listed on the application form for a fee of \$3,000 and also on the condition that SPAT communicate with the Conservation Agent with regard to the memorial garden.

Bacon seconded, and the motion carried 5-0.

BUSINESS

Wellfleet Arbor Committee

Trudy Vermehren discussed tree plantings in Wellfleet and provided an update of accomplishments over the last few years. She also requested the Selectboard's input on their hope to plant two shade trees outside of Town Hall, possibly a maple or American elm, as well

as adding benches in town. The Committee would like to provide a list of potential planting areas around town, with funds to be raised. Discussion of the plantings at Preservation Hall were discussed.

Wilson shared that she knows of an individual who would like to donate a tree to be planted specifically on Town Hall lawn.

There was discussion on how the planting of new trees in front of Town Hall would conflict with the current trees.

Audience member Ginny Parker said that she would like to work with the Wellfleet Arbor Committee and agreed that community feedback is important.

Bacon suggested imitating Provincetown's plan to plant memorial trees. She also said she would like to see a shade tree in place of the tree lost in front of Town Hall on the sidewalk. She would like to see a plan for benches, but not have them named. She suggested a bench and shade canopy at the parking area at Bank and Commercial Streets. Bacon commended the Committee's efforts in the maintenance of the flower beds around Town Hall; Houk and Wilson agreed.

Vermehren said that the WAC is an official non-profit and welcomes donations and sees this as an opportunity to benefit the town.

Disposition of Town Owned Property

The Conservation Commission, represented by John Cumbler, initiated procedures to place transfers of land as a 2019 Annual Meeting Warrant Article. One transfer of Town-owned property (Map 46, Parcel 19) would go to the Conservation Commission. The property is 5.58 acres, mostly wetland, fully within the Area of Critical Environmental Concern (ACEC) and abuts Audubon's Wellfleet Wildlife Sanctuary and other conservation properties. Several lots on Lieutenant's Island shown on Assessor's Map 40, Parcels 81, 170, 171, 176 and 184 were also under consideration for transfer to the Conservation Commission for open space purposes.

Hoort shared that he has already sent this proposal to department heads and that it is posted on the Town website as well.

Civetta said that Parcels 170 and 171 on Map 40 abut and are used to access flats by grant holders and expressed concerns for that use being able to continue if transferred to the Conservation Commission and asked that the current land access be maintained in perpetuity. John Cumbler said that it would not interfere with shellfishermen getting to their grants.

Bacon moved to refer the possible disposition of Town-owned property as shown on Assessor's Map 46, Parcel 19 and Map 40 Parcels 81, 170, 171, 176 and 184.

Wilson seconded, and the motion carried 5-0.

Disposition of Town Owned Property & Feasibility Report

The Housing Authority, represented by Richard Ciotti, has expressed interest in obtaining several parcels of Town-owned land and requested referrals to all committees, boards, departments and other potentially interested parties to initiate procedures to make such a transfer.

Because they now have access to Town water, the Taylor Hill lots on Map 14, Parcels 112 and 119, located on Freeman Avenue, are ideal for affordable housing units.

Houk expressed concerns about the wetland in the area as well as keeping a road in the area open for easy access into town. He asked the Selectboard to visit the parcels.

Ciotti said there is a request to work with David LaJoy to do a study to bring more practical information as to what is and is not possible to be done on the land.

Michael Parlante and Civetta shared concerns of the properties proximity to Mayo Creek and the potential for compromise to the ecosystem from septic systems.

The Selectboard postponed any action on Town-owned property as shown on Assessor's Map 14, Parcels 112 and 119.

The Housing Authority is also interested in the disposition of Town-owned property as shown on Map 13 Parcel 2-1 on Lawrence Road.

Ciotti said that the Housing Authority partnered with the Local Housing Partnership to conduct a feasibility study through Coastal Engineering.

Carlson said there could be other potential uses for this property, such as ball fields or additional parking, because of its proximity to the school.

John Cumbler said that ultimately, nothing can be developed on the land until the land is transferred to the Housing Authority. A Request for Proposals (RFP) would decide what is to be developed on the property.

Elaine McIlroy reviewed the Feasibility Study for Affordable Housing on land at 95 Lawrence Rd.

Bacon moved to refer the possible disposition of Town-owned property as shown on Assessor's Map 13, Parcel 2-1 to all committees, boards, departments and other potentially interested parties.

Carlson seconded, and the motion carried 5-0.

