

Board of Selectmen
November 14, 1994
Library Meeting Room
Minutes

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

Open Session:

- Clarence Smith addressed the Board regarding the effect of charter schools on school budgets.

On a motion duly made and seconded, the Board voted 3-0-1 with Selectman Ernst abstaining (he had not attended the meeting) to approve the minutes of November 7, 1994 as corrected.

Selectwoman Paine announced that a Volunteer Appreciation Tea was scheduled for December 4, 1994 in the Library Meeting Room. Selectmen Paine and Wood will solicit donations from the community and Board members.

The Town Administrator discussed with the Board:

- a) Gull Pond Lease - discussion included maintaining liability insurance levels of \$1,000,000 with the Town listed as an additional insured. There was a consensus of the Board that the minimum bid for the lease be set at \$3,000.
- b) Roll-Off Hoist Bid - discussion included warranty coverage and including travel costs in bid specifications when purchasing items that need to be installed and serviced. On a motion duly made and seconded, the Board voted unanimously to accept the recommendation of the DPW Director and to award the bid to Rhode Island Mack in the amount of \$16,250 for a Roll-Off Hoist.
- c) Trailer Bid - on a motion duly made and seconded, the Board voted unanimously to accept the recommendation of the DPW Director and to award the bid to Just Trailers in the amount of \$35,950 for a new Trailer.
- d) Draft Yard Sale Bylaw - discussion included 1) defining "personal property" as it relates to multi-family yard sales and 2) addressing the sale of new items. There was a consensus of the Board to accept the draft bylaw with the addition of the word "any" preceding "personal property" in the second paragraph.

The Board held a public hearing to consider the request by Robert M. Morse to add the name of Richard H. Blakeley to shellfish grant/aquaculture lease #85F presently held by Robert M. Morse located at Indian Neck and consisting of approximately one acre. Selectman Ernst left the Board. The Shellfish Constable recommended approving the request and noted that Mr. Blakeley has been a responsible shellfisherman. On a motion duly made and seconded, the Board voted unanimously (3-0) to accept the Shellfish Constable's recommendation and to approve the request.

The Board discussed continuing the moratorium on the shellfish grant waiting list. The Shellfish Constable recommended continuing the moratorium and not accepting applications at this time except in circumstances like the recent exception for the offshore grant application of Tobin Storer. Discussion included a) examining the list to determine the validity of names and b) discussing the matter with Town Counsel to determine procedure for addressing the list. On a motion duly made and seconded, the Board voted 2-0-1, with Paine abstaining, to continue the moratorium through May 30, 1995.

The Board discussed Shellfish Regulations. Discussion included:
a) finalizing areas of the regulations which have already been accepted

b) need to define domiciled residency

c) how to address regulations - as a whole or in increments

d) updating the Shellfish Management Plan

There was a consensus of the Board that the Shellfish Constable review the regulations to determine what's already in place, what's no longer appropriate and what action he wishes to take and to submit specific recommendations to the Board on November 28th. Selectman Ernst rejoined the Board.

The Board met with Ken Brock and Armando Carbonell of the Cape Cod Commission. Discussion included:

a) beginning a dialogue between the Commission and the Town

b) Regulatory Task Force recommendations with emphasis on #5 - Commission members will be meeting with all Town Counsels to answer legal questions regarding draft Memorandums of Understanding with each town with the goal of improving procedures and eliminating duplication of efforts.

c) Commission will provide additional funds to the Local Comprehensive Planning Committee for postage to mail copies of the Executive Summary of the plan to townspeople

The Town Administrator continued discussion with the Board:

e) Town Counsel Letter re: Shellfish Grants - Request for Show Cause Hearing - Selectman Ernst left the Board - there was a consensus of the Board to accept Town Counsel's recommendation and to schedule a general public hearing for all grant holders on December 12th. Selectman Ernst rejoined the Board.

f) parking area for service enterprises - there was a consensus of the Board to schedule a public hearing for more discussion on 12/5

On a motion duly made and seconded, the Board voted unanimously to approve the business licenses for Mid-Cape Home Centers; Rose's Auto Service; Larned Studios; Volunteers for AIM Thrift Shop; Narrow Land Pottery; Off Center; Wellfleet Auto Exchange; Wellfleet Motel & Lodge and Pickity by the Sea.

Discussion followed a motion by Ernst seconded by Kiggins to approve the business licenses of Box Lunch, Inc.; Christine's Oasis

and Finely JP's. Gordon Dutra addressed the Board regarding lights being left on at the Box Lunch, Inc. and requested that a restriction be added to the business license to prohibit a roof light. Selectman Ernst, with permission from the seconder, withdrew the Box Lunch, Inc. from the motion. The Board voted 3-0 (Kiggins, Ernst, Paine - yes) to approve the business licenses of Christine's Oasis and Finely JP's. Police Chief Rosenthal and Clarence Smith, after driving to the Box Lunch, Inc. to check on the lighting, noted that there was not a roof light on and that although some of the interior lights were on, the overall lighting was not excessive and less than several other businesses in the area. On a motion duly made and seconded, the Board voted 3-0 to approve the business license of the Box Lunch, Inc. with the understanding that the Police Chief will monitor lighting. Selectman Costa rejoined the Board.

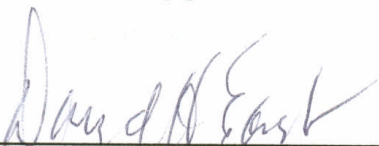
On a motion duly made and seconded, the Board voted unanimously at 9:28 p.m. on a roll call vote (Kiggins, Costa, Ernst, Paine - yea) to enter into executive session to discuss contract negotiations and grievances and not to reconvene in open session.

Respectfully submitted,




Linda Smulligan
Administrative Assistant

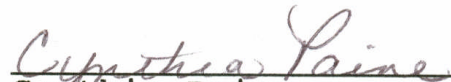
Carolina Kiggins, Chairwoman



David Ernst



Robert S. Costa



Cynthia Paine