



Wellfleet Selectboard

Note start time of 6pm

The Wellfleet Selectboard will hold a public meeting on **Tuesday, February 26, 2019, at 6:00 p.m. at the Wellfleet Senior Center, 715 Old Kings Highway, Wellfleet, MA 02667.** *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.*

- 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. Public Hearing(s)**
 - A. Request to close The Well from April 22nd to May 5th**
 - B. Liquor License – Fox and Crow Café** (continued from February 12th meeting)
 - C. Shellfish Grant Renewal** - Application received January 17, 2019 from Paul Laumieree to renew shellfish grant license # 741 for a ten year period.
 - D. Shellfish Grant Renewal** - Application received January 22, 2019 from Bradley Kaplan = to renew shellfish grant licenses # 2002-01 and 2002-01 ext. for a ten year period.
 - E. Shellfish Grant Renewal** - Application received February 5, 2019 from Justin Lynch to renew shellfish grant license # 01-05 for a five year period.
- III. Public Presentation**
 - A. Wellfleet Route 6 and Main St Intersection discussion** [Stantec]
- IV. Licenses**
 - A. Common Victualler** – Wellfleet Harbor Actor’s Theater, Blue Willow Fine Foods
 - B. Weekly Entertainment** – Wellfleet Harbor Actor’s Theater
- V. Appointments/Reappointments**
 - A. Bike & Walkway Committee** – Christie O’Campbell
 - B. Bike & Walkway Committee** – Lisa Palladino
 - C. Dredging Task Force** – Dennis Murphy
 - D. Dredging Task Force** – Charles “Skip” Annett
 - E. Planning Board, Personnel Board, or Conservation Commission** – William Warren
- VI. Use of Town Property**
 - A. Long Pond for Wellfleet Sprint Triathlon** – WOMR
 - B. White Crest Beach** - American Lung Association
 - C. Town Hall Driveway** – Wellfleet Gardeners
- VII. Business**
 - A. Spring Tax Bill** [Beach Administrator]
 - B. Spring Tax Bill Insert** [Taxpayer Parking Survey]
 - C. Approval of Town Administrator contract** [Reinhart]
 - D. Request to apply for SAFER Grant** [Chief Pauley]

E. Approve Eversource Petition for Conduit on Old Chequessett Neck Road

VIII. Town Administrator's Report

IX. Topics for Future Discussion

X. Correspondence and Vacancy Report

XI. Minutes

A. January 29, 2019

B. February 12, 2019

XII. Executive session – pursuant to G.L.c. 30A, s21(a)

- (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.
 - a. Police Chief
 - b. Fire Chief
 - c. DPW Director
- (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.
 - a. Wellfleet Firefighters Union
 - b. Wellfleet Communications Union
 - c. Wellfleet Teamsters Union
- (6) To consider the purchase, exchange, lease or value of real estate, the chair declares than an open meeting may have a detrimental effect on the negotiating position of the public body.
 - a. 3 Kendrick Avenue, Wellfleet
 - b. 301 Main Street
- To approve minutes from prior executive session meetings.

XIII. Adjournment



BOARD OF SELECTMEN

AGENDA ACTION REQUEST

Meeting Date:

II

PUBLIC HEARING(S) - A

REQUESTED BY:	Principal Clerk
DESIRED ACTION:	Approve requests to close the Well from April 22 nd to May 5 th
PROPOSED MOTION:	I move to approve the request to close the Well from April 22 nd to May 5 th .
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____

TOWN OF WELLFLEET
PUBLIC HEARING

In accordance with M.G.L. Chapter 138, notice is hereby given that the Wellfleet Board of Selectmen will hold a public hearing on Tuesday, February 26, 2019 at 6:00 p.m. in the Wellfleet Council on Aging to consider the following:

- Request received February 5, 2019 from Erica Chapman to close The Wagner at Duck Creek from April 22, 2019 until May 5, 2019.

WELLFLEET BOARD OF SELECTMEN

Jeanne Maclauchlan

From: Dan Hoort
Sent: Tuesday, February 05, 2019 1:43 PM
To: Jeanne Maclauchlan
Cc: Courtney Butler
Subject: FW: Closing

I believe we have to advertise a public hearing? If yes, please do so and let Courtney know on which BOS agenda should be listed.

They are closing for only two weeks.

Thanks,
Dan

-----Original Message-----

From: Erica Chapman <erica.j.chapman@gmail.com>
Sent: Saturday, February 2, 2019 5:14 PM
To: Dan Hoort <Dan.Hoort@wellfleet-ma.gov>
Subject: Closing

Hello Dan,

We would like to come in front of the Board for our planned closing and approval of the same. We plan on closing the restaurant on the Monday after Easter (April 22nd) and re-opening latest on Cinco de Mayo (May 5th). We may aim to open on May 3rd if possible. Nonetheless, we are proposing to close during this time to renovate the kitchen and to create gender-neutral bathrooms. This is less than 2 weeks. Given the graciousness the board has extended other owners, we are hopeful that this will not be controversial. All of our other businesses (Inn and Event Space) will be open and operating. Please confirm if/when we can meet with the board. Thanks in advance for your response!

Kind Regards,

Érica J Chapman, ESQ, MCR
617.435.8411

FEB - 5 2019



BOARD OF SELECTMEN

AGENDA ACTION REQUEST
Meeting Date:

II

PUBLIC HEARING(S) – B

REQUESTED BY:	Principal Clerk
DESIRED ACTION:	Approval of Liquor License
PROPOSED MOTION:	I move to approve the liquor license for the Fox and Crowe Café
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____

BOARD OF SELECTMEN
TOWN OF WELLFLEET

APPLICATION PROCESSING FORM FOR LIQUOR LICENSE

Applicant: The Fox and Crow Café

Trudy Vermehren, Manager

Address: 6 Commercial Street

Date Received: January 24, 2019

Application for: (check one)

- Restaurant - all alcohol
- Restaurant - beer & wine
- Package Store - all alcohol
- Package Store - beer & wine
- Innholder - all alcohol
- Innholder - beer & wine
- New License
- Transfer of License
- Transfer of Stock
- New Officers/Directors/Stockholders
- Change in Description of Premises
- Seasonal to Annual
- Change of Manager
- Change of Hours

Tax: N/A Date: 1/25/19 Comments: _____

Police: M. King Date: 1-25-19 Comments: OK

Fire: RM Date: 1/25/19 Comments: OK

Health: Joey Date: 1/25/19 Comments: OK

Zoning: JFF Date: 02-05-19 Comments: OK



The Commonwealth of Massachusetts
 Alcoholic Beverages Control Commission
 239 Causeway Street Boston, MA 02114
www.mass.gov/abcc

RETAIL ALCOHOLIC BEVERAGES LICENSE APPLICATION
 MONETARY TRANSMITTAL FORM

APPLICATION FOR A NEW LICENSE

APPLICATION SHOULD BE COMPLETED ON-LINE, PRINTED, SIGNED, AND SUBMITTED TO THE LOCAL
 LICENSING AUTHORITY.

ECRT CODE: RETA

Please make \$200.00 payment here: <https://www.mass.gov/epay-for-online-payments-abcc>

PAYMENT MUST DENOTE THE NAME OF THE LICENSEE CORPORATION, LLC, PARTNERSHIP, OR INDIVIDUAL

EPAY CONFIRMATION NUMBER

A.B.C.C. LICENSE NUMBER (IF AN EXISTING LICENSEE, CAN BE OBTAINED FROM THE CITY)

ENTITY/ LICENSEE NAME The Fox and Crow Inc.

ADDRESS 6 Commercial St. (physical operations) 340 Coles Neck Rd (mailing)

CITY/TOWN Wellsfleet

STATE MA

ZIP CODE 02667

corp.

For the following transactions (Check all that apply):

- | | | | |
|--|--|--|---|
| <input checked="" type="checkbox"/> New License | <input type="checkbox"/> Change of Location | <input type="checkbox"/> Change of Class (i.e. Annual / Seasonal) | <input type="checkbox"/> Change Corporate Structure (i.e. Corp / LLC) |
| <input type="checkbox"/> Transfer of License | <input type="checkbox"/> Alteration of Licensed Premises | <input type="checkbox"/> Change of License Type (i.e. club / restaurant) | <input type="checkbox"/> Pledge of Collateral (i.e. License/Stock) |
| <input type="checkbox"/> Change of Manager | <input type="checkbox"/> Change Corporate Name | <input type="checkbox"/> Change of Category (i.e. All Alcohol/Wine/Malt) | <input type="checkbox"/> Management/Operating Agreement |
| <input type="checkbox"/> Change of Officers/
Directors/LLC Managers | <input type="checkbox"/> Change of Ownership Interest
(LLC Members/LLP Partners,
Trustees) | <input type="checkbox"/> Issuance/Transfer of Stock/New Stockholder | <input type="checkbox"/> Change of Hours |
| | | <input type="checkbox"/> Other <input type="text"/> | <input type="checkbox"/> Change of DBA |

THE LOCAL LICENSING AUTHORITY MUST MAIL THIS
 TRANSMITTAL FORM ALONG WITH
 COMPLETED APPLICATION, AND SUPPORTING DOCUMENTS TO:

ALCOHOLIC BEVERAGES CONTROL COMMISSION
 239 CAUSEWAY STREET
 BOSTON, MA 02241-3396

JAN 24 2019



BOARD OF SELECTMEN

AGENDA ACTION REQUEST

Meeting Date:

II

PUBLIC HEARING(S) – C

REQUESTED BY:	Principal Clerk
DESIRED ACTION:	Renewal of Shellfish grant #741 for ten-year period. Grantee is Paul Lalumiere.
PROPOSED MOTION:	I move to approve to renew shellfish grant license #741 for a ten-year period for Paul Lalumiere.
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____

TOWN OF WELLFLEET
PUBLIC HEARING

In accordance with MGL Chapter 130 Sections 52, 57, 58, 60, and 68 and all applicable Town Shellfish Regulations, notice is hereby given that the Wellfleet Board of Selectmen will hold a public hearing on Tuesday, February 26, 2019 at 6:00 p.m. in the Wellfleet Council on Aging to consider the following:

- Application received January 17, 2019 from Paul Lalumiere to renew shellfish grant licenses #741 for a ten year period.
- Application received January 22, 2019 from Bradley Kaplan to renew shellfish grant licenses # 2002-01 and 2002-01ext for a ten year period.
- Application received February 5, 2019 from Justin Lynch to renew shellfish grant license # 01-05 for a five year period.

Recommendation of the Shellfish Constable will be available in the 02/26/19 Selectman packet.

WELLFLEET BOARD OF SELECTMEN



Wellfleet Shellfish Department



300 Main Street, Wellfleet, Massachusetts 02667

MEMORANDUM

DATE: February 21, 2019
TO: Town of Wellfleet Board of Selectmen
RE: **2019 Grant Lease Renewal Recommendations**

Dear Selectboard Members:

I wanted to communicate my recommendations on the following grant renewals.

I have done the following to reach my decision:

- 1) I reviewed each annual grant report and compared it with the grant inspections we conducted last fall to ensure grants were meeting minimum production requirements.
 - 2) I reviewed their state permits to make sure all was in good standing.
- Application received February 17, 2019, from Paul Lalumiere to renew shellfish grant license #741 for a ten-year period.
Our regulations state that new lease holders will renew for five years for the first renewal. I spoke with Paul about this, and he understands. I recommend the board renew this license for a five-year period.
 - Application received January 22, 2019 from Bradley Kaplan to renew shellfish grants #2002-01 and #2002-01 ext for a ten-year period.
I recommend the board renew this license for a ten-year period.
 - Application received February 5, 2019 from Justin Lynch to renew shellfish grant licenses #01-05 for a five-year period.
I recommend the board renew this license for a five-year period.

I will be at Constable School at Mass Maritime until 5 p.m. on Tuesday, Jan. 26, so will not be able to make it to the hearing by 6:00 p.m. Please feel free to call me in advance of Tuesday's meeting with any questions or concerns. Otherwise, I hope you will take my recommendations into consideration.

Thank you,

Nancy Civetta, Shellfish Constable



APPLICATION FOR RENEWAL OF SHELLFISH GRANT LICENSE

Date: 1/14/19

TO: Board of Selectmen
300 Main Street
Wellfleet, MA 02667

I/We hereby request renewal of Shellfish Grant License # 741, located at

CCB 13 / WELLFLEET HARBOR, in Wellfleet MA and consisting of 4.88 acres,

and dated 8-20-19, for a (~~five~~) (ten) year period.

I/We agree to pay to the Town Clerk, within thirty days after approval, the annual fee and \$1.00 for recording and \$ 4.00 for costs incurred by the Town of Wellfleet in granting said renewal.

Paul L. Lumiere
Signature

PAUL LALUMIERE
Name

PO BOX 569
Mailing Address

WELLFLEET 02667

508-246-4472
Telephone Number

JAN 17 2019



BOARD OF SELECTMEN

AGENDA ACTION REQUEST
Meeting Date:

II

PUBLIC HEARING(S) – D

REQUESTED BY:	Principal Clerk
DESIRED ACTION:	Renewal of Shellfish grants #2002-01 and 2002-01 ext. for ten-year period. Grantee is Bradley Kaplan.
PROPOSED MOTION:	I move to approve to renew shellfish grant license #2002-01 and #2002-01 extension for a ten-year period for Bradley Kaplan.
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____

APPLICATION FOR RENEWAL OF SHELLFISH GRANT LICENSE

Date: 1/12/19

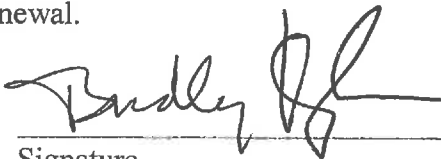
TO: Board of Selectmen
300 Main Street
Wellfleet, MA 02667

I/We hereby request renewal of Shellfish Grant License # 2002-01, 2002-01a located at

CCB II / egg island., in Wellfleet MA and consisting of 2 acres,

and dated 6/26/12, for a ~~(five)~~ (ten) year period.

I/We agree to pay to the Town Clerk, within thirty days after approval, the annual fee and \$1.00 for recording and \$ 4.00 for costs incurred by the Town of Wellfleet in granting said renewal.


Signature

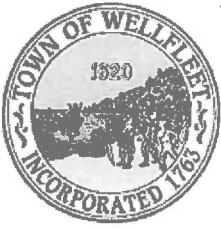
Bradley Kaplan
Name

P.O Box 471
Mailing Address

WELLFLEET MA 02667

508 349-8201
Telephone Number

JAN 22 2019



BOARD OF SELECTMEN

AGENDA ACTION REQUEST
Meeting Date:

II

PUBLIC HEARING(S) – E

REQUESTED BY:	Principal Clerk
DESIRED ACTION:	Renewal of Shellfish grant #01-05 for ten-year period. Grantee is Justin Lynch.
PROPOSED MOTION:	I move to approve to renew shellfish grant license #01-05 for a five-year period.
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s): _____
VOTED:	Yea _____ Nay _____ Abstain _____

APPLICATION FOR RENEWAL OF SHELLFISH GRANT LICENSE

Date: 2-4-19

TO: Board of Selectmen
300 Main Street
Wellfleet, MA 02667

I/We hereby request renewal of Shellfish Grant License # 01-05, located at

INDIAN NECK, in Wellfleet MA and consisting of 3 acres,

and dated _____, for a (five) (ten) year period.

