

Board of Selectmen
November 18, 1996
Library Meeting Room
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 arrived at 7:09 p.m. Town Administrator John Hinckley was also in attendance.

Announcements:

- Chairwoman Kiggins announced that Selectman Ryerson would be late to tonight's meeting.
- Selectman Ernst announced the upcoming meetings of the Lower Cape Water Quality Task Force and Senior Center Development Committee.
- Selectwoman Paine announced the upcoming meeting regarding the statewide bicycle plan.
- Captain Hight reported on the Town's participation at the recent Provincetown fire.

At 7:15 p.m. the Board adjourned and reconvened as the Board of Water Commissioners chaired by David Ernst. Chairman Ernst moved and Selectwoman Kiggins seconded the following motion: I move that the Board of Water Commissioners, in exercising its authority under Chapter 41, Section 69B of the Massachusetts General Laws and the Rules and Regulations for the Coles Neck Municipal Water System adopted November 25, 1991, concur with the decision of the Board of Selectmen of November 12, 1996 to designate a portion of lot 24 on Assessors' map sheet 7 for the specific purpose of a new Senior Center, it having been attested by the Assistant DPW Director that the system has adequate pumping and distribution capacity for this and all other designated lots. Chairman Ernst read the November 18, 1996 memo from the Assistant DPW Director to the Board of Water Commissioners regarding the use of the Coles Neck water system by a new Senior Center indicating that the system has "adequate capacity and means to supply the proposed senior center, as well as meet its original goal of 50 residential units at full build out." Discussion included the adequacy of the pipeline and Coles Neck water usage data. Clarence Smith noted the possibility of a conflict of interest by Selectman Ernst serving as Chairman of both the Water Commissioners and the Senior Center Development Committee. On the motion before the Board, the Board voted 4-0-1, with Ernst abstaining, noting that his abstention was due to the comments regarding conflict of interest. At 7:26 p.m. the Board of Water Commissioners adjourned and the meeting of the Board of Selectmen was reconvened.

On a motion duly made and seconded, the Board voted 4-0-1, with Kiggins abstaining (she had not attended the meeting), to approve the minutes of November 12, 1996 as amended.

At 7:30 p.m. the Board held a public hearing to consider the merits of extending the authority of the Local Licensing Board (Board of Selectmen) to issue permits to allow package stores to open on

Sundays between Thanksgiving and Christmas. Selectman Ryerson recused himself and left the meeting room. Chairwoman Kiggins read the public notice indicating that the Board would be considering holiday package store openings from December 1, 1996 through December 29, 1996 inclusive. On advice of Town Counsel, Chairwoman Kiggins publicly announced that the legal notice as published neglected to include the Sunday before Thanksgiving and that the Board would also consider the merits of opening on such Sunday, November 24, 1996. On a motion duly made and seconded, the Board voted 3-1, with Paine voting against, to allow Sunday package store openings from 11/24/96 through 12/29/96 inclusive.

The Town Administrator discussed with the Board:

- a) Wellfleet Harbor Symposium - it was noted that all department heads and Board members are urged to attend the meeting on Saturday, November 23rd.
- b) The Town Administrator highlighted the Cape Cod Commission Annual Report.
- c) request for a joint meeting with the Provincetown Board of Selectmen regarding the Cape Cod National Seashore Draft Management Plan - there was consensus to wait to respond until after the scheduled public hearing regarding the Plan on 11/25/96
- d) DEP grant for funds to remove underground heating fuel tanks - the Assistant DPW Director indicated that an application will be filed for funds to remove the underground tank at the Police/Fire Station

At 7:45 p.m. the Board continued discussion regarding the evaluation of the Town Administrator. Discussion included problems with communication and follow through as well as the Town Administrator's long hours worked, his accessibility to Town boards and his outcome-oriented style of management. Selectpersons Kiggins and Paine updated their evaluations of the Town Administrator. Chairwoman Kiggins read an addendum to her original evaluation of the Town Administrator as follows: V. (Relationship with Board of Selectmen) In the months since the original evaluation was done, I have found a marked decline in this area. Specifically, information provided by the Town Administrator, necessary for making decisions, has been inadequate. There was consensus that the Town Administrator submit a draft procedure for the functioning of the administrative office for Board review by 12/2/96 with the understanding that the Town Administrator will inform the Board if there is a problem meeting the agreed upon submission date. It was noted that copies of individual evaluations are available at Town Hall.

The Town Administrator continued discussion with the Board:

- e) meeting with representatives of the Pan Mass Challenge - there was consensus that Board members bring their concerns with the event to the Town Administrator
- f) research regarding addition of an alternate position on the Conservation Commission - the Town Administrator reported that

alternate members are not provided for in M.G.L. Chapter 40, Section 8C.

g) cost to landscape Route 6 traffic islands - estimated cost of the project to landscape three additional traffic islands of \$967.16 was noted. There was consensus to give the matter further consideration at a later time.

h) Town Hall renovations update - projected advertising deadlines were noted

Comments/Reports

a) Town of Wellfleet Action Request Form - on a motion duly made and seconded, the Board voted unanimously to reinstate the use of the form and to request that the Town Administrator forward a copy to all Boards, Committees and Commissions.

b) 11/8/96 memo from the Council on Aging regarding use of the Town Planner to explore funding sources for the proposed new Senior Center Building Project - discussion included fund raising efforts of the Friends of the Council on Aging and the 11/18/96 legal opinion from Town Counsel regarding Coles Neck land/Senior Center. Selectman Wood noted that we should not proceed to investigate Town funding until we receive a clear message from the Friends of the Council on Aging that they no longer intend to fund the project. There was consensus to invite the Friends of the Council on Aging and members of the Council on Aging to meet with the Board of Selectmen at 7:30 p.m. on December 9th to discuss financing options for the new Senior Center facility.

c) recent day-time meeting with Town Counsel in the administrative office - it was noted that the Board had not been informed of Town Counsel's presence at Town Hall and that the revised Policy on Obtaining Legal Opinions had not been observed

At 9:14 p.m. Chairwoman Kiggins excused herself and left the meeting.

On a motion duly made and seconded the meeting was adjourned by Vice-Chairman Ryerson at 9:15 p.m.

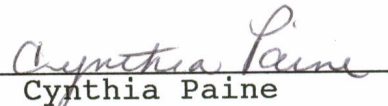
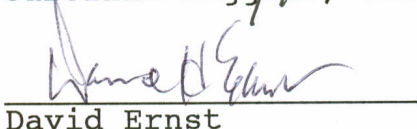
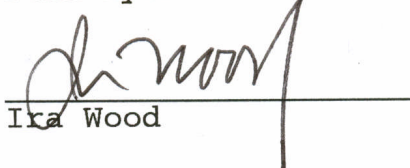
Respectfully submitted,



Linda Smulligan
Administrative Assistant


Carolina Kiggins, Chr.

John Ryerson


Cynthia Paine
David Ernst
Ira Wood