

Board of Selectmen
Minutes
May 31, 1994

The meeting was called to order at 6:45 p.m. in the Library Meeting Room by Chairwoman Carolina Kiggins. Selectmen present included Robert S. Costa, David Ernst, Cynthia Paine and Ira Wood. Town Administrator, Julia Enroth, also attended. On a motion duly made and seconded, the Board voted unanimously at 6:46 p.m. on a roll call vote (Kiggins, Costa, Ernst, Paine, Wood - yea) to enter into executive session to discuss collective bargaining and to reconvene in open session. On a motion duly made and seconded, the Board voted unanimously at 6:55 p.m. on a roll call vote (Kiggins, Costa, Ernst, Paine, Wood - yea) to reconvene in open session. The Board recessed until 7:05 p.m.

Open Session:

- . Mona Souza addressed the Board regarding licensing of a proposed South Wellfleet radio station.
- . Clarence Smith thanked all for the successful Memorial Day Service on the Town Hall Lawn.
- . Kenny Rose addressed the Board regarding the interaction of responsibilities between the Board of Selectmen and Town Administrator

On a motion duly made and seconded, the Board voted unanimously to approve the minutes of May 23, 1994 as corrected and amended.

The Town Administrator discussed with the Board:

- a) on a motion duly made and seconded, the Board voted unanimously to appoint Richard Fressilli and Luke Fox as member and alternate member to the Regional Transit Authority and Joint Transportation Committee.
- b) Memorandum of Understanding with the Cape Cod National Seashore re: Mutual Aid Law Enforcement Assistance - the Board discussed the document. There was a consensus of the Board that the Town Administrator will finalize the agreement and resubmit it to the Board for approval.
- c) representation in the elementary school lease discussion - there was a consensus of the Board that Chairwoman Kiggins and Richard Fressilli will represent the Town. The Board discussed including a member of the Finance Committee in the discussions.

At 8:00 p.m. the Board held a public hearing to discuss a proposed amendment to the Board's regulations regarding Hawkers and Peddlers/Sale of Newspapers and Other Items. Chairwoman Kiggins read the "Town of Wellfleet Board of Selectmen Peddler's License Rules and Regulations" and the "Proposed Amendment to Board of Selectmen's Regulations Hawkers and Peddlers/Sale of Newspapers". The Town Administrator noted that Town Counsel had advised that per Mass. General Law the Board cannot license hawkers and peddlers selling certain items including newspapers, religious publications, ice and flowering plants but the Board may establish regulations governing these sales. On a motion duly made and seconded, the Board voted unanimously to change the name of the "Town of Wellfleet Board of Selectmen Peddler's License Rules and Regulations" to "Town of Wellfleet Board of Selectmen Hawkers and Peddlers License/Registration Rules and Regulations" and to add the proposed amendment as printed as item #8.

The Town Administrator continued discussion with the Board:

d) Town Administrator Appointments - It was noted that although the Fire Chief is being reappointed by the Town Administrator, a new contract will need to be negotiated with the Board.

e) Board/Committee Appointments - discussion included a) the current policy (1990-3 revised 4/11/94) in relation to the Board establishing a process for reappointments b) efforts to recruit volunteers, c) encouraging those who have served, d) the value of experience of current members and e) appointments being made prior to the mediator analysis of the Fire Department. On a motion duly made and seconded, the Board voted 4-0-1 to reappoint Zel Levin to the Personnel Board for a three year term; to reappoint Fran Bishop to the Board of Assessors for a three year term; to reappoint Stanley Macie, Caroline Parlante and Doris Tagan to the Council on Aging for three year terms and to appoint Phyllis Hill to the Council on Aging for a three year term. On a motion duly made and seconded, the Board voted 3-1-1 to appoint Thomas Zuercher to the Board of Fire Engineers.

The Town Administrator discussed Special Town Meeting matters with the Board as follows per the May 31, 1994 draft warrant:

. Article 1 (standard opening article) - on a motion duly made and seconded, the Board voted unanimously to recommend the article (5-0).

. Article 2 (regional school operating budget) - Discussion included the need for a ballot question because of the effect on town departments should one other Town approve the budget. On a motion duly made and seconded, the Board voted to recommend the article (3-0-2).

. Article 3 (High School renovation project architect design services) - on a motion duly made and seconded, the Board voted unanimously not to recommend the article (5-0).

. Article 4 (interest on bond for High School renovation project architect fees) - on a motion duly made and seconded, the Board voted unanimously not to recommend the article (5-0).

. Article 5 (Catholic Church parking lot lease - petition article) - discussion included funding the lease from the Beach Fund - on a motion duly made and seconded the Board voted to recommend the article (3-1-1).

The Board met with Mr. David Walter regarding his business license application for Pickety by the Sea. Mr. Walter was represented by Harry Terkanian. Discussion included current and past uses of the property in relation to a change of use and the items currently for sale by Mr. Walter. The Town Administrator noted that Town Counsel had been consulted regarding this license application and had suggested that the Board grant the license subject to Board of Appeals' approval of the Special Permit application and that the business be allowed to remain open in the interim. On a motion duly made and seconded, the Board voted unanimously to accept the suggestion of Town Counsel.

The Town Administrator continued discussion of Special Town Meeting matters.

. Article 6 (disposal of police cruiser) - on a motion duly made and seconded, the Board voted unanimously to recommend the article (5-0).

. Article 7 (gas dock lease) - on a motion duly made and seconded, the Board voted unanimously to recommend the article (5-0).

. Article 8 (school regionalization) - on a motion duly made and seconded,

the Board voted not to recommend the article (4-0-1).
. Article 9 (final standard article) - on a motion duly made and seconded, the Board voted unanimously to recommend the article (5-0).
. additional article for FY '95 Firefighters Contract - on a motion duly made and seconded, the Board voted unanimously to approve the article (5-0).
. reorganization of the Beach Study Committee article - on a motion duly made and seconded, the Board voted unanimously to add an article to the Special Town Meeting Warrant regarding the Beach Study Committee reorganizing it by changing its composition to six at large members and the Chief of Police.
. regionalization article - there was a consensus of the Board to include in the warrant a summary of and the full draft of the Regionalization Agreement.

Correspondence:

. Selectman Wood's draft letter to Ms. Meaney regarding the use of the Congregational Church parking lot - there was a consensus of the Board to approve the draft.

Selectman Ernst left the Board. The Board discussed the "Resolution on Aquaculture" dated May 31, 1994 as drafted by Selectman Costa. There was a consensus of the Board to approve the resolution and that it be finalized for the Board's signature and forwarded to the Wellfleet Shellfish Association. Selectman Ernst rejoined the Board.

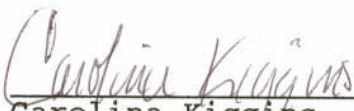
Selectman Costa left the Board. The Board discussed the business license application of Christine's Oasis. On a motion duly made and seconded, the Board voted unanimously to approve the business license of Christine's Oasis. Selectman Costa rejoined the Board.

The meeting adjourned at 9:55 p.m.


Respectfully submitted,




Linda Smulligan
Administrative Assistant



Carolina Kiggins, Chr.

Robert S. Costa

David Ernst

Cynthia Paine

Ira Wood