

TOWN OF PROVINCETOWN - BOARD OF SELECTMEN

REGULAR MEETING - MONDAY, OCTOBER 27, 2008

JUDGE WELSH HEARING ROOM

Chairman Michele Couture convened the meeting at 6:00 PM noting the following Board of Selectmen attending: Michele Couture, Elaine Anderson, Mary-Jo Avellar, Austin Knight, David Bedard

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

Recorder: Vernon G. Porter

The following are meeting minutes, in brief:

1A DEPARTMENT OF PUBLIC WORKS

Wastewater Rate Relief

MOTION: *Move that the Board of Selectmen vote, pursuant to MGL c. 40, §22F, to approve the reduction of the sewer user rate, effective November 16, 2008, from \$0.0185/gallon to \$0.01385/gallon, as adopted by the Water and Sewer Board on October 16, 2008.*

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

Yea 4 Nay 1 (Mary-Jo Avellar because the rate is not high enough.)

1B1 HERRING COVE VILLAGE

Amendment to Regulatory Agreement

MOTION: *Move that the Board of Selectmen vote, to approve the Amendment to Regulatory Agreement with WK Red Clay LLC which re-designates the affordable units for the housing development known as "Herring Cove Village," at 21 Bradford Street Extension, from units #4, #7, and #13 to units #4, #7, and #10.*

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

1B2 REFINANCE – SUB-RENTAL AFFORDABLE HOUSING DEED RESTRICTION

Policy & Procedure Agreement - Policy # 2008-10-27

MOTION: *Move that the Board of Selectmen vote to approve Policy 2008-10-27 Requests for Refinancing or Sub-rental of Deed Restricted Affordable Housing. Clarify that a sub-let cannot be for less than a year.*

Motion by: Michele Couture **Seconded by**: Mary-Jo Avellar Yea 5 Nay 0

2. PUBLIC STATEMENTS

Mae Bush – Would like to have a street name changed to an Indian Name. There is none in the Town of Provincetown and she would like to have just one in the town.

3. SELECTMEN STATEMENTS

David Bedard

My congratulations to our FinCom Members for working together with Truro and Wellfleet FinCom.

Want to revisit June 8, 2008 meeting where we provided gallonage to Clem & Ursies.

MOTION: *Move that the Board of Selectmen vote to invite the owners of Clem & Ursie's to the next Board Meeting on Monday, November 3, 2008 to discuss gallonage.*

Motion by: David Bedard **Seconded by**: Mary-Jo Avellar Yea 5 Nay 0

Elaine Anderson

Encourage everyone to come together to come up with funds from the various committees for town hall rehab.

Austin Knight

Free cash - can we have an update as to where the money is going.

Mary-Jo Avellar

Saw Officer Robert Palheiro on a Motorcycle today and I commented to him on the quietness of the motorcycle. I would like to ask the Chief to one of our meetings to see what can be done about the noise of motorcycles in the Summer.

This Wednesday the EDC will have a Community Forum at the UU Church and I just want to remind everyone that they are a creature of the Board of Selectmen and they should not be pursuing efforts outside their authority ... they are an advisory board to the Board of Selectmen.

Michele Couture

Just so the Board knows, I posted a meeting for the Wednesday just in case more than three of us attend the meeting.

Austin Knight – I have a suggestion that we report back on the renaming of a public street to honor the Shawmee Indians.

MOTION: *Move that the Board of Selectmen vote to approve the use of the Farmers Market on December 6, 2008 with notice to abutters.*

Motion by: Michele Couture **Seconded by:** Mary-Jo Avellar **Yea 5 Nay 0**

4A **APPOINTMENT – Inter-Municipal Cooperation Sub-Committee Representative**

Of Eastham, Provincetown, Truro and Wellfleet

MOTION: *Move that the Board of Selectmen vote to appoint Michele Couture, or her designee, as their representative to the Inter-Municipal Cooperation Sub-Committee of the Boards of Selectmen of Eastham, Provincetown, Truro and Wellfleet.*

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

4B1 **APPOINTMENTS - YEAR-END APPOINTMENTS**

MOTION: *Move that the Board of Selectmen vote to appoint Heath Gatlin as a Regular Member of the Airport Commission with a term expiration date of December 31, 2011.*

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

MOTION: *Move that the Board of Selectmen vote to appoint Michael Valenti as a Regular Member of the Airport Commission with a term expiration date of December 31, 2011.*

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

MOTION: *Move that the Board of Selectmen vote to appoint James Bakker as a Regular Member of the Art Commission with a term expiration date of December 31, 2011.*

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

MOTION: *Move that the Board of Selectmen vote to appoint Anton Haunstrup as a Regular Member of the Art Commission with a term expiration date of December 31, 2011.*

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

MOTION: *Move that the Board of Selectmen vote to appoint Florence Alexander as a Regular Member*

of the Council on Aging with a term expiration date of December 31, 2011.

