

Board of Selectmen
Elementary School Cafeteria
April 29, 1996
Minutes

The meeting was called to order at 7:01 p.m. by Chairwoman Carolina Kiggins. Selectmen present included John Ryerson, Cynthia Paine, David Ernst and Ira Wood. Town Administrator John Hinckley also attended.

Open Session:

- Steve Durkee addressed the Board as Acting Chair of the Housing Authority and updated them on the status of the Farmers' Home application to build affordable rental units. Mr. Durkee, representing the Wellfleet Gardeners, discussed the request to plant several traffic islands. There was consensus that the Gardeners will plant one island at a cost to the Town of approximately \$400. On a motion duly made and seconded, the Board voted 4-0-1, with Ernst abstaining, to allow the Wellfleet Gardeners to plant the island at the intersection of Main Street and Route 6 in front of CCB&T. There was consensus that the DPW Director will establish ownership of this island, that the gardeners will maintain this island and that memorial signs will not be displayed.

- Ann Bronsdon addressed the Board with several questions regarding road maintenance. There was consensus that the Town Administrator will look into these matters by reviewing established policies, determining the priorities that are being used and will report back to the Board.

Selectman Ernst left the Board. At 7:34 the Board held the following public hearings consecutively:

- 1) to consider the recommendation of the Shellfish Constable and the Shellfish Advisory Committee to amend Section V of the Wellfleet Temporary Shellfish Regulations with regard to opening that section of the west side of Wellfleet Harbor commonly called Middle Meadows for shellfishing - The Shellfish Constable read his recommendation. On a motion duly made and seconded, the Board voted unanimously to reopen that area of the west side of the harbor offshore of the area commonly called Middle Meadows to the taking of shellfish by any means or method except that the area shall remain closed to the taking of shellfish by using a quahog dredge as of May 15, 1996.

- 2) to consider the recommendation of the Shellfish Constable and the Shellfish Advisory Committee to amend Section 9.1.1 of the Wellfleet Shellfish Policies and Regulations and Section V of the Temporary Regulations with regard to the designation to the temporary "No Dragging Line" - On a motion duly made and seconded, the Board voted unanimously to adjust the "No Dragging Line" as recommended by the Shellfish Constable and described as the north end of the flats along Egg Island as of May 15, 1996 until further notice.

- 3) to consider the recommendation of the Shellfish Constable to designate certain sections of waters and flats of the Town of

Wellfleet for the placement of cultch and/or oyster spat collection containers and devices by properly licensed and permitted shellfish grant license holders - The Shellfish Constable noted that although the Division of Marine Fisheries has classified oyster spat collection devices as fishing devices as opposed to aquaculture devices, the Army Corps of Engineers and Massachusetts Department of Environmental Protection must also make the same designation. It was also noted that the devices are approximately 18 inches high, 14 inches in diameter, made of plastic coated with cement, staked to the ground, tagged like lobster pots, marked by hazard markers and that maps of the specified areas will be available. Paul Conor, Chairman of the NRAB, indicated that his committee endorses this proposal if maps of the designated areas are made available. On a motion duly made and seconded, the Board voted 3-0-1, with Paine abstaining, to designate areas outlined by the Shellfish Constable for the purpose of placing cultch and spat collectors including "chinese hats" so that grant holders can generate their own seed. Selectman Wood left the table.

4) to consider the application of Brent Valli for renewal of shellfish grant license #894 - The Shellfish Constable read his recommendation that the application be approved. On a motion duly made and seconded, the Board voted unanimously to renew shellfish grant license #89-4 for a period of ten years from its expiration date. Selectman Wood returned to the table.

5) to consider the application of Richard H. Blakeley for a 2 acre extension of shellfish grant license #85F - The Shellfish Constable read his recommendation that the application be approved. On a motion duly made and seconded, the Board voted unanimously to approve the application for a two acre extension offshore of existing license area #85F for a period of ten years from the date that Mr. Blakeley receives all of his permits.

6) to consider the application of Daniel and Susan Hamar for a 1 or 2 acre shellfish grant license north of Egg Island - Chairwoman Kiggins recused herself and turned the hearing over to Vice-Chairman Ryerson. The Shellfish Constable gave his recommendation that the application be denied because the Hamar's do not meet accepted eligibility requirements since they have neither held commercial shellfish licenses nor have recent grant/aquaculture experience and the requested site is in very close proximity to a wild harvest shellfishing area. Discussion included Ms. Hamar's experience via her father's shellfish grant license through 1988 and the Hamar's request for a guarantee that the Town will not issue a grant license for this area which is in front of their home. On a motion duly made and seconded, the Board voted 2-0-1, with Paine abstaining, to deny this application without prejudice. Chairwoman Kiggins and Selectman Ernst returned to the Board.

