

**TOWN OF PROVINCETOWN - BOARD OF SELECTMEN  
REGULAR MEETING MINUTES  
MONDAY, April 14, 2014 6 PM  
TOWN HALL – JUDGE WELSH ROOM**

Chairman Elaine Anderson convened the meeting at 6:00 PM, noting the following:  
Board of Selectmen attending: Elaine Anderson, David McChesney, Erik Yingling and Tom Donegan.

Other attendees: Acting Town Manager David Gardner

Recorder: Mary Timmons

Elaine Anderson chairs the meeting.

**1. PUBLIC HEARINGS**

**1A. Approval of Permit Fee Trench and Road Opening Permit**

Tom Donegan began by reading the Public Hearing Statement, after which comments were open to the public. There were no public comments. DPW Deputy Director Eric Larson then summarized the need for the Trench and Road Permit. He stated the cost for the Trench and Road Opening Permit would be \$40; the cost for a similar permit in the mid-Cape is about \$37. Mr. Larsen stated the purpose of the permit is to make sure everything will be checked out and to make sure there is a set of eyes on all the issues. Once the permit goes through channels, a trench permit will be issued to let the Town know that work will be done. The turnaround for the process is a few days. Eric would be involved in the process unless it is extremely complex. Mr. Larsen stated that if someone does trench work without the permit, it would prevent them from receiving future permits. Selectman Anderson supports this knowing how much we have spent on various Town infrastructure work.

***MOVE that the Board of Selectmen vote to adopt the attached Trench & Road Opening Permit, pursuant to G.L. c. 82A §1 and 520 CMR 7.00 et seq. (as amended) and authorize the requested fee schedule pursuant to Provincetown General Bylaws §6-6.***

***Motion by: Tom Donegan Seconded By: David McChesney Yea 4 Nay 0***

**1B. Curb Cut Request 2 Willow Drive**

William Rogers and Robin Reid discussed the need for the Curb Cut at 2 Willow Drive. They stated they are installing a septic system in the parking area. Ms. Reid said there is no parking on the property and nowhere to put parking, so they are thinking about adding parking. Ms. Reid believes the curb cut will improve safety and access, provide better visibility, and create room for better movement along Willow Street. Ms. Reid also stated stone will be put down so there will be improved drainage. Selectman Donegan asked if this request had been before the Planning Board. Ms. Reid stated the Planning Board has approved the retaining walls. The cut will be 50 feet long, which will park three cars and provide room for a small trash house. Mr. Gardner pointed out that it exceeds maximum width. Mr. Rogers explained the reason for the 50 feet is that the leeching facility takes up 35 feet. Ms.

Reid stated that this is a three bedroom house with office space in the basement, and there is a deed restriction on the property already.

**MOVE that the Board of Selectmen vote, pursuant to MGL C. 11, § 6-2, to approve the request of Robin Reid to establish a curb cut at the property located at 2 Willow Drive (Assessor's Map 13-1) (Res 3 Zone).**

**Motion by: Erik Yingling Seconded By: Tom Donegan Yea 4 Nay 0**

### **1C. License Applications and Aquaculture Regulations Changes**

The Public Hearing statement was read by Tom Donegan after which the public was asked for comment. Francis Santos stated he has worked since 2007, and pointed out that one acre is not enough to keep within the bounds for shell fishing. A two acre site is more feasible. Mr. Santos was grateful to Representative Sarah Peak who met with Marine Fisheries which helped overcome road blocks. Last year Mr. Santos' oyster growth was not good as he was not in deep enough water. It is essential to the harbor to have aquaculture beds. Oysters are natural cleaners of the water, and more emphasis has to be put on water improvement.

As there were no more public comments, Mr. Bob Hazard and Mr. Tony Jackett addressed the Board. Mr. Jackett stated he is happy there is a renewed interest in aquaculture as it will create jobs. He stated that a one acre site has been set aside in Truro adjacent to our sites. Last year the Board of Selectmen approved one acre but after several meetings with the state and with Sarah Peake, we were able to move this forward.

