

Board of Selectmen
November 27, 1995
Library Meeting Room
Minutes

The meeting was called to order at 7:00 p.m. by Chairwoman Carolina Kiggins. Selectmen present included John Ryerson, Cynthia Paine, David Ernst and Ira Wood. Acting Town Administrator Bill Hinchey was also in attendance.

Open Session:

- Roger Putnam updated the Board on the activities of the Town Administrator Search Group.
- Ann Bronsdon addressed the Board regarding last week's Board of Fire Engineers meeting.
- Eleanor Willecke addressed the Board to thank the Town for the assistance provided to the Congregational Church by the Fire Department on Sunday, November 19th during a general power failure.

On a motion duly made and seconded, the Board voted 4-0-1, with Ryerson abstaining (he had not attended the meeting), to approve the minutes of November 11, 1995 as submitted.

The Board held a public hearing to consider the request of Kate Painter of K.S.P. Corp., d/b/a Painter's, for extension of her seasonal liquor license to January 15, 1996. Chairwoman Kiggins read Ms. Painter's November 27th letter indicating that her extension request was for one reason, a private wedding reception planned for December 30, 1995. Discussion included the Board's past practice of not granting seasonal liquor license extension requests out of fairness to year round license holders who must remain open throughout the winter months. On a motion duly made and seconded, the Board voted 3-2, with Paine and Ernst voting against, to grant the request of Kate Painter to extend her seasonal all alcoholic common victualler liquor license through January 15, 1996 on the condition that assurance of insurance coverage for December 30th is rendered to the Town. On a motion duly made and seconded, the Board voted to stipulate that Painter's Restaurant be closed from December 1 through December 29, 1995 and from December 31, 1995 through January 15, 1996.

The Board held a public hearing to consider the applications of Nolan Williams, Timothy Hughes and Richard Goldberg for shellfish grant aquaculture licenses. Selectman Ernst left the Board. Chairwoman Kiggins read the public notice. The Shellfish Constable read his recommendation to deny these applications without prejudice to give consideration to the potential options for use of the remaining Egg Island parcel. On a motion duly made and seconded, the Board voted unanimously to accept the recommendation of the Shellfish Constable to deny these three applications without prejudice.

The Board held a public hearing to consider the application of David Salvador to conduct aquaculture on a 7 acre parcel of

subtidal land. Chairwoman Kiggins read the public notice. The Shellfish Constable read his recommendation. The Shellfish Constable indicated that he wished to approach these areas carefully to examine all the issues and that he hoped to complete a comprehensive plan for this area by next spring. On a motion duly made and seconded, the Board voted unanimously to accept the recommendation of the Shellfish Constable to deny Mr. Salvadors' application without prejudice. Selectman Ernst rejoined the Board.

The Board discussed:

- a) Fire Department matters - Chairwoman Kiggins read the November 27, 1995 memo from the Board of Fire Engineers indicating that the Engineers were not able to attend tonight's meeting. Discussion included options for interim supervision of the Fire Department, advantages of supervision being performed by the Town Administrator in conjunction with the Police Chief, and the possibility of establishment of a public safety department. There was a consensus that the Fire Department officers will discuss these ideas amongst themselves and that another discussion will be scheduled after the officers meet.
- b) maple tree in front of Town Hall - on a motion duly made and seconded, the Board voted unanimously that the Acting Town Administrator direct the DPW to deal with the maple tree in front of Town Hall per the recommendations of The F.A. Bartlett Tree Expert Co. as outlined in their February 1, 1995 memo. It was noted that a public hearing will be scheduled in January to consider removal of the maple tree on Briar Lane.
- c) Deputy Tax Collector's Bond - on a motion duly made and seconded, the Board voted unanimously to set the amount of the Deputy Tax Collector's bond at \$6,500.
- d) Selectman Ernst reported on the November 21st Board of Fire Engineers meeting.
- e) Request of Police Chief Rosenthal for appointment of Sheriff's Deputy William Finkel as Constable - Selectman Ernst made a motion, seconded by Chairwoman Kiggins, that William Finkel be appointed as constable through June 30, 1995. Discussion included the need for the appointment due to Mr. Finkel's status as a Sheriff's Deputy. There was a consensus of the Board to take the appointment under advisement pending further information from Chief Rosenthal. The motion was withdrawn by Selectman Ernst.
- f) appointment to Council on Aging - on a motion duly made and seconded, the Board voted 3-0-2 with Paine and Ernst abstaining (they had not attended the interview), to appoint Russell Holt as a member of the Council on Aging through June 30, 1998.
- g) appointment to Personnel Board - on a motion duly made and seconded, the Board voted 3-0-2 with Paine and Ernst abstaining (they had not attended the interview), to appoint Sidney Brooks to the Personnel Board through June 30, 1998.
- h) liquor license renewals - on a motion duly made and seconded, the Board voted unanimously to approve renewal of the annual retail package goods store wines and malt beverages licenses of D. Desimone, Inc., d/b/a D & D Market and Joseph Lema & Son, Inc.,

d/b/a Joseph Lema & Sons.

The Board met with Fire Chief Henson to discuss the use of Fire Department equipment to provide lighting for a concert at the Congregational Church on November 19th during a general power failure. Chairwoman Kiggins read Fire Chief Henson's report. The Acting Town Administrator questioned Chief Henson who provided information on his decision to deploy Fire Department equipment at the Church while on 111F disability status. It was suggested that the Board might consider establishing a policy whereby an officer would assess all Town areas and buildings for problems during power failures.

The Board continued discussion:

i) business licenses - on a motion duly made and seconded, the Board voted unanimously to approve the business licenses of Celeste's Depot Cafe; Wellfleet Artison's Co-Operative; Consider the Lilies; Wellfleet Bay Wildlife Sanctuary; Lighthouse Restaurant; Wellfleet Motel & Lodge; Cumberland Farms; Wellfleet Auto Exchange (Class IV); Wellfleet Auto Exchange (Class II)

j) request for closure of Finely J.P.'s Restaurant - on a motion duly made and seconded, the Board voted unanimously to approve the request of John W. Pontius to close Finely J.P.'s Restaurant from Thursday, December 14, 1995 to Thursday, January 11, 1996 (reopening date).

k) Long Pond Road paving project - the Acting Town Administrator updated the Board on the status of negotiations with Northern Paving including his request that the Town be reimbursed by the contractor for costs associated with core sampling, engineering services and berms. Mr. Hinchey recommended that Northern Paving be asked to complete the dense binder only under the auspices of the DPW and project engineer and supervision of the State inspector. On a motion duly made and seconded, the Board voted unanimously to accept the Acting Town Administrator's recommendation for compromise as specified in the letter from William Hinchey to Northern Paving dated 11/7/95. Other discussion included ensuring that the loads of asphalt are covered and delivered in heated trucks.

The meeting adjourned at 10:20 p.m.

Respectfully submitted,

Linda Smulligan
Linda Smulligan

Administrative Assistant

Carolina Kiggins
Carolina Kiggins, Chr.

John Ryerson
John Ryerson

Cynthia Paine
Cynthia Paine

David Ernst
David Ernst

Ira Wood
Ira Wood