

Town of Wellfleet
Library Meeting Room
May 28, 1996
Minutes

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

Open Session:

- Clarence Smith thanked the DPW and Town Administrator for assistance with and participation in the Memorial Day service.
- Ruth Rickmers addressed the Board regarding the cost for services of the DPW consultant and the condition of Town cemeteries on Memorial Day.
- Bob Morrill addressed the Board regarding amending the business license application of Sweet Seasons Inc. to expand the hours of business from 5 p.m. to 1 a.m. to 6 a.m. to 1 a.m. This matter was taken under advisement until later in the meeting.

At 7:35 p.m. the Board held a public hearing regarding removal of a hazardous Norway Maple tree located at 30 Briar Lane. Assistant DPW Director Fox recommended removal of the tree for safety reasons. On a motion duly made and seconded, the Board voted unanimously to instruct the Town Administrator to allow the DPW to proceed with the removal of the hazardous maple tree at 30 Briar Lane after all nesting birds have departed. It was requested that new trees be planted at this area on Briar Lane and in front of Town Hall.

The Board continued discussion of Mr. Morrill's earlier request. Discussion included the new coffee grinding facility operated by Kyle Oliver and Polli-Jo Moryl and its relationship to Sweet Seasons, Inc. On a motion duly made and seconded, the Board voted unanimously to grant an extension of Sweet Seasons, Inc. hours of operation for their common victualler license to 6 a.m. to 1 a.m.

The Board discussed the minutes of May 17, 1996. There was consensus that they be amended as discussed and resubmitted for consideration by the Board.

On a motion duly made and seconded, the Board voted unanimously to accept the minutes of May 20, 1996 as amended.

The Town Administrator discussed with the Board:

- a) renewal of the Mutual Cooperation Agreement for the Barnstable County HOME Consortium - still on hold to afford Selectwoman Paine time to speak with Ed Allard of the Cape Cod Commission
- b) non-resident employee beach access - on a motion duly made and seconded, the Board voted unanimously to allow non-resident employees to buy one resident beach sticker for \$5.00.
- c) request from A.I.M. Thrift Shop for parking permits - on a motion duly made and seconded, the Board voted unanimously to allow

- four parking permits for employees of A.I.M. Thrift Shop
- d) delegation of authority from State Fire Marshal - on a motion duly made and seconded, the Board voted unanimously to endorse their previous appointment of Town Administrator Hinckley as Acting Fire Chief
 - e) request of Pat Bowman for a temporary handicap parking sign to use at Town Hall parking lot during the summer from 9 a.m. to 5 p.m. two days per week - on a motion duly made and seconded the Board voted unanimously to approve the request.
 - f) Fireworks bid - several Board members expressed concern regarding oppressive child labor practices of certain firework manufacturers - there was consensus that the Town Administrator request information from Atlas Advanced Pyrotechnics regarding employment practices of their suppliers to ensure that the Town will not be purchasing fireworks from a company which exploits child labor

At 8:15 p.m. the Board held a public hearing to consider the request of Robert M. Morse to transfer shellfish grant license #85-F from Robert M. Morse and Richard Blakeley to Richard Blakeley. Mr. Morse was in attendance and indicated agreement that the transfer go forward. On a motion duly made and seconded, the Board voted unanimously to approve the request.

The Town Administrator continued discussion with the Board:

- g) Board appointment to ABCE - the Town Administrator indicated that Selectman Ernst will not be able to serve due to a conflict of interest - there was consensus that the Board be provided with a meeting schedule before another member is appointed
- h) Marina appointments - the Town Administrator advised the Board that as of May 24th he had reappointed Richard Berrio and Vincent Yamamoto and appointed John Taylor and Lawrence Muir as Night Watchmen/Assistant Harbormasters through October 15, 1996.

At 8:35 p.m. the Board continued the March 25th public hearing regarding the application of Joel C. and Anne C. Fox, Old Wharf Shellfish, for renewal of shellfish grant licenses #739, #739-A and #754. Town Counsel Michael Ford also attended. The Shellfish Constable reviewed the status of the application and reiterated his recommendation that the grant be renewed. Joel Fox read a list of statements as the reasons the Board of Selectmen should grant his request for license renewal and indicated that he is requesting a one year renewal. Town Counsel recommended that he (Town Counsel) meet with the Board in executive session regarding pending litigation prior to the Board taking any action on this application. On a motion duly made and seconded, the Board voted unanimously to continue this hearing until June 10, 1996 at 7:30 p.m.

Town Counsel discussed with the Board:

- a) Household Hazardous Waste Collection Agreement with Laidlaw Environmental Services - it was noted that several attachments

referred to in the document were not included. On a motion duly made and seconded, the Board voted unanimously to approve the contract subject to receipt of all attachments and to authorize the Chairwoman to sign on behalf of the Board.

b) Harbor Planning document - there was consensus that Town Counsel determine which expended funds are being reimbursed

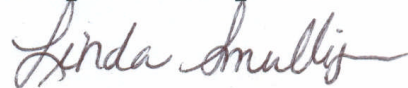
c) Morrow property on Ocean View Drive - on a motion duly made and seconded, the Board voted unanimously to authorize Town Counsel to draft a letter for Board signatures notifying the Morrows that the recently improved area adjacent to their property is Town property.

The Board discussed Ben Gitlow's request that consideration be given to the 201 Facility Plan and Environmental Impact Report in relation to future development at the 28 acre site adjacent to the old landfill. There was consensus that the Task Force recommendation and DEP requirements be reviewed and that the Assistant DPW Director be asked to also provide information.

On a motion duly made and seconded, the Board voted unanimously to approve the business licenses of Charter Boat Erin-H; Wellfleet Art Consultants & Appraisers; Brehmer Graphics B & B; Gutsy Benders, Inc. and Tang Dynasty Restaurant, Inc.

On a motion duly made and seconded, the Board voted unanimously at 9:38 p.m. on a roll call vote (Kiggins, Ryerson, Paine, Wood - yea) to enter executive session to discuss collective bargaining and contract negotiations and not to reconvene in open session.

Respectfully submitted,



Linda Smulligan
Administrative Assistant


Carolina Kiggins, Chair
Cynthia Paine
John Ryerson
Ira Wood