At this time Austin Knight arrived at the meeting.

Selectman Yingling asked when the grants could be utilized to which Mr. Jackett replied May 15, 2014. Mr. Jackett then continued to speak to the board about oyster beds and aquaculture. Oysters have better growth at the top due to light and food. As water temperature decreases going into winter the oysters don't feed or grow. However, the oysters can still be harvested which is a huge advantage. Selectman Yingling asked if we change the regulation and allow for 2 acres how many acres are left. Mr. Jackett responded stating there are 25 acres in total which means there would be 8 acres left. Selectman Yingling was concerned that people may want to expand before things have gotten off the ground and that we would be preventing other people from getting acreage. He also inquired as to what happens if someone doesn't use acreage; would that acreage revert back to the Town. Mr. Jackett stated that people would have to provide a catch report showing what type of gear they used and their success rate. There is now renewed interest in the East End due to possible success rates. Selectman Donegan then asked if the licenses are there for a specific term. Mr. Jackett replied they have to renew in a few years. If they have success they can be renewed. Additionally, if someone doesn't use the acreage, the acreage can go to someone else who applies for it. Selectman Yingling then asked about the process which determines if someone is using their space.

Selectman Yingling stated that if he had an acre, what is the process that determines I'm using the acre. Mr. Jackett stated they have to provide a catch report to the Town

and the State. The Shellfish Committee would also review the catch report. After two years, when we come before the Board of Selectmen, if they didn't put in effort or were not successful their lease would not be renewed. Selectman Knight asked about liability insurance. Mr. Jackett stated they have to have a bond in order to acquire the license. Abandoned equipment is also included in that bond. The bond is an annual cost to them and they must provide a record of having acquired the bond.

Selectman Yingling asked if anyone asking for approval of licenses was at the meeting. Only Mr. Robert Burns was available for comment. He spoke of his intentions for his acreage. He operates the Bay Lady 2 and his family wants to move forward with shell fishing. Selectman Yingling was concerned that there were no other applicants present, but Mr. Jackett explained that they were at a seminar about improving shell fishing.

**Move that the Board of Selectmen vote to approve the Shellfish License Applications of David Flattery/Bethany Tasha, Richard Silva, Layne Aister, Kathleen Burns/John Burns, Robert Burns/ Allison Burns, John Dowd/Joanie Dowd; to be assigned a designated acre in the approved areas east of the west end breakwater**

**Motion by: Tom Donegan Seconded By: David McChesney Yea 4 Nay 0 Abstain 1**

**Move that the Board of Selectmen approve the transfer of Nancy Jacobsen's one acre shellfish aquaculture license located in the approved area east of the West End Breakwater to John Baldwin.**

**Motion by: David McChesney Seconded By: Erik Yingling Yea 4 Nay 0 Abstain 1**

**Move that the Board of Selectmen amend the existing licenses for 1) Francis John Santos, 2) Laurie Santos, 3) Randy Rovatti, 4) Anthony Paccione, 5) David Flattery/Bethany Tasha, 6) John R. Dowd, and 7) Jessie Cartwright, within the Aquaculture Development Area to acquire the additional acre adjacent to their licensed site as delineated in the Aquaculture Development Area.**

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

**Move that the Board of Selectmen authorize the relay of juvenile and adult sea clams from Herring Cove Beach to historically productive areas in the east end of Provincetown and South into North Truro in an effort to replenish those areas**

**Motion by: David McChesney Seconded By: Erik Yingling Yea 4 Nay 0 Abstain 1**

**MOVE that the Board of Selectmen vote to approve the amendments to the Regulations for Aquaculture Licenses as submitted.**

**Motion by: Erik Yingling Seconded By: Tom Donegan Yea 4 Nay 0 Abstain 1**

#### **1D. Trolley Parking in front of Town Hall or Lopes Square**

Selectman Yingling recused himself at this time.

