

TOWN OF PROVINCETOWN - BOARD OF SELECTMEN

REGULAR MEETING - MONDAY, JULY 28, 2008

JUDGE WELSH HEARING ROOM

Chairman Michele Couture convened the meeting at 6:18 PM noting the following Board of Selectmen attending: Michele Couture, Mary-Jo Avellar, Austin Knight, Elaine Anderson, David Bedard

Other attendees: Town Manager Sharon Lynn, Asst. Town Manager David Gardner, Municipal Finance Director Alix Heilala

Recorder: Vernon G. Porter

The following are meeting minutes, in brief:

1A JOINT MEETING WITH RECYCLING & RENEWABLE ENERGY COMMITTEE

Recycling & Renewable Energy Members Present: Michael Leger, Elizabeth Patrick, Lee Bartell, Amy Germain

Michael Leger gave a brief overview of where the Committee is at this point. They are very much interested in recycling, and the process they have been going through for the wind turbine at the Transfer Station.

Open discussing ensued. Check into AmeriCorps to see if they can help with picking up recyclables around town and at the transfer station. Board would like the committee to pursue solar power for our municipal buildings and report back with their findings.

Amy asked that the Board move forward with the discussion of the Cape and Island Cooperative that was passed by Town Meeting.

MOTION: *Move that the Board of Selectmen vote to take Agenda Item #4 out of order.*

Motion by: Mary-Jo Avellar **Seconded by**: Austin Knight **Yea 5 Nay 0**

4. APPOINTMENTS

MOTION: *Move that the Board of Selectmen vote to appoint Amy Germain of 150 Commercial St., as Provincetown's Representative on the Cape Light Compact Governing Board.*

Motion by: Mary-Jo Avellar **Seconded by**: Austin Knight **Yea 5 Nay 0**

1B IMPROVEMENTS AT GRACE GOUVEIA - UPDATE

DPW Director David Guertin

At the Board of Selectmen's meeting on Monday, July 14, 2008, Selectman Knight requested that DPW Director David Guertin appear before the Board of Selectmen to explain, in person, the improvements that were made at the Grace Gouveia premises during 2007 and 2008.

Austin Knight -Who is paying for it – as it is town property? The town should be responsible and not the sewer users. It's about the payment. I need clarification on that. Citizens came forward and asked questions. That was my question.

Answers - Yes, wastewater paid for it. Payback to sewer users will be through rate relief.

Town Manager Sharon Lynn gave a detailed explanation of the process that was involved.

1C PARKING STICKERS REVISITED

Open discussion ensued.

MOTION: *Move that the Board of Selectmen vote to amend their motion and vote of Monday, April 14,*

2008 to read as follows: “As of July 29, 2008, any resident who has a vehicle that is registered in the Town of Provincetown and pays vehicle excise taxes to the Town of Provincetown and who has a valid drivers license is eligible to purchase a residential parking sticker”.

Motion by: Mary-Jo Avellar Seconded by: Austin Knight Yea 5 Nay 0

Austin Knight requested that the Town Manger have the parking regulations posted on the town website, and updated on a yearly basis.

2. **PUBLIC STATEMENTS**

George Bryant – 1) Furniture donated by family in Fairfield Connecticut and painted by Peter Hunt. I do not know where it is. I’ve asked the family if they wanted to donate it to the Pilgrim Monument and they said no. 2) Pier Corporation – According to Duane Steele, the Pier is costing the Town a great deal of money, it seems to me to be an unnecessary part of government and it should be regionalized. Sooner or later you are going to have to do something about it. They are not running it properly. Lights were out last Friday.

Candace Nagle - I agree with George Bryant, regionalizing the Pier makes sense.

Barbara Rushmore - 1) Passed out the memorial tree planting plan of the Memorial Waterfront Park. 2) Respectfully ask that the Board of Selectmen do something to please stop the Cape Cod National Seashore proceeding with their plans to redesign Route 6 and Moors Road.