The Board met with Town Clerk/Treasurer Dawn Rickman to discuss the Cape Cod Municipal Health Group's proposal to offer the Delta Dental Plan of Massachusetts to employees and retirees on an employee pay-all basis. On a motion duly made and seconded, the Board voted unanimously to allow the Town to add this dental

insurance policy as an addendum to the current health insurance policy.

On a motion duly made and seconded, the Board voted 4-0-1, with Paine abstaining (she had not attended the meeting), to approve the minutes of April 16, 1996 as printed.

On a motion duly made and seconded, the Board voted unanimously to approve the minutes of April 22, 1996 as printed.

The Town Administrator discussed with the Board:

- a) vacancies on Personnel Board and Recreation Committee
- b) letter to Judith Barnet, consultant, indicating support in principle of "Recovery House" and its mission - on a motion duly made and seconded, the Board voted unanimously to support this letter
- c) Shellfish Constable's letter to Division of Marine Fisheries regarding the proposal to do hydraulic harvesting of sea clams inshore of the 12 foot contour line in Cape Cod Bay within the boundaries of the Town of Wellfleet - on a motion duly made and seconded, the Board voted unanimously to support this letter
- d) request from Nauset "Together We Can" advising that they are now a Not for Profit Corporation and can accept funds for previously approved programs - on a motion duly made and seconded, the Board voted unanimously to withhold the previously approved funds until a location is finalized and that the Board will review its position when a site is chosen.
- e) Fire Department request for appointment of Kevin Varley - on a motion duly made and seconded, the Board voted unanimously to support the Town Administrator's appointment of Kevin Varley to the Fire Department
- f) Town Hall roof shingle replacement - on a motion duly made and seconded the Board voted 4-1, with Paine voting against, to lower the minimum insurance requirement for general liability coverage for this project to \$500,000 and that the contractor shall continue to maintain the standard coverage for workers' compensation. There was consensus that the Town Administrator put this project out to bid.
- g) maple tree in front of Town Hall - the DPW Director noted that an estimate of approximately \$2,000 had been received for the necessary work on the tree. There was consensus that a representative from SavaTree be scheduled to meet with the Board next Monday at 7:30 p.m.
- h) Town Administrator recommendation for DPW Consultant - it was noted that the Consultant will submit a written report of his findings. On a motion duly made and seconded, the Board voted unanimously to endorse the recommendation of the Town Administrator that Robert Bartlett be hired as a consultant to assess the DPW.
- i) update on meeting with Maria Burkes - the Town Administrator was asked to remind the Seashore that the 8 acre parcel on Great Island referred to as "The Gut" is Town property

The Board reviewed Town Meeting. It was suggested that in the future vacancies on Town boards/committees and commissions be announced at Town Meeting. Jim MacLachlan noted the downward trend in attendance at Town Meeting.

On a motion duly made and seconded, the Board voted unanimously to approve the business licenses of Wellfleet Artisan's Co-Operative; Lema's Antiques & Collectibles; Kelley's Flowers' Customs House Studio & Gallery; Swansborough Gallery; ALCO Redemption Center; Oliver's Clay Tennis Courts; West Arrow Sport Fishing; Mortar & Pestle Antiques and Works Gallery.

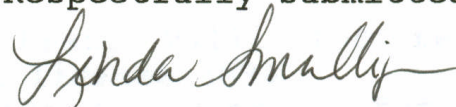
On a motion duly made and seconded, the Board voted unanimously to accept the recommendation of the Town Administrator to award the bid to Commonwealth Guardrail, Inc., as low bidder, in the amount of \$29,828 for the Long Pond Road Chapter 90 project.

On a motion duly made and seconded the Board voted unanimously to approve the application of the American Legion to use the front lawn of Town Hall, easterly side and drive abutting Puritan's store on Monday, May 27, 1996 from 8:30 a.m. to 10:00 a.m. for the annual Memorial Day service.

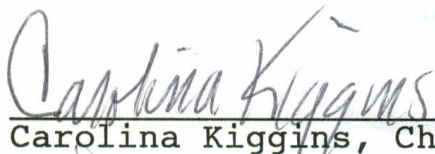
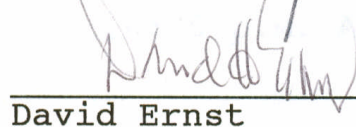
The Board discussed the application of the Wellfleet Shellfish Growers Association to use the Town Hall meeting room on Tuesdays on a space available basis. Discussion included the need to establish a policy for use of Town Hall by non-governmental Town groups. Ryerson moved approval of the application. The motion failed for lack of a second. On a motion duly made and seconded, the Board voted 4-1, with Ryerson voting against, to deny the application without prejudice.

On a motion duly made and seconded, the Board voted unanimously at 10:27 p.m. on a roll call vote (Kiggins, Ryerson, Paine, Ernst, Wood - yea) to enter executive session to discuss 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