

Board of Selectmen
March 13, 1995
Library Meeting Room
Minutes

The meeting was called to order at 6:45 p.m. by Chairwoman Carolina Kiggins. Selectmen present included Robert S. Costa, David Ernst, Cynthia Paine and Ira Wood. Town Administrator Julia Enroth also attended.

The Board met with Philip Lindquist, of Brown and Lindquist, Inc., architect for Phase I of the Town Hall renovation project. Discussion included responsibility for an error in the plumbing installed in the new Town Hall bathrooms. On a motion duly made and seconded, the Board voted 4-0-1 (with Paine abstaining) to grant Mr. Lindquist's request that the Town pay \$750 for the necessary plumbing correction on the Town Hall Phase I project. The Town Administrator discussed a change order to install heat in the new outdoor Town Hall restrooms. On a motion duly made and seconded, the Board voted unanimously to approve \$900 as an additional expense to heat the new Town Hall exterior bathrooms.

Open Session:

- Sylvia-Smith Dalton and Sally Francesconi addressed the Board about problems with the girls 6th, 7th and 8th grade basketball team participating in the finals competition. The Town Administrator will contact the Brewster and Orleans recreation departments to determine why the Wellfleet team is not participating.

The Board held a public hearing to consider the Shellfish Constable's recommendation with regard to the taking of seed oysters. Selectman Ernst left the Board. The Shellfish Constable read his recommendation for the areas to be open for the taking of seed and noted that the seed regulations remained unchanged. On a motion duly made and seconded, the Board voted 4-0 to accept the Shellfish Constable's recommendation as presented with one amendment (change Area 4 from "Karl Rask of Cape Cod Resources," to "Karl Rask of Cape Cod Resources or his designee,").

The Board held a continuation of the public hearing to consider the application of Todd and Carol Mindrebo to renew Shellfish Grant Licenses #85-D and #85-DA. Town Counsel advised the Board that the language adopted by the Board in January which is now included in each grant license is sufficient to address the concerns expressed by upland owner Anthony Massari. On a motion duly made and seconded, the Board voted unanimously to approve the application for renewal of Shellfish Grant Licenses #85-D and #85-DA through March 13, 2000. Selectman Ernst rejoined the Board.

Town Counsel discussed with the Board the lease for use of the Our Lady of Lourdes parking lot. He noted that contract changes made by the Board could be addressed by addendum contingent upon its being signed by a binding signature.

The Town Administrator discussed with the Board the book storage shed proposed by the Friends of the Library. The current plan calls for a movable structure located at the present DPW site which would be donated to the Town with the proviso that it would continue to be used by the Friends of the Library. On a motion duly made and seconded, the Board voted unanimously to approve the facility in principle.

The Board held a public hearing to amend the Town of Wellfleet Traffic Rules and Orders Article IV, Section 3, "Time Limits in Designated Areas", to establish a limit in the Our Lady of Lourdes parking lot and to change time limits in the Town Hall lot. Selectman Costa made a motion to designate six spaces at the back of Town Hall lot for four-hour parking, all other spaces in the Town Hall lot and the Our Lady of Lourdes parking lot as two-hour parking and on street curb parking as one hour parking. After discussion, the Board voted unanimously to amend the motion so that all spaces at the back of the Town Hall lot will be designated for four-hour parking, all other spaces in the Town Hall lot and the Our Lady of Lourdes parking lot will be designated as two-hour parking and on-street curb parking will be designated as one hour parking. On a motion duly made and seconded, the Board voted unanimously on the motion as amended. On a motion duly made and seconded, the Board voted unanimously to enforce the newly accepted parking regulations from June 15 through Labor Day.

The Town Administrator discussed with the Board:

a) Potential Proposition 2 1/2 Override Ballot Questions -

1) Operating Budget - discussion included grouping of the items appropriated subject to an override for the purpose of ballot question(s). On a motion duly made and seconded, the Board voted unanimously to place separate Proposition 2 1/2 questions on the ballot for #146 Tax Collector, Temporary Wages of \$2,125; #220 Fire Department, overtime of \$3,225; #417 DPW Facilities, paving Senior Center parking lot, carpet cleaner, Police/Fire Station attic repair of \$7,500; #420 DPW, deferred cemetery maintenance of \$3,500; #467 Recycling Committee, public education efforts of \$800 and #610 Library, additional hours for pages of \$592.

