

**TOWN OF PROVINCETOWN - BOARD OF SELECTMEN
REGULAR MEETING MINUTES
TUESDAY NOVEMBER 12, 2013 6 PM
TOWN HALL – JUDGE WELSH ROOM**

Chairman Austin Knight convened the meeting at 6:00 PM, noting the following:

Board of Selectmen attending: Austin Knight, Elaine Anderson, David McChesney, Erik Yingling and Tom Donegan.

Other attendees: Town Manager Sharon Lynn, Assistant Town Manager David Gardner and Finance Director Dan Hoort

Recorder: Assistant Town Manager David Gardner

The following are meeting minutes, in brief:

1. **PUBLIC HEARINGS** – None.

2. **PUBLIC STATEMENTS**

Elena Bingham – Existing location of the Farmers' Market impacts parking for visitors, local residents and businesses. Should consider the Bas Relief.

David Hale – Supports the Farmers' Market and the Town should support the market at its existing location.

Jennifer Morrow – Supports the Farmers' Market. Town should encourage green living. Market is a great asset to the town.

John Cicero – Supports the Farmers' Market, but does not support the location. Existing location limits access to his property and business. Should find a location where the market does not impact others.

Paul Redanz – Disturbed by the sale of the VFW Post. Commander of the post has been lying to the town. Will turn over evidence to the IRS.

3. **SELECTMEN STATEMENTS**

David McChesney – Congratulations to the dedication and open house of the VMCC. Congratulations to Connie Boulos for being hired as our new Treasurer. Provincetown Part Time Residents Taxpayers group met for the first time last week. The group seemed to be very interested in participating in Provincetown and the group has a lot to offer the community.

Congratulations to the Provincetown Library for being recognized fifth best small library in the nation. This is a great achievement for the Librarian and the staff at the library. Congratulations to Nstar for planting landscape screening around their station on Shank

Painter Road, this has been long awaited. Look forward to it growing. Reconstruction and paving of Commercial Street is going along well. Selectmen would like an update on Open Cape.

Erik Yingling – VFW is not going away the building is. The town has committed to hosting the VFW Post moving in the future.

Tom Donegan – Congratulations to the Library. Looking forward to the launch of the Provincetown Press this week. Playwrights Festival was very successful. Veterans Day festivities went well. The Selectmen should get a tour of the upcoming CIP requests prior to the CIP approval process.

Mel Kirchoff passed away, a great loss for Provincetown.

Elaine Anderson – Feeling invigorated on the good spirits around during the VMCC dedication and open house. Please do not feed the wildlife at the Seashore or anywhere in town. Seashore will close Herring Cove Beach if feeding continues.

Austin Knight – Mel Kirchoff passed away, a great loss for Provincetown. Herring Cove Beach Project meeting will be held on Tuesday, November 19, 2013 at Coastal Studies.

4. **JOINT MEETING / PRESENTATIONS** – None.

5. **BOARD OF SELECTMEN APPOINTMENTS** – None.

6A. **CURB CUT AMENDMENT – 160-164 BRADFORD ST EXTENSION**

Property Owner Victor DePaolo present.

The previous property owner was granted three separate curb cuts for each of the three lots. The current property owner is seeking to reduce the number of curb cuts to one, by combining two and taking the access for the third lot through an easement with the adjacent parcel. Staff supports this request as it reduces the number of curb cuts in this area and opens up the potential to add public parking.

MOTION: Move that the Board of Selectmen vote to approve the amendment to the approved curb cut for the property located at 160-164 Bradford Street Extension.

Motion by: David McChesney Seconded By: Elaine Anderson Yea 5 Nay 0

6B. **FARMERS' MARKET**

Letters from Chris Smith, Shelia Ryan, Gregory Streisel supports the market but seeks a different location. Letter from Mark Schiffman and Warren Goff support the market in the existing location.

Market Organizer Andy Pollack present.

This is the eighth year for the Provincetown Farmers' Market. The market is enthusiastically planning their return after yet another successful year in 2013. The market received a Special Permit from the ZBA, originally approved in 2009 and was reauthorized in 2013, which granted

them permission to operate at the Ryder Street site subject to annual approval of the dates by the BOS.

Market would like to remain in the existing location as it is central to town and is well known after seven years. Another benefit is the existing site is being sheltered from wind and bad weather. Other benefits, the market is on pavement and not grass. The market is part of the Provincetown community and is part of the experience. The market has tried to make as many concessions regarding access to the neighbors as possible, as much of this was discussed during the zoning review process. There is no perfect location for a market in town; each location has issues that need to be mediated.

Other potential locations include Motta Field, Bas Relief, Jerome Smith Parking Lot.

Abutters expressed concerns about the market. Al Davis, Kaolin Davis, Elena Bingham and John Cicero present. Another location is best. However, requests the market trucks not park in the lot. Regarding hours of operation, the market should open earlier and end earlier. Concerned about emergency access to adjacent buildings.

MOTION: Move to consider moving the farmers' market to the Bas Relief as a one year pilot project.

Motion by: Elaine Anderson Seconded By: Tom Donegan Yea 3 Nay 2 (David McChesney, Erik Yingling)

6C CAPE COD COMMISSION – SMARTER GOVERNMENT STEERING COMMITTEE – REGIONAL AERIAL FLYOVER MEMORANDUM OF AGREEMENT

Assessor Paul Gavin and MIS Technician Lynne Martin present.