Wellfleet Dredging Task Force Charge

Hoort, with Chair Reinhart, drafted the language for the creation of a Dredging Task Force and a charge for the Committee.

Wilson suggested overlapping terms for 3 years for five members and only two alternates.

Wilson also suggested adding language that appointments are made by the Selectboard, so that applicants can be vetted.

There was discussion on the use of the term "manage" in the charge for the Task Force. Chair Reinhart explained that it is to mean that there will be regular oversight, of the harbor dredging.

Wilson moved to create a Dredging Task Force to be appointed by the Selectboard with five members and two alternates, to serve overlapping terms of 3 years.

Bacon seconded, and the motion carried 5-0.

Wilson moved that the charge for the Dredging Task Force shall be as follows: The Dredging Task Force shall:

- 1.) PURSUE and MANAGE dredging of the federal channel with the federal government and all other possible means.

- 2.) PURSUE and MANAGE dredging of the harbor and inner harbor in cooperation with the Commonwealth of Massachusetts, Barnstable County and the Cape Cod Commission, along with obtaining funding.
- 3.) Develop and implement an ongoing maintenance dredging plan for the Wellfleet Harbor. Bacon seconded, and the motion carried 5-0.

Right of Way Entry for Army Corps of Engineers

The Town Administrator was asked to renew the access privileges at the former Camp Wellfleet so they could continue their clean-up.

Hoort said that although he was asked to seek this renewal in December, it is possible that the Army Corps is done with the work at this time.

Bacon moved to renew the access privileges at former Camp Wellfleet to the Army Corps of Engineers for an additional one-year period and to authorize the Selectboard Chair to sign that authorization.

Carlson seconded, and the motion carried 5-0.

Selectboard's 2018 Annual Report

Hoort sought the Selectboard's approval of their 2018 Annual Report:

During 2018 the Board of Selectmen welcomed newly elected member Justina Carlson and said thank you to retiring Chair Dennis Murphy for his years of service to the Town of Wellfleet. Janet Reinhart was elected as Chair and Helen Miranda Wilson was elected as Vice Chair.

The Board continued to work on their goals for the year. Progress on their goals included:

- Appointing a Parking Task Force to address town-wide parking issues.
- Brought forward the potential purchase of 3 Kendrick Avenue for open space or use by the Harbormaster or shellfish Departments.
- The Housing Authority produced a feasibility study for the possibility of housing at 95 Lawrence Road.
- Developing a plan for the potential re-use of the old Shellfish Shack at Mayo Beach.

Important decisions were made by the Board of Selectmen during 2018 and included:

- Approved the installation of two electric vehicle charging stations in the parking lot behind Town Hall.
- Approved 20% residential property tax exemption.
- Appointed Joe Powers as Assistant Town Administrator.
- Signed the Global Covenant of Mayors for Climate & Energy Commitment Letter.
- Approved and signed the Cahoon Hollow parking lot lease.
- Approved volunteer plan for caring for Town Hall trees.
- Approved Finance Department reorganization.
- Approved legal representation for Herring River Restoration Project.
- Signed lease and power purchase agreement for solar array on land at the capped landfill.
- Signed two community host agreements for marijuana dispensaries in Wellfleet.

The Board of Selectmen is very thankful for all the employees, volunteers, and residents who make Wellfleet such an exceptional and distinct community.

Wilson asked to amend one bulletin point to read “Approved plan for caring for town hall trees that was implemented by a group of private citizens.”

Bacon moved to approve the Selectboard’s 2018 Annual Report as presented, with one amendment.

Wilson seconded, and the motion carried 5-0.

TOWN ADMINISTRATOR’S REPORT

This report is for the period December 8, 2018 through December 28, 2018.

1. General
 - Eversource will be installing the wiring to connect to the transformer.
2. Fiscal Matters
 - FY 2020 budget books have been delivered to Selectboard and Finance Committee
3. Meetings
 - December 10 - Wellfleet TV representative meeting
 - December 10 - Dredging Task Force meeting
 - December 11 – Selectboard meeting
 - December 12 – MIIA Insurance representative
 - December 12 – Firefighters Union negotiations
 - December 12 – Comprehensive Wastewater Planning Mgt Committee meeting
 - December 13 – WEA negotiations
 - December 13 – Lunch with CCNS Superintendent Carlson
 - December 13 – Holiday Party
 - December 17 – Department head budget meeting
 - December 18 – Firefighters Union negotiations
 - December 18 – Outer Cape Town Managers Shark response meeting
 - December 18 – Selectboard meeting
 - December 19 – WEA negotiations
 - December 19 – Cable Advisory Committee meeting
 - December 19 – Finance Committee meeting
 - December 20 & 21 – Vacation Days
 - December 27 – Housing Authority & Local Housing Partnership meeting
4. Complaints.
 - none
5. Miscellaneous.
 - none
6. Personnel Matters:
 - Open Position: DPW Assistant Director
 - Open Position: Assistant Town Clerk

