



Town of Wellfleet - Board of Selectmen

Library Meeting Room
March 27, 2007
Regular Meeting - Minutes

The meeting was called to order at 7:00 p.m. by Chairman Dale Donovan. Selectmen present included Jacqueline Wildes-Beebe, Ira Wood, Jerry Houk and Michael May. Assistant Town Administrator Rex Peterson also attended.

Announcements

- ◆ Rex Peterson notified the board that a \$53,000 grant has been awarded to the town for a map of the Herring River Project.
- ◆ Michael May would like to thank the voters for attending the Special Town Meeting on March 26th.
- ◆ The 2006 Wellfleet Town Report is available now.
- ◆ 8am-2pm April 14th is Amnesty Day.

Public Hearing – 7PM

Amend Shellfish Regulations

1. To hear a petition from Shellfish Constable Andy Koch, requesting consideration of the following change to the Town of Wellfleet's Shellfish Regulations:

Section 14. Enforcement

"14.1.3.2. ...Furthermore, the Board of Selectmen reserves the right to revoke any such permit for particularly egregious violations and/or a pattern of abuse of these regulations. (Add) ***In the event that a permit is revoked, that individual may not harvest shellfish in the Town of Wellfleet or be aboard any vessel which is actively engaged in shellfishing until their permit is restored, with licensed areas being the only exception.*** A public..."

Represented by Shellfish Constable Andy Koch. Jerry Houk would like the word "egregious" be taken out of the regulation. Ira Wood notified the board that the Selectmen should only vote on the advertised changes, rather than making changes of a regulation the public hasn't been properly notified of.

MOTION: *To move that the Board of Selectmen vote to amend the Shellfish Regulations as printed.*

Motion by: Ira Wood.

Seconded by: Jerry Houk.

Yea 5 Nay 0

Amend License

1. Flying Fish Café, Sarah Robin mgr d.b.a. ***Flying Fish Café***, 29 Briar Lane, Requesting Change of Description of Premise and Change in Hours of closing time on its Seasonal All Alcohol Common Victualer License from 11:30pm to 1am.

Represented by Sarah Robin. A letter from an abutter in support was read by Dale Donovan. Glen List, Robert Reed and Elsbeth Reeves, abutters, spoke against the extended hours of operation.

MOTION: *To move that the Board of Selectmen vote to continue the hearing to April 10th, 7pm.*

Motion by: Jerry Houk.

Seconded by: Jacqui Beebe.

Yea 5 Nay 0

Transfer License

1. To hear a petition from Samuel E. Baker, requesting the transfer of the Seasonal All Alcohol Common Victualer license from Robert S. Costa mgr d.b.a. *Christine’s Oasis*, 2393 Route 6, to Samuel E. Baker mgr d.b.a. *Sam Cooks*, 2393 Route 6.

Represented by Robert Costa.

MOTION: *To move that the Board of Selectmen vote to transfer the seasonal all alcohol common Victualer license to Samuel E. Baker d.b.a. Sam Cooks, 2393 Route 6.*

Motion by: Jerry Houk. **Seconded by:** Ira Wood. Yea 5 Nay 0

New Business – 7:20PM

1. Business License
 - ♦ *New Common Victualer* – Susannah van der Wende d.b.a. *Kia Ora Café*, 55 Commercial St.
 - ♦ *Retail Renewal* – Liane Biron d.b.a. *Cove Gallery*, 15 Commercial St.
 - ♦ *Seasonal Liquor Licenses* – *Wellfleet Beachcomber* (#134800001), *Winslow’s Tavern* (#134800006), *Sweet Seasons* (#134800008), *Marconi Beach Restaurant* (#134800009), *Eric’s Seafood Restaurant* (#134800010), *Rookie’s* (#134800013), *Wellfleet Motel & Lodge* (#134800014), *Van Rensselaers* (#134800015), *Maurice’s Campground* (#134800020), *Wellfleet Marketplace* (#134800022), *Wellfleet Wine Cellar & Spirits* (#134800023), *Chequessett Yacht & Country Club* (#134800028), *Christine’s Oasis* (#134800031), *Flying Fish Café* (#134800033), *Wellfleet Dairy Bar & Grill* (#134800038), *Wellfleet Flea Market* (#134800042), *The Juice* (#134800043), *Catch of the Day* (#134800044), *Wellfleet Harbor Actors Theater* (#134800045)

MOTION: *To move that the Board of Selectmen vote approve all licenses, except Kai Ora Café, The Juice & the Wellfleet Marketplace.*

Motion by: Michael May. **Seconded by:** Jacqui Beebe. Yea 5 Nay 0

MOTION: *To move that the Board of Selectmen vote approve the Kia Ora licenses.*

Motion by: Ira Wood. **Seconded by:** Michael May. Yea 4 Nay 0

MOTION: *To move that the Board of Selectmen vote approve the Wellfleet Marketplace licenses.*

Motion by: Jerry Houk. **Seconded by:** Michael May. Yea 4 Nay 0

MOTION: *To move that the Board of Selectmen vote to postpone approval of the licenses for “The Juice” until a sign off from the Health Agent.*

Motion by: Jacqui Beebe. **Seconded by:** Michael May. Yea 5 Nay 0

2. Use of Town Property - Frank T. Szedlak, Jr., representing John R. McKay Post #287, requesting use of the front lawn of Town Hall, on Monday May 28th, 2007 from 8:30AM – 11AM, for the Annual Memorial Day Service.

MOTION: *To move that the Board of Selectmen vote approve the use of town property.*

Motion by: Michael May. **Seconded by:** Ira wood. Yea 5 Nay 0

3. Fireworks Schedule

Suggested dates of the fireworks: July 1st & August 30th.

