

Board of Selectmen
Library Meeting Room
March 25, 1996
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. Town Administrator John Hinckley was also in attendance.

Open Session:

- Al Haven addressed the Board to clarify the release of a state issued consent order regarding installation of a public water or public sewer system in Wellfleet. Mr. Haven noted the work of the 201 Committee and indicated that an amendment to the consent order allows septage to be disposed of at the Orleans septage treatment facility.
- Clarence Smith addressed the Board regarding information for Pre-Town Meeting.
- Bob Costa addressed the Board regarding the establishment of a de-briefing program for Selectmen

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 March 18, 1996 as amended.

The Town Administrator discussed with the Board:

- a) update on schedule of union contract negotiation sessions
- b) Building Inspector vacancy update
- c) substitute moderator for town meeting - there was consensus to continue discussion to next week
- d) setting of bonds for Town Clerk, Town Treasurer and Tax Collector - on a motion duly made and seconded, the Board voted unanimously to set the bond for the Town Clerk at \$6,500, Town Treasurer at \$100,000 and Tax Collector at \$100,000.

Selectman Ernst recused himself and sat in the audience.

The Board held the following public hearings:

- a) 7:30 p.m. - applications of Richard Goldberg and Philip R. Morton for shellfish grant aquaculture licenses - The Shellfish Constable read his recommendation that the applications be denied; Mr. Goldberg's application for license area 95-7 because he recommends that this area be held in reserve during ongoing discussions with property owners of the flats upon which the Town propagation beds are located and Mr. Morton's because it is too general. On a motion duly made and seconded, the Board voted unanimously to deny these applications without prejudice.
- b) 7:35 p.m. -
 - 1) application of Kevin Forrest, Fred Richard and Deborah Hopkins for renewal of shellfish grant license #853 - the Shellfish Constable recommended that the grant license be renewed. On a motion duly made and seconded, the Board voted

unanimously to grant renewal of shellfish grant license #853 for a period of ten years beginning on the date of expiration.

2) application of Charles J. and Ruth M. Reaves for renewal of shellfish grant licenses #861 and #861A - the Shellfish Constable recommended renewal of these grant licenses but noted that he has suggested that the licensees make greater efforts towards productivity and "picking up" of the licensed area. On a motion duly made and seconded, the Board voted unanimously to renew these grant licenses with a common expiration date of April 25, 2006.

c) 7:40 p.m. - application of Mark Smith to renew shellfish grant license #862 and request to transfer grant license #862 to Jeffrey H. Cox. The Shellfish Constable recommended that the license be renewed and transferred. On a motion duly made and seconded, the Board voted unanimously to renew grant license #862 for ten years and to approve its transfer to Mr. Cox.

d) 7:45 p.m. - Chipman's Cove - the Shellfish Constable read his recommendation to close Chipman's Cove and noted that the Shellfish Advisory Committee agrees with this recommendation. On a motion duly made and seconded, the Board voted unanimously to accept the recommendation of the Shellfish Constable to amend Section V of the Temporary Shellfish Regulations by designating the Chipman's Cove area of Wellfleet Harbor as closed to the taking of all shellfish as of one half hour after sunset on Wednesday, May 15, 1996, said designation to remain in effect until further notice.

e) 7:50 p.m. - catch limits - the Shellfish Constable read his recommendation. On a motion duly made and seconded, the Board voted unanimously to accept the recommendation of the Shellfish Constable to amend the Shellfish Regulations by adding Section 9.9 as follows: "No commercial shellfish permit holder shall take shellfish in excess of the daily limit from designated geographical areas of Wellfleet Harbor, said designations to be found in Section V of the Temporary Shellfish Regulations." and to amend Section V of the Temporary Shellfish Regulations regarding catch limits.