Selectman Donegan began by reading four letters from the public into the record. Selectman Anderson then stated there is a lot of concern regarding the trolley parking

and how it would affect the Town. She suggested that perhaps the trolley could be parked in front of the Governor Bradford, or where all the busses are in the transportation center. This seems the most common sense place and should be considered. There is pushback regarding having any trolleys in front of Town Hall.

Selectman Anderson began by asking for public comments regarding the trolley parking.

Yvonne Cabral stated she has no idea what this is about so she cannot make a decision. Selectman Donegan said there are two issues. How do we sort out for the existing space and do we want a second space. Raphael Richter said he does not see a short option so the second aspect of the proposal should be withdrawn. He also stated that while he is withdrawing, it should be given thought in order to find a solution for an alternate company to operate. Ms. Cabral wanted to know exactly what Mr. Richter wanted to do with his trolley business and its location in respect to her business. Mr. Richter stated his intention is to provide a different option and would be made available for charter. He hopes to incorporate Truro as well. He believes this option would increase sightseeing and benefit all interested parties, and hopes it will work in concert with the existing service. A jump on/off service might be a goal.

Francis Santos studied parking in the downtown area. Provincetown requires something such as a loop from the outside parking lots so people can get downtown. When he was on the Board of Selectmen he thought the Town was leaning that way. He cannot see this for this season, but thinks more work has to be put in to this. He urges the Board not to approve.

Frank Vasello believes an on/off trolley would be great for those outside the town center.

Judith Cicero stated she came before the Board two years ago asking the current trolley at Town Hall be moved 10 feet back. At that time, the Board believed at some point in time if the trolley was no longer in business, it should not be replaced, as it creates too much congestion. Ms. Cicero also pointed out other businesses have to pay fees. The trolley does not have to pay. She agrees a loop is a good idea but the concept of in town transportation should be reworked and studied. She thinks we should explore and talk about this. She also believes this should be put out to bid. She accepts the current trolley, but adding another does not make sense.

Linda Ersoy opposes any trolley or large vehicle parking behind the existing trolley as it hurts businesses.

Mick Rudd believes that in the interest of time and effort, and in view of all the studies, the Board could move the process along by ruling out Lopes square for trolley parking.

Candice Collins from the Provincetown Chamber of Commerce is not against the

trolley. She only sees a problem with location.

At this time, public statements were closed.

Selectman Knight stated when the original conversation of a trolley took place there was a question as to when Yvonne Cabral retired, should there be a trolley in front of Town Hall. There was also conversation of possibly moving the trolley off Commercial Street. He stated the challenge we have with this industry is serving the tourists, business, and meeting the Town's needs. Now that there are multiple interests, maybe the time has come to submit an RFP. There has to be a fair process. Selectman Knight does not believe we are prepared to limit or specify an exact location at this meeting. We need to discuss, as a community, what we want to do. Mr. Richter reiterated that for this season it is too late, so he is withdrawing his request.

Selectman Donegan asked for clarification from Mr. Gardner about vehicle permits. He asked if there are two vehicle permits for one parking space would each be \$1,000. Mr. Gardner said yes but two vehicles would rotate through the one space. We need to establish if we get competing requests for the same permit. Selectman Donegan stated that we need to establish a process and identify a viable second location. We need to have this established in early fall so business has a sense of what is going on. What is the viable length of the permit. There are questions that need to be answered.

Selectman Anderson then summarized what had been said regarding the trolley. The application has been withdrawn for this year. There needs to be a process as to how we will request applications interested in this business. A working committee should be formed to deal with a site location which will be challenging. She also stated she does not believe Lopes Square is a good location. Mr. Richter asked about the process and how soon this would take place. Mr. Gardner suggested the Board may want to reestablish the traffic task force.

Selectman Anderson asked for a motion to take Lopes Square out of equation for the bus or trolley project. Selectman Knight made the motion but there was no second, so no motion was approved.

