

Board of Selectmen
February 6, 1995
Library Meeting Room
Minutes

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

On a motion duly made and seconded, the Board voted unanimously to approve the minutes of the audit exit meeting of January 30, 1995.

On a motion duly made and seconded, the Board voted unanimously to approve the minutes of their regular meeting of January 30, 1995 as amended.

The Town Administrator discussed with the Board:

a) Memorandum from Cape Cod Commission, Margo Fenn - there was a consensus of the Board to meet with Ms. Fenn for further discussion of the Local Comprehensive Plan and its review process when there is a full Board. The Board asked that a letter be drafted to Ms. Fenn informing her of the Board's decision.

b) Memorandum from planning Board re: Outdoor Displays and Enforcement of Sign Code - there was a consensus of the Board that:

- 1) the administration office will begin requesting that businesses register their existing signs in conjunction with the business licensing process - registered signs will be considered grandfathered and photographs of the signs will be placed on file
- 2) a letter be sent to businesses informing them again that local regulations do not permit displays in the Route 6 layout - followed up by a request to the State Highway Department to remove any goods placed in violation of the Zoning Bylaw.

The Board asked that a letter be drafted to Janet Bell informing her of the Board's position.

c) Task Force - on a motion duly made and seconded, the Board voted unanimously to appoint Denise Ilkovich to the Task Force as the representative from the Recreation Committee. The Town Administrator updated the Board on the status of the Task Force after their organizational meeting.

d) P & B Bus Company - there was a consensus of the Board to schedule a working meeting with representatives from the bus company next week.

e) Operating Budget: Fire Department request for \$3,225 for overtime to provide 17 hour per day station coverage (original transfers for 17 hour station coverage were done at the fall Special Town Meeting when 3 1/2 months of the fiscal year had already passed) - the Town Administrator recommended that these funds be subject to an override if the Board wishes to provide 17 hours of station coverage. It was noted that the cost would be \$30 per day for the extra hour of coverage. On a motion duly made and seconded the Board voted unanimously to approve the Fire Department request for \$3,225 to provide 17 hours per day of station coverage for 3 1/2 months, said funding to be subject to an override.

f) Aquaculture Information Symposium - Selectman Wood will represent the Board if his schedule allows

g) The Town Administrator updated the Board on the current list of potential warrant articles.

h) The Town Administrator advised the Board that Town Counsel

advised that the Board schedule a public hearing to consider the request to lay out Sarah's Way

The Board held a public hearing to consider the application of Tang Dynasty Restaurant Inc. for a seasonal, all alcoholic, common victualler liquor license. Stephen Tang, Chi Kam Tang and their attorney Harry Terkanian also attended. Discussion included:

- a) notification of abutters - all abutters, including those in both Wellfleet and Eastham, were properly notified of the hearing
- b) Mr. Terkanian outlined the structure of the corporation and updated the Board on the history of the restaurant noting that the Tang Dynasty Restaurant, Inc. had previously held a year-round, all alcoholic, common victualler liquor license which they surrendered to pursue a seasonal license
- c) dates of operation - Mr. Terkanian indicated that Mr. Tang would prefer to be open April 1 through October 15th (instead of the usual November 30th closing date for seasonal license holders) but that if the Board decided to grant the application they would remain open until November 30th if necessary.
- d) hours of operation - Mr. Terkanian indicated that Mr. Tang is requesting the same hours of operation as when the premises were previously licensed
- e) manager Chi Kam Tang - Ms. Tang will be on the premises 40 hours per week and, as manager, will be responsible for proper beverage service at all times
- f) sign - Mr. Terkanian and Mr. Tang assured the Board that the current sign stating that the restaurant is open year-round will be corrected within the next week to indicate the current seasonal status of the restaurant. There was a consensus of the Board that updating the sign is of utmost importance.

On a motion duly made and seconded, the Board voted unanimously to approve the application for Tang Dynasty Restaurant, Inc. for a seasonal, all alcoholic, common victualler liquor license for the period April 1st through November 30th with the hours of operation to be Monday through Saturday - 11:30 a.m. through 1 a.m. and Sundays, Memorial Day and Thanksgiving - Noon through 1 a.m.

The Town Administrator continued discussion with the Board:

- i) update of today's meeting in Boston regarding Education Reform and Charter Schools

The Board met with a citizen group regarding tree preservation. Candace Perry delivered a petition to the Board requesting that the Board reconsider their decision to destroy the maple tree in front of Town Hall in order to create a bus stop and that the Board withdraw their request for funds from the Department of Transportation. Discussion included:

- a) possible modification of the grant proposal
- b) Chairwoman Kiggins read the letter from Durand Echeverria of the Historical Commission
- c) maintaining the present village center

On a motion duly made and seconded, the Board voted unanimously to withdraw its grant application to the Joint Transportation Committee of the Cape Cod Commission for bus stop modifications.

The Town Administrator continued discussion with the Board:

- j) Charter Review Committee - there was a consensus of the Board that the Town Administrator will draft a charge to the Committee

reflecting the Board's previous discussions and limiting the charge to the items previously discussed by the Board

k) proposed lease for the Catholic Church parking lot - there was a consensus of the Board to forward the proposed lease to Town Counsel for review

The Board discussed the request of Margo KochRuthe to use town property (lawn in front of Town Hall) on February 15th from 5:00 p.m. to 6:00 p.m. for a gathering in a silent vigil, commemorating (Nationwide this day) the threat of death and death against women health care givers at abortion clinics - also statement against violence against women. Police Chief Rosenthal indicated that he foresaw no problems with the vigil. On a motion duly made and seconded, the Board voted unanimously to approve the request.

The Board discussed David Clark's request for input regarding the Cape Cod Commission's parking report. There was a consensus of the Board that their comments will be addressed during the public hearing on parking scheduled in March.

On a motion duly made and seconded, the Board voted unanimously at 9:23 p.m. on a roll call vote (Kiggins, Paine, Wood - yea) to enter executive session for collective bargaining, strategy with regard to collective bargaining and contract negotiations and to reconvene in open session.

On a motion duly made and seconded, the Board voted unanimously at 9:42 p.m. on a roll call vote (Kiggins, Paine, Wood - yea) to reconvene in open session.

On a motion duly made and seconded, the Board voted unanimously to authorize Chairwoman Kiggins to sign a letter to the Cape Cod Commission and Cape Cod Joint Transportation Committee withdrawing the Board's grant application for funds to modify the bus stop area in the center of Town.

The Board discussed the letter from Jane Brusck regarding inspections of brush burning areas. The Town Administrator will speak to Alan Hight again regarding the Fire Department's policy.

The meeting adjourned at 9:48 p.m.

Respectfully submitted,

Linda Smulligan

Linda Smulligan
Administrative Assistant

Carolina Kiggins

Carolina Kiggins, Chair

Ira Wood

Ira Wood

Cynthia Paine

Cynthia Paine