

Board of Selectmen
July 14, 1997
Library Meeting Room
Minutes

The meeting was called to order at 7:01 p.m. by Chairman David Ernst. Selectmen in attendance included Jeffrey White, Lawrence Gallagher and Carolina Kiggins. Selectman John Ryerson was absent. Acting Town Administrator William Hinchey also attended.

Open Session:

- Gordon Dutra addressed the Board regarding Box Lunch issues. There was consensus that the Acting Town Administrator follow through regarding the issue of water flow on Briar Lane.
- Judith Williams addressed the Board regarding maintenance of the Wellfleet row boat. There was consensus that the matter be referred to the DPW Director.
- Irene Paine addressed the Board regarding the revised Draft National Seashore Management Plan. It was requested that Ms. Paine submit a letter to the Board outlining her areas of concern.
- Michael Brennan addressed the Board regarding loss of property tax revenues at the expiration of leases given by the federal government to Seashore residents. The Board took the matter under advisement for discussion later in the meeting.

The Board met with Charlotte Stiefel, Underground Storage Tank Program Coordinator for Barnstable County, who presented the Board with a Groundwater Guardian Award - Honorable Mention to D & D Citgo, Route 6, South Wellfleet, in recognition of conscientious attention to regulations which protect groundwater from contamination caused by leaking fuel storage tanks.

The Board interviewed two candidates individually for appointment as the Eastham/Wellfleet representative (Eastham resident) to the Nauset Regional School Committee to fill the unexpired term of Bob Mumford until the next annual election:

- a) Edward Colby - discussion included Mr. Colby's background and several educational issues.
- b) Elizabeth Lehr - discussion included Ms. Lehr's experience and educational interests.

On a motion duly made and seconded, the Board voted 3-1 (Kiggins, Gallagher, White - Lehr; Ernst - Colby) in favor of appointment of Ms. Lehr to the Committee. The Acting Town Administrator indicated the results of the Eastham Board of Selectmen's vote as 5-0 in favor of Mr. Colby.

The Board discussed the application of the Grace Chapel Assembly of God to use Baker's Field on July 26, 1997 from 5-8 p.m. for a patriotic/Gospel musical and narrative tribute. It was noted that this will be a public function. On a motion duly made and seconded, the Board voted unanimously to approve the application.

The Board reviewed minutes:

- a) amended minutes of 6/16/97 - there was consensus that the

Administrative Assistant review the tape regarding Selectman White's response to Robert Costa's letter concerning a potential conflict of interest and resubmit the minutes at the next meeting.

b) minutes of 6/30/97 (6:00 p.m. session) - on a motion duly made and seconded, the Board voted unanimously to approve the minutes as submitted.

c) minutes of 6/30/97 (7:00 p.m. session) - on a motion duly made and seconded, the Board voted unanimously to approve the minutes as submitted.

The Town Administrator discussed with the Board:

a) The Acting Town Administrator noted his appointment of Joseph A. Cappello Jr. to the Wellfleet Fire Department as a call firefighter/rescue squad member.

b) On a motion duly made and seconded, the Board voted unanimously to appoint Scott Suchocki and Randy Follett of the National Seashore as Special Police Officers through June 30, 1998.

c) On a motion duly made and seconded, the Board voted unanimously to establish Friday, July 18, 1997 as Officer Charles D. Williams Day.

d) 7/8/97 letter from Pavia regarding enforcement of speed limits on Town streets - the Board reviewed the 7/13/97 memo to Chief Rosenthal from Officer Hurley regarding motor vehicle warnings and citations issued during a recent radar assignment. There was consensus that the Police Chief review requirements for establishing speed limits and that the Acting Town Administrator follow through regarding the lack of speed limit signs on Briar Lane.

The Board held the following shellfish public hearings consecutively. Chairman Ernst recused himself and the meeting was chaired by Vice-Chairman White who read the public notice.

a) request of Robert J. and Cheryl A. Hautanen for transfer of shellfish grant license #738 from Robert J. and Cheryl A. Hautanen to Robert J., Cheryl A. and David E. Hautanen and for renewal of said license - the Shellfish Constable recommended both the transfer and renewal to an expiration date of May 1, 2005. On a motion by Kiggins, seconded by Gallagher the Board voted unanimously to accept the recommendation of the Shellfish Constable to approve both requests.

b) application of Jacob and Berta Bruinooge for renewal of shellfish grant license #771 - the Shellfish Constable recommended renewal to the date of September 19, 2007. On a motion by Kiggins, seconded by Gallagher, the Board voted unanimously to accept the recommendation of the Shellfish Constable to approve the application.

