

Board of Selectmen
Library Meeting Room
March 18, 1996
Minutes

The meeting was called to order at 7:00 p.m. by Chairwoman Carolina Kiggins. Selectmen present included Cynthia Paine, David Ernst and Ira Wood. Selectman John Ryerson was absent. Town Administrator John Hinckley also attended.

Open Session:

- Beverly Callistini addressed the Board regarding issues related to the lack of a pooper scooper by-law or regulation. There was consensus that a bylaw could not be included in this Town Meeting warrant due to time constraints but that the Town Administrator will refer the problem to the Board of Health.

On a motion duly made and seconded, the Board voted unanimously to accept the minutes of March 8, 1996 as printed.

On a motion duly made and seconded, the Board voted unanimously to accept the minutes of March 11, 1996 as amended.

The Town Administrator discussed with the Board:

a) Board of Health Senior Aide - Evelyn Van Hoeven will be working in the Health office beginning this week.

At 7:30 p.m. the Board met with the Planning Board. Members in attendance included Ben Gitlow, Alan Platt, Paul Nossiter and David Wright. Discussion included:

a) Design Guideline Manual for Sustainable Development on Cape Cod distributed by the Cape Cod Commission - on a motion duly made and seconded, the Board unanimously to endorse a vote of appreciation for the Planning Board.

b) March 14, 1996 memo from the Planning Board regarding the Goals and Policies of the Local Comprehensive Plan - discussion included the status of the Plan and potential ramifications of its standards to regulatory boards/committees and commissions. The Town Administrator noted that a request for legal opinion had already been forwarded to Town Counsel and it was suggested that the information also be forwarded to the Town Moderator.

Selectman Wood reported on the status of the Hamblen Park restoration plan and the availability of Open Space Bond Bill grant monies. Selectwoman Paine commented on the state aid formula for public education.

At 8:00 p.m. the Board met with Lower Cape Water Management Task Force project hydrologist Bob Sobczak who presented an overview of the work of the Task Force. Mr. Sobczak discussed the need for establishment of the Task Force, its accomplishments and future. Discussion included concerns regarding future water needs of the downtown area.

The Board discussed Town Meeting matters.

a) FY'97 Capital Budget - on a motion duly made and seconded, the Board voted unanimously to accept the Town Administrator's recommendations for the Capital Budget.

b) Board of Selectmen article recommendations - the Board reviewed each article and voted recommendations as follows per draft #4 dated 3/18/96:

Special Town Meeting:

Article 1 (transfers) - recommend 4-0

Article 2 (Municipal Agreement for Groundwater Protection District - recommend 4-0

Annual Town Meeting:

Article 4 (reports) - recommend 4-0

Article 5 (contract settlements) - reserve recommendation to Town Meeting 4-0

Article 6 (salaries of elected Town officials) - reserve recommendation to Town Meeting 4-0

Article 7 (Chamber of Commerce book) - recommend 3-0 (Paine recused)

Article 8 (paramedic reimbursement) - recommend 4-0

Article 9 (gifts) - recommend 4-0

Article 10 (DEP indemnification) - recommend 4-0

Article 11 (Tax Collector authorization) - recommend 4-0

Article 12 (land conveyed for auction) - reserve recommendation to Town Meeting 4-0

Article 13 (disposal of outboard motor) - recommend 4-0

Article 14 (amendment to General Bylaw Article VII, Section 24A) - recommend 4-0

Article 15 (fireworks) - recommend, funds to be raised and appropriated 3-1 (Paine voted against)

Article 16 (Long Pond land parcel) - recommend 4-0

Article 17 (Duck Creek Cemetery) - recommend 4-0

Article 18 (moratorium on communication towers) - recommend 4-0

Article 19 (computer consultant) - recommend 4-0 with amended language

Article 20 (resolution regarding Park Closure Commission) - recommend 4-0; the Board asked that this article also be referred to the Open Space Committee for recommendation

Article 21 (Marina fuel delivery) - recommend 4-0

Article 22 (lease of Marina building) - recommend 4-0

Article 23 (Catholic Church lot) - recommend 4-0

Article 24 (reclassification study) - recommend 4-0

Article 25 (Williams) - reserve recommendation to Town Meeting 4-0

Article 26 (Chamber of Commerce beach maps) - recommend 3-0 (Paine recused)

Article 27 (Demolition Delay Bylaw) - recommend 4-0

Article 28 (fire truck) - recommend 3-1 (Kiggins against)

