

Board of Selectmen
March 14, 1994
Minutes

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.

On a motion duly made and seconded, the Board voted unanimously to adopt the minutes of March 7, 1994 as distributed.

The Town Administrator discussed various matters with the Board.

a) Budgets:

1) Capital Budget - a memo from the Elementary School Principal stated that the school roof is not in need of immediate repair - on a motion duly made and seconded, the Board voted unanimously to eliminate the Elementary School Roof from the capital budget.

2) Enterprise Fund Budget - on a motion duly made and seconded, the Board voted unanimously to accept the Town Administrator's recommendation for the Enterprise Fund Budget for \$212,705.

b) Teen Center Petition Article - on a motion duly made and seconded, the Board voted unanimously to amend the Recreation budget salaries & wages in the amount of \$5,016 and the DPW Facilities budget in the amount of \$2,000 for a total of \$7,016 contingent upon a Proposition 2 1/2 override. There was a consensus of the Board that the article should be referred to the Finance Committee and Recreation Committee for recommendations.

c) Letters to Democratic and Republican Town Committee Chairs regarding submission of names for Registrar of Voters - on a motion duly made and seconded the Board voted unanimously to approve the letters and to send them to the appropriate committees.

d) Tax Collector Tax Bill Insert - On a motion duly made and the Board voted unanimously to approve the insert.

e) Seasonal Population Estimate for the ABCC - On a motion duly made and seconded, the Board voted unanimously to set the seasonal population estimate at 17,000.

f) Application by John F. Noons, Inc. to use town property - on a motion duly made and seconded, the Board voted unanimously to approve the application for March 17 through April 7 on the condition that nothing but equipment will be stored at Powers Landing.

g) Fire Department Assessment - there was a consensus of the Board to schedule a meeting with Jane Wells of the Massachusetts Office of Dispute Resolution. There was also a consensus of the Board that the Town Administrator will contact Provincetown/Truro Mediation Services and that they will be scheduled to meet with the Board to discuss the possibility of Wellfleet joining the group.

h) Proclamation of March as Red Cross Month - on a motion duly made

and seconded, the Board voted unanimously to proclaim March as Red Cross month and to authorize the Chair to sign the proclamation.

- i) After discussion regarding the general reappointments made by the Board in June 1993, the Board voted unanimously to reaffirm the previous appointment of Sam Hall to the Board of Assessors through June 30, 1996.
- j) Contract with Amy Patterson - on a motion duly made and seconded the Board voted unanimously to approve Amy Patterson, a special municipal employee, to also have a contract with the Town to do computer input plus cost analysis of home furnishings costs for personal property valuation in connection with this year's revaluation program.

Correspondence:

- . Draft letter to the Lighthouse Restaurant regarding closing without requesting permission from the Board as the local licensing authority - there was a consensus of the Board to approve the draft and to authorize the Chair to sign the letter
- . Selectwoman Fegan will prepare a draft letter to the Regional Transit Authority asking that they provide more information to Wellfleet citizens regarding their services.

The Board discussed their recommendations for the Special Town Meeting Warrant. On motions duly made and seconded the Board voted unanimously to recommend Articles 1 and 2 as submitted by the Town Administrator on the draft dated 3/11/94.

The Board discussed their recommendations for the Annual Town Meeting Warrant per draft dated 3/11/94.

- . Articles 4,5,6 - on motions duly made and seconded, the Board voted unanimously to recommend.
- . Article 7 - on a motion duly made and seconded, the Board voted unanimously to recommend with funds coming from the ambulance fund.
- . Article 8 - the Board voted unanimously to recommend including \$7,500 for the purpose of leasing the Catholic Church lot and \$1,000 to go to the Stabilization Fund with the intent that it be put toward a lease/purchase of the lot.
- . Article 9 - on a motion duly made and seconded, the Board voted unanimously to reserve its recommendation to Town Meeting
- . Article 10 & 11 - on motions duly made and seconded, the Board voted unanimously not to recommend
- . Articles 12 & 13 - on motions duly made and seconded, the Board voted unanimously to recommend
- . Article 14 - on a motion duly made and seconded, the Board voted (4-1) with Fegan voting against, to reserve its recommendation to Town Meeting
- . Articles 15-24 - on motions duly made and seconded, the Board voted unanimously to recommend
- . Article 25 - on a motion duly made and seconded the Board voted, with Fegan voting against, to recommend
- . Article 26 - on a motion duly made and seconded the Board voted unanimously to reserve its recommendation to Town Meeting. There was a consensus of the Board that the Friends of the Council on

Aging, the Open Space Committee and Alice Boyd be scheduled to meet with the Board to discuss this article.