I/We agree to pay to the Town Clerk, within thirty days after approval, the annual fee and \$1.00 for recording and \$ 4.00 for costs incurred by the Town of Wellfleet in granting said renewal.

Justin Lynch
Signature

JUSTIN LYNCH
Name

P.O. Box 1103
Mailing Address

South Wellfleet, MA, 02663

774-722-3766
Telephone Number

FEB - 5 2019



BOARD OF SELECTMEN

AGENDA ACTION REQUEST

Meeting Date:

III

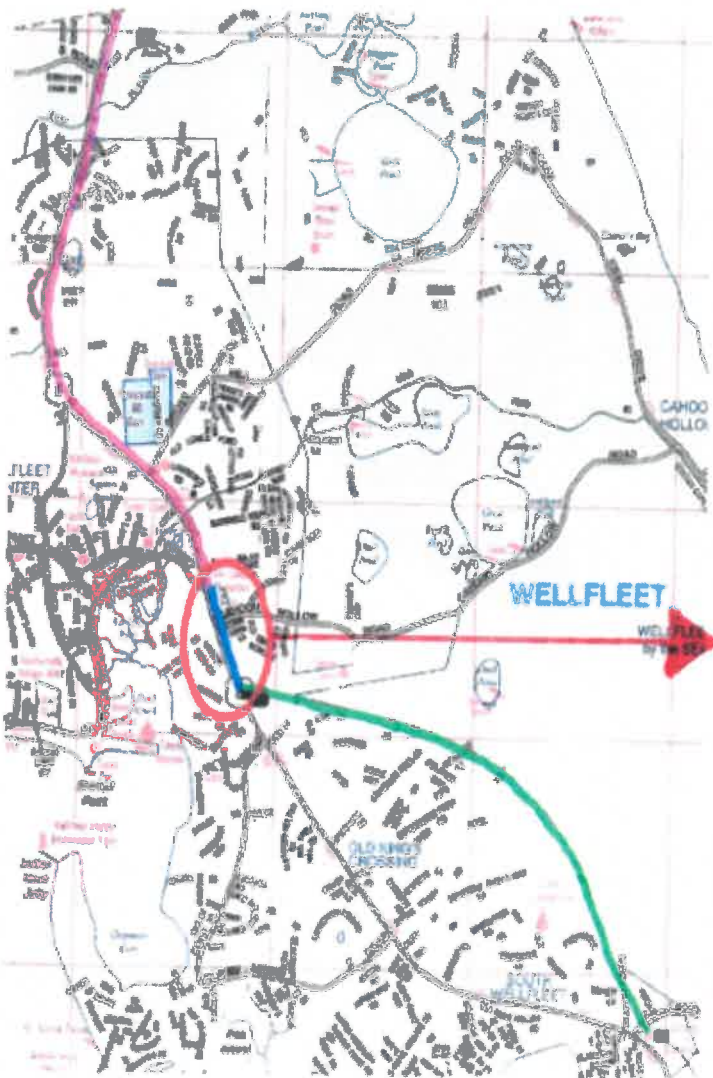
PUBLIC PRESENTATION

REQUESTED BY:	Town Administrator
DESIRED ACTION:	Discussion of Wellfleet Route 6 and Main St. Intersection
PROPOSED MOTION:	TBD
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____

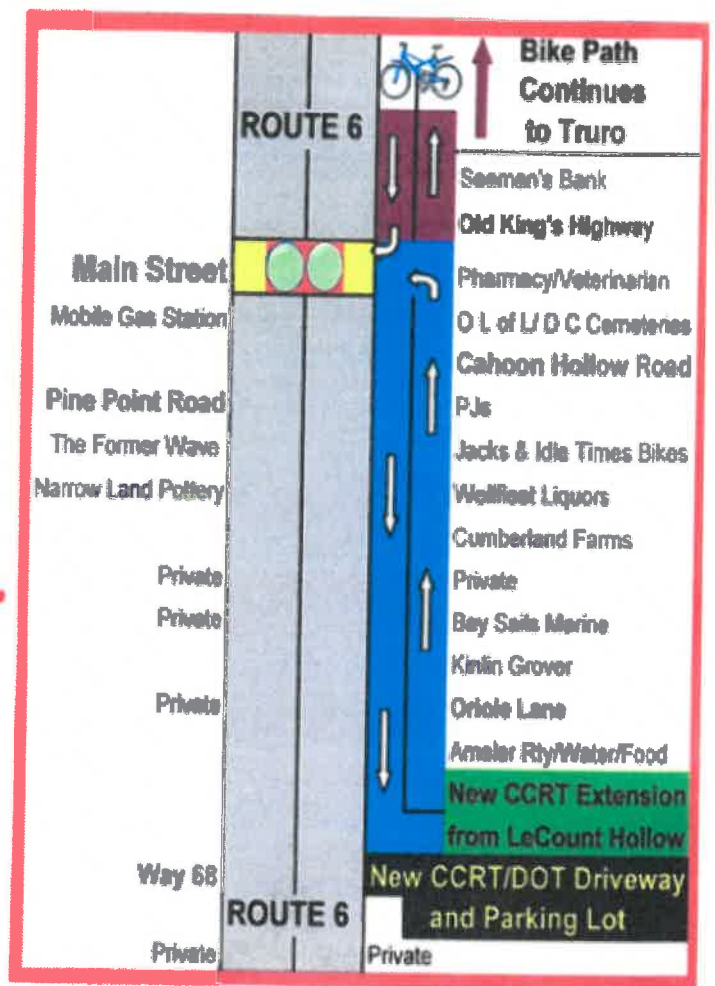
Bike Path from the CCRT Extension end to Main Street lights along with likely reduction to single thru lanes at Main Street Intersection (DOT, expected permitting 2019/2020 and construction 2021/2022)

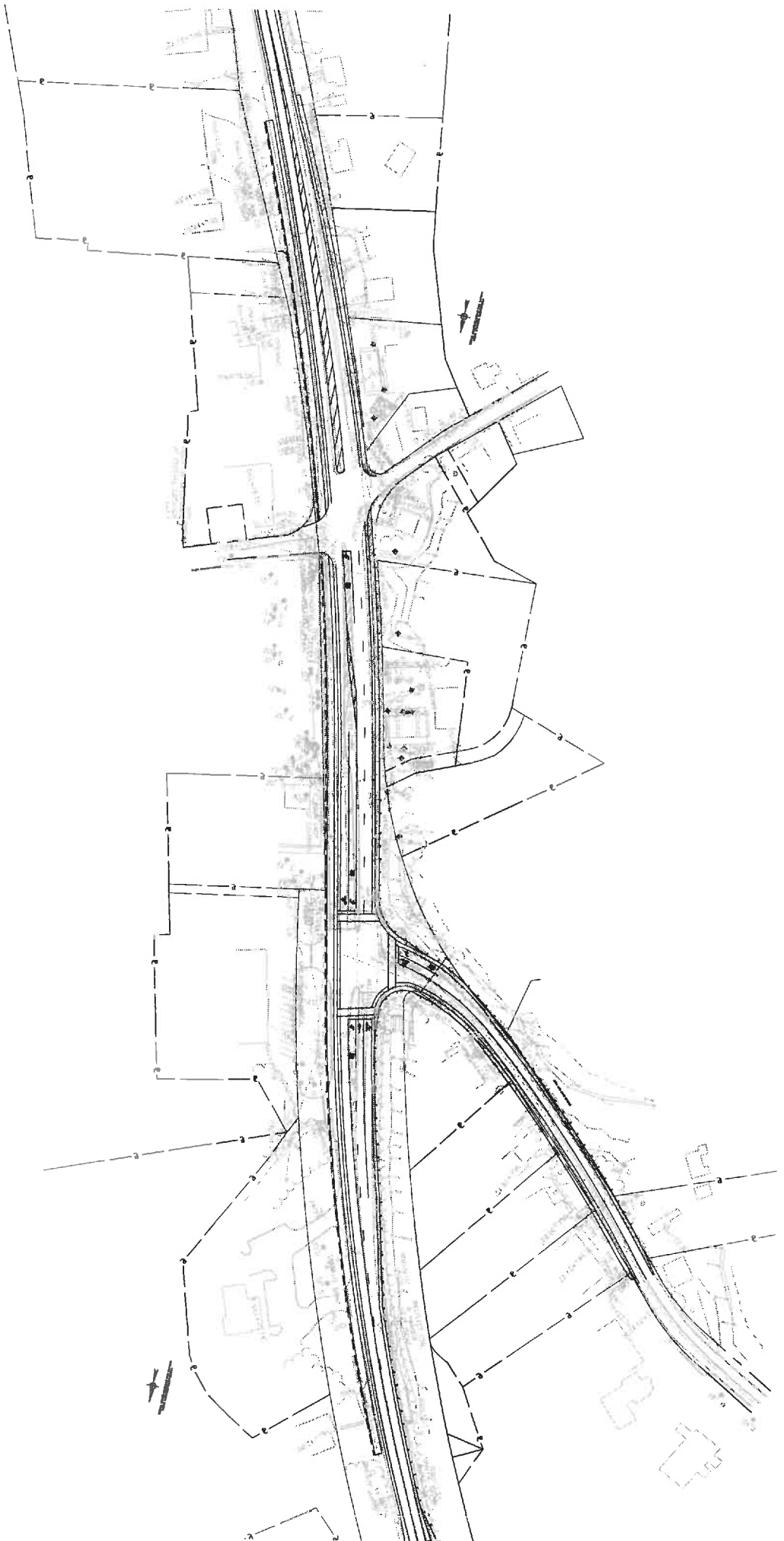
Bike Path from Main Street lights to the Truro line (DOT, not scheduled yet)

The State DCR/DOT Bike Plan



Congested Area from New CCRT/DOT Parking Lot to Main Street Lights



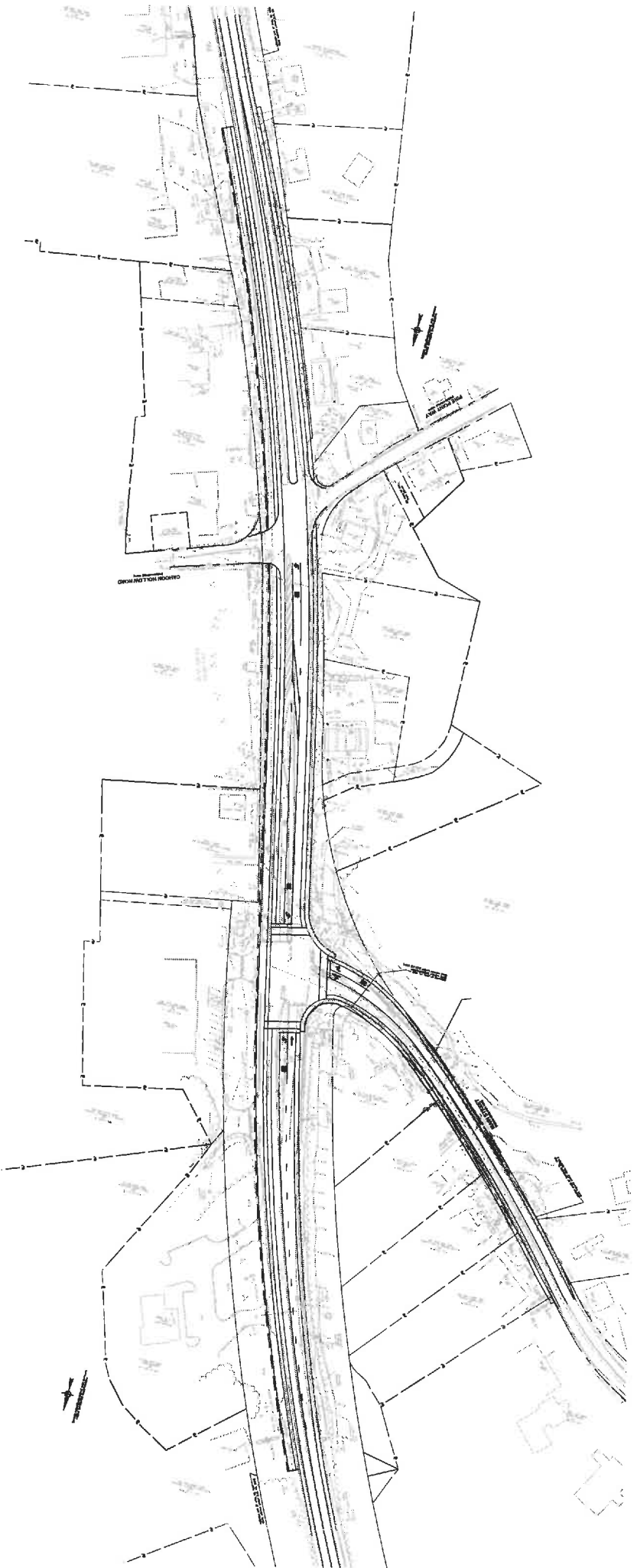


February 20, 2019

Route 6 and Main Street Intersection Improvements

Concept Design

Route 6 Westbound - Two Lane Alternative

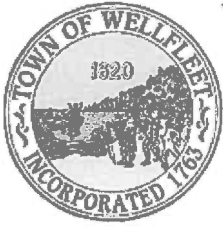


February 20, 2019

Route 6 and Main Street Intersection Improvements

Concept Design

Route 6 Westbound - One Lane Alternative



BOARD OF SELECTMEN

AGENDA ACTION REQUEST

Meeting Date:

IV

LICENSES - A

REQUESTED BY:	Principal Clerk
DESIRED ACTION:	Approval of Common Victualler license
PROPOSED MOTION:	I move to approve the renewal of Common Victualler license for Wellfleet Harbor Actor's Theater and Blue Willow Fine Foods.
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____



BOARD OF SELECTMEN

AGENDA ACTION REQUEST
Meeting Date:

IV

LICENSES – B

REQUESTED BY:	Principal Clerk
DESIRED ACTION:	Approval of Weekly Entertainment license
PROPOSED MOTION:	I move to approve the renewal of the Weekly Entertainment license for Wellfleet Harbor Actor's Theater.
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s): _____
VOTED:	Yea _____ Nay _____ Abstain _____



BOARD OF SELECTMEN

AGENDA ACTION REQUEST
Meeting Date:

V

APPOINTMENTS/REAPPOINTMENTS – A

REQUESTED BY:	Principal Clerk
DESIRED ACTION:	Appointment of Christie O’Campbell to the Bike and Walkway Committee
PROPOSED MOTION:	I move to appoint Christie O’Campbell to the Bike and Walkway Committee for terms to expire on June 30, 2022.
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 Christie O'Campbell Date 2/18/19

Mailing Address 550 Chequessett Neck Rd. Wellfleet, MA 02667

Phone (Home) 508-349-2281 (cell) 857-523-0725

E-mail: christieocamp@hotmail.com

Please describe briefly any work experience, including volunteer service, that you feel would be useful to the Town:

I value the importance of gathering facts, research and input from the town and have experience running gatherings that are geared towards constructive sharing or knowledge and opinions.

