

Board of Selectmen  
September 12, 1994  
Minutes

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

Open Session:

- Lt. Tom Ferreira of the Wellfleet Fire Department reported to the Board on a fire which occurred at the home of Anthony Castelo on September 10th.
- Mona Souza addressed the Board regarding the good job performance of the summer police officers, the money collected for the Teen Center being used only for equipment not repairs and the DPW's streetsweeper.
- Joel Fox addressed the Board regarding safety issues at the Plymouth and Brockton bus stop at LeCount Hollow Road.

The Board discussed the minutes of August 29, 1994. There was a consensus of the Board that the Administrative Assistant listen to the tape of the meeting to determine the accuracy of an entry.

The Board met with Alan Platt to discuss the Advisory Board on County Expenditures (ABCE). Chairwoman Kiggins read a letter from Al Haven regarding the advisory board and County Charter review. Recommendations from Barbara Fegan and David Humphrey were conveyed. Discussion included the proposed elimination of the advisory board and alternative suggestions. It was noted that it had been helpful in the past when advisory board members had updated the Town Administrator and Board of Selectmen regarding the County budget. There was a consensus of the Board that a representative should be chosen since the County Charter review will not be completed until the end of the year. Selectman Wood will pursue information regarding the ABCE in relation to being the Board's representative. Discussion also included a Regulatory Task Force recommendation which would give the Assembly of Delegates full regulatory oversight over the Cape Cod Commission.

The Board met with Richard Sjogren and Harry Terkanian, representing the Chequessett Country Club, to discuss complaints received by the Board about noise during a club function. Chairwoman Kiggins left the Board and Vice-Chair Costa chaired the meeting. Discussion included:

- a) on premise coverage by the Manager and Assistant Manager
  - b) positive responses by the Club to other requests from neighbors
  - c) telephone and communication problems within the Club
  - d) club policies scheduled for future discussion including an officer being stationed at the club and paid for by groups using amplified entertainment
  - e) suggestions included improving lines of communication within the club and notification of the Police Department prior to events.
- Chairwoman Kiggins rejoined the Board.

The Town Administrator discussed with the Board:

- a) appointment to Barnstable County Technical Advisory Dredge Committee - the Town Administrator recommended Glenn Shields. On a motion duly made and seconded, the Board voted unanimously to appoint Glenn Shields to the Committee.

b) the lease for the Catholic Church parking lot - there was a consensus of the Board that Selectmen Paine and Wood will meet with Father Kelley to discuss the changes suggested by the Church and will report back to the Board. The issues to be discussed will include the length of the lease, clearing the lot for church services, a change in the length of time the lot may be used and specifically addressing the period of time maintenance is required on the lot.

The Board held a public hearing on the recommendation of the Shellfish Constable and Shellfish Advisory Committee to amend Section 5.1.6 of the Wellfleet Shellfish Regulations and to add a section to the Wellfleet Temporary Shellfish Regulations regarding the harvesting of shellfish from the navigational channel from the Town Pier out to the #12 aid to navigation. Selectman Ernst left the Board. Discussion included:

- a) purpose - to clear out shellfish before anticipated dredging of the Harbor
- b) stipulations for shellfishing in the channel during this time period
- c) interference with recreational boating - none anticipated
- d) enforcement of grant area boundaries

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 to reflect the recommendation of the Shellfish Constable.

The Town Administrator continued discussion with the Board:

- c) there was a consensus of the Board to confirm October 24, 1994 as the date for Special Town Meeting and to accept the Town Administrator's recommendation that the special election be held prior to Special Town Meeting
- d) DPW Director recommendation to close Town Hall restrooms when the Town Hall is closed - there was a consensus of the Board to keep the restrooms open when the Town Hall is open and during daytime hours on weekends

Correspondence:

- Diane Hussey's letter of resignation from the Commission on Disabilities - Selectman Wood will draft a response
- Larry Gallagher's letter of resignation from the Finance Committee - Selectman Costa will draft a response
- Letter from George Malloy regarding the bid for the Fire Chief's vehicle - there was a consensus of the Board to forward to Mr. Malloy copies of the information gathered by the Town Administrator in response to the letter and to schedule Mr. Malloy on a future agenda should he wish to discuss this matter.

The Board met with Town Counsel. Discussion included:

- a) mapping of intertidal lands (Selectman Ernst left the Board) -
    - value of information to the Assessing Office for possible future taxation
    - ownership of tidal flats will still need to be determined on a case by case basis
    - liability - Town Counsel is confident that the model can be developed without attaching liability to the Town
    - funding for the project will be sought via Town Meeting
- Selectman Ernst rejoined the Board.

- b) Link easement - Town Counsel will make one last effort to contact parties and if unsuccessful will prepare an order of taking
- c) MCAD complaint - advised executive session
- d) private property signs on beaches

The Board continued discussion on business license parameters.

Discussion included:

- a) enforcement
- b) general business licenses in relation to implementation of the new Registration and General Business License Regulation

The Board discussed the Firemen's Association's request to use Newcomb Hollow beach and water from the Beach House for an end of the summer beach party on September 17. On a motion duly made and seconded the Board voted unanimously to approve the request.

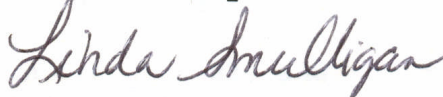
The Board discussed Pamela Dharamsey's request to use Lieutenant Island Beach for a wedding ceremony of song and readings on October 1st. On a motion duly made and seconded, the Board voted unanimously to approve the request contingent upon approval of the descent site by the Conservation Agent to prevent any adverse effects on any natural resources.

Other correspondence:

- Letter to Mrs. Helen Zimmerman to accompany the "Declaration of Designation as a Citizen of Wellfleet and a Cape Codder by Adoption" - there was a consensus of the Board to sign and send the letter.
- Draft memo from the Board to the Board of Fire Engineers regarding the Open Meeting Law - on a motion duly made and seconded the Board voted unanimously to approve the memo

On a motion duly made and seconded the Board voted unanimously at 10:23 p.m. on a roll call vote (Kiggins, Costa, Ernst, Paine, Wood - yea) to enter into executive session to discuss litigation and collective bargaining and not to reconvene in open session.

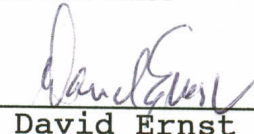
Respectfully submitted,



Linda Smulligan  
Administrative Assistant

  
Carolina Kiggins, Chr.

Robert S. Costa

  
David Ernst

Cynthia Paine

  
Ira Wood