. Article 27-30 - on motions duly made and seconded the Board voted unanimously to recommend

The Board met with Town Counsel. They discussed:

a) Shellfish Issue - Title of property West & South of Lt. Island Road - there was a consensus of the Board that Town Counsel would pursue the most cost effective avenue (an updated survey and consulting with Dick Lay)

The Board met with representatives of Tang Dynasty Restaurant to continue the discussion regarding closure of the business. Mr. Stephen Tang was represented by Harry Terkanian as legal counsel. Discussion included:

a) problems within the corporation which resulted in a new Board of Directors being elected

b) the scope of the renovation project - much more extensive than Mr. Tang had anticipated

c) necessary filings with the Board of Selectmen and the Appeals Board

Mr. Terkanian submitted a letter to the Board on Mr. Tang's behalf requesting extension of the closure date to April 15. On a motion duly made and seconded, the Board voted unanimously to approve an extension for closing of Tang Dynasty to April 15 to complete renovations.

The Board continued their meeting with Town Counsel. They discussed:

a) Shellfish Issue - Regulation regarding death of a licensee - discussion included designating one person per grant to whom this regulation would apply

b) Shellfish Issue - time frame for Board of Selectmen to act on a grant license application - Town Counsel advised establishing a reasonable timeframe

c) Shellfish Issue - pending legislation - Senator Rauschenbach's proposal - Town Counsel noted some inconsistency in regards to when in the licensing process the survey would be performed by the Division of Marine Fisheries

d) Sand roads - research bogged down on Old Kings Highway - Town Counsel should have a report ready the first week of April

e) Status of Seashore Land Swap - Long Pond and South Wellfleet Fire Station - deeds prepared and forwarded to Philadelphia

On a motion duly made and seconded, the Board voted unanimously to approve business licenses for; Cottontail Gallery; Blue Heron Gallery, LTD; Trading Post; Lightwater Fine Arts Gallery; Kendall Gallery/Wellfleet Frame Shop; Oualie; Eccentricity; Karol B. Wykoff Gallery; Jacob Fanning Gallery; Uncle Tim's T-Shirts; The Corner Cape.

The Board discussed Proposition 2 1/2 ballot questions.

a) #153 Computerization - Library CLAMS - \$10,500; #300 Elementary School - Additional Bus - \$16,924; #301 Nauset Regional School -



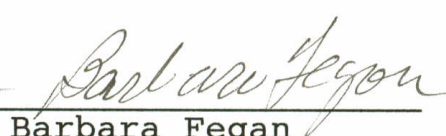

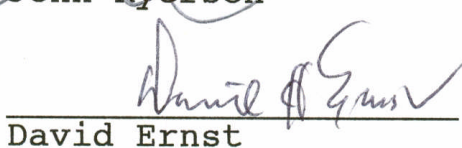
- Operating Assessment/Excess of Required Contribution - on motions duly made and seconded, the Board voted unanimously to accept the Town Administrator's recommendation that these items be included as Proposition 2 1/2 override question and be placed on the ballot.
- b) #301 Nauset Regional Portion of Required Contribution; #302 Cape Cod Tech Portion of Required Contribution - Town Administrator waiting for more information
 - c) Tractor Trailer - on hold pending discussion with Finance Committee
 - c) Fire Dept. Study Override - on a motion duly made and seconded, the Board voted unanimously to accept the Town Administrator's recommendation that this item be included as a Proposition 2 1/2 override question and be placed on the ballot pending passage of the Article at Town Meeting.
 - d) Nauset High School Architectural Plans and Town Hall Renovation - on motions duly made and seconded the Board voted unanimously to accept the Town Administrator's recommendation that these items be included as Proposition 2 1/2 debt exclusion questions on the ballot.
 - e) Wright Property Purchase - on a motion duly made and seconded the Board voted 4-1, with Fegan voting against, to accept the Town Administrator's recommendation that this item be included as a Proposition 2 1/2 debt exclusion question on the ballot.

On a motion duly made and seconded, the Board voted unanimously at 10:15 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	