Selectman Yingling returned to the meeting

## **2. PUBLIC STATEMENTS**

Liza Judge spoke about the Community Center. She was concerned about no notice to abutters; she has received some abutter notices but nothing regarding the sale of the Community Center. She is outraged they were not given any notice. She was also concerned about several issues regarding the sale of the Community Center. How will parking, trash from 50 people, and pets be handled. Additionally, where will residents smoke or socialize. She says it will impose a burden on her family and her neighbors. The position of the town would be damaged by the subsidy given to the one person wanting to purchase the building.

Linda Ersoy is not fond of the idea of making the Community Center into a housing development. She finds the person trying to purchase it has misled the Board of Selectmen and the community. She watched the televised meetings and believes Mr. Meadows is setting himself up for failure. Operating a hostel would need a 24/7 manager. The place would have to be policed. She does not believe he is forthcoming with his intentions.

### 3. **SELECTMENS STATEMENTS**

**Erik Yingling** – congratulated everyone on a successful Town Meeting. He stated the selectmen hear the public loud and clear but he does want the public to understand people are living in squalor and paying top dollar for housing. We need to come up with a solution for the Town. If we continue to ignore people paying top dollar for living in squalor is very sad.

**Tom Donegan** – congratulations to the staff who put Town Meeting together. Thanks to the commissions who put effort into the meeting. We had a great outcome due to the thought they put into the program. We are continuing to hear how the reenergization of the Town goes. Best wishes for Passover

**David McChesney** –. No comments.

**Austin Knight** – spoke of the challenges businesses have in staying open. We need some grants for businesses that have a hard time getting through the winter due to the population change. Each year more pressure is on businesses to try to make it. He asked where we are with grants for the expansion of Maushope. David Gardner said we are moving along with this with a housing waiting list of over 80 people. The USDA has been a strong advocate for us, and the state is working with us. Selectman Knight then provided an update stating his mom is doing okay and things are progressing.

**Elaine Anderson** – stated Town Meeting went nicely, and thanked the staff for their support. She would like to put together a town wide forum on parking issues. There are many issues we need to deal with, cost, permits, and where to park. This is critical and she would like to see it happen

### 4A. **JOINT MEETING WITH CVEC – Net Metered Sales to Member Towns**

Liz Argo and Peter Petas Presented their powerpoint presentation of benefit sharing of excess power produced by other member towns. Tom Donegan asked for clarification on the revenue sharing. Ms. Argo explained the benefit is the credit minus the cost of buying, which is 8 cents. She also explained that 1.9 kilowatt hours have been used in Provincetown in 2013 and they want to serve Provincetown with 1.3 KW hours. Selectman Anderson stated the Town just installed LED lights and asked if that would reduce the demand for energy. Ms. Argo stated yes and stated CVEC is working on a final number. Acting Town Manager David Gardner asked if the 8 cents was the average and Ms. Argo said it was. The Selectmen asked about a Round 3 expansion and Ms. Argo pointed out that CVEC is not sure it will have a

round three as prices won't be that good and they may have met all the Cape's needs with what they have now.

Selectman Knight stated that while we are eager to participate, he is concerned about who pays for this. Because we don't have sufficient land area, it is difficult to come up with ten acres to develop for ourselves. Our challenge is the payment for solar panels. Mr. Gardner asked Ms. Argo how often the metering credit fluctuates. Ms. Argo stated about every six months. For example, the credit was 12.5 cents then it went up to 15.5 cents in January of 2013 then went down a penny because there is a transition fee that was paid off. She speculates it will start going back up.

Selectman Donegan stated that this is a great opportunity and might help close the Pilgrim Power Plant. This saves us money and he will continue to push that Cape Light Compact continue to invest in these types of initiatives. He would also like them to serve non profits. Ms. Argo stated that this has been a board discussion and it is a mission for CVEC. They are thinking about a wind project in the future and they are looking at that for metering credits. She stated that the CVEC's goal is to take care of as many towns as they can but do not want to oversubscribe.

It was decided that David Gardner will provide the Net Metering Power Sales Agreement and the Letter of Intent to Town Counsel.