Susan Rohrbach – Representative Senator O’Leary’s Assistant. A lot has happened this year and some things that are in the works are: 1) Wasterwater Legislation was passed and attached to the Environmental Bond Bill, and we’re in hopes that it will be signed soon. 2) Homeowner’s Insurance Reform - some amendments – looking at modeling data to advise the Insurance Commissioner. We’re hoping that what is in the Senate will pass in the House. 3) Repeal of 1013 Law – we’re hoping that we’ll know by next week.

3. **SELECTMEN STATEMENTS**

Austin Knight

Regarding Route 6 – To Barbara Rushmore - I will get the name to you of the Congressman who is on the appropriations Committee which takes up the funding of the Seashore, and I will let Mr. Delahunt’s office know that I have done this.

Pier Corporation – we will be meeting with them once the FinCom has finished their review.

Heritage Collection – Maybe the Town Manager can find out where the collections are.

MOTION: Move that the Board of Selectmen vote to have a report from the Town Manager as to where the Peter Hunt Collections are.

Motion by: Mary-Jo Avellar Seconded by: Austin Knight Yea 5 Nay 0

Bring to the attention of Rep. Sarah Peake that Joel Macara, our local paramedic, saved the life of the Conductor on the Barnstable Cape Cod Dinner Train from Buzzards Bay. Conductor had a pulse but was not breathing.

MOTION: Move that the Board of Selectmen vote to send the name of Joe Macara to Representative Sarah Peake for the Good Samaritan Award.

Motion by: Austin Knight Seconded by: Mary-Jo Avellar Yea 5 Nay 0

Mary-Jo Avellar

Would like to know by the next meeting how many people have renters certificates (short term rentals). We need to be more vigilant on this.

Ms. Rushmore’s idea of referring Route 6 to the Cape Cod Commission is a good idea.

MOTION: *Move that the Board of Selectmen vote to contact Glenn Cannon of the Cape Cod Commission to see what our options are regarding the CNNS proposal to reconstruct Route 6 & Moors Road. cc: Our Congressmen.*

Motion by: Mary-Jo Avellar **Seconded by:** Austin Knight Yea 5 Nay 0

David Bedard

Want to thank Ron Gamella and the DPW for fixing the sidewalk between the Methodist Church and Bradford Street. Great job.

I am very upset over the circumstances that were surrounding the presumed sale of 2 Commercial Street and how that all transpired over the past two weeks, if not the last month.
I feel the buyer was blind sighted and not properly informed on the ANR.

Open discussion ensued on the process of the various boards handling this matter.

MOTION: *Move that the Board of Selectmen vote to revisit it's decision of Monday, July 14, 2008 concerning the 'reserve comment' to the Cape Cod Commission regarding the property located at 2 Commercial Street and replace it with, "asking the Cape Cod Commission to dismiss the referral without prejudice and return all jurisdiction back to the Town of Provincetown and its authorizing boards."*

Motion by: David Bedard **Seconded by:** Mary-Jo Avellar
Yea 3 Nay 2 (Elaine Anderson / Michele Couture)

Elaine Anderson

Katrina Van was well received.

Lots of good comments on the Police walking the Streets. Good communications.

r Family Cruise people – they seem to have a good time while they were here.

Community Housing Specialist – would encourage re-advertising for this position. This person could also work on Rental Certificates.

MOTION: *Move that the Board of Selectmen vote to place Ms. Rushmore's Memorial Tree drawing on the town website.*

Motion by: Elaine Anderson **Seconded by:** Austin Knight Yea 5 Nay 0

Michele Couture

MOTION: *Move that the Board of Selectmen vote to send a letter to the Pier Corp's chair advising them that their lights are malfunctioning.*

Motion by: Michele Couture **Seconded by:** Austin Knight
Yea 4 Nay 0 Abstain 1 (Mary-Jo Avellar)

To Ms. Susan Rohrbach - Fuel assistance program. Are there any programs in place? Answer: Senator O'Leary was in a meeting this morning with the Housing Assistance, and there is going to be a workshop this September to advise people.

Thanks to Senator O'Leary and to Rep. Sarah Peake – she is doing an outstanding job.

