

Board of Selectmen
October 17, 1994
Minutes

The meeting was called to order at 7:00 p.m. in the Elementary School Cafeteria by Chairwoman Carolina Kiggins. Selectmen present included Robert S. Costa, David Ernst and Ira Wood. Selectwoman Cynthia Paine arrived at 7:07 p.m. Town Administrator, Julia Enroth, also attended.

Open Session:

- Ann Bronsdon addressed the Board regarding her request for a copy of the executive session minutes from the July Board of Fire Engineers' meeting. The Town Administrator will determine the status of the document.
- Nils Miner addressed the Board on behalf of the Board of Health. He informed the Board that the Board of Health had voted to approve the sale of transfer station stickers by mail and that the public hearing for changes to Transfer Station Regulations had been changed to November 21 at 4:00 p.m.
- Ruth Rickmers addressed the Board regarding repair of sunken storm drains, closure of the transfer station on Sundays and Mondays and suggested changes to the Fire Chief's contract currently being negotiated.

On a motion duly made and seconded, the Board voted unanimously to approve the minutes of September 9, 1994 as submitted.

On a motion duly made and seconded, the Board voted 3-0-2 (Selectmen Ernst and Wood had not attended the meeting) to approve the minutes of September 29, 1994 as submitted.

On a motion duly made and seconded, the Board voted unanimously to approve the minutes of October 3, 1994 as amended.

On a motion duly made and seconded, the Board voted unanimously to approve the minutes of October 7, 1994 as amended.

The Town Administrator discussed with the Board:

a) Special Town Meeting motions:

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|---------------------|-----------------------------------|
| Article 1 - Kiggins | Article 6 - Kiggins |
| Article 2 - Kiggins | Article 7 - Costa |
| Article 3 - Wood | Article 8 - Paine |
| Article 4 - Costa | Article 9 - School Representative |
| Article 5 - Ernst | Article 10 - Kiggins |

b) Tri-Town Septage Disposal Agreement - on a motion duly made and seconded, the Board voted unanimously to accept and sign the contract.

c) Draft "Fees for Use of Town Property" - on a motion duly made and seconded, the Board voted unanimously to establish the draft as a procedure for the current policy.

d) United Nations 50th Anniversary Proclamation - on a motion duly made and seconded, the Board voted unanimously to proclaim October 24, 1994 as United Nations Day in Wellfleet. The Board requested that the proclamation be posted in Town buildings.

e) Liquor License Holiday Openings - there was a consensus of the Board to schedule a public hearing for discussion of allowing package stores to open on Sundays between and including November 20th and December 18th, 1994. The Board requested that package store licensees be

notified of the hearing.

The Board held the annual Classification Hearing. Assessor Ray Squire presented the Board of Assessor's recommendation that one tax rate be retained. On a motion duly made and seconded, the Board voted unanimously to accept the recommendation of the Board of Assessors and for the Town of Wellfleet to maintain one tax rate.

The Town Administrator continued discussion with the Board:

f) Tractor Contract - discussion included interest to be incurred by the lease/purchase arrangement, the appropriation for the tractor and subsequent purchase of two trailers, servicing of the vehicle, available back up equipment should the tractor break down and storage of the vehicle. There was a consensus of the Board to postpone signing the contract until next week so that the DPW Director will be able to provide more information.

The Board held a continuation of the public hearing to consider the request of Tobin Storer for a 10 acre offshore grant area. Selectman Ernst left the Board. The Shellfish Constable presented his recommendation to grant the request with the following conditions:

1. High flyer buoys or radar deflector buoys must be used to mark the area.
2. no mobile gear may be used on the grant area during the time of state closure
3. no activity from sunset to sunrise
4. racks and each piece of gear will be required to have identification markers including name and grant number
5. the Town will receive copies of quarterly progress reports submitted in relation to Federal funding if such funding is granted
6. an annual review will be conducted by the Board of Selectmen

Discussion included monitoring of the grant area to make sure the conditions are observed. On a motion duly made and seconded, the Board voted unanimously 4-0 to accept the recommendation of the Shellfish Constable and to approve the 10 acre offshore grant area application of Tobin Storer with the conditions as set forth and with the stipulation that any rules or regulations added during the course of the license be adhered to and that an annual review of the grant come before the Board of Selectmen.

The Shellfish Constable met with the Board regarding channel fishing:

a) The Constable recommended that both Sections 1 and 2 of the channel be open for the dragging of shellfish during normal harvesting hours as of one half hour before sunrise on October 17, 1994 and continuing until such time as the dredging project begins. Discussion included continued availability of the resource and the Harbormaster's approval of fishing in the channel seven days a week. On a motion duly made and seconded, the Board voted unanimously 4-0 to allow the Channel to be open for dragging of shellfish 7 days a week as of 1/2 hour before sunrise October 17, 1994 until the dredging project begins.

b) The Constable requested that the Board allow him to open the area for the taking of seed oysters by grant holders under such terms that he may work out. On a motion duly made and seconded, the Board voted unanimously to amend Section V of the Shellfish Rules and Regulations to read "The deposition of any such materials from this area to any

privately licensed shellfish grant area or buffer zone shall be allowed under arrangements with the Shellfish Constable." Selectman Ernst rejoined the Board.

On a motion duly made and seconded, the Board voted unanimously to approve the request of the F.O.O.R. Group to use the Recreation Building at Baker's Field for a Haunted House and Baker's Field for a hayride and to approve the request of the Recreation Department to hold a Halloween Parade on Saturday, October 29, 1994 from 1:45 p.m. to 2:30 p.m.

On a motion duly made and seconded, the Board voted at 9:21 p.m. on a roll call vote (Kiggins, Costa, Ernst, Paine, Wood - yea) to enter into executive session to discuss strategy with respect to collective bargaining and to reconvene in open session.

On a motion duly made and seconded, the Board voted at 11:02 p.m. on a roll call vote (Kiggins, Costa, Ernst, Paine, Wood - yea) to reconvene in open session.

The Town Administrator continued discussion with the Board:

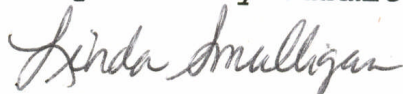
g) appointments requested by Chief Ranger Obernesser - on a motion duly made and seconded, the Board voted unanimously to appoint Rangers Harrison L. Gruman and Robert Lewis Grant as Special Police Officers through June 30, 1995.

h) The Town Administrator forwarded Jackie Foley's thanks to Police Chief Rosenthal for his suggestion that reflectors be installed on Route 6. There was a consensus that Selectwoman Paine get involved with Route 6 issues.

Ruth Rickmers addressed the Board regarding the light bar and lettering on the side of the new Fire Department/Chief vehicle and the size of the lettering of the word "Wellfleet" on the side of the police cruisers.

The meeting adjourned at 11:17 p.m.

Respectfully submitted,



Linda Smulligan
Administrative Assistant

Carolina Kiggins, Chr. Robert S. Costa

David Ernst

Cynthia Paine

Ira Wood