

Board of Selectmen
December 16, 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 was absent. Town Administrator John Hinckley was also present.

Open Session:

- Clarence Smith read a letter regarding the Town Administrator position and a poem.
- Ann Bronsdon addressed the Board regarding executive sessions and the Open Meeting Law.
- Dale Donovan addressed the Board regarding availability of certain Board minutes. Mr. Donovan was referred to the Selectmen's Office.
- Bob Costa noted that requests for information should not be made at Selectmen's meeting but should be directed to Town Hall.
- Peter Hall addressed the Board regarding reconsideration of the Board's 11/25/96 action with respect to the contract of the Town Administrator scheduled for the January 6, 1997 meeting.
- Jean Pilcher commented on the opportunity for citizens to speak to the Board of Selectmen during Board meetings.
- Phillip Johnson submitted a letter to the Board.

At 7:30 p.m. the Board held a public hearing to discuss proposed changes to the Town of Wellfleet Beach Rules and Regulations. Beach Administrator Suzanne Thomas was also in attendance. Ms. Thomas presented her proposal that sections 2 and 3 of the existing Beach Rules and Regulations be amended by replacing the words "7:00 a.m." with the words "one half hour before sunrise" to read as follows:

"2. All Town landing places and beaches shall be closed between the hours of midnight and one half hour before sunrise each day from June 1 to October 1 except to persons actively engaged in fishing.
3. No trailers or overnight campers are allowed in beach areas or town parking areas between midnight and one half hour before sunrise from June 1 to October 1 except those persons actively engaged in fishing."

On a motion duly made and seconded, the Board voted unanimously to approve the recommendation of the Beach Administrator as contained in her 11/19/96 memo.

On a motion duly made and seconded the Board voted 4-0-1, with Ernst abstaining (he had not attended the meeting), to approve the minutes of 12/9/96 as printed.

At 7:30 p.m. the Board held a public hearing to discuss proposed improvements to Hamblen Park. Chairwoman Kiggins read the public notice and turned the meeting over to Selectman Wood as Chairman of the Park Commissioners. Chairman Wood noted Town Counsel's December 16, 1996 opinion regarding ADA requirements which would be

associated with making improvements to Hamblen Park with discussion focusing on what can be deemed as "normal maintenance" as opposed to alteration. There was consensus that:

- 1) the Town is not looking for a grant at this time
- 2) a group of volunteers coordinate a maintenance effort with the DPW
- 3) an article for Annual Town Meeting be considered to fund maintenance of the park

The meeting was turned back over to Chairwoman Kiggins.

The Board discussed the FY 1998 Capital Improvement Plan. The Town Administrator outlined the plan. There was consensus that the plan be amended by including the previously authorized fire truck project and funding refinishing of the tennis courts, improvements at LeCount Hollow Beach and the Title V septic system at Gull Pond via an article at the April, 1997 Special Town Meeting. On a motion duly made and seconded, the Board voted unanimously to accept the Capital Improvement Plan as amended excluding the Lt. Island Bridge replacement. Selectman Wood recused himself. On a motion duly made and seconded, the Board voted unanimously 3-0 to approve the request for the Lt. Island Bridge replacement as it appears on the Capital Improvement Plan.

The Town Administrator discussed with the Board:

- a) Selectmen and Finance Committee; joint budget meetings - there was consensus to meet jointly with the Finance Committee on Tuesday, January 7, 14 and 21 and on Thursday, January 16.
- b) Town Administrator's request that the Board meet to consider the general contractor bids for Phase II of Town Hall renovations - there was consensus that the Board meet on January 2nd at 11:00 a.m.
- c) beach guard buildings; proposed reserve fund transfer - on a motion duly made and seconded, the Board voted unanimously to support the project at a cost of \$1,861.49 per building.
- d) Phase II Town Hall renovation project; Clerk of the Works position - Town Counsel's December 16, 1996 opinion regarding the incompatibility of the Building Inspector position and the Clerk of the Works position was noted. Other discussion included the obligations of the architect, the availability of minutes and notes of the Building Committee to the Selectmen and the information from Susan Hyland regarding the Clerk of the Works position, specifically the AIA B352 document regarding the "Duties, Responsibilities and Limitations of Authority of the Architect's Project Representative". There was consensus to advertise for a Clerk of the Works for Phase II of Town Hall renovations and that the Building Inspector and Town Hall Building Committee review the applications.
- e) part-time secretary for the Health/Conservation & Building Inspector's offices - discussion included procedure for establishing a new position. On a motion duly made and seconded, the Board voted unanimously not to go forward with this position at this time.

The Board discussed:

- a) Policy on Policies - on a motion duly made and seconded, the Board voted unanimously to reaffirm the policy.
- b) Coles Neck Water System Policy - discussion included the need for this policy in light of the 1991 Rules and Regulations of the Coles Neck Water System. It was requested that each Board member receive a copy of this document. There was consensus that Selectman Ernst draft a proposal referring to the Rules and Regulations document, submit it to the Town Administrator and that the Town Administrator draft a policy for review by the Board.
- c) draft letter to Attorney Edward E. Veara - on a motion duly made and seconded, the Board voted unanimously to sign and send the letter.
- d) memo from the Town Administrator regarding ambulance repair - Chairwoman Kiggins outlined the events which precipitated the memo and indicated her concern with the status of the ambulances and the memo from the Town Administrator
- e) letter from Attorney Edward E. Veara - on a motion duly made and seconded, the Board voted unanimously to consult counsel regarding the Board's options in view of the fact that Mr. Hinckley has consulted counsel.

The meeting adjourned at 11:03 p.m.

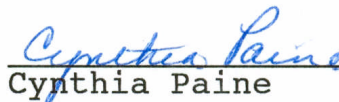
Respectfully submitted,



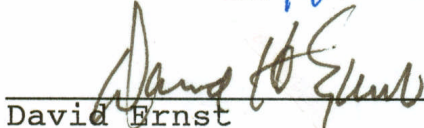
Linda Smulligan
Administrative Assistant



Carolina Kiggins, Chair



Cynthia Paine



David Ernst



Ira Wood