Bacon asked for the status of the December 19 WEA negotiations. Hoort stated that the Town Hall Finance Department reorganization has been completed. They have withdrawn their complaint from the MA Division of Labor and spoke with Hoort to look at all positions within union to ensure everyone is treated equally and fairly. Hoort and the union are meeting to group certain positions that do similar work and making sure they are receiving appropriate and comparable compensation.

Houk asked about discussions with the Fire Chief about an article about EMTs, Hoort said that the Chief has been out with the flu and has not spoken to him recently but will try and bring something forward at Town Meeting.

Houk asked about the pharmaceutical lawsuit, Hoort said that Town Counsel will be at the February 12 to discuss what the Selectboard needs to do to join that process.

Houk asked about the DPW Assistant Director position. Hoort said that the interview process is beginning for DPW Assistant Director. Hoort, DPW Director Mark Vincent, and the DPW Administrative Assistant will conduct interviews. They have met with Dennis Murphy to consider what might be needed.

TOPICS FOR FUTURE DISCUSSION

- Wilson requested a change to the 'Future Agendas' portion of the Selectboard agendas so Selectboard members could give a report with the information being discussed. She suggested it be called 'Future Agendas and Selectboard Reports'. Carlson suggested having a special work meeting for exchange of such information.
- Wilson requested Stantec be at a future BOS meeting to present the Rte 6 and Main Street design. Hoort said that this was going to happen.
- Wilson requested the BOS issue a letter supporting the decision of the Conservation Commission on 1440 Chequesset Neck Rd., Map 18, Parcel 7 to which the Town is an abutting property.
- Wilson wants to see a request for a salt water ice machine on the Annual Town Meeting warrant. Bacon noted that SPAT might be willing to pay for the equipment.
- Bacon requested an update on the process for updating the Local Comprehensive Plan.
- Bacon requested information on replacing the Marina fuel tanks.
- Bacon inquired as to the timing of the Open Meeting Law training. Hoort said February.
- Carlson requested a future agenda item on the Mass. Shellfish Initiative and Wellfleet's participation.
- Houk suggested the Shellfish Shack could be moved and used to provide historical shellfish information.
- Houk questioned where the Selectboard is provided a right to form committees.
- Houk asked for an executive session about the Kendrick Avenue property.
- Houk requested all Selectboard members read article 3-7-1 of the Charter and that an article be on the Annual Town Meeting warrant to remove that section

MINUTES

Wilson moved to approve the minutes of December 11, 2018 as amended.

Bacon seconded, and the motion carried 5-0.

Wilson moved to approve the minutes of December 18, 2018 as amended.
Bacon seconded, and the motion carried 5-0.

ADJOURNMENT

Bacon moved to adjourn Wilson seconded, and the motion carried 5-0.
The meeting was adjourned at 9:15 p.m.

Respectfully submitted,

Courtney Butler,
Secretary

Public Records Material of 1/15/19

1. Shellfish Policies and Regulations amendments
2. Shellfish grant license transfer for #'s 735, 735A and 736
3. Renewal papers for shellfish grant license #'s 735, 735A and 736
4. Renewal material for shellfish grant license #2010-01
5. Renewal of shellfish grant license #2000-10
6. Two-day beer and wine license for October 19 & 20, 2019 to SPAT for Oysterfest 2019
7. SPAT request for use of Town-owned property for Oysterfest 2019
8. Appointment papers for Autumn H. Edwards, Anne Suggs, Rebecca Brodwick Noble, Peg Carnduff and Laura Gazzano
9. Information for Assessor's Map 46, Parcel 19 and Map 40 Parcels 81, 170, 171,176 and 184
10. Information for Assessor's Map 14, Parcels 112 and 119
11. Information for Assessor's Map 13 Parcel 2-1
12. Charge for Dredging Task Force
13. Right of Way Entry at former Camp Wellfleet agreement for Army Corps of Engineers
14. Selectboard's entry for 2018 Annual Report
15. Town Administrator's Report