**MOVE that the Board of Selectmen vote to approve a Letter of Intent (LOI) and Net Metering Power Sales Agreement (PSA) between the Town of Provincetown and the Cape & Vineyard Electric Cooperative for the purchase of power production from the Distributed Generation Projects subject to review to form by Town Counsel**

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

**4B. JOINT MEETING WITH COMMUNITY HOUSING COUNCIL –Homeless Prevention Emergency/Assistance**

Michelle Jarusiewicz stated that the Housing Council was in session. Present from the Council were Anne Maguire, Kristin Hatch, Donna Szeker, Susan Cook, and Brenda Hayward. Ms. Jarusiewicz discussed the grant agreement and the request for an additional \$20,000 for emergency housing assistance. Annually, the Board has approved up to \$20,000 but averaged about \$10,000. This money will only be available for residents of Provincetown. The funds go towards assistance for family emergency and other issues. Selectman Yingling then thanked the CHC for their hard work at town meeting.

**MOVE that the Board of Selectmen vote to approve an amendment to the FY 2014 grant agreement with the Homeless Prevention Council for \$20,000 in additional emergency housing assistance for Provincetown through December 31, 2014, and funded through the Provincetown Affordable Housing Trust Fund**

**Motion by: Erik Yingling Seconded By: Austin Knight Yea 5 Nay 0**

**4C. JOINT MEETING WITH COMMUNITY HOUSING COUNCIL – Housing Action Plan**

Selectman Anderson reviewed the Board of Selectmen Action and motions were made to support each

**Action 2.2.** Task the Provincetown Board of Selectmen (BOS) and the Town's state legislative delegation to support Community Housing Resource's effort to accelerate the development of Stable Path, a 23-unit rental project proposed off Race Point Road. Ms. Anderson stated that the Board is in full support of this item.

**Action 3.2.** Task the Board of Selectmen to adopt a policy authorizing eligibility under the current Property Tax Exemption program [Chapter 408 of the Acts of 2002] to allow for eligibility up to 80% AMI [Area Median Income] in a manner that reflects the need across a range of eligible incomes. This increase from the current 60% AMI will allow for greater incentives to allow for greater participation.

**MOVE that the Board of Selectmen vote to adopt a policy authorizing eligibility under the current Property Tax Exemption program [Chapter 408 of the Acts of 2002] to allow for eligibility up to 80% AMI [Area Median Income] in a manner that reflects the need across a range of eligible incomes**

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

**Action 3.7.** Task the Board of Selectmen with updating the Local Comprehensive Plan (LCP). Selectman Donegan stated we need to propose and accept this. Selectman Anderson stated this is one of the Town Planner's major goals. Selectman Donegan stated we need to do this with working towards the housing crises. He proposes we accept and make sure as a matter of policy that working on community housing is a key component, goal, and outcome of comprehensive planning.

**MOVE that the Board of Selectmen request the Town Planner in the development of Local Comprehensive Plan include as a priority community housing as a key component embedded within this report.**

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

**Action 4.1.** Task the BOS with authorizing legal counsel to prepare a report on legal avenues to reducing the conversion of residential properties to condominiums except where those conversions add to the stock of year-round, affordable and Community Housing.

**MOVE that the Board of Selectmen refer this to the Zoning Ad Hoc or the Planning Board for a report by the next Town Meeting.**

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

**Action 5.2.** Task the CHC, BOS and the leadership of the (PPRTPA) and other second homeowners with exploring the possibility of holding a community gathering with its second home community (similar to that done in Eastham), sometime in the summer of 2014, that includes a community forum intended to kick off a concerted effort to engage the second home community in helping realize the town's vision for a viable year-round community, especially as it relates to affordable and Community Housing needs.

**MOVE that the Board of Selectmen task the Town Planner meet with the**

**PPRTPA with this Action Item 5.2 becoming part of what she brings to the meeting.**

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

**Action 7.1.** Task the CHC, CPC, BOS and Provincetown Finance Committee with supporting a Town Meeting warrant article to once again reserve 60% of CPA funds for Affordable and Community Housing uses.