Learning Specialist: Reading and Writing Resource Center, Cape Cod Community College - 2014-present

Chair: Wellfleet Montessori Preschool - 2008-2013

Researcher: Community Organizing Project, Urban Studies Department, MIT: - 2002-2006

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

Masters Degree in Counseling Psychology; Lesley University

Committees/Boards of Interest: 1) Bike & Walkway Committee

2) _____

3) _____

FEB 19 2019



BOARD OF SELECTMEN

AGENDA ACTION REQUEST
Meeting Date:



APPOINTMENTS/REAPPOINTMENTS – B

REQUESTED BY:	Principal Clerk
DESIRED ACTION:	Appointment of Lisa Palladino to the Bike and Walkway Committee
PROPOSED MOTION:	I move to appoint Lisa Palladino to the Bike and Walkway Committee for terms to expire on June 30, 2022.
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____

TOWN OF WELLFLEET
APPLICATION FOR TOWN BOARDS & COMMITTEES MEMBERSHIP

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

Name Lisa Palladino Date 2/11/19

Mailing PO Box 352 Address 25 Fourth St
Wellfleet, MA 02663 S. Wellfleet, MA
02667

Phone _____ (Home)

E-mail lilipalla@yahoo.com (cell) 005 229 5239

Please describe briefly any work experience, including volunteer service, that you feel would be useful to the Town: licensed as a Clinical psychologist in CA.

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

Professional licensed clinical psychologist, Certified in EMDR (empirically proven trauma therapy), certified art therapist.

Committees/Boards of Interest: 1) Bike & Walkway Committee
2)
3)

Town of Wellfleet Boards and Committees

FEB 13 2019

Bike & Walkway Committee

3 year term

Board of Assessors

3 year term

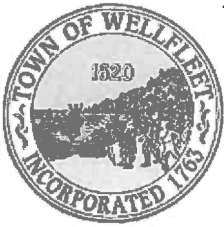
Board of Health	3 year term		
Board of Water Commissioners	3 year term		
Building and Needs Assessment	3 year term		
* Bylaw Committee	3 year term		
Cable Advisory Committee	1 year term		
Cape Cod Commission	3 year term		
*Cape Cod Regional Technical High School	(ATM)		
*Charter Review Committee	(ATM)		
Commission on Disabilities	3 year term		
Community Preservation Committee	3 year term		
Comprehensive Wastewater Management	3 year term		
Conservation Commission	3	3	year
term			
Council on Aging	3 year term		
Cultural Council	3 year term		
Energy Committee	3 year term		
* Finance Committee	3 year term (ATM)		
Health Care Campus Committee	Indefinite		
Historical Commission	3 year term		
Housing Authority	5 year term (ATM)		
Local Housing Partnership	1 year term		
Marina Advisory Committee	2 year term		
Natural Resources Advisory Committee	3 year term		
Open Space Committee	1 year term		
Personnel Board	3 year term		
Planning Board	5 year term		
Recreation Committee	3 year term		
Recycling Committee	3 year term		
Shellfish Advisory Board	3 year term		
* Social and Human Services Committee		3	year
term			
Zoning Board of Appeals	3 year term		

VACANCIES IN BOLD

* Appointed by Moderator

05/03/2018

0105 6 1 11



BOARD OF SELECTMEN

AGENDA ACTION REQUEST
Meeting Date:

V

APPOINTMENTS/REAPPOINTMENTS – C

REQUESTED BY:	Principal Clerk
DESIRED ACTION:	Appointment of Dennis Murphy to the Dredging Task Force
PROPOSED MOTION:	I move to appoint Dennis Murphy to the Dredging Task Force for a term of 3 years.
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 Kevin Murphy Date 1/14/2019

Mailing Address 465 Old Chug. Nk. Rd.

Phone (Home) 508-400-7210 (cell)

E-mail dr.sandpit@gmail.com

Please describe briefly any work experience, including volunteer service, that you feel would be useful to the Town: _____

Selectboard Chair

DPW Head

Finance 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.:

FEB 15 2019

Committees/Boards of Interest: 1) Dredging Task Force

2) _____

3) _____



BOARD OF SELECTMEN

AGENDA ACTION REQUEST

Meeting Date:

V

APPOINTMENTS/REAPPOINTMENTS – D

REQUESTED BY:	Principal Clerk
DESIRED ACTION:	Appointment of Charles Annett to the Dredging Task Force
PROPOSED MOTION:	I move to appoint Charles Annett to the Dredging Task Force for a term of 3 years.
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 Charles E. "Skip" Annett Date 2/6/19
Mailing Address 55 Homestead Lane
Wellfleet, MA 02667
Phone (Home) 508-214-0124 Phone (Business) _____
e-mail: skipannett@att.net

Please describe briefly any work experience, including volunteer service, that you feel would be useful to the Town: would like to utilize my experience as a boater in the Wellfleet Harbor since 1975 and a lesson of a boat slip since 1997 to ensure a positive outcome in a timely manner to ensure continuance depth maintenance of channels

Please add any other information that you think may be useful, including education or other formal training, specialized courses, professional licenses or certifications, etc.: B.S. and MBA degrees, Decades of interaction with county, state and Federal departments to support effective results for corporations. Passed Coast Guard license exam for safety captain; Office of Tech. Insp. Intrepid

Committees/Boards of Interest: 1) Wellfleet Harbor Dredging Board
2) _____
3) _____

FEB - 7 2019



BOARD OF SELECTMEN

AGENDA ACTION REQUEST

Meeting Date:

V

APPOINTMENTS/REAPPOINTMENTS – C

REQUESTED BY:	Principal Clerk
DESIRED ACTION:	Appointment of William Warren to either the Planning Board, Personnel Board, or Conservation Commission
PROPOSED MOTION:	1) I move to appoint William Warren to the _____ for a term to expire on June 30, 2022 *If Planning Board – term expires on June 30, 2024*
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 WILLIAM WARREN Date 2/19/19

Mailing Address 125 CATTON HOLLOW RD
WELLFLEET, MA 02667

Phone (Home) 508-214-0681 (cell) 716-628-6956

E-mail WWARREN577@GMAIL.COM

Please describe briefly any work experience, including volunteer service, that you feel would be useful to the Town: OWN MY OWN BUSINESS FOR 30 YEARS -

RETAIL STORE - BUSINESS EXPERIENCE -

ALSO TONS OF REMODELING WORK -

RECREATION COMM. IN EAST AURORA, NY -

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

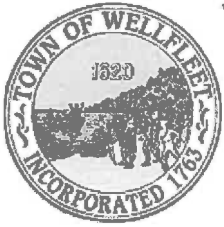
B.S. DEGREE IN BUSINESS MGT -

_____ FEB 21 2019

Committees/Boards of Interest: 1) PLANNING BOARD

2) PERSONAL BOARD

3) CONSERVATION COMMISSION



BOARD OF SELECTMEN

AGENDA ACTION REQUEST
Meeting Date:

VI

USE OF TOWN PROPERTY – A

REQUESTED BY:	Principal Clerk
DESIRED ACTION:	Approve the use of town property June 1 st
PROPOSED MOTION:	I move to approve the use of Long Pond by WOMR on June 1 st , subject to the conditions, if any, as listed on the application form, for a fee of \$500.
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____

TOWN OF WELLFLEET
APPLICATION FOR PERMIT TO USE TOWN OWNED PROPERTY

19-08

Applicant WOMR/John Braden & Kathleen Walker Affiliation or Group Wellfleet Sprint Triathlon

Telephone Number 508.487.2619 Mailing Address PO Box 975

Email address john@womr.org Provincetown 02657

Town Property to be used (include specific area) Long Pond and grassy area & Long Pond parking lot, Long Pond Rd, Lawrence Rd., Gross Hill Rd, Ocean View Drive, Elementary School parking lot

Date(s) and hours of use: 6/1/19 / 8 AM -11 AM, set up time between 5-8 am

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.

*1/4 mile swim in Long Pond. *Grassy area at Long Pond to serve as transition area. *Long Pond parking lot for registrations, emergency

vehicles, drop-off turn around and comfort station. *Long Pond Rd, Lawrence Rd, Gross Hill Rd, Ocean View Drive for a 10 mile bike-loop.

*Long Pond Rd & Ocean View Rd for a 3 mile run-loop. Also a 1/2-mile kids race up Long Pond Rd, half way & back *There will be food & water

at the LP lot, between 2 & 3 dozen volunteers and 200 triathletes. *Registrations fees will be charged and timing equipment will be used.

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

Police, EMT, DPW (for street sweeping)

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 insure 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): 2018 required Police detail,
portable toilets and trash removal.

_____ Disapproved for following reason(s): _____

Date: _____

Processing Fee: \$50.00 paid

Fee: (500)

FEB - 5 2019

(over)

APPLICANT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND INSPECTIONS

Health/Conservation Agent: <i>Dee Owen</i> 2/19/19 Comments/Conditions: <i>OK</i> Permits/Inspections needed:	Inspector of Buildings: Comments/Conditions: Permits/Inspections needed:
---	---

Police Department: <i>[Signature]</i> 2/15/19 Comments/Conditions: <u>Same as previous year</u>	Fire Department: <i>[Signature]</i> 2/13/19 Comments/Conditions: <u>SAME AS previous years</u>
---	--

DPW: <i>[Signature]</i> 2/19/19 Comments/Conditions: <i>OK</i>	Community Services Director: Comments/Conditions: <i>Phone okay</i>
---	---

Harbormaster: Comments/Conditions	Shellfish: Comments/Conditions
---	--

Recreation: Comments/Conditions	Town Administrator: Comments/Conditions
---	---



BOARD OF SELECTMEN

AGENDA ACTION REQUEST
Meeting Date:

VI

USE OF TOWN PROPERTY – B

REQUESTED BY:	Principal Clerk
DESIRED ACTION:	Approve the use of town property September 29 th
PROPOSED MOTION:	I move to approve the use of White Crest parking lot and bathrooms by the American Lung Association on September 29 th , subject to the conditions, if any, as listed on the application form, for a fee of \$ _____
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____

TOWN OF WELLFLEET
APPLICATION FOR PERMIT TO USE TOWN OWNED PROPERTY

19-07

Applicant: Paul Curley

Affiliation or Group: American Lung Association

Telephone Number: 781 314 9002, cell 508 942 4621

Mailing Address: 260 W. Exchange St., Ste 102 B

Email address: biketrek@lungne.org

Providence, RI 02903

Town Property to be used (include specific area) White Crest Beach Parking Lot and Bathrooms across the street.

Date(s) and hours of use: Sunday, September 29th 2019 from 8 am to 11 am

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.

Water Stop for the 35th Annual Autumn Escape Bike Trek, we will set up a table in the corner of the lot for drinks and snacks. We would also like access to the bathrooms across the street as in years past.

We have about 350 riders. No fees will be charged.

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

Unlock bathrooms

NOTE TO APPLICANTS: All applications must be accompanied by a non refundable \$20.00 processing fee. Applications must be received at least 30 days prior to the first event date to insure 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: _____

FEB 12 2019


Processing Fee: 50.00



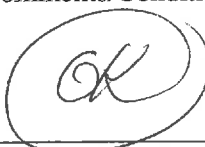
Fee: _____

(over)

APPLICANT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND INSPECTIONS

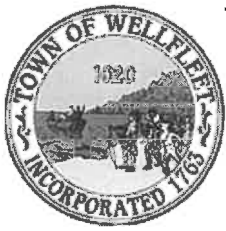
Health/Cons. Agent Signature: Comments/Conditions: Permits/Inspections needed:	Inspector of Buildings Signature: Comments/Conditions: Permits/Inspections needed:
---	---

Police Dept. Signature:  2/12/19 Comments/Conditions: OK.	Fire Dept. Signature: Richard J. Paulay, Jr. (#) 2/12/19 Comments/Conditions: OK
--	---

DPW Signature:  Comments/Conditions: OK Call ahead to check on availability of bathrooms (Aug)	Beach Dept. Signature:  2/12/19 Comments/Conditions:  Bathrooms are usually open until Columbus Day
---	--

Shellfish Constable Signature: Comments/Conditions:	Harbormaster Signature: Comments/Conditions:
---	--

Recreation Dept. Signature: Comments/Conditions:	Town Administrator: Comments/Conditions:
--	--



BOARD OF SELECTMEN

AGENDA ACTION REQUEST

Meeting Date:

VI

USE OF TOWN PROPERTY – C

REQUESTED BY:	Principal Clerk
DESIRED ACTION:	Approve the use of town property May 25 th
PROPOSED MOTION:	I move to approve the use of driveway adjacent to Town Hall on May 25 th subject to the conditions, if any, as listed on the application form, for a fee of \$ _____
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

Karen Kaminski

Applicant Wellfleet Gardeners

Affiliation or Group Wellfleet Gardeners

Telephone Number 508-349-1111

Mailing Address P.O. Box 1495

Email address Karen.e.kaminski@gmail.com

Wellfleet Ma 02667

Town Property to be used (include specific area) Driveway adjacent to town hall

Date(s) and hours of use: May 25, 2019 5:45 Am - 12:30 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.

Sale of Plants, tables for display, attendees will buy plants, 30 members will setup, breakdown at sell plants.

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 insure 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 paid

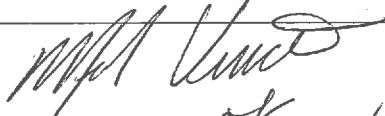
Fee: _____

(over)


APPLICANT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND INSPECTIONS

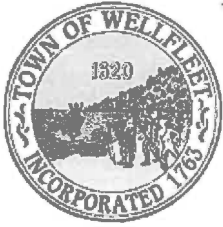
Health/Conservation Agent: Comments/Conditions: Permits/Inspections needed:	Inspector of Buildings: Comments/Conditions: Permits/Inspections needed:
--	---

Police Department:  Comments/Conditions: OK 2/8/19	Fire Department: Richard J. Pauley, Jr (H) Comments/Conditions: OK 2/13/19
--	---

DPW:  Comments/Conditions OK 2/20/19	Community Services Director: Comments/Conditions:
---	---

Harbormaster: Comments/Conditions	Shellfish: Comments/Conditions
---	--

Recreation: Comments/Conditions	Town Administrator:  Comments/Conditions
---	---



BOARD OF SELECTMEN

AGENDA ACTION REQUEST
Meeting Date:

VII

BUSINESS – A

REQUESTED BY:	Beach Administrator
DESIRED ACTION:	Spring Tax Bill Insert
PROPOSED MOTION:	I move to approve the spring tax bill insert for on-line beach sticker renewals.
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s): _____
VOTED:	Yea _____ Nay _____ Abstain _____

You can now buy your stickers online!

Avoid the lines – Nothing to mail in!

Online Transactions

Find your Customer Record

Enter your first and last name along with your property address. In the next step we will present you with the closest matches. If you are a tenant (non-owner) or a non-resident and haven't purchased a sticker with Wellfleet before, you will have the option on the next page.

First Name: Last Name:

Address / Street:

Find Me!

Payments may be made with Mastercard, VISA, or Discover.

