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The Board
for use
From

Board of Selectmen
Library Meeting Room
February 20, 1996
Minutes

The meeting was called to order at 7:30 p.m. by Chairwoman Carolina Kiggins. Selectmen present included John Ryerson, Cynthia Paine, David Ernst and Ira Wood. Town Administrator John Hinckley also attended.

The Town Administrator discussed with the Board:

- a) Planning Board request for a Town Meeting article to establish a one year moratorium with regard to permitting and/or construction - discussion included legal concerns - on a motion duly made and seconded, the Board voted unanimously to support "in principal" the Planning Board's request for a warrant article proposing a one year moratorium on the building of towers.
- b) Update of discussion at Cape Cod Selectmen's Association meeting
- c) Senior Employment Program - there was consensus that the senior training and employment program through Elder Services of Cape Cod and the Islands, Inc. be pursued.
- d) Transportation Public Hearing regarding improved service to the Lower Cape - there was consensus to support improved service to the Lower Cape, specifically faster service to Orleans, and that the DPW Director should attend the meeting and report back to the Board
- e) The Town Administrator indicated his intent to appoint Michael Flynn, Tina Jodoin, Jennifer Opitz and Richard Townsend as call firefighters on a probationary basis subject to completion of physical examination/testing and training requirements - there was consensus that the appointments should go forward

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 February 9, 1996 as printed.

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 February 12, 1996 as printed.

The Board continued discussion regarding Hamblen Park. Discussion included:

- a) draft letter to Cape Cod Commission - there was consensus that the Town Administrator redraft the letter per this discussion; that Board members review the letter; and that the Chair sign the letter on behalf of the Board
- b) vehicle use - the Police Chief noted that no prohibition regarding vehicle use had been found other than section 24A of the General Bylaw - there was consensus that the Police Chief draft an article for Town Meeting regarding the use of motorized vehicles on Hamblen Park
- c) access from Pine Point Road - it was noted that this area provides sole public access to Duck Creek which is necessary for shellfishermen

The Board considered the application of N.A. Nickerson & Sons, Inc. for use of Powers Landing for moving fill to replenish the dune in front of Seashell Condominiums. On a motion duly made and seconded, the Board voted unanimously to approve the application contingent upon approval from the Health/Conservation Agent.

On a motion duly made and seconded, the Board voted unanimously to approve the business licenses of Joseph Lema & Son, Inc. and Wellfleet Village Mobil. The Board asked that the business license of On the Creek Cafe be resubmitted pending review of any conditions.

Selectwoman Paine requested Board approval to visit Father Kelley with Selectman Wood to discuss use of the Our Lady of Lourdes parking lot. There was consensus of the Board that such discussion should go forward. The Town Administrator will also attend.

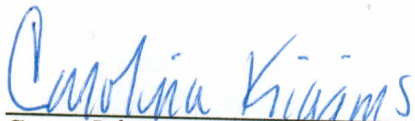
The Board met with Town Counsel. Discussion included correspondence from David H. Baker, M.D. regarding vehicular traffic on the beach. Town Counsel noted that the Town "Beach Vehicular Traffic Bylaw" cannot grant private property rights and therefore does not constitute a taking. On a motion duly made and seconded, the Board voted 4-1, with Wood voting against, that the Town Administrator draft a letter to shellfish grant license holders clarifying the bylaw.

On a motion duly made and seconded, the Board voted unanimously at 9:19 p.m. on a roll call vote (Kiggins, Ryerson, Paine, Ernst, Wood - yea) to enter executive session to discuss litigation and collective bargaining and not to reconvene in open session.

Respectfully submitted,



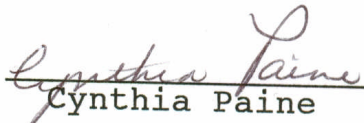
Linda Smulligan
Administrative Assistant



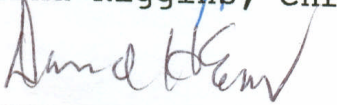
Carolina Kiggins, Chr.



John Ryerson



Cynthia Paine



David Ernst



Ira Wood