For this meeting, we are addressing the Physical "Flyover" portion of the project only. This flyover will be through the Cape Cod Commission through the MassOrtho Consortium. Provincetown will be going from our current 100-Scale Planimetric /2 Foot Contour maps to a better Resolution of 40-Scale Planimetric mapping with 2 Foot Contours and 0.25 pixel resolution orthophotography data accuracies.

Provincetown cost of the Flyover portion will be: \$2,256 directly to the Cape Cod Commission. Funding for the project will come from October 2012 STM Article 5 - \$27,000

MOTION: Move that the Board of Selectmen vote to approve Provincetown's participation in the Regional Aerial Flyover and to direct Town Manager Sharon Lynn to enter into the Memorandum of Agreement with Barnstable County acting through the Cape Cod Commission to acquire high-resolution orthoimagery.

Motion by: Erik Yingling Seconded By: Elaine Anderson Yea 5 Nay 0

MOTION: Move that the Board of Selectmen vote to take Item 6G out of order.

Motion by: Tom Donegan Seconded By: Erik Yingling Yea 5 Nay 0

6G REQUEST FOR LETTER OF SUPPORT FOR KINGSBURY GROUP INC, APPLICATION FOR MEDICAL MARIJUANA DISPENSING FACILITY

Tim McCarty present. The letter is a required part of the Phase 2 application process with the Department of Public Health.

MOTION: Move that the Board of Selectmen vote to submit a Letter of Support on behalf of The Kingsbury Group, Inc PO Box 1446, Provincetown, MA 02657, to the Department of Public Health in response to the application for a Medical Marijuana Dispensing Facility in Provincetown.

Motion by: Erik Yingling Seconded By: Elaine Anderson Yea 5 Nay 0

6D MONTHLY POLICE REPORT – OCTOBER 2013

Lt. Jim Golden not present due to family emergency. Questions on the report can be referred to the Police Department.

6E WINTHROP STREET CEMETERY STONE CONSERVATION WORK – CHANGE ORDER FOR MONUMENT CONSERVATION COLLABORATIVE.

Grant Administrator Michelle Jarusiewicz present.

This Amendment was approved by the Cemetery Commission on October 7, 2013 and reflects changes and additions to treated stones.

MOTION: Move that the Board of Selectmen vote to approve a contract amendment in the amount of \$7,700, for the Winthrop Street Cemetery Stone Conservation work to Monument Conservation Collaborative of Norfolk, CT, bringing the total contract amount to \$42,700; \$5,000 from the CPA fund grant and \$2,700 from the Unibank fund.

Motion by: Tom Donegan Seconded By: Erik Yingling Yea 5 Nay 0

6F MCDBG FY2012 RESPONSE TO MONITORING FINDING AND RECOMMENDATION

Grant Administrator Michelle Jarusiewicz present.

MOTION: Move that the Board of Selectmen vote to authorize the response to DHCD's monitoring of MCDBG 12 under the Massachusetts Community Development Block Grant program.

Motion by: Tom Donegan Seconded By: Elaine Anderson Yea 5 Nay 0

6H PROCLAMATION - ANNUAL SENIOR CITIZENS DAY – SUNDAY, DECEMBER 15, 2013

This is an annual proclamation to be read at the David Asher Senior Citizen Dinner organized by Robin Reed and her committee

MOTION: Move that the Board of Selectmen vote to approve the application submitted by Robin Reid of Provincetown, MA to proclaim Sunday, December 15, 2013, as Senior Citizen Day in the Town of Provincetown.

Motion by: Erik Yingling Seconded By: David McChesney Yea 5 Nay 0

7A SPECIAL TOWN MEETING FOLLOW-UP –

Follow-up notes presented. No action needed.

7B. TOWN MANAGER SHARON LYNN FOLLOW-UP -

Trying to coordinate meeting dates for the joint meeting with the Finance Committee.

7C. OTHER - None

7D. COUNTY CHARTER REVIEW COMMITTEE

Discussion of the recommendations of the County Charter Review Committee and whether the Selectmen want to weigh in with a recommendation. Refer to future agenda so the Selectmen can consider options being considered and make a formal recommendation.

8. MINUTES OF BOARD OF SELECTMEN'S MEETINGS –

Move that the Board of Selectmen approve the minutes of:

August 26, 2013 (Regular Mtg.) as printed

September 12, 2013 (Special Mtg. 7:30 pm) 6as printed

October 15, 2013 (Executive Session 4:30 pm) with changes so noted

October 15, 2013 (Regular Mtg.) as printed ffcfkj

October 18, 2013 (Executive Session 12 pm) as printed

October 21, 2013 (Town Meeting) as printed

October 24, 2013 (Executive Session 8:00 am) as printed

October 28, 2013 (Special Meeting 5:00 pm) as printed

October 28, 2013 (Regular Meeting) as printed

Motion by: David McChesney Seconded By: Tom Donegan Yea 5 Nay 0

9. CLOSING STATEMENTS

David McChesney – Status of the sale of town owned properties.

Erik Yingling – Should put a sign in front of the properties for sale.

Tom Donegan – None.

Elaine Anderson – None.

Austin Knight – None.

Motion to adjourn by Elaine Anderson at 8:42 PM.

Minutes transcribed by: David Gardner