Sticker Purchase Requirements

IF: The property is held in a Trust

You Must Also Include: Copy of the trust page with the names and addresses of Trustees (Beneficiaries are not eligible)

1. Go to www.wellfleet-ma.gov and click on Beaches
2. Under LINKS, click on Resident/Taxpayer Beach and Transfer Stickers online.
3. Fill in your First and Last Names.
4. Enter your Wellfleet Street address including the number.
5. Click on **Find Me!**
6. Scan or take a picture of your registration and any other required documents and upload them.
7. We accept VISA, MasterCard and Discover for payments.
8. We will mail your stickers to you.

If you prefer to purchase in person, the Wellfleet Beach Office opens for the season on June 8th at 9am. Stickers are required as of June 15th.



BOARD OF SELECTMEN

AGENDA ACTION REQUEST
Meeting Date:

VII

BUSINESS – B

REQUESTED BY:	Parking Task Force
DESIRED ACTION:	Spring Tax Bill Insert
PROPOSED MOTION:	I move to approve the spring tax bill insert for the Parking Task Force survey.
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____

Question 1: I am

- A registered voter in the Town of Wellfleet
- Listed as a year-round resident on the Town of Wellfleet street census
- Listed as a real estate property owner in the Assessor's office with property that pays \$400 or more per year
- The spouse or domestic partner of a taxpayer or year-round resident
- The dependent of a listed real estate property owner with the same year round address on a Driver's license, State issued ID or current Student ID
- A trustee of real estate listed in the Assessor's office
- Active military personnel whose home of record is Wellfleet

Question 2: What is your age?

- 18 to 29
- 30 to 39
- 40 to 49
- 50 to 59
- 60 and above

Question 3: "How often did you park at an ocean beach in the summer of 2018?"

- Daily
- 4-6 times a week
- 1-3 times a week
- I did not go to the ocean beaches in the summer of 2018

Question 4: "How many times did you find the lot was full and you either had to wait or go elsewhere?"

- Daily
- 4-6 times a week
- 1-3 times a week
- Never

Question 5: If no ocean beach lot parking was available, how likely are you to do the following?

	Very likely	Likely	Unlikely
Wait in line where permitted			
Not go to the beach that day			
Come back later			
Circle around until a spot opens			
Arrange to be dropped off			
Taxi or Uber			
Bicycle or walk			
Other			

Question 6: What are your preferred ocean beaches – circle all that apply

- Newcomb Hollow
- Cahoon Hollow
- White Crest
- Maguire Landing (aka LeCount Hollow)

Question 7: Did you park, in 2018, at White Crest Beach?

- Yes
- No

Question 8: Have you, in 2018, used the free shuttle between White Crest and Cahoon Hollow?

- Yes
- No

Question 9: If Yes, how often?

- 0 to 5 times
- 6 to 10 times
- More than 10 times

Question 10: If there were a shuttle starting at White Crest and taking people to Newcomb Hollow and Maguire Landing, how likely would you be to use it?

- Very Likely
- Likely
- Unlikely

Question 11: Would you support such a shuttle?

- Yes, if supported by a shuttle user fee
- Yes, if it's free
- No

❖ Needed: where and when results will be available to the public

❖ Open ended comment (this will require labor to transcribe each comment)



BOARD OF SELECTMEN

AGENDA ACTION REQUEST
Meeting Date:

VII

BUSINESS – C

REQUESTED BY:	Janet Reinhart
DESIRED ACTION:	Approval of Town Administrator contract
PROPOSED MOTION:	I move to approve the Town Administrators contract as (written/amended) for a term of 3 years.
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____

An Employment Agreement Between
The Town of Wellfleet & The Town Administrator

Preamble

This AGREEMENT is made pursuant to M.G.L. Chapter 41, Section 108N as of February 12, 2019 by and between the Selectboard, hereinafter referred to as the "Board" of the Town of Wellfleet, Massachusetts, hereinafter referred to as the "Town" and Daniel Hoort, hereinafter referred to as the "Administrator".

WHEREAS the Board and Administrator are parties to an agreement whereby the Administrator shall serve in such capacity until June 30, 2019, unless said agreement is extended or terminated prior to said date;

WHEREAS the Board by an affirmative vote of at least four members, has appointed the Administrator for an indefinite term pursuant to the provisions of the Town Charter; and

WHEREAS; the Board and the Administrator wish to enter into a new agreement to define the terms of employment, benefits, and compensation therefore; and

WHEREAS; the Board and the Administrator wish to define the terms of employment, benefits, and compensation therefore; and

WHEREAS; the Administrator having duly qualified to serve as Town Administrator has accepted such appointment;

NOW in consideration of the promises herein contained, the parties hereto mutually agree as follows:

Article I: Functions, Duties, and Exclusive Employment

- A. Functions & Duties: The Administrator shall perform faithfully, to the best of his ability, the functions and duties of the Town Administrator as enumerated in the Wellfleet Charter.
- B. Exclusive Employment: The Administrator agrees to remain in the exclusive employ of the Town subject to conditions contained herein until June 30, 2022. Further, the Administrator agrees not to become employed by any other employer until said termination date. The term "employed" shall not be construed to include teaching, consulting, or writing performed on the Administrator's time off, the same to be such as to not interfere with or conflict with the Administrator's general duties to the Town and are conducted in accordance with the provisions of Chapter 5, Section 3, paragraph 2 of the Charter, not to constitute a conflict of interest or the appearance of a conflict of interest under the terms of Chapter 268A of the Massachusetts General Laws.

Article II: Term and Resignation

- A. Term: This Agreement shall become effective July 1, 2019 and shall be in full force and effect until June 30, 2022. The Agreement shall be for a term of three years subject to Article XII of this Agreement except as extended by further written agreement of the parties.

- B. Resignation: Nothing in this Agreement shall prevent, limit, or otherwise interfere with the right of the Administrator to resign at any time from his position with the Town, subject only to the provisions of Article XII of this Agreement and Chapter 5, Section 8, Paragraph 7 of the Charter, which requires at least ninety (90) days written notice to the Board, which can only be waived or shortened at the discretion of the Board.

Article III. Vacation and Other Leaves & Absences:

The Administrator shall accrue two (2) vacation days per month. As of July 1, 2019, the Administrator will continue to accrue 1 ¼ sick days per month (of which ¼ days per month may at the Administrator's option be deposited into the sick leave bank), one personal day per calendar year and he will also have the following holidays off with pay:

New Year's Day
Martin Luther King Day
President's Day
Patriots Day
Memorial Day
Independence Day
Labor Day
Columbus Day
Veterans Day
Thanksgiving Day
Christmas Day

In the event of the death occurring in the immediate family of the Administrator, he shall be granted leave without loss of pay up to a maximum of four (4) regular workdays. For the purposes of this section, "immediate family" shall be spouse or domestic partner, child or a step-child, parents, step-parents, parents-in-law, grandparents, grandchildren, brother, sister, step-brother and step-sister. The Board may grant an extension of bereavement leave without loss of pay under special circumstances or may grant exceptions to the relatives listed above.

Up to one week of unused vacation and all sick days may be carried over from one year to another. When leaving the Town service, the Administrator shall be allowed to cash out any previously accrued but unused vacation days.

The Administrator will be eligible for other types of leave of absence that are required under Massachusetts or Federal Laws.

Article IV. Life Insurance, Disability, Insurance or Dental Insurance.

The Administrator shall be eligible to participate in the Town's Group Life Insurance, Group Medical Insurance, Disability Insurance, and Dental Health Insurance Plans under the same conditions as other employees.

Article V. Retirement

It is recognized that the Administrator will be required to participate in the Barnstable County Retirement System.

Article VI: Dues & Subscriptions

The Board agrees to budget and pay for professional dues and subscriptions of the Administrator and expects his continuation and full participation in national, state, and local associations and organizations as necessary and desirable for the good of the Town. The Town expects the Administrator to be certified as a MCPPO Public Purchasing Official. The above is subject to funding in the town's operating budget.

Article VII: Professional Development

The Board agrees to budget for and pay for the travel and sustenance expenses of the Administrator for professional and official travel, meetings, and occasions adequate to continue the professional development of the Administrator and fulfill the necessary official functions of the town. The Administrator is expected to attend meetings and annual conferences of: the MMA, CCMA, and courses and meetings necessary for MCPPO certification.

Article VIII: Hours of Work

It is recognized that the Administrator must devote time outside of normal office hours to the business of the town, and to that end the Administrator will be allowed to take time off as he shall deem appropriate during said normal office hours, provided the taking of such time off does not interfere with the proper discharge of his duties.

The Administrator agrees to take no more than two compensatory, personal or vacation days which create a four day work week in any month unless agreed to by the Selectboard.

The parties agree that the Administrator is an exempt employee for all purposes of the Fair Labor Standards Act and is not eligible for overtime.

Article IX: Professional Liability

- A. To the extent allowed under G.L. c. 258, the Board agrees that it shall defend, hold harmless, and indemnify the Administrator for any and all demands, claims, and suits, and legal proceedings brought against the Administrator in his official capacity as Town Administrator, providing that the incident arose while the Administrator was acting in the scope of his employment. Except in no case will individual Board members be considered personally liable for any demands, claims, suits, actions, and legal proceedings.
- B. The Board shall not be required to pay costs of any proceedings in the case of any allegations brought by the Board under the removal provisions of the Charter.

Article X: Salary

Beginning July 1, 2019 the Administrator shall be paid an annual salary of \$140,000 through the end of fiscal year 2020 (July 1, 2019 – June 30, 2020) and prorated as necessary. On July 1, 2020, the Administrator shall receive an increase of 2.0%. On July 1, 2021, the Administrator shall receive an increase of 2.0%. Based on the performance of the Administrator, the Board at its sole discretion may grant the Administrator additional salary increases.

Article XI: Goals and Objectives

- A. Annually, the Board with input from the Administrator shall define the goals and objectives which the Board determines necessary for the proper operation of the Town. The Board shall determine a priority for those goals and objectives and reduce them to writing. They shall be attainable within the time limits specified and within the staffing and budgetary resources available to the Administrator.
- B. The Board shall review and evaluate the Administrator's performance annually. Said review and evaluation shall be based upon the goals and objectives referenced above and a mutually agreed upon format. Individual board member's evaluations shall be given to the Chair, who shall consolidate them and provide the Administrator with a written statement reflecting the overall evaluations of the individual Board members. The Administrator shall discuss the performance evaluation with the Board in open session provided such discussion shall comply with Open Meeting Law.

Article XII: Removal and Severance

- A. The Board may remove the Administrator subject to Chapter 5, Section 8 of the Town Charter.
- B. Termination and severance pay, if any, shall be subject to Chapter 5, Section 8 of the Town Charter and as further provided for in this agreement.
- C. Upon being removed from his position by the Board and in return and in consideration for a full release of any and all claims against the Town, its officials, its employees, its insurers, and any other agents of the Town, the Administrator shall receive the following:
 - a. an additional sixty (60) calendar days of pay as a lump sum payment as soon as practicable following his removal;
 - b. a monthly payment for the first six (6) months following his removal to reimburse the Administrator for the full cost of health insurance provided that the Administrator obtains said health insurance under COBRA and provided that the Administrator does not find other employment that offers comparable health insurance to the Town prior to the expiration of this six (6) month period, at which time the Town's obligation under this paragraph shall cease.
 - c. In the event that the Administrator is terminated because of his conviction of any illegal act involving personal gain to him or any other intentional or willful misconduct in the office, the Town shall have no obligation to pay any of the sums set forth in Article XII, Section C.
- D. In the event the Administrator resigns, following either a vote to suspend, a resolution of the Board to suspend the Employee in accordance with the provisions of Chapter 5, Section 8 of the Wellfleet Town Charter, or a 3-2 vote of no confidence on the part of the Board, then the Administrator may exercise the

option to be deemed to be terminated upon the effective date of such resignation, within the meaning and context of the herein severance pay provision.

Article XIII: General Provisions

- A. Entire Agreement. This Agreement embodies the whole agreement between the parties and there are no inducements, promises, terms, conditions, or obligations made or entered into by either party other than those contained herein. The agreement cannot be changed except in writing signed by the parties. Administrator subject to Chapter 5, Section 8 of the Town Charter.
- B. Invalidity. If any paragraph or part of this agreement is judged to be invalid, it shall be binding and effective against the parties.
- C. This agreement shall be governed by the laws of the Commonwealth of Massachusetts and the terms of the Town Charter of the Town of Wellfleet.

Executed this 26th day of February, 2019

Wellfleet Selectboard:

Administrator:

Janet Reinhart, Chair

Daniel R. Hoort

Helen Miranda Wilson, Vice Chair

Justina Carlson, Clerk

Kathleen Bacon

Jerry Houk

Approved as to Form

Carolyn Murray
Town Counsel



BOARD OF SELECTMEN

AGENDA ACTION REQUEST
Meeting Date:

VII

BUSINESS – D

REQUESTED BY:	Chief Pauley
DESIRED ACTION:	Approval to apply for SAFER Grant
PROPOSED MOTION:	I move to approve Chief Pauley to apply for the SAFER Grant.
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____



Wellfleet Fire Department



10 Lawrence Road, Wellfleet, MA 02667

Richard J. Pauley, Jr.
Fire Chief

Phone: (508) 349-3754
Fax: (508) 349-0318

TO: Selectboard Members
FROM: Richard J. Pauley, Jr., Fire Chief
RE: *FY 2018 Staffing for Adequate Fire & Emergency Response Grant Application Request Authorization*
DATE: February 20, 2019

In accordance with the Board of Selectmen's Policy on Grants (2011-1), I am requesting authorization to participate in the FY 2018 Staffing for Adequate Fire and Emergency Response (SAFER) Program and submit an application in the amount of \$158,000.00 for the purpose of hiring two (2) new additional Firefighter/Paramedics (EMTs). As has been discussed several times in the past, we continue to be hampered by the lack of available on-call personnel and must increase the number of full-time personnel in order to perform the essential functions of fire, rescue and paramedic level emergency medical services. The SAFER grant program is a cost share funding award between the Federal government (Department of Homeland Security) and local fire departments. The performance period for a SAFER grant award is three (3) years.

Purpose of this grant application:

To secure Federal funding to hire two (2) new additional Firefighter/Paramedics (EMTs).

Background:

I have requested two (2) new, additional Firefighter/Paramedics (EMTs) through the Town's FY-2020 Budget process. The need for additional full-time staffing for this Department has been articulated and demonstrated over the last several years. Our current staffing level, with a heavy reliance on on-call members is no longer sustainable and is hampering our ability to effectively and efficiently provide fire, rescue and EMS services to the community. If successful with this application, the Federal government will share in the cost of two (2) new full-time personnel over the next three (3) fiscal years.

Initial costs:

The initial costs (salary, over-time, training, uniforms/clothing, etc.) for the two (2) additional Firefighter/Paramedic (EMT) positions is \$79,000.00 per position, or, \$158,000 for both positions. The Federal government would cover 75% of these costs in years one (1) and two (2) of this grant, and, 35% of these costs in year three (3) of this grant. Upon the conclusion of year three (3), the Town would be responsible for 100% of the cost of both of these positions.

