

Board of Selectmen
December 5, 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 Robert S. Costa, David Ernst, Cynthia Paine and Ira Wood. Town Administrator Enroth also attended.

Open Session:

- Fire Chief Henson gave an updated report on the Squire's Pond project. The Chief indicated that the faulty valve was returned and the replacement ordered and received. The system was put into operation and successfully pressure tested to 175 lbs. without a check valve. Training exercises are being scheduled to assess the situation. If it is deemed necessary, the replacement valve will be installed.
- Richard Wallace addressed the Board regarding Cape Cod Pathways and the need for a liaison for the project from the Board of Selectmen. On a motion duly made and seconded to appoint Peter Hall of the Open Space Committee as liaison to the Cape Cod Pathways project, the Board voted 2-3, with Paine, Wood and Costa voting against, to defeat the motion. Discussion included the need for more time to consider the project and make the appointment.

The Board met with Howard Grossman and Jim MacLachlan of the Finance Committee. Discussion included:

- a) explanation of project - to examine sources of revenues and expenditures
- b) intention to include data in Annual Town Meeting warrant
- c) presented types of data to be collected
- d) possible applications of data to Town

On a motion duly made and seconded, the Board voted unanimously to accept the minutes of November 28, 1994 as printed.

On a motion duly made and seconded, the Board voted unanimously to accept the minutes of November 30, 1994 as submitted.

The Board held a public hearing to discuss service trade parking. Selectwoman Paine left the Board. Discussion included:

- a) Town setting aside an area for service trade vehicle parking - insurance and liability issues were raised
- b) zoning restrictions and special permit requirements
- c) service trade vehicle parking as addressed in the Local Comprehensive Plan

There was a consensus among members of the audience that the issue of service trade parking should be addressed through a change in the Zoning Bylaw and not by designation of a particular area for parking. On a motion duly made and seconded, the Board voted unanimously to request that the Planning Board prepare an amendment to the Zoning Bylaw to be presented to Town Meeting to reflect the parking needs of those in the service trade industries. Planning

Board member Ben Gitlow requested that service trade vehicle owners give their input to the Planning Board. Selectwoman Paine rejoined the Board.

The Board met with the Harbormaster to continue discussion on commercial fishing vessel winter storage. Discussion included:
a) Harbormaster's revised draft - changes were discussed
On a motion duly made and seconded, the Board voted 4-0-1, with Paine abstaining, to adopt the Harbormaster's amended recommendation regarding Use of Marina Parking Lot for Commercial Fishing Vessel Winter Storage. The Harbormaster updated the Board on the progress of the dredging project and noted that the project should continue for another month.

The Town Administrator discussed with the Board:

- a) Selectmen's budget - on a motion duly made and seconded, the Board voted 4-0-1, with Paine abstaining, to level fund the Selectmen's budget for FY'96.
- b) Special Municipal Employee Designation - on a motion duly made and seconded, the Board voted unanimously to accept the Town Administrator's recommendation to eliminate positions no longer applicable, change the title of positions where appropriate and to add other positions that meet criteria for "special municipal employee" status and to update the 1989 list of special municipal employees. (see attached memo)
- c) Sexual Harassment Policy - discussion included considering the policy as a harassment policy as originally titled or as a sexual harassment policy. On a motion duly made and seconded, the Board voted unanimously to accept, for purposes of finalization, the Wellfleet Policy on Harassment Including Sexual Harassment.
- d) Aunt Sally's Bottom - the Town Administrator informed the Board that the National Seashore is determining ownership of the property and will update the Board.
- e) Letter of Support for Summer Shuttle Service - Selectman Wood will draft a letter
- f) Policy on Contracts - there was a consensus of the Board to discuss the policy next week
- g) Shellfish Grant Holder Hearing - Selectman Ernst left the Board. The Board discussed the letter, drafted by Town Counsel, to grant holders regarding the upcoming hearing. On a motion duly made and seconded, the Board voted unanimously to authorize Chairwoman Kiggins to sign the amended letter on behalf of the Board. Chairwoman Kiggins and Selectwoman Paine indicated that they will be filing public disclosures with the Town Clerk regarding their status as upland owners.
- h) Letter to Stephen Tang notifying him of the scheduled show cause hearing regarding his annual liquor license - on a motion duly made and seconded, the Board voted unanimously to authorize Chairwoman Kiggins to sign the letter on behalf of the Board.

Richard Wallace responded to a question from the Board regarding including a statement from the Board of Selectmen concerning the

use of Town land in the National Seashore in the Local Comprehensive Plan. There was a consensus of the Board that the Town Administrator and Chairwoman Kiggins will draft a statement.

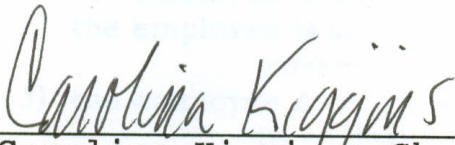
On a motion duly made and seconded, the Board voted unanimously to approve the annual liquor licenses of Seaside Liquors; The Bookstore & Restaurant, Inc.; and The Lighthouse Restaurant.

On a motion duly made and seconded, the Board voted unanimously at 10:17 p.m. on a roll call vote (Kiggins, Costa, Ernst, Wood, Paine - yea) to enter into executive session to discuss strategy in preparation for negotiations and not to reconvene in open session.

Respectfully submitted,

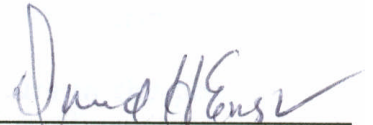


Linda Smulligan
Administrative Assistant

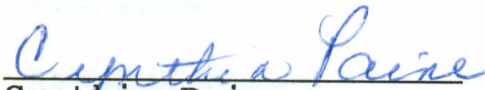


Carolina Kiggins, Chr.

Robert S. Costa



David Ernst



Cynthia Paine

Ira Wood