c) applications of Brent Valli for renewal of shellfish grant licenses #781AB and #781A - the Shellfish Constable recommended renewal of both grant licenses to a common expiration date of June 19, 2006. On a motion by Kiggins, seconded by Gallagher, the Board voted unanimously to accept the recommendation of the Shellfish Constable to approve both renewals.

d) application of Joel C. and Anne C. Fox for transfer of shellfish grant licenses #739, #739A and #754 from Old Wharf Shellfish Company whose principals are Joel C. Fox, Anne C. Fox, Philip Fox and Barbara Anderson to Old Wharf Shellfish Company whose principals are Joel C. Fox and Anne C. Fox - the Shellfish Constable deferred his recommendation to the Acting Town Administrator who noted Town Counsel's 3/22/96 legal opinion which advised that "In order to delete names from a license a transfer application would have to be filed by, or at least assented to, by the licensees who are no longer principals." Attorney James Veara, representing Philip Fox and Barbara Anderson, indicated that Mr. Fox and Ms. Anderson do not wish the transfer to go forward and requested that the application be denied. On a motion by Kiggins, seconded by White, the Board voted 2-1, with Gallagher voting against, to deny the request to delete Philip Fox and Barbara Anderson from shellfish grant licenses #739, #739A and #754 and to encourage Joel and Anne Fox to pursue other remedies. Chairman Ernst rejoined the Board.

The Acting Town Administrator continued discussion with the Board:
e) 7/11/97 memo from Police Chief Rosenthal regarding re-evaluation of certain customary special officer assignments - there was consensus that the Chief submit a list of police details, their history and his assessment of their importance for discussion at the Board's July 28th meeting.

f) Chapter 90 funding - on a motion duly made and seconded, the Board voted unanimously to accept Chapter 90 funds as described in the July 7, 1997 letter from the Mass Highway Department in the amount of \$199,556.00 for FY'98.

g) beach concessions - on a motion duly made and seconded, the Board voted unanimously to accept the bid of Little Zack's in the amount of \$400 to provide concession services at Maguire Landing and the bid of Hyannis Ice Cream in the amount of \$1,738 to provide services at Newcomb Hollow.

h) property on Cole's Neck Road belonging to M.F. Roach Company Trust - on a motion duly made and seconded, the Board voted unanimously to accept an easement on the southern border in lieu of accepting the entire parcel of land

i) grants - on a motion duly made and seconded, the Board voted unanimously to include the following four subjects in the regional grant application: 1-2) housing rehab component; 3) an artisan's business development component; 4) a regional cultch program.

j) There was consensus to meet on Thursday, 7/17/97 at 7:00 p.m. regarding selection of a Fire Chief.

k) COA Director - the Acting Town Administrator announced that he has appointed Jacqueline Wildes as the new Director of the Council on Aging.

On a motion duly made and seconded, the Board voted unanimously to approve the request of Selectman White that he attend the meeting regarding the Public Trust Doctrine to be held in Boston on 7/21.

The Board reviewed correspondence:

- a) letter to Main Street News Store - there was consensus that the matter of closing the business be referred to the Fire Department.
- b) letter regarding cable TV Commission hearings - on a motion duly made and seconded, the Board voted unanimously to appoint Jim Quigley to attend on behalf of the Board.

On a motion duly made and seconded, the Board voted unanimously to approve the request of Wellfleet Taxi to use the Town Pier parking lot for a taxi stand for the remainder of the summer.

On a motion duly made and seconded, the Board voted unanimously to approve the business licenses of Eclectic Co. and of Hyannis Ice Cream and Little Zack's contingent upon Board of Health approval.

On a motion by Kiggins, seconded by White, the Board voted unanimously to award the mobile fuel license to Cape Cod Oil.

The meeting adjourned at 9:28 p.m.

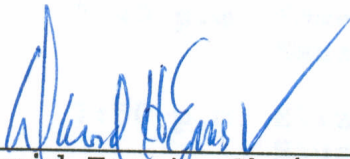
Respectfully submitted,



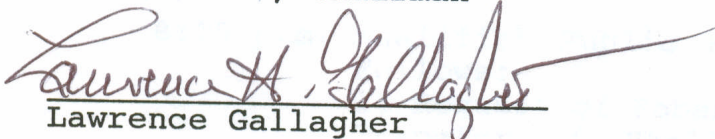
Linda Smulligan
Administrative Assistant



Jeffrey White



David Ernst, Chairman



Lawrence Gallagher

Carolina Kiggins