

Board of Selectmen
Library Meeting Room
May 30, 1995
Minutes

The meeting was called to order at 6:30 p.m. by Chairwoman Carolina Kiggins. Selectmen present included David Ernst, Cynthia Paine and John Ryerson. Selectman Ira Wood was absent. Town Administrator Julia Enroth and Town Counsel Michael Ford also attended.

On a motion duly made and seconded, the Board voted unanimously at 6:31 p.m. on a roll call vote (Kiggins, Ernst, Paine, Ryerson - yea) to enter executive session to discuss strategy related to negotiations for acquisition of real property and to reconvene in open session.

On a motion duly made and seconded, the Board voted unanimously at 6:55 p.m. on a roll call vote (Kiggins, Ernst, Paine, Ryerson - yea) to reconvene in open session.

Town Counsel discussed the notice to the Town as an abutter received from Attorney David Skiba of the intent of James D. Williams to obtain a Land Court Decree of adverse possession in Third Avenue. There was a consensus that Town Counsel will contact Attorney Skiba to request the source of titles and that Town Counsel will make an assessment of the need for this matter to go to Town Meeting. Town Counsel indicated that it did not appear that the Town would be effected by the adverse possession.

Open Session:

- Nils Miner addressed the Board regarding challenging the current ISO (Insurance Service Organization) rating to lower commercial and residential insurance costs. Fire Chief Henson indicated that the Fire Department is collecting the necessary information to be forwarded to the ISO Rating Board in June.
- Police Chief Rosenthal updated the Board on the status of the civil defense radio system which will be tested tomorrow.
- DPW Director Fressilli updated the Board on Duck Pond and discussed removal of a pine tree leaning into the parking lot. There was a consensus that the tree should be removed.
- Fire Chief Henson updated the Board on a recent Truro brush fire and noted the importance of having a truck equipped with Class A foam to fight brush fires.

On a motion duly made and seconded, the Board voted 3-0-1, with Kiggins abstaining (she had not attended the meeting), to approve the minutes of May 18, 1995 as submitted.

On a motion duly made and seconded, the Board voted unanimously to approve the minutes of May 22, 1995 as submitted.

The Town Administrator discussed with the Board:

- a) Fee Setting Procedure - Use of Town Property - on a motion duly made and seconded, the Board voted unanimously to approve the

amended "Procedure for Setting Fees and Determining Insurance Coverage for Use of Town Property", specifically as it relates to insurance coverage.

b) Open Space Plan Priorities - there was a consensus of the Board to forward the list of Open Space Plan priorities determined by the Planning Board to the Town Planner and ask that he determine the Plan's status with the state, continuity with the Local Comprehensive Plan and to then determine the goals and objectives to be forwarded to each board and committee.

c) Special Town Meeting:

- Article 1 - to be moved by petitioner - consensus to wait for the results of the Planning Board hearing before making a recommendation
- Article 2 - to be moved by Kiggins
- Article 3 - to be moved by Ernst - on a motion duly made and seconded, the Board voted unanimously to recommend the article
- Article 4 - to be moved by Ryerson
- Article 5 - to be moved by Ryerson
- Article 6 - to be moved by Regional School Committee
- Article 7 - to be moved by Kiggins

d) Policy on Letters - there was a consensus of the Board not to maintain a policy at this time and agreement that letters will not be sent out in the name of the Board by any one member

The Board met with Stephen Collings of Commonwealth Electric to discuss Commonwealth Electric's herbicide application program and their intention to treat the substations within the Town of Wellfleet. Discussion included:

a) explanation of program and reasons for application of herbicides rather than manual weeding - Chairwoman Kiggins indicated that she had inspected the area and felt that manual weeding would be a successful method of controlling weed growth in this area.

b) environmental concerns - specifically well water

c) proximity of homes to substations

d) DPW Director Fressilli indicated that the Town does not use herbicides due to concern over a possible detrimental impact.

The Board requested that Round Up not be applied to control weed growth at the Commonwealth Electric substations in the Town of Wellfleet and that an alternate solution be found. Mr. Collings suggested that a letter be directed to John Williams, Vice President in Charge of Operations at Commonwealth Electric.

