

Board of Selectmen  
October 30, 1995  
Library Meeting Room  
Minutes

The meeting was called to order at 7:00 p.m. by Chairwoman Carolina Kiggins. Selectmen present included John Ryerson, Cynthia Paine and Ira Wood. Selectman David Ernst was absent. Acting Town Administrator Bill Hinchey also attended.

Open Session:

- Durand Echeverria addressed the Board regarding a) establishment of an Historic District Study Committee and b) his recommendation that the Town enlist the services of a hydrologist should dredge materials be deposited on the Whitman property on Indian Neck.
- Bill Corcoran addressed the Board regarding the Board's recent decision to disapprove of the reappointment of Fire Chief Henson.
- Ann Bronsdon addressed the Board regarding the October 17, 1995 meeting of the Board of Fire Engineers. Ms. Bronsdon will submit her information for consideration.
- Larry Mott addressed the Board and requested answers to several questions regarding the Board's decision to disapprove of the reappointment of the Fire Chief. Mr. Mott was asked to submit his questions in writing.
- Clarence Smith, Jerry Houk and Bob Costa each commented on the Board's recent decision regarding the Fire Chief.
- Bill Magenau addressed the Board regarding Title V concerns and was referred to the Health/Conservation Agent.

The Board met with Gwen Pelletier, Director of the Lower Cape CDC. Ms. Pelletier asked the Board for their continued support and updated them on the Lower Cape CDC's programs including:

- a) rental rehab program - to create affordable rentals
- b) small business loan program - loans to proposed or existing businesses who have been refused by a traditional bank
- c) Cape Cod seafood campaign - promotion of local seafood
- d) shellfish propagation and grant program - shellfish planted in the public fisheries of Nauset inlet and Pleasant Bay
- e) feasibility stage - development of a self-help home building program and creation of a residence for people in recovery from substance abuse

The Board discussed the proposed Egg Island grant license area. The Shellfish Constable attended and reviewed the reasons for establishment of the proposed parameters of the area. Discussion included:

- a) process for choosing parcels
- b) walkways between parcels - the Shellfish Constable indicated that shellfish grant areas can be walked across
- c) approval of area by Shellfish Advisory Committee
- d) effect of Pazolt decision on area - area is past the 1650 foot mark from mean high water - no private property issues
- e) possible need to expand Shellfish Department - the Shellfish Constable indicated no plans for new personnel since the area is

currently patrolled.

At 8:20 p.m. the Board held a continuation of the shellfish permit suspension hearing of William Young, Jr. Mr. Young was also in attendance and reiterated his feeling that he had already been punished by the court for his offense. Discussion included a review of the matter and the Shellfish Constable's recommendation that Mr. Young's commercial shellfish license be suspended for 14 days. Selectman Wood moved that Mr. Young's commercial shellfish license be suspended for one week. The motion was seconded by Chairwoman Kiggins. Discussion continued and included potential problems with punishing twice for the same offense and the need for proper findings for the Board to act upon. The motion failed on a 2-2 vote with Paine and Ryerson voting against.

At 8:30 p.m. the Board held a public hearing to consider the shellfish grant aquaculture license applications of Robert Olson, Tobin Storer, James N. Bruinooge, Leonard M. Campanale, Patricia Gensler, Patrick & Barbara Woodbury, Clifford & Jacob Dalby, Raymond A. Crowell, Edward Simon, Keith P. Rose, Deborah Forrest Hopkins, Peter Rennert, Jon R. Nordahl, Richard Blakeley, Robert M. Piotrowski, Philip G. Fox, Barbara A. Anderson, Michael Wallick, Richard D. Grady, Jon K. Erickson, Rodney Ernst, David M. Ziemba, Kent Dzivasen, Thomas M. Webber, M.M. Conor, Paul Conor and Christopher H. Merl. There was a consensus of the Board that all applications be considered together. The Shellfish Constable read the qualifications used to assign grant licenses. Jim Quigley read a prepared statement and requested that the Board deny the grant licenses for the reasons he noted (see attached). Bob Costa rebutted Mr. Quigley's remarks. The Shellfish Constable read his recommendations regarding each of the applications and for restrictions and/or conditions. On a motion duly made and seconded, the Board voted unanimously to approve the recommendations of the Shellfish Constable (see attached). The Shellfish Constable read a memo dated October 30, 1995 from Barbara Anderson regarding the status of her application for a shellfish grant license. It was noted that there is no longer a grant waiting list.

At 9:10 p.m. the Board held a public hearing to consider the shellfish grant aquaculture license applications of Richard Goldberg, Nolan J. Williams and Timothy A. Hughes. Mr. Quigley requested that the Board deny these grant licenses for the same reasons stated in the previous hearing. The Shellfish Constable read his recommendation that the applications be denied because the requested areas were described in very general terms. Mr. Goldberg and Mr. Hughes indicated that they were not aware of specific areas being available. On a motion duly made and seconded, the Board voted unanimously to deny these applications without prejudice.

On a motion duly made and seconded, the Board voted unanimously to approve the minutes of October 10, 1995 as printed.

On a motion duly made and seconded, the Board voted 3-0-1, with Ryerson abstaining (he had not attended the meeting), to approve the minutes of the 11:00 a.m. October 13, 1995 meeting.

On a motion duly made and seconded, the Board voted 3-0-1, with Wood abstaining (he had not attended the meeting), to approve the minutes of the 2:30 p.m. October 13, 1995 meeting.

On a motion duly made and seconded, the Board voted 3-0-1, with Ryerson abstaining (he had not attended the meeting), to approve the minutes of October 16, 1995.

On a motion duly made and seconded, the Board voted 3-0-1, with Paine abstaining (she had not attended the meeting), to approve the minutes of October 19, 1995.

On a motion duly made and seconded, the Board voted unanimously to approve the minutes of October 23, 1995 as printed.

On a motion duly made and seconded, the Board voted unanimously to approve the minutes of October 26, 1995 as amended.

The Board discussed Fire Chief Henson's recommendation for reappointment of Rick Townsend to the Fire Department. On the recommendation of Mr. Hinchey there was a consensus of the Board to take the recommendation under advisement and that Mr. Hinchey will check to make sure that Mr. Townsend is aware of the status of his application.

On a motion duly made and seconded, the Board voted unanimously at 9:52 p.m. on a roll call vote (Kiggins, Ryerson, Paine, Wood - yea) to enter executive session to discuss strategy in preparation for contract negotiations and not to reconvene in open session.

Respectfully submitted,



Linda Smulligan  
Administrative Assistant

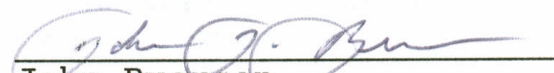
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Carolina Kiggins, Chair




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Cynthia Paine



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John Ryerson



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Ira Wood