TO: Selectboard Members

February 20, 2019

RE: *FY 2018 Staffing for Adequate Fire & Emergency Response Grant*

Page 2

Recurring costs:

The recurring costs of these two (2) new positions would need to be funded in the Fire Department annual operating budget.

Additional staff or space requirements:

None.

Potential impact on other Town Departments:

None.

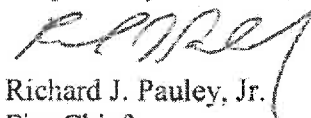
In summary, the objective of the SAFER Grant Program is to provide funding directly to fire departments to assist in increasing the number of firefighters to meet minimum staffing standards and attain 24-hour staffing to fulfill the mission of these organizations.

This grant program assists local fire departments/municipalities with an initial three (3) year cost share (75%, 75%, 35%) to cover the costs of additional staffing, and, upon year four (4) it is the responsibility of the local municipality to cover the total costs of this staffing/positions.

It is my strong recommendation, that we complete an application to the SAFER Grant Program in the amount of \$158,000.00 for the purpose of hiring two (2) new additional Firefighter/Paramedics (EMTs).

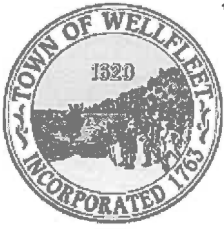
As always, should you have any questions, or, need additional information, please don't hesitate to contact me.

Respectfully submitted,



Richard J. Pauley, Jr.
Fire Chief

p/c: Mr. Dan Hoort, Town Administrator



BOARD OF SELECTMEN

AGENDA ACTION REQUEST
Meeting Date:

VII

BUSINESS – E

REQUESTED BY:	Principal Clerk
DESIRED ACTION:	Approval of Eversource Energy petition for Conduit
PROPOSED MOTION:	I move to allow Eversource Energy to install conduit on Old Chequesett Neck Road.
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____



484 Willow St
W. Yarmouth, MA 02673

February 11, 2019

Board of Selectmen
Town of Wellfleet
Town Hall
300 Main Street
Wellfleet, MA 02667

Dear Board Members:

Enclosed is a petition to install approximately 40 feet of conduit/cable by way of boring in Old Chequessett Neck Road, Wellfleet.

This proposed location (s) is to provide UG electrical service to the customers at 195 Old Chequessett Neck Road. This petition will require a notice to abutters and a hearing.

Will you please present this petition before the Board for customary action and approval.

If you have any questions, please call me at 508-790-9022.

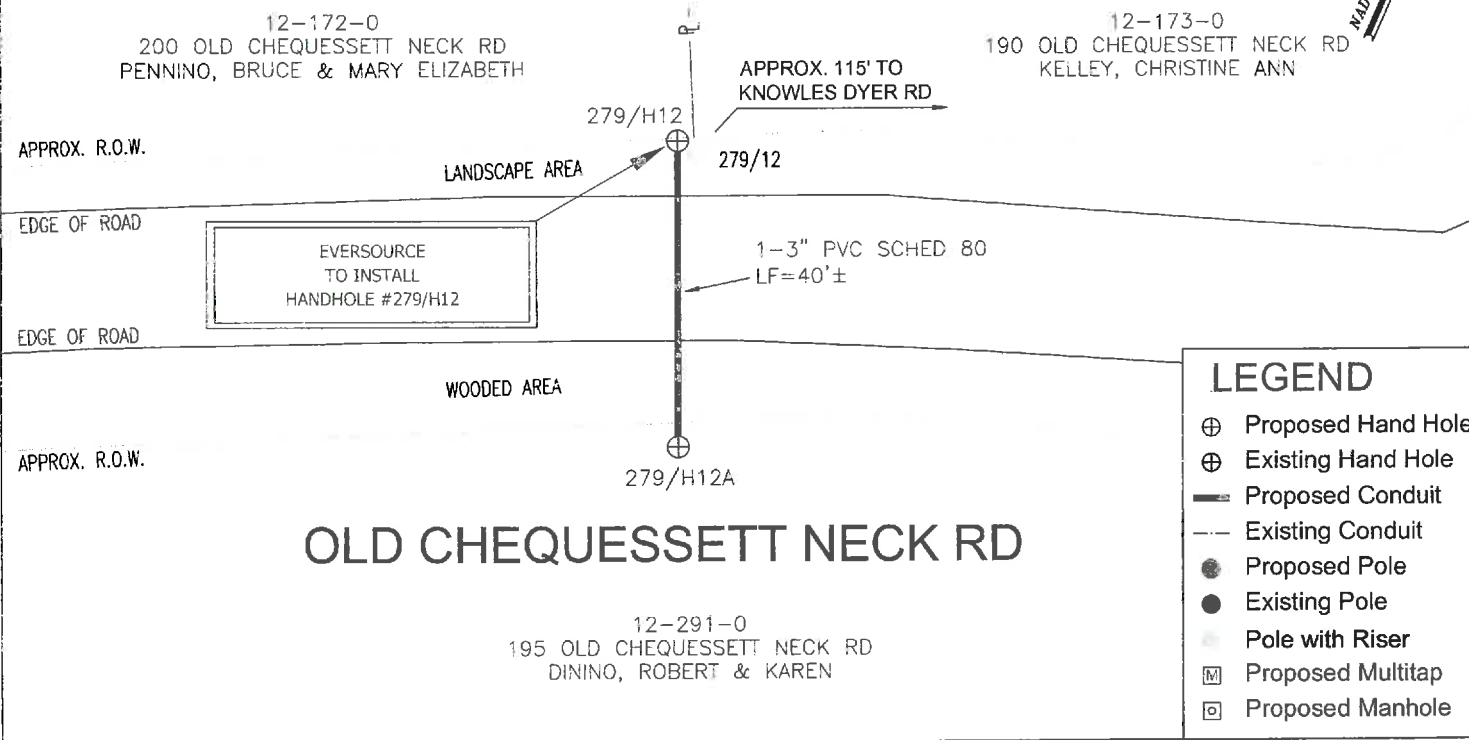
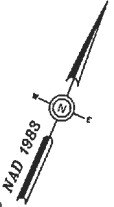
Warm Regards,

Jessica Elder

Jessica Elder
Right of Way Agent
EVERSOURCE ENERGY

FEB 12 2019

Plan to accompany petition of EVERSOURCE ENERGY to install 40'± of conduit by way of boring under road from 279/H12 to 279/H12A to provide electric service for customer at 195 Old Chequessett Neck Road.



LEGEND

- ⊕ Proposed Hand Hole
- ⊗ Existing Hand Hole
- Proposed Conduit
- - - Existing Conduit
- Proposed Pole
- Existing Pole
- Pole with Riser
- Ⓜ Proposed Multitap
- Ⓢ Proposed Manhole



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MASS. LAW
 REQUIRES 72 HOURS ADVANCE NOTICE TO UTILITY COMPANIES BEFORE DIGGING BY ANYONE. CALL DIG-SAFE 1-888-344-7233

Plan #	2301459	<p>1185 MASSACHUSETTS AVE. DORCHESTER, MASS. 02125</p>
Ward #		
Work Order #	2301459	Plan of OLD CHEQUESSETT NECK ROAD
Surveyed by:		WELLFLEET
Research by:	PG	Showing PROPOSED CONDUIT LOCATION
Plotted by:	PG	
Proposed Structures:	LM	
Approved:	A DEBENEDICTIS	Scale 1"=20' Date JANUARY 29, 2019
P#		SHEET 1 of 1



BOARD OF SELECTMEN

AGENDA ACTION REQUEST
Meeting Date:

VIII

TOWN ADMINISTRATOR'S REPORT

To: Board of Selectmen
From: Dan Hoort, Town Administrator
Subject: Town Administrator's Report
Date: February 22, 2019

This report is for the period February 9, 2018 through February 22, 2019.

1. General

- Town Administrator's draft ATM warrant has been posted on Town's web site.

2. Fiscal Matters

- Budget approval will be during March 4th meeting

3. Meetings

- February 12 – Finance Dept meeting to discuss Treasurer/Collector vacancy
- February 12 – FinCom member to discuss strategic planning of Town finances
- February 29 – Selectboard meeting
- February 13 – Communications Union negotiations
- February 13 – Meeting Shark Work Group re Woods Hole Group project
- February 13 – Finance Committee meeting
- February 14 – WEA Negotiations
- February 18 – Holiday
- February 20 – Finance Committee meeting
- February 21 – 95 Lawrence meeting
- February 21 – State of the Town address to Wellfleet Community Forum
- February 22 – Meeting with six Outer Cape Town Administrators/Managers & Seashore Superintendent to discuss meeting with State

4. Complaints.

- none.

5. Miscellaneous.

- none

6. Personnel Matters:

- Open position: DPW Facilities Manager
- Soon to be open position: Town Accountant



BOARD OF SELECTMEN

AGENDA ACTION REQUEST
Meeting Date:

X

CORRESPONDENCE AND VACANCY REPORT

Date: February 21, 2019
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
4 Positions	Board of Selectmen	3 years
Requesting Appointment: Two application 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 7 Members)

Vacant Positions	Appointing Authority	Length of Term
6 Positions	Board of Selectmen	3 years
Requesting Appointment: No applications on file		

Comprehensive Wastewater Management Planning Committee (7 Members)

Vacant Position	Appointing Authority	Length of Term
1 Position	Board of Selectmen	3 years
Requesting Appointment: No applications on file		

Conservation Commission (7 Members)

Vacant Positions	Appointing Authority	Length of Term
1 Position	Board of Selectmen	3 years
Requesting Appointment: One application on file		



BOARD OF SELECTMEN

AGENDA ACTION REQUEST

Meeting Date:

Energy Committee (11 members total)

Vacant Positions	Appointing Authority	Length of Term
1 Alternate Position	Board of Selectmen	3 years
Requesting Appointment: No applications on file		
1 BOS Rep		BOS Term

Finance Committee (9 members, 2 alternate)

Vacant Positions	Appointing Authority	Length of Term
1 Position	Town Moderator	3 years
2 Alternate Positions		3 years
Requesting Appointment: No applications on file		

Herring Warden (1 Warden, 1 Assistant Warden)

Vacant Positions	Appointing Authority	Length of Term
1 Assistant Position	Board of Selectmen	3 years
Requesting Appointment: No applications on file		

Historical Commission (7 members)

Vacant Positions	Appointing Authority	Length of Term
1 Position	Board of Selectmen	1 year to complete term
Requesting Appointment: No applications on file		

Human Rights Commission (1 Representative)

Vacant Positions	Appointing Authority	Length of Term
1 Position	Board of Selectmen	3 years
Requesting Appointment: No applications on file		

Marina Advisory Committee (7 Members, 2 Alternates)

Vacant Positions	Appointing Authority	Length of Term
1 Alternate Position	Board of Selectmen	2 years
Requesting Appointment: No applications on file		

Natural Resources Advisory Board (At least 3 Members)

Vacant Positions	Appointing Authority	Length of Term
1 Position	Board of Selectmen	3 years
Requesting Appointment: No applications on file		

Open Space Committee (7 Members)

Vacant Positions	Appointing Authority	Length of Term
1 Position	Board of Selectmen	1 year
Requesting Appointment: No applications on file		



BOARD OF SELECTMEN

AGENDA ACTION REQUEST

Meeting Date:

Personnel Board (4 members + TA + FinCom Rep)

Vacant Positions

2 Positions

Requesting Appointment: One application on file

Appointing Authority

Board of Selectmen

Length of Term

3 years

Planning Board (7 members)

Vacant Positions

2 Positions

complete term

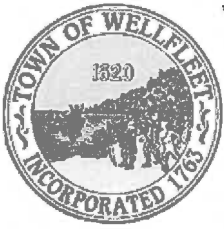
Requesting Appointment: One application on file

Appointing Authority

Board of Selectmen

Length of Term

1 @ 5 years, 1 @ 4 years to



BOARD OF SELECTMEN

AGENDA ACTION REQUEST

Meeting Date:

XI

MINUTES

REQUESTED BY:	Executive Assistant
DESIRED ACTION:	Approval of meeting minutes
PROPOSED MOTION:	I move to approve the minutes of January 29 th and February 12 th , 2019 as printed/as amended.
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____

DRAFT

Wellfleet Selectboard Meeting Tuesday, January 29, 2019 at 6pm 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; Executive Assistant Courtney Butler

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

ANNOUNCEMENTS, OPEN SESSION AND PUBLIC COMMENT

- Wilson informed viewers that Scot Soares would be at the COA on 02/25/19 at 7pm to discuss the Massachusetts Shellfish Initiative.
- Reinhart informed viewers the Selectboard held an executive session earlier in the day to negotiate terms of a renewal contract for TA Hoort.
- Police Chief Fissette noted that the Annual Report from the Police Department had been distributed to the Selectboard and would be on-line shortly.
- Energy Committee Chair Elkin informed viewers that the Energy Committee would be requesting a new charge and new name for the Committee, the Energy and Climate Change Committee
- Elkin also reminded the Selectboard that he had requested the Selectboard vote on a policy for remote participation.
- Hoort announced that the Nauset School Building Committee will host a project forum on January 30 at 6 pm at the COA.

PUBLIC HEARINGS

Community Preservation Committee Annual Needs Hearing

Mary Rogers and Gary Sorkin presented the Committee's Needs Assessment. The Assessment covers four main areas including housing, open space, recreation, and historic preservation. Representatives from each of those interest areas are on the Committee and annually present requests for funding with CPC funds. This hearing assesses whether those needs are current and meet the needs of the community.

Rogers introduced the Wellfleet Needs Assessment List for 2018. Under housing, there is a goal to assess the effectiveness of the Affordable Accessory Housing Unit (AADU) program.

Wilson asked the difference between an AADU and an Affordable Dwelling Unit (ADU). Sorkin stated that Wellfleet has an AADU bylaw. He said that an ADU is different because it does not have the same affordability as an AADU. He said that there is an effort to consolidate AADU and ADU bylaws to make them more comprehensive, which would remove the affordability aspect of the units. Rogers noted under Open Space that there is a chance from "enhancing scenic vistas" to "protecting from development and for limited and appropriate public access land near ocean, bay and ponds." Conservation Commission and Open Space Committee were involved in creating this section of the Needs Assessment list.

Wilson asked for clarification on the process of using the funds once they are approved at Town Meeting. Sorkin said that the process is for any organization that falls into the four categories to apply for funds to the CPC.

Rogers said that the Historical Society is now working with the Historical Commission to meet some of the needs on their list. Sorkin said that CPC funds come from an override on local real estate taxes. Rogers and Sorkin then discussed the 2019 Applications List, which totals \$266,500.

The Housing Authority is requesting \$75,000 for a Housing Specialist position. Sorkin noted that Wellfleet is the only town on the Cape that does not have a Housing Specialist, who would be employed through the Housing Authority. Wilson suggested the CPC consider their past use of excellent consultants and do a cost-effective analysis. Sorkin said this request has been approved by CPC but it still must go to the Board and Town Meeting. He said that it is a multi-year position and they are considering a consultant who has previously done work in the town.

