



Town of Wellfleet - Board of Selectmen

Wellfleet Public Library

May 13, 2008

Regular Meeting - Minutes

The meeting was called to order at 7:00 p.m. by Chair Jacqui Beebe. Selectmen present included Dale Donovan, Jerry Houk, Michael May and Ira Wood. Town Administrator Paul Sieloff also attended.

I. Public Hearing

Wood disclosed that he is on the W.H.A.T. Board of Directors.

- A. New All Alcohol, General on Premise Seasonal Liquor License - Wellfleet Harbor Actor's Theater, Kristen Stewart Mgr, 15 Kendrick Ave.

Represented by Jim Dalglish

MOTION 08-0152: *To move that the Board of Selectmen approve the new All Alcohol Liquor License.*

Motion by: Houk **Seconded by:** May Yea 5 Nay 0

Beebe recused herself and Vice-Chair May assumed chairmanship.

- B. Alter Premise of Annual All Alcohol Restaurant License – Bookstore & Restaurant Inc., Caroline Parlante mgr, 50 Kendrick Ave: requesting to include service & consumption on outside patio.

Represented by Caroline Parlante. Wood said that the Building Inspector and Health Agent had not signed off. Mrs. Parlante discussed outdoor seating at the restaurant.

MOTION 08-0153: *To move that the Board of Selectmen approve the altered premise of the All Alcohol Restaurant License.*

Motion by: Donovan **Seconded by:** Houk Yea 5 Nay 0

Beebe resumed chairmanship of the meeting.

- C. Alter Premise of Seasonal All Alcohol Restaurant License

- ♦ Barry & Winslow, LLC, Tracey Barry Hunt mgr d.b.a. *Winslow's Tavern*, 316 Main Street: requesting to include service and consumption to the patio and outdoor areas.

Represented by Melanie O'Keefe and Tracey Barry Hunt. From the floor John Cartwright spoke on behalf of the Cumbie Family, abutters who had concerns about the Winslow's. He submitted a letter and pictures from the Cumbies. Ms. O'Keefe and Ms. Barry clarified use of the outdoor area. Livingston Wright, also an abutter, asked about outside service. Lydia Vivante, another abutter, questioned expansion of use. There was discussion about the volume and times for music, trash disposal and the timing of morning trash pickup.

MOTION 08-0154: *To move that the Board of Selectmen approve the altered premise of the Seasonal All Alcohol Restaurant License contingent on all the required sign offs and paper work currently at Town Hall.*

Motion by: Beebe **Seconded by:** Wood Yea 5 Nay 0

MOTION 08-0155: *To move to amend Motion 08-0154 to state that no food service be allowed in the patio.*

Motion by: Houk Seconded by: Wood Yea 5 Nay 0

- ♦ C.M. Williams Corp., Charter Williams mgr d.b.a. *The Juice*, 6 Commercial Street: requesting to include service and consumption to the patio and outdoor areas.

Represented by Charter Williams. He explained use of the outside area. Donovan discussed up dated guidelines.

MOTION 08-0156: *To move that the Board of Selectmen approve the altered Restaurant License premise of the Seasonal All Alcohol Restaurant License.*

Motion by: Wood Seconded by: Houk Yea 5 Nay 0

I. Open Session & Announcements

- ♦ Michael May gave information for energy audits by the Cape Cod Light Compact: Paul Sieloff said energy audits had been done at all Town buildings.
- ♦ Attorney Ben Zehnder asked about appointment of independent counsel for ZBA at the Blasch hearings. Zehnder said that an appointment should be done in open session. The Selectmen discussed what should be done in open session and what should be done in Executive Session.

MOTION 08-0157: *To move that the Board of Selectmen have the Town Administrator appoint independent counsel for ZBA for the Blasch hearings.*

Motion by: Donovan Seconded by: Houk Yea 5 Nay 0

II. New Business

A. Powers and Sullivan – Town Audit Review

Town Accountant Marilyn Crary introduced Barbara Dakin from the Department of Revenue (DOR) and Richard Sullivan of Powers and Sullivan, who had done the exit audit. Mr. Sullivan explained the audit process. He reviewed material in the exit audit booklet regarding finances for Fiscal Year 2007. He commended the debt service schedule. He outlined the two recommendations for improvements.

B. Establishment of Comcast Cable Town Channel Fund

Paul Sieloff said this is a technicality of accounting.

MOTION 08-0158: *To move that the Board of Selectmen vote to establish the Comcast Cable Town Channel Fund.*

Motion by: Donovan Seconded by: May Yea 5 Nay 0

C. Appointments

- ♦ Patrick Winslow – Conservation Commission

MOTION 08-0159: *To move that the Board of Selectmen appoint Patrick Winslow to the Conservation Commission.*

Motion by: Wood Seconded by: May Yea 5 Nay 0

D. Use of Town Owned Property

- ♦ Melissa Goldberg requesting use of Duck Harbor on July 5th 2008 from 4:30pm to 5:30pm for a wedding ceremony.