The Town Administrator continued discussion with the Board:

e) Selectmen's Role in Business Licensing - the Board indicated that the draft policy being prepared by the Town Administrator should indicate that the Board of Selectmen will not give approval of business licenses pending Board of Appeals' decisions.

f) Gas Dock Lease Bid - discussion included the need for an extended lease due to planned improvements to the facility by the lessee - on a motion duly made and seconded, the Board voted unanimously to accept the bid of Wellfleet Marine Corp. for \$.10

per gallon to be paid to the Town for the time period January 1, 1996 through December 31, 2003.

g) Beach Concessions White Crest Beach - on a motion duly made and seconded, the Board voted unanimously to accept the bid of Tom Denision d/b/a Dogs by the Sea in the amount of \$1,100.

The Board discussed problems with the new bike path area in South Wellfleet. Discussion included the need for information in the parking area and safety concerns.

The Board held the continuation of the May 22nd public hearing regarding the "no dragging line". Selectman Ernst left the Board. The Shellfish Constable presented his recommendation. On a motion duly made and seconded, the Board voted unanimously 3-0 to accept the recommendation of the Shellfish Constable to amend Section V of the Wellfleet Temporary Shellfish Regulations by closing "The waters and flats south of the present "No Dragging Line" (extending from the offshore tip of the main harbor breakwater across to Great Island,) and north of a "Temporary Closure Line" drawn from the southwest corner of the Indian Neck parking lot to a point on the shore of Great Island marked by two red and white range poles, except the portion of the recreational shellfishing area south of the breakwater enclosed by these lines shall remain open as usual." to the taking of all shellfish by any means or method effective immediately. Selectman Ernst rejoined the Board.

The Board discussed the Draft Policy Provision for Emergency Medical Services. The Town Administrator noted that the Fire Chief and Police Chief had reviewed the draft and indicated their approval. On a motion duly made and seconded, the Board voted unanimously to adopt the draft policy as submitted. The Board indicated that there may be a need to revise the wording of the policy in the future for clarity.

The Board discussed commercial use of sandwich boards. Discussion included fairness, safety, the sign code and enforcement. It was noted that in the beginning of June, the Town Planner will be contacting the Massachusetts Highway Department to request removal of items placed within the State Highway Route 6 layout as regulated under Mass. General Law.

On a motion duly made and seconded, the Board voted unanimously to approve the request of the Wellfleet Fireworks Committee to use Town property at the Indian Neck Breakwater/Jetty Town roads/Parking lots surround harbor, Town Pier and Baker's Field areas including restrooms for a fireworks display on July 8th with a rain date of July 9th with the condition that any other organization planning to sell food or other items needs to come to the Board of Selectmen for separate permission.

On a motion duly made and seconded, the Board voted unanimously to approve the request of the Wellfleet Firemen's Relief Association

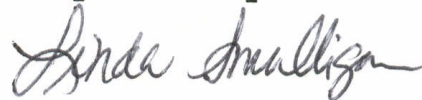
to sell t-shirts and raffle tickets during carnival hours at Baker's Field July 3 - July 9, 1995 from 7 p.m. to 10 p.m.

The Board discussed policies. Discussion included awareness of policies passed by other boards and committees and scheduling an annual meeting with Town Counsel regarding board/committee procedures. The Board requested that other Town boards/committees/commissions submit copies of their policies to the Administrative Office for review.

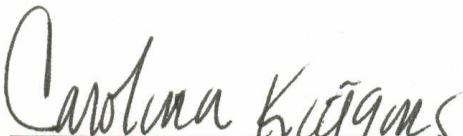
On a motion duly made and seconded, the Board voted unanimously to approve the business licenses of Bayside Lobster Hutt, Inc.; Just Dessert; The Wellfleet Collection (Main Street); The Wellfleet Collection (Baker Ave.); Wellfleet News Store; Painter's Lunch; The Secret Garden and Tang Dynasty.

The meeting adjourned at 9:32 p.m.

Respectfully submitted,



Linda Smulligan
Administrative Assistant



Carolina Kiggins, Chr.

David Ernst



Cynthia Paine



John Ryerson