Selectman Anderson stated this Action Item has already been accomplished.

**Action 7.2.** Task the CHC, BOS and Provincetown Finance Committee with supporting a Town Meeting warrant article to reserve the revenue from any expansion of the rooms tax or the realization of any real estate transfer tax to be dedicated to affordable and Community Housing purposes. Selectman Anderson stated we can support some revenue but not 100%, as these are large funds. This will be decided at a later date.

Selectman Donegan then thanked all of the CHC for their work in the housing summit. He then asked that they come back in the fall for an update and how the board can help.

**MOVE that the Board of Selectmen vote to accept and approve the March 2014 Housing Action prepared by John J. Ryan of Development Cycles**

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

**5A. BOARD OF SELECTMEN APPOINTMENTS**

Mr. Vasello stated he would like to be on the committee because he wants to give back to the town. He is here year-round resident.

**Move that the Board of Selectmen vote to appoint Frank Vasello as a regular member of the Beautification Committee with a term to expire on December 31, 2016.**

**Motion by: Austin Knight Seconded By: Erik Yingling Yea 5 Nay 0**

**6A. PROVINCETOWN SCHOOL SIGNAGE REQUEST – Approval of Locations**

This request has been moved to 4/28.

**6B. COMMERCIAL STREET RECONSTRUCTION PHASE II – Change Order Requests**

DPW Director Richard Waldo stated they are one week away from doing the final paving. He is asking for a change order for the following items: 1) The removal and disposal of an existing drainage hatch they were hoping to reuse but now we have to replace it. 2) Rehabilitation of the Franklin Street pipe which involves taking a slip line pipe and slipping it through existing structures that are failing. 3) Additional pavement markings between Johnson Street and Atwood Street. 4) Purchase and installation of two solar parking kiosks 5) Repair of the Coast Guard gate automater. Selectman Anderson asked if we are doing well with the budget and Mr. Waldo stated the budget is doing well.

**MOVE that the Board of Selectmen vote to approve the change orders for the Commercial Street Reconstruction Project Phase II totaling \$86,847.54**

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

**6C. WASTEWATER PROJECT UPDATE**

DPW Director Richard Waldo summarized what was requested. This change order is for process enhancements at the wastewater facility. Selectman McChesney asked about trucks that empty septic systems as it relates to fees and asked if we are in a position to accept waste from trucks. Mr. Rob Adams, the AECOM contact, said currently no, but the plant could be modified to do this. Mr. Gardner asked if this would benefit the town if we got additional flow if they were pumping toward the end of the season. Mr. Adams said he would have to evaluate it.

**Move that the Board of Selectmen vote to approve attached Contract Amendment No. 11-5 to AECOM in the amount of \$95,200 for the scope of work pertaining to process enhancements at the wastewater treatment facility to accommodate the newly permitted treatment plant capacity of 650,000 gpd**

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

**6D. GRACE GOUVEIA VFW SURPLUS EQUIPMENT**

Selectman Yingling asked about the surplus air conditioners and Deputy DPW Director Mr. Larsen explained they were out dated and not worth keeping or repurposing

**MOVE that the Board of Selectmen vote to declare the following list(s) of equipment as surplus , pursuant to M.G.L. c. 30B and Provincetown General By-law §6-4-6. It is requested that authorization is given to the Acting Town Manager to dispose of said items in a manner deemed most advantageous to the Town, in accordance with the aforementioned regulations.**

**1. 26 Alden Street: Grace Gouveia Building**

**2. 1 Jerome Smith Road: Former VFW Building**

**Motion by: Austin Knight Seconded By: David McChesney Yea 5 Nay 0**

**MOVE that the Board of Selectmen vote to donate the surplus handicapped stair lift to the VFW Post 3152.**

**Motion by: Austin Knight Seconded By: David McChesney Yea 5 Nay 0**

**6E. MONTHLY POLICE REPORT FOR MARCH, 2014**

Acting Police Chief Golden provided a summary of what was in the police report. Selectman Donegan asked about the raccoon on Bradford Street and the procedure for removing dead animals in the roadway. Acting Chief Golden stated during regular working days and in-season, DPW responds to these calls. In the off-season, it is the Police Department's responsibility.