Article 29 (dredge funds) - recommend 4-0

Article 30 (Education Reform Act) - recommend 3-1 (Paine against)

Article 31 (front-end loader) - recommend 3-1 (Kiggins against)

Article 32 (petition - vital statistics) - not recommend 3-0-1

(Paine abstained)

- Article 33 (petition - Town pound) - reserve recommendation to Town Meeting 4-0; the Board asked the this article also be referred to the Board of Assessors for recommendation
- Article 34 (petition - Fire Department full-time captain/paramedic) - not to recommend 3-0-1 (Paine abstained)
- Article 35 (petition - Fire Department part-time fire chief) - not to recommend 3-0-1 (Paine abstained)
- Article 36 (lease of Marina building) - not to recommend 4-0
- Article 37 (petition - Provincetown AIDS Support Group) - reserve recommendation to Town Meeting 4-0
- Article 38 (petition - Karl Nurse) - not to recommend 3-0-1 (Paine abstained)
- Article 39 (petition - Roach Company Trust) - not to recommend 4-0
- Article 40 (final article) - recommend 4-0

The Board discussed emergency procedures. Dispatcher Dave Darakjy also attended and reported on dispatcher activities and responsibilities during the recent power outage. There was consensus that this matter be rescheduled for further discussion after Town Meeting.

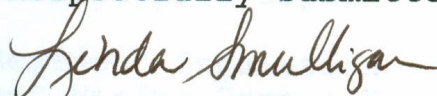
The Town Administrator discussed with the Board:

- b) Draft letter regarding the right to use motor vehicles on beaches and tidal flats within the bounds of the Town of Wellfleet dated 3/7/96 - on a motion duly made and seconded, the Board voted 2-1, with Ernst recused and Wood voting against, to endorse the memo.
- c) letter from Barnstable County Department of Health and Environment regarding pre-approval of use of oral rabies vaccine for wildlife - on a motion duly made and seconded, the Board voted unanimously to authorize participation in the program as outlined in the 2/12/96 letter from Tufts University
- d) contract with Dr. Play for restroom facility building at Long Pond - on a motion duly made and seconded, the Board voted 3-1, with Paine voting against, to sign this contract with the proviso that the vendor agrees to submit in writing its agreement to maintain its October, 1995 price quotation.
- e) memo from Health/Conservation Agent regarding compost toilet/-trash container/toilet signs - bike trail: on a motion duly made and seconded the Board voted unanimously to support the Health Agent's effort and to go forward with the program.
- f) minutes of 3/7/96 pole hearing - on a motion duly made and seconded, the Board voted unanimously to approve the joint petition of New England Telephone and Telegraph Company and Commonwealth Electric Company to install and maintain one joint pole on Gull Pond Road at the Commonwealth Electric Substation to enhance the system by maintaining voltage to more customers.
- g) ABCC Estimate of Seasonal Resident Population - on a motion duly made and seconded, the Board voted 3-1, with Ernst voting against, to set the ABCC seasonal resident population at 17,500
- h) liquor license renewals - on a motion duly made and seconded, the Board voted unanimously to approve the seasonal all alcoholic

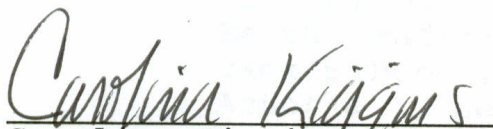
common victualler licenses for V.R.'s and Serena's Restaurants
i) business licenses - on a motion duly made and seconded, the Board voted unanimously to approve the business licenses of Wellfleet Marine Corp.; Herring River Gallery/Guests; Cape Mariner Excursions/Navigator (booth); Cape Mariner Excursion/Navigator (charter boat); Jac's Mate (booth); Jac's Mate (charter boat); Abiyoyo/Down to Earth Crafts; Jack's Boat Rentals, Inc. (Gull Pond); Jack's Boat Rentals, Inc. (Route 6); Wellfleet Harbor Actor's Theatre; Wellfleet Drive-In; Wellfleet Beachcomber.

On a motion duly made and seconded, the Board voted unanimously at 10:30 p.m. on a roll call vote (Kiggins, Paine, Ernst, Wood - yea) to enter executive session to discuss collective bargaining and ongoing litigation and not to reconvene in open session.


Respectfully submitted,



Linda Smulligan
Administrative Assistant



Carolina Kiggins, Chair



Cynthia Paine

David Ernst



Ira Wood