MOTION: *Move that the Board of Selectmen vote to send a letter to Senator Kerry asking him for his assistance in securing money for the restoration of Town Hall.*

Motion by: Mary-Jo Avellar **Seconded by:** Elaine Anderson Yea 5 Nay 0

Article in Cape Cod Times regarding Police Officers – not happy with this article and wish they would have contacted us about our officers here in Provincetown. We are very proud of officers here. Sgt. Tobias has done an excellent job and the whole department has done a wonderful job.

4A APPOINTMENTS

MOTION: *Move that the Board of Selectmen vote to reappoint Barbara Prato of 70 Snail Road, PO Box 332, as Town Constable with a term to expire June 30, 2011.*

Motion by: Mary-Jo Avellar **Seconded by:** Austin Knight Yea 5 Nay 0

5A1 AIRPORT COMMISSION

Independent Fee Estimate for EA/FEIR/DRI PHASE II

MOTION: *Move that the Board of Selectmen vote to execute a contract in the amount of \$3,000.00 with URS Corporation, 26 Corporate Drive, Clifton Park, New York for the Independent Fee Estimate of the Environmental Assessment (EA) Final Environmental Impact Report (FEIR) and Development of Regional Impact (DRI) Phase II (Work Order No. 3) for the Provincetown Municipal Airport.*

Motion by: Mary-Jo Avellar **Seconded by:** Austin Knight Yea 5 Nay 0

5A2 AIRPORT COMMISSION

Reconstruct Terminal Apron – Award Contract

MOTION: *Move that the Board of Selectmen vote to execute a contract in the amount of \$360,126.00 with Lawrence-Lynch Corporation of Falmouth, MA for the Reconstruction of the Terminal Apron at the Provincetown Municipal Airport*

Motion by: Mary-Jo Avellar **Seconded by:** Austin Knight Yea 5 Nay 0

5B LIBRARY: LANDSCAPE ARCHITECT CONTRACT

MOTION: *Move that the Board of Selectmen vote to execute a contract in the amount of \$12,460 with Martha Lyon Landscape Architecture, LLC, 313 Elm Street, Northampton, MA for the Historic Landscape Design for the Provincetown Public Library*

Motion by: Austin Knight **Seconded by:** Mary-Jo Avellar Yea 5 Nay 0

5C DOG PARK – SHANK PAINTER ROAD AND ROUTE 6

Pilgrim Bark Park Use Agreement

MOTION: *Move that the Board of Selectmen vote to: a) endorse the site plan for the Pilgrim Bark Park Dog Park and; b) approve the Use Agreement between the Town of Provincetown and the Provincetown Dog Park Association, Inc.*

Motion by: Austin Knight **Seconded by:** Mary-Jo Avellar Yea 5 Nay 0

5D MDPH HIV/AIDS HOME HEALTH GRANT

Subcontracts

MOTION: *Move that the Board of Selectmen vote to authorize the execution of the following subcontracts for the provision of services as outlined in the Town's grant agreement with the Massachusetts Department of Public Health Cape & Islands HIV/AIDS Home Health Program for FY 2009 (1) \$25,000 for Cape Cod Health, Inc/Infectious Disease Clinical Services; (2) \$20,000 for Outer Cape Health Services, Inc.; and (3) \$28,040 for Nantucket AIDS Network; (4) \$8,000 Visiting Nurses Association of Cape Cod, Inc.*

Motion by: Mary-Jo Avellar **Seconded by:** Elaine Anderson Yea 5 Nay 0

5E ALTERATIONS OF LAYOUTS FOR:

Alden Street, Cemetery Road and Standish Street

MOTION: *Move that the Board of Selectmen vote its intention to relocate and alter the layouts of Alden Street, Cemetery Road, and Standish Street as public ways to include within said layouts the parcel of land located at the intersection of Cemetery Road and Standish Street and shown as "Alteration A=113 Sq.Ft.± To Become a Portion of Cemetery Road" on a plan of land entitled "Plan of Land in Provincetown Showing Alterations to the Layouts of Cemetery Road, Standish Street and Alden Road," dated June 30, 2008, prepared by Slade Associates, Inc., and to exclude from such layouts the parcel of land located at the intersection of Alden Street and Cemetery Road and shown as "Area to be Abandoned" on the aforesaid*

plan, and that the Board of Selectmen forward the relocation and alteration of layout petition and plan to the Planning Board for its comments and recommendations pursuant to G.L. C. 41, §§ 81G and 81I.