**6F. PARADE PERMIT – Walkng-Home Capital Campaign Fundraiser**

***MOVE that the Board of Selectmen vote to approve the Parade Application Permit submitted by Amanda Morris, Seamen's Bank 221 Commercial Street, Provincetown, MA on behalf of the Helping Our Women to hold a Walking-Home***

**Capital Campaign Fundraiser to be held on Saturday, May 10, 2014, starting at 8:00 A.M. to 11:00 A.M.**

**Motion by: Tom Donegan Seconded By: Austin Knight Yea 5 Nay 0**

**6G. CONFLICT OF INTEREST LAW DETERMINATION – Vida Hamnquist**

Vida is co-owner of the Nor'East Beer Garden. She joined the Licensing Board as an alternate to satisfy the quorum. Because she is a co-owner and the liquor license is not in her name, she feels this will not be an issue. Ms. Hamnquist stated if she felt there was an issue she would recuse herself. Selectman Knight stated that owning the restaurant can be a conflict. He said it doesn't matter if they serve the same food or liquor. He thinks it could be in conflict.

**MOVE that the Board of Selectmen vote, pursuant to MGL c. 268A, § 19 and as appointing authority for the Licensing Board to make the determination that the financial interest of appointee Vida Hamnquist is not so substantial as to be deemed likely to affect the integrity of the services which the municipality may expect from the appointee.**

**Motion by: Tom Donegan Seconded By: Erik Yingling Yea 4 Nay 1 (Austin Knight)**

**6H. CONFLICT OF INTEREST LAW DETERMINATION – Anthony DeJacimo**

Mr. DeJacimo is the general manager of Tin Pan Alley. He stated he joined the Licensing Board because he wanted to get more involved in the process. He spoke to the attorney of the day and she said it is a complicated issue. He does not have any licenses in his name. He believes he is fair and if he thought there was a conflict of interest he would recuse himself.

**MOVE that the Board of Selectmen vote, pursuant to MGL c. 268A, § 19 and as appointing authority for the Licensing Board to make the determination that the financial interest of appointee Anthony DeJacimo is not so substantial as to be deemed likely to affect the integrity of the services which the municipality may expect from the appointee.**

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

**6I. PROCLAMATION – Disability Awareness Day**

Michelle Crone spoke of the importance of this day. The Disability Commission is planning educational outreach at the fire house on the May 16, 2014 and May 17, 2014. Education outreach will take place 4:00 pm through evening on the May 16<sup>th</sup> and 10:00 am to 4:00 pm on the May 17<sup>th</sup>.

**Move that the Board of Selectmen vote to proclaim Friday, May 16, 2014 as Disability Awareness Day in the Town of Provincetown.**

**Motion by: Austin Knight Seconded By: Erik Yingling Yea 5 Nay 0**

**7A. TOWN MANAGER FOLLOW-UP**

Town manager search forum Wednesday at 5pm, Thursday at 5 pm is candidate's night. April 28<sup>th</sup> at 8 am is spring business summit at Harbor Hotel

**7B. OTHER – none**

8A. **MINUTES OF BOARD OF SELECTMEN'S MEETINGS -**  
**Move that the Board of Selectmen approve the minutes of:**  
**March 17, 2014 (Regular Meeting) with changes so noted**  
**Motion by: Tom Donegan Seconded By: Erik Yingling Yea 5 Nay 0**

9. **CLOSING STATEMENTS –**  
**David McChesney – none**

**Austin Knight – none**

**Erik Yingling – good night**

**Tom Donegan – none**

**Elaine Anderson - none**

**Motion to adjourn by 9:55 pm. Motion by: Austin Knight Seconded By: Erik  
Yingling Yea 5 Nay 0**

Minutes transcribed by: Mary Timmons April 17, 2014