f) 7:55 p.m. - application of Joel C. and Anne C. Fox, Old Wharf Shellfish, for renewal of shellfish grant licenses #739, #739A and #754. The Shellfish Constable recommended renewal of the current license and licensees for a period of ten years with a common expiration date of 9/19/2007. Attorney Paul Whiteman, representing David H. Baker, Sylvia R. Harrison, John J. O'Brien, Susan Hamar and Nora B. Anthony submitted a letter and related documents to the Board regarding his clients' "Objection to the Early Renewal of Shellfish Grant No.'s 739, 739A & 754". Attorney James Veara, representing Philip Fox and Barbara Anderson, noted that his clients are also listed as licensees on these shellfish grant licenses and requested that the licenses be renewed as presently written, with the same principals. Joel Fox requested a one year renewal of these licenses in accordance with the Shellfish Rules & Regulations. Other discussion included the need to survey the area to establish ownership of the flats and shellfishermen accessing the flats by driving on the beach. On a motion duly made and seconded, the Board voted unanimously to take this application

under advisement in order to consult Town Counsel before making a decision.

Selectman Ernst rejoined the Board.

The Town Administrator discussed with the Board:

a) Beach/Recreation Director position - there was a consensus that the current Acting Recreation Director function as the Beach/Recreation Director through this summer season and that the positions be reassessed in the fall.

At 8:30 p.m. the Board met with school representatives including Superintendent Gradone, committee members Morton Inger, Meredith Scozzafava and Roger Putnam and Elementary School Principal Marcia Parsons. Finance Committee members Jim MacLachlan and Howard Grossman and Town Accountant Pat Eagar also attended. Discussion included:

a) Nauset Regional School Budget - discussion included the increase in the budget request, cost per pupil, ramifications of the municipal revenue growth factor and a potential override ballot question. On a motion duly made and seconded, the Board voted 3-2, with Ernst and Paine voting against, to approve the Nauset Regional School budget of \$1,530,274 funded by available funds rather than by override.

b) Wellfleet Elementary School Budget - On a motion duly made and seconded, the Board voted unanimously to approve the Wellfleet Elementary School Budget at \$1,277,329 with the understanding that this figure will be reduced on Town Meeting floor.

c) Cape Cod Technical Regional High School Budget - on a motion duly made and seconded, the Board voted unanimously to approve this budget at \$176,206.

The Town Administrator continued discussion with the Board:

b) request from Wellfleet Gardeners for plantings in various traffic islands - there was consensus to continue discussion to next week

c) establishment of a new Senior Center Building Task Force - there was consensus to continue discussion to two weeks from tonight

d) Long Pond Road update - there was consensus that the DPW install core ten guardrails

e) pooper-scooper by-law - there was consensus that the Police Chief will submit alternative proposals

On a motion duly made and seconded, the Board voted 4-0, with Ryerson recusing himself, to approve the liquor licenses for Wellfleet Beachcomber; Wellfleet Motel & Lodge, Inc.; Flying Fish Cafe; Brady's Liquor Locker; Painter's and Maurice's Campground, Inc.

On a motion duly made and seconded, the Board voted unanimously to approve the business licenses for Rookie's Inc.; Bob's Sub & Cone; PJ's Family Restaurant, Inc.; Flying Fish Cafe; Southfleet Motor

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Inn; Gramma Gotham's Kitchen; Ocean Reef; V.R.'s, Inc.; Serena's Restaurant and Moby Dick's Restaurant.

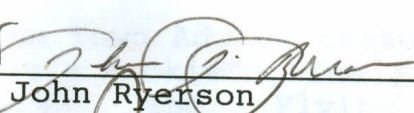
The meeting adjourned at 9:43 p.m.

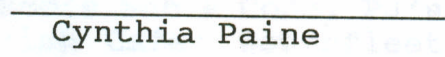
Respectfully submitted,

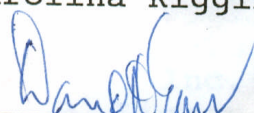


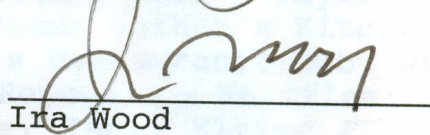
Linda Smulligan
Administrative Assistant



Carolina Kiggins, Chr.

John Ryerson

Cynthia Paine

David Ernst

Ira Wood