

Board of Selectmen
October 2, 1995
Library Meeting Room
Minutes

The meeting was called to order at 7:00 p.m. by Vice-Chairman John Ryerson. Selectmen present included Cynthia Paine, David Ernst and Ira Wood. Chairwoman Carolina Kiggins was absent. Consultant William Hinchey was also present.

Open Session:

- Florence Schmidt addressed the Board regarding various issues related to the Board's contract with MMA Consulting Group to engage the services of William Hinchey as a consultant.
- Durand Echeverria addressed the Board as a member of the Town Bylaw Committee regarding the imposing of community service as a penalty for a General Bylaw infraction. Vice-Chairman Ryerson asked Mr. Echeverria to save his comments for the upcoming continuation of the shellfish permit suspension hearing of William Young, Jr. Selectman Ernst recused himself. Mr. Hinchey indicated that since Mr. Echeverria's comments seemed to be associated with the upcoming shellfish matter they should be heard at the scheduled hearing continuation. Selectman Ernst rejoined the Board.
- Ruth Rickmers was recognized by Vice-Chair Ryerson and indicated that she wished to yield her time to Mr. Echeverria so that he could finish his comments. The request was refused by the Board and Vice-Chair Ryerson reiterated that Mr. Echeverria's comments would be welcome during the upcoming shellfish permit suspension hearing.
- Matthew Frazier addressed the Board regarding the Long Pond Road paving project and requested that the letter dated September 27, 1995 to Richard Fressilli from Bernard McCourt, District Highway Director, be read. Vice-Chair Ryerson read the letter. Richard Fressilli read his October 2, 1995 letter to Mr. McCourt regarding Long Pond Road remediation measures and indicated that requested core samples will be taken on Wednesday with results anticipated shortly thereafter. Discussion included potential costs to the Town for the remedial steps deemed necessary by Mr. McCourt. Mr. Fressilli indicated that the Barnstable County DPW Directors group was providing assistance and that the project would be assessed tomorrow at no cost to the Town. Mr. Frazier urged the Board to engage an impartial person to assess the project and to establish a review board to oversee future town paving projects. The Board took the matter under advisement for further discussion.

The Board met with the Beach Administrator and Judy Rogers, Linda Miller, Barbara Atwood and Police Chief Rosenthal of the Beach Study Committee. Vice-Chairman Ryerson complimented the Beach Administrator for a fine season. Discussion included:

- a) posting under power lines at Duck Pond
- b) Long Pond parking lot problems - it was suggested that parking could be regulated by assigning an attendant to the lot 25-30 hours per week
- c) showers - it was noted that showers at the ocean beaches would

reduce activity at the ponds

- d) Employee beach access - on a motion duly made and seconded, the Board voted unanimously to continue to allow non-resident employees to purchase employee beach access passes
- e) other problems - noted were traffic control problems at Great Pond and Long Pond, overcrowding problems at Gull Pond, continuation of problems with windsurfers and anticipation of problems with jet skies
- f) it was noted that despite best efforts there is always room for improvement at beach restroom facilities
- g) budgetary considerations - Newcomb Hollow parking lot, docks at Gull Pond, sun shades for lifeguards and beach guards
- h) computers at beach sticker facility - discussion included assessing staffing needs and establishment of a computer data base to include Assessing Department records and cash accounting; Police Chief Rosenthal indicated that he would be willing to donate his time to help establish the necessary database.
- i) the Beach Administrator thanked Mr. and Mrs. Richman and all the other participants in the Adopt-A-Pond organization for their efforts and contributions to the Town and the Beach Program.

Bob Costa addressed the Board regarding a) the status of the lease with the Catholic Church for use of their parking lot and b) problems of small towns with the restrictions of M.G.L. Chapter 30B, the procurement law - he suggested that state representatives be urged to support efforts to release small towns from the restrictions of 30B. Mr. Hinchey indicated that very little modification of this law has occurred despite continued Mass. Municipal Managers Association sponsorship of legislation to rescind some of its provisions.

On a motion duly made and seconded, the Board voted unanimously to approve the minutes of September 25, 1995 as amended.

On a motion duly made and seconded, the Board voted unanimously to approve the minutes of September 18, 1995 as corrected.

The Board held a continuation of the shellfish permit suspension hearing of William Young, Jr. Selectman Ernst left the Board. Mr. Young was in attendance. Wood moved that William Young, Jr.'s commercial shellfish permit be suspended for one week; seconded by Paine. Vice-Chair Ryerson recognized Mr. Echeverria who continued his presentation on behalf of the Bylaw Committee noting that the Board cannot punish in excess of or differently than established regulations and that the law must be enforced as written. The Shellfish Constable indicated that Mr. Young has been cited under state law not local regulations and that Town Counsel has advised that the Board has the authority to revoke a license for violation of state laws or regulations. Mr. Young indicated that he feels he has already been sufficiently monetarily penalized for the infraction. Selectman Wood rescinded his motion, with permission of the seconder, and asked for clarification from Town Counsel of

the Shellfish Constable's information. On a motion duly made and seconded, the hearing was continued to Tuesday, October 10th at 8:15 p.m. Selectman Ernst rejoined the Board.

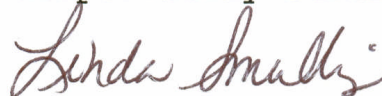
The Board discussed:

- a) alternate to the Off Road Vehicle Advisory Group - discussion included possible candidates suggested to serve as alternate. On a motion duly made and seconded, the Board voted unanimously to designate Ken Granlund as the alternate to the Off Road Vehicle Advisory Group.
- b) Matron appointment - on a motion duly made and seconded, the Board voted unanimously to appoint Bronwyn Bresnahan as a matron for the Wellfleet Police Department through June 30, 1996.
- c) Location of the October 16th Pre-Town Meeting - by consensus the Board decided to schedule the following at the Library Meeting Room for October 16th: regular meeting at 6:30 p.m.; public hearing on proposed charter amendments at 7:30 p.m. and Pre-Town Meeting at 8:00 p.m.
- d) Al Haven's letter of resignation from the Coastal Resources Advisory Committee - Vice-Chair Ryerson read Mr. Haven's letter dated 9/29/95. There was a consensus of the Board that a letter of thanks be drafted to Mr. Haven and that his suggestion that alternate Roger Putnam be appointed to the committee be continued to their next meeting when a full board will be in attendance.

Bob Costa complimented the Board on their contracting with Mr. Hinchey for consultant services. Clarence Smith welcomed Mr. Hinchey and wished him well.

The meeting adjourned at 8:41 p.m.

Respectfully submitted,



Linda Smulligan
Administrative Assistant



John Ryerson

David Ernst



Cynthia Paine



Ira Wood