MOTION 08-0160: *To move that the Board of Selectmen grant Melissa's Goldberg request for the use of Duck Harbor on July 5, 2008 from 4:30p.m. to 5:30 p.m. for the purpose of a wedding ceremony.*

Motion by: Wood Seconded by: May Yea 4 Nay 0

- ♦ Harriet Korim representing *Friends of the Dump*, requesting use of the area surrounding the swap shop on Saturday May 24th, 2008 from 8am – 3pm for the Annual Yard Sale.

MOTION 08-0161: *To move that the Board of Selectmen approve the Harriet Korim and the Friends of the Dump’s request for use of area surrounding the swap shop on Saturday, May 24, 2008 from 8 a.m. to 3 p.m. for the Annual Yard Sale.*

Motion by: Wood **Seconded by:** May Yea 5 Nay 0

- ♦ Robert Rindler representing *Wellfleet Preservation Hall*, requesting use of the 335 Main Street Park on July 1st and 5th, 2008 from 5pm – 11pm for free outdoor film screenings.

Wood asked if WPH had insurance for the event. Wood asked that this be arranged with the Administration.

MOTION 08-0162: *To move that the Board of Selectmen pending adequate response to the insurance question - Certificate of Insurance is needed for the yard.*

Motion by: Donovan **Seconded by:** May Yea 5 Nay 0

- E. Justin Dalby and Jessica Hearn requesting waiver of Noise By-law for ½ hour from 10pm – 10:30pm on June 21, 2008 for a wedding at the Holden Inn.

MOTION 08-0163: *To move that the Board of Selectmen waive the Noise By-law from 10 p.m. to 10:30 p.m. on June 21, 2008 for a wedding at the Holden Inn.*

Motion by: Wood **Seconded by:** May Yea 5 Nay 0

F. Local Comprehensive Planning Implementation Committee
Donovan distributed a suggested charge for creation of the LCPC Implementation Committee. Beebe read the draft into record twice. Paul Pilcher amended a word choice in the directive. Barbara Gray spoke on the intent of the LCPC recommendations. Houk commended a section on Wastewater.

MOTION 08-0164: *To move that the Board of Selectmen accept the amended language and form the LCPC Implementation Committee.*

Motion by: Wood **Seconded by:** Houk Yea 5 Nay 0

IV. Old Business

*Update on status of Planning Board’s progress of Zoning By-law Amendments
 R. Dennis “Denny” O’Connell came forward to explain Planning Board’s work on Zoning By-law changes. There have been four meetings dealing with By-law changes. He said there were two model Site Plan Review by-laws that Planning Board has been studying. O’Connell answered questions from the Selectmen. The Selectmen and Town Administrator requested the time line for By-law revision to ensure that it be on the Special Town Meeting Warrant in fall. Houk took the opportunity to ask about Rt. 6 business zoning bylaws. Barbara Gray commended the Planning Board for their work on Site Plan Review so far and promised to continue the effort.*

V. Correspondence

Mr. Wood reviewed the correspondence report dated April 22 - May 11, 2008. Wood called attention to two of the letters.

VI. Minutes

April 22, 2008

MOTION 08-0165: *To move that the Board of Selectmen approve the minutes of April 22, 2008.*

Motion by: Donovan Seconded by: May Yea 4 Nay 0

VII. Future Meetings/Agendas

- ◆ There will be a joint Selectmen’s meeting with Truro in June.
- ◆ Donovan said that Town Clerk Dawn Rickman had all the motions for Charter Changes. This will be a topic for a future meeting.
- ◆ Houk thanked Donovan for his letter to the Water Commissioners.

VIII. Board Reorganization

MOTION 08-0166: *To move that the Board of Selectmen retain Beebe as Chair and Michael May as Vice-Chair.*

Motion by: Houk Seconded by: Donovan Yea 5 Nay 0

Wood said he did not wish to continue as Correspondence Clerk.

MOTION 08-0167: *To move that the Board of Selectmen vote to approve Dale Donovan as Clerk.*

Motion by: Houk Seconded by: Wood Yea 5 Nay 0

IX. Executive Session

MOTION 08-0168: *To move that the Board of Selectmen enter executive session and not to reconvene in open session for discussion of union negotiations.*

Motion by: Donovan Seconded by: Wood Yea 5 Nay 0

Roll call (May, Beebe, Donovan, Houk, Wood – yea)

The regular meeting adjourned at 8:45 p.m., and the Board went into Executive Session.

Respectfully submitted,

Mary Rogers, Committee Secretary

Jacqueline Beebe, Chair

Michael May

Ira Wood

Dale Donovan

Jerry Houk