MOTION: *To move that the Board of Selectmen vote schedule the fireworks on July 9th*

Motion by: Ira Wood. **Seconded by:** None.

MOTION: *To move that the Board of Selectmen vote schedule the fireworks on August 30th, with a rain date of August 31st.*

Motion by: Jerry Houk. **Seconded by:** Dale Donovan. Yea Nay 0

MOTION: *To move that the Board of Selectmen vote accept the bid from Northeast Construction, at \$24,245.*

Motion by: Jacqui Beebe. **Seconded by:** Dale Donovan. Yea 4 Nay 1

Old Business

~~1.— Beach Rules and Regulations~~

Proposed changes from Beach Administrator have been withdrawn.

2. Special/Annual Town Meeting, April 23rd

Mr. Houk questioned about the Fire Department's overtime transfer.

Ms. Beebe had questions about the Computerization line item.

MOTION: *To move that the Board of Selectmen vote to reserve recommendation "Article 1" on the Special Town Meeting Warrant.*

Motion by: Jacqui Beebe. **Seconded by:** Ira Wood. Yea 5 Nay 0

MOTION: *To move that the Board of Selectmen vote to recommend "Article 2, 3 & 4" on the Special Town Meeting Warrant.*

Motion by: Ira Wood. **Seconded by:** Jacqui Beebe. Yea 5 Nay 0

MOTION: *To move that the Board of Selectmen vote to recommend "Article 5" on the Special Town Meeting Warrant.*

Motion by: Ira Wood. **Seconded by:** Michael May. Yea 3 Nay 2

MOTION: *To move that the Board of Selectmen vote to recommend "Article 7" on the Special Town Meeting Warrant.*

Motion by: Ira Wood. **Seconded by:** Jerry Houk Yea 4 Nay 1

MOTION: *To move that the Board of Selectmen vote to reserve recommendation "Article 8" on the Town Meeting Warrant.*

Motion by: Jacqui Beebe. **Seconded by:** Michael May. Yea 5 Nay 0

MOTION: *To move that the Board of Selectmen vote to recommend "Article 14" on the Town Meeting Warrant.*

Motion by: Jacqui Beebe. **Seconded by:** Dale Donovan. Yea 5 Nay 0

MOTION: *To move that the Board of Selectmen vote to recommend "Article 20 & 21" on the Town Meeting Warrant, with no additional proposed changes.*

Motion by: Ira Wood. **Seconded by:** Jacqui Beebe. Yea 5 Nay 0

MOTION: *To move that the Board of Selectmen vote not to recommend "Article 22" on the Town Meeting Warrant.*

Motion by: Jacqui Beebe. **Seconded by:** Ira Wood. Yea 3 Nay 2

MOTION: *To move that the Board of Selectmen vote to recommend "Article 23" on the Town Meeting Warrant.*

Motion by: Jerry Houk. **Seconded by:** Jacqui Beebe. Yea 5 Nay 0

MOTION: *To move that the Board of Selectmen vote to recommend “Article 24” on the Town Meeting Warrant.*

Motion by: Jerry Houk. **Seconded by:** Jacqui Beebe. Yea 5 Nay 0

MOTION: *To move that the Board of Selectmen vote to recommend “Article 25” on the Town Meeting Warrant.*

Motion by: Ira Wood. **Seconded by:** Jacqui Beebe. Yea 5 Nay 0

MOTION: *To move that the Board of Selectmen vote to recommend “Article 26” on the Town Meeting Warrant.*

Motion by: Ira Wood. **Seconded by:** Jacqui Beebe. Yea 5 Nay 0

MOTION: *To move that the Board of Selectmen vote to recommend “Article 27” on the Town Meeting Warrant.*

Motion by: Jerry Houk. **Seconded by:** Michael May. Yea 5 Nay 0

MOTION: *To move that the Board of Selectmen vote to recommend “Article 28” on the Town Meeting Warrant.*

Motion by: Jacqui Beebe. **Seconded by:** Michael May. Yea 5 Nay 0

MOTION: *To move that the Board of Selectmen vote to recommend “Article 29” on the Town Meeting Warrant.*

Motion by: Ira Wood. **Seconded by:** Jerry Houk. Yea 5 Nay 0

MOTION: *To move that the Board of Selectmen vote to recommend “Article 36 & 37” on the Town Meeting Warrant.*

Motion by: Ira Wood. **Seconded by:** Jacqui Beebe. Yea 5 Nay 0

3. Selectmen’s Policies

Moved to a meeting in April.

Correspondence

- ♦ Jacqui Beebe read a letter from Nika the dog, to the Police department thanking them for rescuing her.
- ♦ Dale Donovan read a letter about the Church at 335 Main Street.
- ♦ Jerry Houk read a letter about Verizon.

MOTION: *To move that the Board of Selectmen vote to respond to the Verizon letter*

Motion by: Jerry Houk. **Seconded by:** Dale Donovan. Yea 5 Nay 0

Open Session

Minutes

1. March 13, 2007
2. March 21, 2007

Moved to next meeting

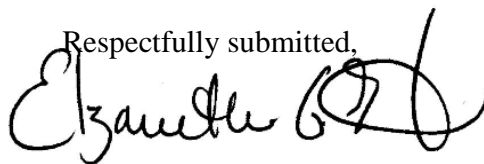
Future Meetings/Agendas

MOTION: *To move that the Board of Selectmen vote to adjourn the regular meeting.*

Motion by: Jerry Houk. **Seconded by:** Ira Wood. Yea 5 Nay 0

The regular meeting adjourned at 9:02 p.m.

Respectfully submitted,



Elizabeth G. Hartsgrove
Executive Assistant

Dale Donovan, Chair

Michael May

Jacqueline Beebe

Ira Wood

Jerry Houk