The Historical Commission is requesting \$40,000 to hire a consultant to compile and maintain records on houses in Wellfleet that are over 100 years old. Carlson asked what exploration has been done for using volunteers for the job. Sorkin said the Committee asked the same question, and since it is a highly skilled task, the Commission would like to hire a part-time employee who could hopefully train volunteers in the future. Wilson said that David Wright would be a good candidate for this job. Sorkin said there was a request for support for recreational shellfishing in the Town but that it is not allowed under CPC regulations. The Recreation Department is requesting \$54,000 permanent tent at Bakers Field.

The Community Development Partnership in Eastham hosts a Cape Housing Institute and the Committee is recommending providing \$7,500 for attendees.

The final request is for the Affordable Housing Trust Fund for \$100,000. Bacon asked if this money was used for rental assistance. Sorkin said that Trust Fund money could not be used for rental assistance, so they use money from various sources including the Town. He said the Housing Authority did receive a grant from the Human Services Committee for extended rental assistance for people who have been on rental assistance for multiple years. Bacon asked if this could be used for the buydown, Sorkin said yes.

Request received January 4, 2019 from Ken Kozak to close The Wicked Oyster from February 19 through April 4, 2019

Kozak said that the restaurant would like to close to complete renovations and to take a winter break.

Wilson moved to approve the request of Ken Kozak to close The Wicked Oyster from February 19 through April 4, 2019.

Bacon seconded, and the motion carried 5-0.

BUDGET REVIEWS

Library

Jennifer Wertkin presented the budget with a request for extra money for temporary assistance. She shared that she has not had enough staff skilled in technology. She said there is a need for the library to be open beyond its normal hours due to the need for more programming after hours. Reinhart asked the number of people and man hours needed to fill the gap. Wertkin said they are requesting 10 hours a week at \$18.50 an hour, and to ideally hire a local person. She does have a person in mind who is a resident who has been used to fill gaps this past summer. Wertkin shared that the Town funds the materials budget at 85% and if it was to fund the materials budget below 80% then the Library is no longer eligible for State Aid and in danger of decertification. She is requesting \$3,000 instead of \$4,000 in her temporary budget to avoid this. She hopes that the Town would someday fund the Library at 100%.

Wilson asked how many comes from the Friends of the Library. Wertkin said that last year they received \$20,000 which is mostly used for children's programming. The Friends also use this money

for their programming and to supplement other budget areas. Wertkin said the Trustees fund specific items which are made by donation.

Houk expressed his admiration and appreciation for the Library and its staff.

Houk moved to approve the library for FY20 as presented.

Wilson seconded, and the motion carried 5-0.

Council on Aging

Suzanne Grout Thomas presented the Council on Aging budget. She shared that the Library and COA have a collaborative effort in which a new 7-passenger van takes COA members to the music programs at the Library. The Friends of the Library pay the driver.

The Visiting Nurse Association (VNA) Health Service Contract has increased by \$900. The VNA provides a weekly clinic, home visits, and the infectious disease control and reporting through the Health Agent. There is also an increase in the telephone service because Thomas would like to place a cell phone in the second vehicle. Wilson asked if people have their own cell phones. Thomas said they do but there is no guarantee they will use it for work.

Carlson moved to approve the Council on Aging budget for FY20 as presented.

Wilson seconded, and the motion carried 5-0.

Human Services Grants

Grout Thomas presented the Human Services Grant budget. The Grant includes a lump sum for 501c-3 agencies who provide direct services to residents. They must apply to an RFP put out by the Social and Human Services Committee. The Grant provides a tuition voucher for 4-year olds. Grout Thomas would like to double this to include 3-year olds, adding \$100,000 to this line item. Grout Thomas is requesting \$25,000 to fund the Navigator Program, which is a case management program by for and managed by the Town which helps people with substance abuse and mental health issues. Grout Thomas advocated to continuing funding this program. Grout Thomas said there are about 17-19 4-year old children in the community each year. She said that this would be an interim measure while the school figures out how to add 3-year olds to the school. Currently the preschool begins at 4 years of age.

Carlson asked how many of these children come from families where they cannot afford the childcare themselves. Grout Thomas said that antidotally there has been a trend in families selecting more expensive daycares because they have the voucher. She said the voucher is also able to be used for Wellfleet residents who work outside of town and bring their children to daycares closer to their work. Grout Thomas said that the voucher makes it possible for quality preschool.

Carlson asked Hoort if Provincetown had recently provided pre-school services. Hoort said that they approved universal preschool for all ages below kindergarten. Grout Thomas said that \$1 spent on a child who is 3, saves you \$10 when they are 10.

Bacon moved to approve the Human Services Grants budget for FY20 as presented.

Wilson seconded, and the motion carried 5-0.

Harbormaster

No one was present from the Harbormaster's office to present the Marina Enterprises budget. Hoort said he would ask them to attend the next meeting.

No action taken.

LICENSES

Common Victualler:

Bacon recused herself from the vote on The Wagner at Duck Creek Inn because she is an employee. Wilson recused herself from the vote on Moby Dick's Restaurant because she is an abutter.

Reinhart moved to approve the renewal of Common Victualler licenses for Bocce Italian Grill, Box Lunch, Blackfish Variety, Boathouse Fish Market, Bookstore & Restaurant, Catch of the Day, Ceraldi, Chequessett Yacht & Country Club, C Shore, Cumberland Farms, Emack & Bolio's, Even'Tide Motel & Cottages, Flying Fish Café, The Fox and Crow Café, Harbor Stage Company, Hatch's Fish Market, JB's Pizza Bar & Grill, Mac's Seafood Market, Mac's Seafood Takeout, Mac's Shack, Mainstay Motor Inn, Maurice's Campground, PB Boulangerie Bistro, Pearl Restaurant, PJ's Family Restaurant, Seaberry Surf Gift Shop, Solace Food Truck, Van Rensselaer's, Wellfleet Beachcomber, Wellfleet Cinemas, Wellfleet Donuts, Wellfleet Drive-In Flea Market, Wellfleet Marketplace, Wellfleet Miniature Golf, Dairy Bar and Grill, Wellfleet Motel & Lodge, Wellfleet Preservation Hall, The Wicked Oyster, and Winslow's Tavern.

Wilson seconded, and the motion carried 5-0.

Reinhart moved to approve the renewal of Common Victualler license for Moby Dick's, with Wilson recusing.

Bacon seconded, and the motion carried 4-0.

Wilson moved to approve the renewal of Common Victualler license for The Wagner Inn at Duck Creek, with Bacon recusing.

Reinhart seconded, and the motion carried 4-0.

Weekly Entertainment:

Wilson moved to approve the renewal of Weekly Entertainment licenses and to have provided to each licensee a copy of our Noise Bylaw, (Wellfleet General Bylaws Article VII Sectoin 26), for Bocce Italian Grill, Bookstore & Restaurant, C Shore, Flying Fish Café, Harbor Stage Company, PB Boulangerie Bistro, Pearl Restaurant, Van Rensselaer's, The Wagner at Duck Creek, Wellfleet Beachcomber, Wellfleet Cinemas, Wellfleet Drive-In Flea Market, Wellfleet Miniature Golf, Dairy Bar and Grill, Wellfleet Preservation Hall, The Wicked Oyster, and Winslow's Tavern. Carlson seconded, Kathleen Bacon recused, and the motion carried 4-0.

Food Truck:

Solace Food Truck

Postponed.

Class II:

Slaibi Enterprises

Houk moved to approve the renewal of the Class II License for Slaibi Enterprises.

Bacon seconded, and the motion carried 5-0.

Automatic Amusement:

Southfleet Motor Inn

Houk moved to approve the renewal of the Automatic Amusement License for Southfleet Motor Inn. Bacon seconded, and the motion carried 5-0.

APPOINTMENTS/REAPPOINTMENTS

Appointment of Peg Carnduff to the Council on Aging Board

Peg Carnduff presented her reasons for wanting to serve on the Council on Aging Board.

Bacon moved to appoint Peg Carnduff to the Council on Aging Board for a term to expire on June 30, 2021.

Wilson seconded, and the motion carried 5-0.

Appointment of Christopher Allgeier to the Dredging Committee/Task Force

Christopher Allgeier presented his reasons for wanting to serve on the Dredging Committee/Task Force. Hoort shared that he met Allgeier at the coffee session he held at the Library and he expressed his great interest in this Committee after retiring in Wellfleet in May. Allgeier shared his personal history with Wellfleet as well as his education and career in civil engineering and construction management and his experience in dredging.

Wilson reminded Allgeier of his duties to operate on the Task Force under the Open Meeting Law and Conflict of Interest Laws and to first get sworn in at Town Hall before beginning his work.

Bacon moved to appoint Christopher Allgeier to the Dredging Committee/Task Force for a term for 3 years.

Wilson seconded, and the motion carried 5-0.

BUSINESS

Use of Town Property – none

Discussion of process for Police Chief replacement

Hoort reminded the Board that they are not discussing a specific candidate mentioned in the process set out by Chief Fisette. He stated that the Chief has identified someone who would be a successor and that if the Board wanted to follow his recommendation they could make a motion to do that and let the process unfold. Fisette said that if the Board follows what he has outlined will provide enough time to backfill the Lt. position.

Bacon said she was inclined to follow the outline given by Chief Fisette. Chief Fisette that if the Board follows this outline he can start looking for a person to succeed him and fill the gap at the bottom of the Department. The process to fill a position to take time. His hope is that by the time he retires, the Department will be fully staffed.

Wilson said there are benefits of going through the process of putting the position out nationwide but that there are enormous benefits from hiring from within if it is the right person. She asked what would be in the best interest of the Department.

Houk said that the Chief has provided a good outline and that if he were still going to be on the Board, the person mentioned in Chief Fisette's memo would have his full support. Reinhart agreed

that hiring from within that the community feels more comfortable with knowing who is next and she trusts Chief Fisette's judgement.

Audience member Richard Blakeley shared his support for hiring from within and expressed his admiration for Chief Fisette.

Houk moved to adopt a hiring process for the new Police Chief as outlined by Chief Fisette. Wilson seconded, and the motion carried 5-0.

Eversource Energy

- 1) *Install 266 feet of underground conduit at 300 Main Street*
- 2) *Easement at 300 Main Street*
- 3) *Install cable/conduit at 720 and 760 Chequessett Neck Road*

Bacon asked if the electric vehicle charging stations were in place behind Town Hall. Hoort said they are installed but they will not be hooked up until the cable is installed. The cable will run from Main Street to the lot. Wilson said that it would be very good to get the baseline reading for low frequency magnetic radiation before the transformer is hooked up.

Bacon moved to allow Eversource Energy install 266 feet of underground conduit at 300 Main Street. Wilson seconded, and the motion carried 5-0.

Carlson moved to allow Eversource Energy install an easement at 300 Main Street. Reinhart seconded, and the motion carried 5-0.

Wilson moved to allow Eversource Energy to install cable/conduit at 720 and 760 Chequessett Neck Road.

Bacon seconded, and the motion carried 5-0.

Disposition of Town Owned Property – Wellfleet Housing Authority

Wilson asked if members of the Board had gone out to see the property. Only Wilson and Houk had by this point in time. Wilson said she attended the ConsCom meeting where they recommended this disposition. She said that having looked at the lots, it could be one house that uses the acreage of both lots if that is what the Housing Authority decided to do. Carlson expressed concern with wetlands and the use of alternative septic. Wilson said that the upland lot is away from the wetland. She suggested sending along just parcel 112 to meet the concerns for the wetland by parcel 119.

Bacon moved to refer the possible disposition of town-owned property as shown on the Assessor's map 14, parcel 112 to all committees, boards, departments and other potentially interested parties. Wilson seconded, and the motion carried 5-0.

Waiver of Building Dept. permit fees for 2082 Rte 6 aka Durkee Lane [Habitat]

Justin Post and Elizabeth Wade, Permitting Manager for Habitat for Humanity, presented their request for permit waivers through Chapter 40B. Wade said this waiver is normally included in the LAU application, which was left out when the application was signed on August 14, 2018.

Wilson moved to waive the building permit fees for the Habitat for Humanity Project at 2082 Route 6.

Bacon seconded, and the motion carried 5-0.

Discussion of Massachusetts Shellfish Initiative [Wilson]

Wilson shared that at 7pm on February 25, the consultant from MSI will be at the COA to provide more information to the community. She wanted to provide an update to the Board on the situation unfolding around the MSI. She said that in 2014 the State jumpstarted a stakeholder group to get input from the shellfish community at large to the State.

Wilson said that the Shellfish Advisory Panel has not met for a while but is not decommissioned. She said that 3 private organizations have created the MSI and is still working out organizational issues. She said that the Shellfish Constable and two other people from Wellfleet will be members of a sub-committee that the Panel has formed. She said that the February 25 meeting is the time for the community to ask questions and discuss the pros and cons of it.

Reinhart asked what the committee would be working on. Wilson said they will be advocates, but the MSI is not an official State body yet.

Constable Civetta MSI Task Force has set up a sub-committee, the Assessments Committee, comprised of herself and other Shellfish Constables and industry stakeholders. They are compiling information from their constituents about what is going on in the industry today and needs that need to be addressed and bringing this back to the Task Force by April 3.

Civetta said that the State is working to gather its own information to determine if the MSI is necessary. She said that Massachusetts is unique in that it has Home Rule which allows each town to regulate shellfishing.

Wilson said that Representative Peake confirmed that MSI is not a State organization, but rather a very focused organization. Wilson said she is open-minded about the group. Wilson said that the biggest stakeholder in this is Mother Nature.

Bacon asked Civetta, once this information gathering has concluded, what the group is ultimately hoping to determine to do. Civetta said she does not know what to expect but she wants to be a part of the discussion and represent her constituents.

There was discussion on the effects on the Harbor of leaving gear in the harbor, as discussed at a previous Dredging Task Force meeting.

Audience members Dan Morton, Richard Blakeley, and Dave Seitler expressed their concerns and hesitations with the MSI, specifically with the private organizations involved. The Massachusetts Aquaculture Association and Cape Cod Commercial Fisherman Alliance and Nature Conservancy are three organizations at the center of the MSI.

Civetta said she does not want things in Wellfleet to change and that she will go in with an open mind and on defense to protect the current industry and see if there are opportunities as well.

Carlson mentioned a potential bill being brought to legislation and sees the concerns of privatizing the industry.

Reinhart proposed that the board voice its support for local shellfish community, Shellfish Constable, representatives on the MSI, and Shellfish Advisory Board.

The board agreed unanimously.

TOWN ADMINISTRATOR'S REPORT

This report is for the period December 29, 2018 through January 25, 2019.

1. General
 - Eversource will be installing the wiring to connect to the transformer.
2. Fiscal Matters

- FY 2020 budget review continues
3. Meetings
 - January 5 – Coffee with the TA at the Library
 - January 9 – Communications Union negotiations
 - January 11 – Meeting with former Selectman Dennis Murphy
 - January 11 – Housing Institute wrap-up meeting
 - January 14 – Dredging Task Force
 - January 15 - Selectboard meeting
 - January 16 – Mayo Creek Restoration meeting
 - January 16 – DPW Assistant Director interviews
 - January 17 – DPW Assistant Director interviews
 - January 17 – Teamsters negotiations
 - January 18 – MMA Conference in Boston
 - January 19 – MMA Conference in Boston
 - January 21 – Holiday
 - January 22 – Update meeting on Herring River Restoration
 - January 23 – Meeting with Town Accountant to discuss new accounting software
 - January 23 – Meeting on Wellfleet’s Future
 - January 23 – Finance Committee meeting
 - January 24 – Finance Department meeting
 4. Complaints.
 - none.
 5. Miscellaneous.
 - none.
 6. Personnel Matters:
 - Open Position: Treasurer/Collector

Bacon asked about the DPW Assistant Director interviews. Hoort stated that a candidate was selected, and that he is in communication with the union for a starting salary. Hoort will share his resume with the Board after he finishes speaking with the union.

