

Board of Selectmen
Minutes
March 7, 1994

The meeting was called to order at 7:00 p.m. in the Library Meeting Room by Chairwoman Carolina Kiggins. Selectmen present included John Ryerson, Barbara Fegan, Robert S. Costa and David Ernst. Town Administrator, Julia Enroth, also attended.

Open Session:

. Ruth Rickmers addressed the Board regarding a) funding the Fire Department study through a transfer from the Reserve Fund, b) using funds from the consultancy budget to offset the estimated \$14,000 for an outside assessment of the Fire Department which the Board included as an article on the Annual Town Meeting Warrant and c) pipes stored outside the Fire Station

On a motion duly made and seconded, the Board voted, with Ryerson abstaining (he had not attended the meeting) to approve the minutes of February 28, 1994 as distributed.

The Town Administrator discussed the rate increase for Library pages proposed by the Personnel Board. After researching and comparing pay rates of other summer employees the Town Administrator recommended that the page pay rate not be changed this year and that the Personnel Board be asked to assess all summer employee rates. There was a consensus of the Board to concur with this recommendation.

The Town Administrator noted that due to delays in Chapter 90 reimbursements short term borrowing would be necessary. The Town Administrator recommended that the budget for Short Term Interest for FY '95 be changed to reflect this. On a motion duly made and seconded, the Board voted to accept the Town Administrator's recommendation to change budget #753, Short Term Interest, from \$500 to \$3,000.

The Board met with members of the Finance Committee. They discussed the need for more timely information and suggestions to improve the budget and Annual Town Meeting processes including a) reasons for certain informational delays - i.e. the Regional School budget schedule, b) the Finance Committee attending January Selectmen budget meetings with Department Heads, c) ways to get more information to the voters and d) the need for more time between the budget process and the Annual Town Meeting - moving the ATM to a later date which would necessitate a Charter amendment. The Town Administrator commented that figures for a property appraisal and collective bargaining may not be available in a timely fashion prior to this Annual Town Meeting.

The Board met with representatives from Tang Dynasty Restaurant regarding the continued closure of their business past the date approved by the Board in relation to their annual liquor license. There was a consensus of the Board to schedule further discussion

to next week's agenda at 9:15 p.m. when Town Counsel would be in attendance. It was suggested that their attorney also attend.

The Board held a public hearing to discuss revisions to the Beach Sticker Eligibility Rules and Regulations. On a motion duly made and seconded, the Board voted unanimously to accept the Town Administrator's and Beach Administrator's recommendations to add as #7 under "General Eligibility and Requirements" "In the case of property held in trust, resident beach stickers shall be issued to trustees upon presentation of adequate written documentation of trustee status" and renumbering item "7" as item "8".

Selectman Ernst left the Board. The Town Administrator reported that the Chairman of the Shellfish Advisory Committee had suggested that committee funds be expended to update the grant waiting list by contacting those on the list to determine if they are still interested and eligible. There was a consensus of the Board that the idea should be pursued. Selectman Ernst rejoined the Board.

Correspondence:

. Letter drafted by Selectwoman Fegan to Bailey Ruckert regarding the Fire Department - on a motion duly made and seconded, the Board voted unanimously to approve, sign and send the letter.

. Letter drafted by Selectman Ernst to Cumberland Farms regarding display of toy guns - on a motion duly made and seconded, the Board voted unanimously to approve, sign and send the letter. On a motion duly made and seconded, the Board voted unanimously to send a similar letter to all other Town businesses displaying toy guns.