Motion by: Mary-Jo Avellar Seconded by: Austin Knight Yea 5 Nay 0

5F MOTORCYCLE PATROL UNIT

Executive Summary of Cost

MOTION: *Move that the Board of Selectmen vote to endorse the pilot program presented by the Chief of Police Jeff Jaran for one Motorcycle Patrol Unit for one year.*

**Motion by: Mary-Jo Avellar Seconded by: Austin Knight
Yea 4 Nay 1 (Michele Couture)**

6A PAMET LENS OVERSIGHT GROUP – UPDATE

Annual Goal Setting Exercise

We met and put some final recommendations towards the draft plan and you should see that in its final form before the Selectmen sometime, hopefully, if not August, September – shooting for August.

6B TOWN MANAGER FOLLOW-UP / OTHER

Update on Town Hall Transitions Committee Meetings. Next Tuesday the Barnstable County Sheriff's Department Pen Pals will be here to move boxes from our basement storage to the High School and Elementary School. It has been a joint effort with Town Staff and by next week should have all the archival storage moved and placed into the Schools. Also the Pen Pal carpenters will be coming within the next few weeks to do the carpentry work to look at the Freeman Street Building and do most of the construction that we have in line for. All of this for not cost except for food and beverages and we are renting a port-a-potty. This is to do most of the carpentry for the Freeman Street Building for the 2nd floor where the Art Commission will store their paintings and on the 1st floor for the Tourism Office. Russ Braun is working these plans as well as the RFP for the trailers.

NSTAR – We're working through Ed Schneider on this. Beau is working with Verizon. We will be using the funding source through the 2005 Article.

Housing Specialists – Block Grant was not funded again and our Grant Administrators position was not funded, however, she is interested in doing this.

MOTION: *Move that the Board of Selectmen vote to support the Town Manager's appointment of Michele Jarusiewicz as Housing Specialist.*

Motion by: Mary-Jo Avellar Seconded by: Elaine Anderson Yea 5 Nay 0

7. MINUTES OF BOARD OF SELECTMEN'S MEETINGS

MOTION: *Move that the Board of Selectmen vote to approve the minutes of July 14, 2008 (Joint Mtg. w/FinCom/DOR) with changes so noted.*

Motion by: Mary-Jo Avellar Seconded by: Elaine Anderson Yea 5 Nay 0

MOTION: *Move that the Board of Selectmen vote to approve the minutes of July 14, 2008 (Regular Mtg.) with changes so noted.*

Motion by: Mary-Jo Avellar Seconded by: Elaine Anderson Yea 5 Nay 0

MOTION: *Move that the Board of Selectmen vote to approve the minutes of June 21, 2008 (Special Meeting) with changes so noted.*

Motion by: Mary-Jo Avellar Seconded by: Elaine Anderson Yea 5 Nay 0

8. CLOSING STATEMENTS

Austin Knight - Don't forget to fill out your cable survey.

Mary-Jo Avellar – None **Elaine Anderson** - None

David Bedard – My thanks to PTV for all their help

Michele Couture – 1) Tomorrow at Bayside Betsy's – Gathering of Consultant for EDC. 2) Proposals for RFP for Shank Painter – 1st meeting is Friday.

9. EXECUTIVE SESSION

MOTION: *Move that the Board of Selectmen vote, pursuant to MGL C. 39, §23B, clause 3 to go into executive session for the purpose of discussing litigation strategy; and not to convene in open session thereafter. [Roll Call Vote]*

Motion by: Austin Knight **Seconded by:** Elaine Anderson

Motion withdrawn.

Motion to adjourn by Austin Knight at 9:20 PM

Minutes transcribed by: Vernon G. Porter, Secretary to Board of Selectmen
August 13, 2008