Houk asked members to share their experience at the MMA conference. Hoort said he learned a lot from the seminar focused on getting people in the community engaged more in their government. Reinhart said that Governor Baker is focusing on education this year. She also went to a seminar on educational finance. Carlson learned about the many resources available, including free ones. She said that it was great to see all the work other municipalities are doing.

TOPICS FOR FUTURE DISCUSSION

- Wilson asked that the Board to submit an application to SPAT to purchase the salt water ice machine.
- Wilson asked for a working meeting, within the next month and a half, with the TA and Executive Assistant.
- Wilson asked for a standalone meeting to review warrant in March.
- Wilson suggested that the Board asks Elkin to have the Energy Committee draft the charge they are requesting as mentioned at the start of the meeting, as well as include alternates.

- Wilson asked that a Food Truck checklist be added to the packet when approving licenses. Reinhart asked that the Principal Clerk initial the licenses to ensure the applicants are meeting all requirements.
- Houk suggested the Board send a letter from their attorney to the News Dealer stating they will move forward with eminent domain.
- Houk asked about having an Executive Session to discuss the 3 Kendrick Ave. property.
- Reinhart reiterated Elkin's request for a policy on remote participation for committees on the February 12th agenda.

MINUTES

Wilson moved to approve the minutes of January 15, 2019 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 8:18 p.m.

Respectfully submitted,

Courtney Butler,
Secretary

Public Records Material of 1/29/19

1. Community Preservation Committee Annual Needs Assessment
2. Request received January 4, 2019 from Ken Kozak to close The Wicked Oyster from February 19 through April 4, 2019
3. Library budget
4. Council on Aging budget
5. Human Services Grants budget
6. Marina Enterprises (Harbormaster) budget
7. Common Victualler renewal papers
8. Weekly Entertainment renewal papers
9. Food Truck renewal application
10. Class II license renewal papers
11. Automatic Amusement license renewal papers
12. Appointment papers for Peg Carnduff and Christopher Allgeier
13. Letter from Chief Fisette – Police Chief Hiring Process
14. Eversource Energy petition to install 266 feet of underground conduit at 300 Main St.
15. Eversource Energy petition to install cable/conduit at 720 and 760 Chequessett Neck Road
16. Information for Assessor's Map 14, Parcels 112 and 119
17. Town Administrator's Report

DRAFT

**Wellfleet Selectboard Meeting
Tuesday, January 29, 2019 at 6pm
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/Town Clerk Joseph Powers

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

ANNOUNCEMENTS, OPEN SESSION AND PUBLIC COMMENT

There were no public comments.

PUBLIC HEARINGS

Liquor License

Fox and Crow Café

A representative from the Fox and Crow Café was unable to attend the meeting.

Bacon moved to continue the application for a liquor license hearing for the Fox and Crow Café. Carlson seconded, and the motion carried 4-0. Wilson was absent for vote.

LEGAL DISCUSSION

Opioid Lawsuit

Town Counsel was not present for the discussion due to the weather. Reinhart gave some background on the lawsuit, saying there are other towns who have been part of this lawsuit for a while and it is a nationwide effort. Wilson said she needed to know more about what exactly the case will include. She said she is in support of spending money on things like Navigator but was not sure if this particular lawsuit is something the Board should support without more particular examples. Bacon asked if Michelle Olum could speak. Reinhart asked for further comments from the Board first. Houk said he felt the Board should wait for Carolyn Murray to come before they have any real discussions. Carlson said she would not have any problem waiting for Murray either.

Audience member Michele Olem, from Recovery 349, said it's important to join the lawsuit because a lot of other towns on Cape have done so and it is time to stand up to the pharmaceutical companies. Reinhart said she agreed but also saw Wilson's point about not wanting to vote on the item without all the information. Wilson said she would like to know a lot more about the specific of the case. Reinhart said this has been in the news for two years. She asked for a motion from the Board. Bacon said she was up to speed on the case and it is asking the Board to commit to a solidarity with the other towns on the Cape that are dealing with the fallout and debris from the situation the pharmaceutical company have created. She said KP Law does not state any pro or con, just what the firm is doing and what the suit is about. Wilson said that by joining this the Board is committing to

paying for something if they lose and the Board should be prepared for that. Reinhart asked for a motion from the Board.

Bacon moved to postpone the legal discussion on the opioid lawsuit until our Town Attorney, Carolyn Murray from KP Law can be here to discuss it with us.

Wilson seconded, and the motion carried 5-0.

BUDGET REVIEWS

Recreation

Becky Rosenberg shared a PowerPoint presentation that included pictures and feedback from the renovations at Baker Field. Rosenberg said that over the past year the program has successfully increased programming to meet the needs of the community by adding a toddler open gym, pickleball round robins and instructional clinics for children and adults, half day field trips, futsal instruction, expanded K, 1, 2 after school activities and a skateboarding club. The Department has also been working with parents, students, Nauset Schools Superintendent Tom Conrad, WES principal Mary Beth Rodman and 349 Prevention Committee to expand programming even further by using the WES as a community center. They are requesting additional hours in the 2020 budget to staff these programs. The priority is to offer activities during at risk times such as nights, weekends, and vacations. The Department is partnering with the Nauset Schools in utilizing a 12-passenger van, pending Board approval, which will enable transportation to existing Outer Cape programming and facilities. Adding this increase in staff and programming will allow for the essence of a community center without the capital cost of a facility.

Reinhart asked what some of the programs that teens could take part in. Rosenberg said she attended a focus group at the high school and heard from the students. Bacon said she has no qualms about hiring more staff and asked if the individual would be a Wellfleet resident. Rosenberg said there is no formal plan yet, because it could be filled by one or more people, or increasing hours of current staff. She said right now that all 4 part-time people are Wellfleet residents. Wilson said she would like more specific information. Wilson asked about road race supplies, and what the revenue from the road race is. Rosenberg said the road race made \$18,042 in 2017. Wilson also mentioned the CPC's request for a permanent structure at Baker Field and noted that would cut a lot of costs to the Department instead of having to put up and take down each year.

Reinhart asked Hoort if there would be extra money available. Hoort said Rosenberg has always looked for ways to expand her programs and to reach more age groups and was supportive of her efforts. Houk asked if the payment of the driver for the van was included in the \$1,100. Rosenberg said the van is driven by Recreation staff, so the cost is for rental. He said the tent take down and rental is \$5,675 and asked if the Department had looked into getting its own to store. Rosenberg said she had in the past and it did not store well. Houk said he planned to find out if the Town would be getting its own fuel pumps, because Town employees fill their Town vehicles in Eastham. Houk asked if the DPW could fix the entrance way to the skateboard park, listed as "wood to fix entrance to skateboard park." Rosenberg said she had not asked DPW but it needs to be addressed and can be fixed during the spring cleanup of the park.

Carlson commended Rosenberg's use of the elementary school as a community center, programming, and the use of a gifted van. Wilson asked about the Terminix line item for \$400. Rosenberg said they come and do pest control by setting down traps

Carlson moved to approve the Recreation for FY20 as presented. Bacon seconded, and the motion carried 5-0.

Mike Flanagan, Harbormaster, said that all vehicles go to Eastham for gas and diesel, but that DPW has its own diesel tank.

Beach Budget

Suzanne Grout Thomas presented the beach budget. She said the major change is a transfer of funding for portable toilets from both Beach and Recreation budgets into one line in the Director of Community Services budget, so there is a better handle on total annual expenditures. Reinhart asked about sharks and where money would come from for any sort of expenses related to shark safety. Grout Thomas said there was a decision made to go forward and have emergency landline installed by each ocean beach by the summer. She said there is funding for additional stand up paddle boards and additional radios. She said the old lifeguard stands will be placed on top of the dunes and a new radio will go with each chair. This will allow for more oversight of beaches.

Houk asked if Grout Thomas anticipated an increase in the use of ponds this summer given recent shark events. She said it seemed logical but could not predict it. Bacon asked about the purchase of a vehicle with an extended bed to transport injured beachgoers over the dunes, and what the estimated cost would be. Grout Thomas said \$30,000 split with the FD, as they could use the vehicle the rest of the year. Bacon asked if the national seashore had anything that could be utilized. Grout Thomas said no, but that they have provided guidance on vehicles that did not work. Bacon asked about the expansion of White Crest parking lot, and if it was her hope to revive the plan previously shelved. Grout Thomas said she has given the Parking Task Force conceptual plans and that they are crafting surveys for people to see their needs.

Reinhart asked Hoort if he had any comments on the budget. Hoort said he had pride for both Rosenberg and Grout Thomas with how much they know and do for their departments.

Wilson said the needs for addressing the lack of parking will only get worse and she is disturbed that the Parking Task Force isn't understanding what the situation is. She said the real people, who cannot be surveyed, are the hoards of visitors that come during the summer. Reinhart said that the Task Force will hand out a survey with the purchase of beach stickers.

Bacon moved to approve the Beach Budget for FY20 as presented. Wilson seconded, and the motion carried 5-0.

Marina Enterprises

Mike Flanagan presented the Marina Enterprises budget. Bacon asked about the net income loss. Flanagan said he believed it was due to the lack of dredging, and that people are not coming to Wellfleet to stay over. Bacon said there is no line item for replacing the underground fuel storage tanks and asked what the plan was for that. Flanagan said he did not know where the money for that would come from, but he suggested going with above ground tanks.

Hoort said he expected to see it on this Town Meeting Warrant and if the Marina could absorb the cost. He said that due to the age of the current tanks this matter cannot wait any longer. Bacon asked if they needed to be located in the same place. Flanagan said he did not want to. As for paying for the tanks, he said he is still paying off the Marina renovation, which was \$1.5 million. He said once this was paid he felt the Marina Enterprises budget could pay for the tanks. Bacon asked if there were other places these tanks could go, if the Town did not buy additional property this year. Flanagan said he is consulting with the engineering firm.

Houk asked if the \$100,000 removal and disposal of the tanks was solid. Flanagan said yes, he was given that number by the engineer. Wilson reminded Flanagan, and all departments, to look to grants for funding. She wondered if this project would fall into a grant category. Reinhart said the state is appropriating money for projects along the coast and would discuss it at the Coastal Resiliency forum being hosted on Wednesday, February 13. Houk commended the Marina Department for their work.

**Bacon moved to approve the Marina Enterprises budget for FY20 as presented.
Wilson seconded, and the motion carried 5-0.**

LICENSES

None.

APPOINTMENTS/REAPPOINTMENTS

None.

USE OF TOWN PROPERTY

Eastham FD/Technical Rescue Team, March 14, 2019

No one from Eastham FD was present. Wilson explained the request, saying that Eastham does not have high dunes to practice rescues on.

Audience Member David Agger asked about the sand being pushed onto the beach at White Crest during practice. Wilson said they wouldn't cause any more damage than what is usually done by visitors and residents who go up and down the dune

Wilson moved to approve the use of Town owned property by the Eastham Fire Department and Technical Rescue Team on Thursday, March 14, 2019 from 9 am to 3 pm at White Crest Beach. Carlson seconded, and the motion carried 5-0.

BUSINESS

Discussion 117 East Commercial Street

Bacon said she had nothing to discuss and there was no one from the Masonic Lodge to discuss. Hoort said he spoke with the Lodge, and they said the fence was put up by the Town and any issues about the fence can take place. Audience member John Riehl, Natural Resource Advisory Board, said he spoke with Austin Knight of the Lodge. Riehl said he suggests looking at the erosion issue at the bank first and that sea level rise should be considered. Bacon said the revetment on the Lodge side of

the parking area is macadam, which was trucked in and dumped in the middle of the night and that is not a sea wall. She said the Town did a storm drain in the parking area and put in trap rock. She said her thought with the property was to clean it up for the merchants who need parking in the summer months. She agreed with Riehl that the Town would need to look into a revetment at some point, as the area flooded twice last year.

Wilson said the fence should be moved sooner rather than later. She asked Hoort to ask DPW to remove the fence. Audience member Lydia Vivante said it would be nice to have access to the water from the lot and not just use it for parking. She asked if there could possibly be a kayak or bike rack and a water filling station too. Wilson recommended bringing this up to the Conservation Commission. Bacon said she had DPW replace the Town Landing sign and that there had been stairs, but erosion has damaged them. She said that there is a short window in the tides for kayaking in that area, but she sees the point to retaining the Town Landing.

No action was taken.

Presentation of an adult use of marijuana establishment – retail [David Pike]

John Kenny, Attorney, and David Pike, President of CCC Wellfleet RE, LLC discussed the lease at 1446 State Highway. Kenny introduced Jack Delaney from JJ Delaney, Inc. Kenny said Delaney will oversee design and construction, if approved, and would hire local craftsman to do the work. Kenny said his client has entered this lease with the idea of opening a retail marijuana sales shop. Kenny said there was a prior applicant who was in this lease, but that agreement fell through. Kenny has spoken with Ben Zehnder, the prior applicant's attorney and they make no claim of any rights to the property.

Pike said his company is intending to create a complete vertical cannabis solution on the Cape. They have purchased 3 acres of property in Mashpee, have a license application in for a retail facility, and are awaiting design for the application process for a cultivation facility. The company will take responsibility for the cannabis from seed to being available to the public. They have signed the lease for the property at 1446 State Highway.

Pike provided Selectboard members a packet that included the lease, a description of the company, products, security measures, traffic flow, and more. Pike said the company aims to hire staff who are competent and knowledgeable to meet state regulations and to answer customer questions. He said the company is open to hire locals.

Reinhart said that parking is a big issue at the location and recommended to consider that there may not be a lot of parking in front. Kenny said they have established a draft protocol for mitigating parking issues. Reinhart said the other concern is that the facility is large and asked Pike his plans for use of the property. Pike said they would appreciate the Board's feedback. Reinhart said that once the craze dies down, there will not be lines out the door 2 to 5 years down the road.

Wilson noted that the lease agreement states that the property owner must approve any additional stores on the property. She asked why they have chosen to open a retail recreational facility, rather than medical. Pike said that he was under the impression that medical had been covered and so he was trying to fill a new need. Reinhart said that since recreational marijuana was legalized, that most establishments have medical marijuana was available.

Derek D'Ambrosio, manager of facility, said the marijuana that would be sold would be medical grade and anyone over the age of 21 could purchase it. Wilson noted that people with medical marijuana cards could purchase it at a discount. She said that ideally all three establishments in Wellfleet would open at the same time and is supportive of this kind of business opening in town. Bacon said that she was deeply offended by the logo chosen by Pike and asked him to reconsider. She said that their estimated number of 337 people a day, year-round, and their hope to open in May were optimistic. Pike said he hopes to minimize the time it takes to open in any way possible.