The Board held a public hearing to discuss revisions to the Beach Rules and Regulations. After considerable discussion of the Beach Administrator's recommendations, the Board voted (4-1) with Ryerson voting against, to amend the Beach Rules and Regulations as follows:

a) insert a list prior to the rules and regulations listing "All Town landing places and beaches" including "Duck Harbor, Powers Landing, Indian Neck Beach, Burton Baker Beach, Maguire's Landing at LeCount Hollow, White Crest Beach, Cahoon Hollow Beach, Newcomb Hollow, Gull Pond, Long Pond, Great Pond, Mayo Beach - permit not required, Marina - permit not required"

b) renumber rules and regulations per the Beach Administrator's recommendation

c) insert in #1 of the rules and regulations "between the hours of 9 A.M. and 5 P.M."

d) add a regulation stating "Climbing on all dunes is prohibited, as they are fragile, except along designated access routes to the beach."

e) to continue the regulation regarding hang gliding but to renumber it per the Beach Administrator's recommendation and to refer it to the Beach Study Committee for further consideration

At 8:56 p.m. the Board held a meeting of the Park Commissioners. They discussed the "Status Report Beaches 1994" submitted by the DPW Director and it was noted that:

- a) LeCount Hollow - the Town Administrator suggested further discussion to decide if a transfer from the Beach Fund would be desirable to sand blast off the existing parking lines
- b) Long Pond - discussion included location of the restroom facility. The DPW Director will again update the Board on June 1st. The Park Commissioners meeting ended at 9:17 p.m.

Selectman Ernst left the Board. The Board held a public hearing regarding the recommendation of the Shellfish Constable and the Shellfish Advisory Committee with regard to the taking of seed oysters. Discussion included specific areas to be opened, taking of seed from Chipman's Cove and maintaining certain areas for public harvesting. On a motion duly made and seconded, the Board voted unanimously to adopt the 1994 seed oyster maps as recommended by the Shellfish Constable and Shellfish Advisory Committee.

The Board held a public hearing regarding the recommendation of the Shellfish Constable with regard to the opening of the Herring River for the taking of shellfish by commercial shellfish license holders. Discussion included the lower daily catch limits recommended by the Shellfish Constable and the prohibition of diving for shellfish in this area. On a motion duly made and seconded the Board voted unanimously to accept the recommendation of the Shellfish Constable to amend the temporary shellfish regulations for the Herring River and to make the prohibition on diving specific to SCUBA diving. Selectman Ernst rejoined the Board.

The Board discussed the draft Policy on Advisory Board Correspondence (1988-1). Chairwoman Kiggins read the revised policy. On a motion duly made and seconded, the Board voted unanimously to accept the revision.

On a motion duly made and seconded the Board voted unanimously to approve the business license renewals with no changes for Aesop's Tables; Moby Dick's Restaurant; Wellfleet Oyster House, Inc.; Van Rensselaer's; The Chocolate Sparrow; Left Bank Gallery, Inc.; Left Bank Print Gallery.

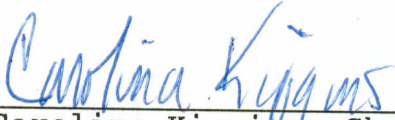
There was a consensus of the Board to schedule review of the Policy on Business Licenses, Policy on Use of Town Property and Policy on Committee/Board Appointments to next week. On a motion duly made and seconded, the Board voted unanimously to renew the Policy on Handicapped Accessibility, Alcoholic, Common Victualler License Applications (1990-4).

On a motion duly made and seconded, the Board voted at 9:52 p.m., on a roll call vote, (Kiggins, Ryerson, Fegan, Costa, Ernst - yea) to enter into executive session to discuss collective bargaining and not to reconvene in open session.

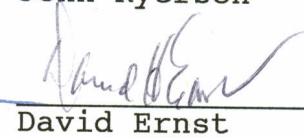
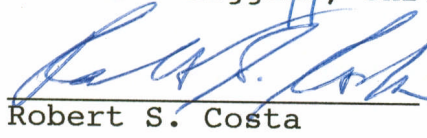
Respectfully submitted,



Linda Smulligan
Administrative Assistant



Carolina Kiggins, Chr. John Ryerson Barbara Fegan



Robert S. Costa David Ernst