2) Capital Budget - the Town Administrator noted that a capital outlay exclusion required a 2/3 vote or 4 members of the Board.

a) DPW Garage Design - Selectman Costa made a motion, seconded by Wood, that DPW garage design funds of \$40,000 be put in the budget as a capital outlay exclusion and subsequently to be placed on the ballot for a Proposition 2 1/2 capital outlay exclusion vote. The Board voted 3-2, with Kiggins and Paine voting against. On a motion by Wood, seconded by Costa, the Board voted 4-0-1, with Paine abstaining, to reconsider the vote. On a motion duly made and seconded, the Board then voted 4-1-0, with Paine voting against, to pass the original motion.

- b) Fire Department Class A Fire Engine - Selectman Costa made a motion, seconded by Wood, that funds for a Fire Department Class A Fire Engine be placed in the budget as a capital outlay exclusion and subsequently be placed on the ballot for a Proposition 2 1/2 capital outlay exclusion vote. Discussion included the need to replace the vehicle. The Board voted 3-1-1, with Paine voting against and Kiggins abstaining. On a motion by Wood, seconded, by Costa, the Board voted 3-2, with Kiggins and Paine voting against, to reconsider the vote. On a motion duly made and seconded, the Board voted 4-1-0, with Paine voting against, to pass the original motion.
 - c) DPW Front End Loader and Pick-Up Truck - on a motion duly made and seconded, the Board voted unanimously that funds for a front end loader be put in the budget as a capital outlay exclusion and subsequently be placed on the ballot for a Proposition 2 1/2 capital outlay exclusion vote. On a motion duly made and seconded, the Board voted unanimously that funds for a DPW pick-up truck be put in the budget as a capital outlay exclusion and subsequently be put on the ballot for a Proposition 2 1/2 capital outlay exclusion vote.
 - d) Great Pond Restroom - on a motion duly made and seconded, the Board voted 4-0-1, with Paine abstaining, to put funds for a Great Pond restroom facility in the capital budget with funding to come from the Beach Fund.
 - e) Tennis Court Resurfacing - Selectman Costa made a motion seconded by Wood to place funds in the capital budget to resurface the tennis courts. The Board voted 1-3-1, with Kiggins, Paine and Wood voting against and Ernst abstaining. The motion failed.
- 3) Warrant Articles
- a) Land Purchases - Indian Neck property - on a motion duly made and seconded, the Board voted unanimously to include a warrant article for purchase of the Indian Neck property subject to a capital outlay exclusion and to subsequently place it on the ballot for a Proposition 2 1/2 capital outlay exclusion vote.
 - b) Wright Property - inclusion of an article to be confirmed next week
 - c) High School Construction - on a motion duly made and seconded, the Board voted unanimously to place a Proposition 2 1/2 debt exclusion question on the ballot for funds for the Nauset High School renovation and addition project. On a motion duly made and seconded, the Board voted unanimously to notify the Regional School Committee that the Committee's vote to authorize borrowing should be contingent on all four Town's voting debt exclusions.
- b) Warrant Articles - Board/Committee Recommendations - there was a consensus of the Board to forward articles (per draft #1, 3/10/95) to the following committees/boards for their recommendations in accordance with Charter provisions 2-7-1 and 2-7-2:

Special Town Meeting -

- Article 1 - Finance Committee
- Article 2 - Board of Selectmen

Annual Town Meeting -

- Articles 1-15 - Finance Committee
- Article 16 - Board of Selectmen
- Article 17 - Planning Board
- Article 18 - Open Space Committee
- Article 19 - Board of Selectmen

- Article 20 - Board of Selectmen
- Article 21 - Planning Board
- Article 22 - Personnel Board
- Article 23 - Conservation Commission
- Articles 24 and 25 - Planning Board
- Article 26 - Planning Board
- Article 27 - Finance Committee
- Article 28 - Board of Selectmen

In addition to the Charter required recommendations, the Board decided to ask for the following non-Charter related recommendations:

- Article 20 - Board of Fire Engineers
- Articles 21 and 23 - Bylaw Committee for form
- Article 26 - Local Comprehensive Planning Committee, All Boards represented on the Local Comprehensive Planning Committee and the Finance Committee

The Board also discussed including articles for vending various sun protection items at the beaches and for use of town property for the book shed of the Friends of the Library.