Carlson asked Pike if this would be his only marijuana store. Pike said they have license applications to open stores in Mashpee and Brighton too. Carlson asked if his heart was in those communities too. He said no, because there were no schools for his autistic son in those communities. Carlson asked what being a good community actor meant to Pike. He said he is going to make sure they don't have negative impacts on the community, add to security, mitigate traffic issues where they can, and offer a significant contribution to the needs of the community. He said they are looking to the Board for recommendations.

Wilson said she is concerned with being a good actor within the terms of the contract. Houk agreed with Wilson about having a medical facility as well as recreational. He said that Provincetown, Truro, and Eastham will also have stores, and asked Pike if he took this into consideration. Pike said that the business will operate year-round and will be run profitably. Bacon asked where the grow facility will be. Pike said Mashpee.

Reinhart asked Pike and Kenny to prepare the Host Community Agreement application. Wilson suggested adding medical marijuana and local preference. Carlson said she hopes Pike would unfold the business in a positive way that helps the community. Pike said what they are trying to create is something that the adults in the town want and the state has deemed legal and they are happy to entertain any dialogue about how the Board would like it to look.

Wilson asked if Pike would consider products from local growers. Pike said yes. She asked Hoort and Powers for the letter from Ben Zehnder confirming that the other applicant is completely out of the lease. Kenny said that Zehnder's clients did not send a letter, but he and Powers have spoken with them and they claim no rights to the property.

Hoort asked for a vote of non-disapproval, meaning that the Board does not disapprove Pike submitting an HCA.

Presentation of adult use of marijuana establishment – craft marijuana cooperative [Ennie McDonald]

Michal Fee, Attorney, and Erin "Ennie" McDonald, Co-Owner of Gillyweed Garden, LLC presented their business plan for cultivation. McDonald, working with other local farmers, is part of High Dune Craft Cooperative (HDCC). The cultivator license is designed to give opportunities to established farmers to enter into this market and supplement their income with a crop that will be slightly more profitable. Fee said that McDonald will be starting at 500 square feet of canopy and build a greenhouse in the center of the property. They plan to establish year-round growing products with as many as 50 mature plants at a time.

Reinhart asked if they would sell the marijuana. With the license, there can be no sales onsite and Gillyweed plans to sell to local dispensaries. They hope for \$25,000 in revenue on an annual basis with the two employees. Reinhart noted the Cannabis Control Commission's regulation that one member of the cooperative must have filed a Schedule F tax form in the past 5 years.

Bacon said she supported this and hoped it would give residents an opportunity to provide a living for themselves. She did ask about security for the property. Fee said that in order to be licensed, they plan to adhere to all regulations and to speak with public safety officials to determine what can be done in addition to state regulations.

Houk said he supported the group and asked if, as farmers, they had to send their crops off to labs that approve it. McDonald said all product must be tested. Wilson asked how it was determined that Gillyweed does not need to be classified as a commercial farm. Powers said that the Cannabis statute expressly prohibits the connection between agricultural use and marijuana. Commercial farms need at least 5 acres of land.

Carlson commended McDonald on her efforts and business plan.

Reinhart said the Board is in approval of Gillyweed proceeding. Powers suggested the Cooperation must obtain the license and the host agreement and asked if this would be an application of High Dune doing business as Gillyweed. Fee said there is no model yet for the craft cooperative license and he spoke with KP Law and they are open to having an agreement with each member of the Coop. Fee said his preference would be to have the Coop be the signatory to the HCA but are open to doing it in whatever fashion the community thinks is best. Fee said the signatory for the HCA could be both the coop and the farm. Powers agreed. Reinhart said there should be some agreement that Gillyweed is responsible for its own farm.

Disposition of Town Owned Property – Wellfleet Housing Authority

Sharon Rule-Agger and Gary Sorkin presented on behalf of the Housing Authority. Reinhart said that she received a call from Alfred Pickard who had done peck testing. Houk thanked the Authority for explaining the map and parcels to him. Wilson asked if the Authority was proposing a structure on each lot. Sorkin answered yes. Wilson asked if he was aware this was in the floodplain. Sorkin said that a portion of 119 is in the floodplain, like many other houses in Wellfleet. There was discussion of the lots and septic.

Reinhart said that if this is sent to all committees and departments, they will receive valid feedback. Bacon asked Sorkin if it was his hope to pass these two lots onto Habitat for Humanity. Sorkin said he does not know who the developers would be.

Bacon moved to refer the possible disposition of Town owned property as shown on the Assessor's map 14, parcel 119 to all committees, boards, departments and other potentially interested parties.

Houk seconded, and the motion carried 3-2 with Carlson and Wilson opposed.

Policy Regarding Remote Participation

Wilson said this not a policy, it just needs to be voted on by the Selectboard, and each committee needs to understand that if they do it, the degree of audibility must be perfect. She also noted that it is important for committees to have quorum and the value of being able to read one's body language and not just listen in. She is opposed to implementing this.

Houk said that most boards were opposed to this when it was brought up a few years ago. He suggested asking the boards again if they have changed their minds. He is also opposed.

Reinhart said she would not expect any regulatory board to have remote participation. She said this would allow for other committees to have it, but said it was not an easy process. She said she did not see the harm in allowing for this and said they should hear from other boards whether they want it or not.

Bacon said she has had one experience with this, and that was in the fall when the Wellfleet Community Forum did a presentation with the Energy Committee and the Global Covenant of Mayors. A participant was Skyped in, and the audio was terrible. She said that offering this, or for the Board to make a vote on this, brings up a whole other set of complications. She agreed with Houk that putting out a request from boards for their feelings would be best.

Carlson said that this policy could be disruptive because it allows for members to participate while away on vacation, the sound quality is not good, and the group dynamics can change. She asked to keep the policy the way it is until quality audiovisual equipment is purchased.

Reinhart suggested sending a memo to committees to see if they would like to have the option to participate remotely. She said that so far, the Energy Committee is the only committee to come forward with this request. Wilson said she would like to stick to the Open Meeting Law and not implement this and to not send a memo.

No action taken.

Schedule March Meeting to Review and Make Recommendations on ATM Warrant

Hourt suggested Monday, March 4. Bacon suggested 6 pm. The Board agreed unanimously.

Acknowledge, Discuss and Take Appropriate Action on Open Meeting Law Complaint filed by Ronald Beaty dated February 1, 2019

Hourt provided a motion from Town Counsel. Bacon asked what the specific complaint was. Hourt said there are 10 reasons for having an Executive Session. The reason should have been number 2, and the agenda said number 3. Wilson said she looked at the language for the Open Meeting Law and did not catch the incorrect number.

Bacon moved to authorize the Board's response to the Open Meeting Law Complaint filed by Ronald Beaty dated February 1, 2019 consistent with the Board's discussion tonight and authorize Town Counsel to finalize same consistent with the Board's deliberations and further that Joseph Powers be designated as liaison to coordinate a response with Town Counsel. Wilson seconded, and the motion carried 5-0.

Powers noted in Beaty's complaint that he is making allegations of violations. He said that not all of these are violations by this body, specifically that the Executive Session meeting minutes should be immediately released to the public. He said that Counsel were aware of a number of Cape Cod communities where Beaty filed complaints rather than requesting minutes under a Public Records Request.

Wilson said that the reason for not releasing the minutes from the Executive Sessions in a timely fashion, is because the Board is not finished with the issue yet. They can vote to approve them, but do not have to vote to release them yet. Powers said that when this goes to the Division of Open Government, he suspected they would not say the Board is in violation. He said that at no point was this Board trying to confuse or deny anybody proper notice of what was going on.

TOWN ADMINISTRATOR'S REPORT

This report is for the period January 26, 2018 through February 8, 2019.

1. General
 - Eversource will be installing the wiring to connect to the transformer.
2. Fiscal Matters
 - FY 2020 budget review continues
3. Meetings
 - January 29 – MIIA Insurance Rep meeting
 - January 29 – Selectboard meeting
 - January 30 – Nauset School Building Forum
 - January 30 – Finance Committee meeting
 - January 31 – WEA Negotiations
 - January 31 – Beach communications meeting
 - February 1 – Selectboard Executive Session meeting
 - February 1 – Cable Advisory Committee Chair
 - February 1 – Finance Committee member re strategic vision
 - February 5 – Channel 18 Operations Manager meeting
 - February 5 – Asst. Library Director regarding painting
 - February 5 – Meeting to discuss Truro withdrawal from Herring River Executive Committee
 - February 6 – Cable Advisory Committee meeting
 - February 7 – Truro Housing Authority Presentation
 - February 8 – Meeting to discuss COMCAST license renewal
 - February 8 – Conference call on Rte 6 and Main Street design in preparation for it being on February 26th BOS agenda
4. Complaints.
 - none.
5. Miscellaneous.
 - none
6. Personnel Matters:
 - Open Position: Treasurer/Collector
 - Open Position: Assistant DPW Director
 - Soon to be open position: DPW Facilities Manager
 - Soon to be open position: Town Accountant

Hoort commented on his January 31 beach communications meeting, where there was a discussion about call boxes at the beaches. He said he spoke with someone from Lt. Governor Polito's office about the lack of cell phone communication on the beaches. They are going to connect Hoort with an office in MA that will give guidance to improve cell phone service on the beaches. Bacon asked about money for the landlines. Hoort said that a Town Meeting Article will transfer money from the beach fund. Bacon asked if the State could help pay for them. Hoort said yes, but that he is hoping the State helps with a bigger project.

Carlson asked Hoort about the number of vacant staff positions. Hoort said it concerns him, because he wants to make the Town a place where people want to work and not leave. He said that each person leaves for their own reasons, and when they do, he asks if there was anything different that we could have done to keep them, and how do we make ourselves better by filling this open position. Reinhart noted that she has heard from departments that Wellfleet is a "stepping stone". She said there is also a whole new generation coming and we are in an area of transition and hopefully people will stay. Hoort said that it is difficult to fill positions because there are few applicants and employees keep moving between the Cape towns. He suggested an intern program to get training and experience. Wilson noted that we have AmeriCorps which provides extraordinary value. Hoort said he is looking at something for every department in town, because there is not an AmeriCorps in Town Hall for example.

Houk asked Hoort if he was still working with the Chief on an Article for Paramedics. Hoort said they will have a draft. Houk asked about the Assistant DPW position. Hoort said they are still working with the Union on the selected applicant's salary. Bacon asked if they were a Wellfleet resident. Hoort said no.

TOPICS FOR FUTURE DISCUSSION

- Request for executive session on 3 Kendrick Avenue [HMW]
- Request for DCR to have a second meeting in Wellfleet on the Cape Cod Rail Trail extension [HMW]
- Request for update on completing the Local Comprehensive Plan [Bacon]
- Request for proposed town meeting charter change warrant article on 02/26/19 agenda [JH]
- Request for letter to ConsCom be on 02/19/19 work session agenda [HMW]
- Request to vote on Town Administrator's Contract [JR]
- Request that Building Needs and Assessment Committee and Community Services Director be invited to future meeting to discuss possible disposition of land [JC]
- Request that goal setting for the Board and TA be on 02/19 work session agenda [JC]

There was discussion of how to have a public meeting with DCR and/or DOT about the Route 6 Extension. Reinhart suggested Hoort contact both agencies. Hoort said that Stantec will be in front of the Board at the next meeting and that he would contact DCR.

Bacon asked about rebooting the Comprehensive Plan. Carlson said that she learned about a consultant they can hire to help finish the plan, while attending the MMA conference in January. She has given their contact information to Hoort and Powers. Bacon said she hopes to see the work completed thus far by Brian Carlson.

Reinhart asked about an update on sharks. Hoort said he was attending a meeting with the Woods Hole group this week.

CORRESPONDENCE AND VACANCY REPORT

Carlson said they received a letter from Richard Blakeley that asked the Shellfish Constable to clarify her relationship with Cape Cod Hook and Cape Cod Fisherman's Alliance. Carlson said she brought this to Hoort's attention. Wilson said she spoke with Blakeley and informed him that when Shellfish Constable Civetta was hired that she and Hoort spoke and Civetta said that she would no longer work with those businesses.

MINUTES

Postponed the approval of minutes from the January 29, 2019 meeting.

ADJOURNMENT

Wilson moved to adjourn the public meeting and to reconvene in Executive Session pursuant to Massachusetts General Law, Chapter 30A, section 21a #7 to comply with, or act under the authority of, any general or special law or federal grant-in-aid requirements, to comply with the Open Meeting Law, G.L. c. 30A. §§ 22(a), (f), (g) – to review, discuss and vote to approve and/or release of executive session minutes dated January 22, 2019, January 29, 2019 and February 1, 2019.

And #2 to conduct strategy sessions in preparation for negotiations with non-union personnel [The Town Administrator] and to review, ratify, validate and/or confirm the Board's discussions and deliberations from the January 22, 2019, January 29, 2019 and February 1, 2019 executive sessions regarding the same or to conduct contract negotiations with nonunion personnel: votes may be taken. The Selectboard will not reconvene in Open Session. Bacon seconded.

Roll Call Vote:

**Carlson yea
Bacon yea
Wilson yea
Houk yea
Reinhart yea**

The motion carries 5-0.

The meeting was adjourned at **8:18 p.m.**

Respectfully submitted,

Courtney Butler,
Secretary

Public Records Material of 1/29/19

1. Engagement to Represent – Town of Wellfleet, MA Civil Suit Against Those Legally Responsible for the Wrongful Distribution of Prescription Opiates and Damages Caused Thereby
2. Liquor License Application – Fox and Crow Café
3. Recreation budget
4. Beach budget
5. Marina Enterprises (Harbormaster) budget
6. Use of Town Owned Property Application – Eastham FD
7. 117 East Commercial Street Lan Survey
8. Davis’s Corner LLC Business Plan
9. Gillyweed Gardens LLC Business Plan
10. Remote Participation Overview
11. Open Meeting Law Complaint filed February 1, 2019
12. Memo – Disposition of Town Owned Property for map 14, parcel 119
13. Town Administrator’s Report
14. Correspondence and Vacancy Report



BOARD OF SELECTMEN

AGENDA ACTION REQUEST

Meeting Date:

XII

EXECUTIVE SESSION

REQUESTED BY:	BOS
DESIRED ACTION:	Enter in Executive Session based on G.L. c. 30A, §21(a)(X)
PROPOSED MOTION:	<p>I move to adjourn the public meeting at _____ and enter in executive session for the following reasons:</p> <ul style="list-style-type: none">• (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.<ul style="list-style-type: none">a. Police Chiefb. Fire Chiefc. DPW Director• (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.<ul style="list-style-type: none">a. Wellfleet Firefighters Unionb. Wellfleet Communications Unionc. Wellfleet Teamsters Union• (6) To consider the purchase, exchange, lease or value of real estate, the chair declares than an open meeting may have a detrimental effect on the negotiating position of the public body.<ul style="list-style-type: none">a. 3 Kendrick Avenue, Wellfleetb. 301 Main Street• To approve minutes from prior executive session meetings.
VOTED:	Reinhart _____ Wilson _____ Carlson _____ Bacon _____ Houk _____