There was a consensus of the Board to schedule a Pre-Town Meeting for April 12th at 7:00 p.m.

On a motion duly made and seconded, the Board voted 4-0-1, with Costa abstaining (he had not attended the meeting), to approve the minutes of March 6, 1995 as submitted.

The Town Administrator continued discussion with the Board:

- c) Constable Position - on a motion duly made and seconded, the Board voted unanimously to appoint Michael Parlante as Temporary Constable until the next annual election.
- d) Cable Advisory Committee Charge - there was a consensus of the Board to adopt the charge drafted by the Town Administrator by acclamation
- e) Beach Study Committee Appointment - on a motion duly made and seconded the Board voted unanimously to appoint Barbara Atwood to the Beach Study Committee through June 30, 1995.
- f) Cape Cod Commission Memorandum of Understanding - on a motion

duly made and seconded, the Board voted unanimously to accept the MOU with the Cape Cod Commission. It was noted that several Board members found Appendix A objectionable.

g) Used Trailer Bid - on a motion duly made and seconded, the Board voted unanimously to accept the bid of Just Trailers for \$15,915 pending verification by the DPW that the trailer meets bid specifications.

h) Letter from Kate Painter regarding Handicapped Accessibility of the Wellfleet Oyster House - Selectman Costa left the Board. The Town Administrator will respond to Ms. Painter that the Board finds her plan for achieving handicapped accessibility acceptable. Selectman Costa rejoined the Board.

On a motion duly made and seconded, the Board voted unanimously at 10:38 p.m. on a roll call vote (Kiggins, Costa, Ernst, Paine, Wood - yea) to enter executive session to discuss strategy with respect to contract negotiations and to reconvene in open session.

On a motion duly made and seconded, the Board voted unanimously at 10:58 p.m. on a roll call vote (Kiggins, Costa, Ernst, Paine, Wood - yea) to reconvene in open session.

Chairwoman Kiggins informed the Board that a firefighter had requested that the Board or its representative attend the next meeting of the Fire Department assessment group to observe. The Town Administrator will speak to the group regarding this request, schedule the next meeting of the group, and report back to the Board.

On a motion duly made and seconded, the Board voted unanimously at 11:09 p.m. on a roll call vote (Kiggins, Costa, Ernst, Paine, Wood - yea) to enter executive session to discuss strategy with respect to contract negotiations and to reconvene in open session.

On a motion duly made and seconded, the Board voted unanimously at 11:10 p.m. on a roll call vote (Kiggins, Costa, Ernst, Paine, Wood - yea) to reconvene in open session.

On a motion duly made and seconded, the Board voted unanimously to approve the business licenses of S.W. Artworks; Cottontail Gallery; Golden Cod Gallery and Hannah. Selectman Costa left the Board. On a motion duly made and seconded, the Board voted unanimously to approve the business licenses of Bob's Sub & Cone; Rookie's, Inc. and Van Rensselaer's. Selectman Costa rejoined the Board.

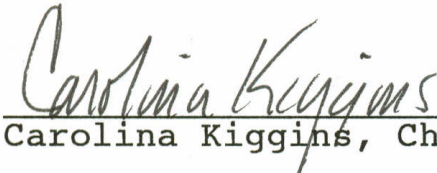
On a motion duly made and seconded, the Board voted unanimously to approve the request of David Coleman to use town property (Old Fire Station and old Shellfish Department truck) to take photographs on March 16th and/or 23rd.

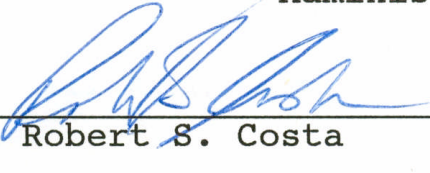
The meeting adjourned at 11:15 p.m.

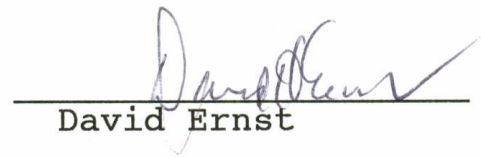
Respectfully submitted,



Linda Smulligan
Administrative Assistant



Carolina Kiggins, Chr.

Robert S. Costa

David Ernst

Cynthia Paine

Ira Wood