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

MOTION: *Move that the Board of Selectmen vote to appoint Michael Wright as a Regular Member of the Cultural Council with a term expiration date of December 31, 2011.*

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

MOTION: *Move that the Board of Selectmen vote to appoint Tom Gaudreau as a Regular Member of the Board of Health with a term expiration date of December 31, 2011.*

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

MOTION: *Move that the Board of Selectmen vote to appoint Ken Janson as a Regular Member of the Board of Health with a term expiration date of December 31, 2011.*

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

MOTION: *Move that the Board of Selectmen vote to appoint Polly Burnell as a Regular Member of the Historic District Commission with a term expiration date of December 31, 2011.*

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

MOTION: *Move that the Board of Selectmen vote to appoint John Dowd as a Regular Member of the Historic District Commission with a term expiration date of December 31, 2011.*

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

MOTION: *Move that the Board of Selectmen vote to appoint Cassandra Benson as a Regular Member of the Licensing Board with a term expiration date of December 31, 2011.*

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

MOTION: *Move that the Board of Selectmen vote to appoint John Foley as a Regular Member of the Licensing Board with a term expiration date of December 31, 2011.*

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

MOTION: *Move that the Board of Selectmen vote to appoint James Sheehan as an Alternate Member of the Licensing Board with a term expiration date of December 31, 2011.*

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

MOTION: *Move that the Board of Selectmen vote to appoint Treg Kaeselau as a Regular Member of the Recreation Commission with a term expiration date of December 31, 2011.*

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

MOTION: *Move that the Board of Selectmen vote to appoint Olive Ahmuty as a Regular Member of the Board of Registrars with a term expiration date of December 31, 2011.*

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

MOTION: *Move that the Board of Selectmen vote to appoint George Haunstrup as a Regular Member*

of the Water & Sewer Board with a term expiration date of December 31, 2011.

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

MOTION: *Move that the Board of Selectmen vote to appoint Robert Littlefield as a Regular Member of the Zoning Board of Appeals with a term expiration date of December 31, 2011.*

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

4B2 **APPOINTMENT – HISTORIC DISTRICT COMMISSION**

MOTION: *Move that the Board of Selectmen vote to appoint Nathan Butera of 47 Commercial Street, Provincetown, MA as an Alternate Member of the Historic District Commission with a term expiration date of December 31, 2011.*

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

5A **FIREWORKS – UPDATE**

Police and DPW overtime should be incorporated into the Budget process
Request \$30K from the VSB budget for Fireworks.
Seek in-kind donations for food to feed Police & Fire.
Police Chief Should be consulted.
Anything to do with Public Safety should be included in the Fireworks Funding.
Taskforce should continue to raise money – and plan budget again.
Place on Agenda with VSB.

5B **PILGRIM MONUMENT AND PROVINCETOWN MUSEUM**

Preservation Restriction and Community Preservation Grant Agreement

MOTION: *Move that the Board of Selectmen vote to accept and execute the Preservation Restriction Agreement and Community Preservation Act Grant Agreement for the Rehabilitation and Repair of the Lodge at the Pilgrim Monument. Condition that community access is allowed to the lodge and dollar amount is change to \$25,760.*

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

5C **PROCLAMATION**

Cape & Island Regional Domestic Violence Council

MOTION: *Move that the Board of Selectmen vote to approve the request of Pamela Mullin, Coordinator of the Cape & Islands Regional Domestic Violence, P.O. Box 427, Barnstable, MA to proclaim the month of October as “National Domestic Violence Awareness Month”, in the Town of Provincetown.*

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

5D **TREASURER’S TRANSFER**

Library Building Gift Fund – Furniture

MOTION: *Move that the Board of Selectmen vote, as Commissioners of the Library Building Gift Funds, pursuant to MGL C44 § 53A, to approve the use of \$1,000.00 from the Library Building & Gift Fund ~ Furniture to pay for the attached invoice(s).*

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

6A **PAMET LENS OVERSIGHT GROUP – UPDATE**

Open discussion ensued. No motions made.

6B **NOVEMBER 17, 2008 SPECIAL TOWN MEETING**

Adoption of Board of Selectmen's Recommendation on Articles

MOTION: *Move that the Board of Selectmen vote to recommend STM-1 General By-law Amendment: Community Preservation.*

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

MOTION: *Move that the Board of Selectmen vote to recommend STM-2 Accept Town Collector Local Option Statute.*

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

MOTION: *Move that the Board of Selectmen vote to recommend STM-3 Collection Costs Imposed on Delinquent Taxpayers.*

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

MOTION: *Move that the Board of Selectmen vote to recommend STM-4 Capital Projects Funds Transfer.*

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

MOTION: *Move that the Board of Selectmen vote to recommend STM-5 Town Hall Renovations - Phase I.*

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

MOTION: *Move that the Board of Selectmen vote to recommend STM-6 Town Hall Renovations - Phase II.*

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

MOTION: *Move that the Board of Selectmen vote to recommend STM-7 Layouts of Alden St, Cemetery Rd, Standish St.*

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

MOTION: *Move that the Board of Selectmen vote to recommend STM-8 Acceptance of Mortgage at 467 Commercial St. (Bryant).*

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

MOTION: *Move that the Board of Selectmen vote to recommend STM-9 Schedule of Fines for Parking Violations.*

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

MOTION: *Move that the Board of Selectmen vote to recommend STM-10 Use of Free Cash to Fund FY '09 Budget.*

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

MOTION: *Move that the Board of Selectmen vote to recommend STM-11 Use of Free Cash for Capital Projects.*

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

MOTION: *Move that the Board of Selectmen vote to recommend STM-12 Use of Free Cash for Special Revenue Funds.*

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

MOTION: *Move that the Board of Selectmen vote to recommend STM-13 Use of Free Cash for Stabilization Fund.*

MOTION: *Move that the Board of Selectmen vote to approve the minutes of October 17 2008 (Special Mtg.) as printed.*

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

MOTION: *Move that the Board of Selectmen vote to approve the minutes of October 22, 2008 (Regular Mtg.) as printed.*

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

8. CLOSING STATEMENTS

David Bedard. – None **Elaine Anderson** – None

Mary-Jo Avellar – None **Austin Knight** - None

Michele Couture

MOTION: *Move that the Board of Selectmen vote to send a letter of thanks to the Sheriff's Department for the excellent work they did at the Freeman Street Library.*

Motion by: Michele Couture **Seconded by:** Austin Knight Yea 5 Nay 0

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 non-union; and not to convene in open session thereafter. [Roll Call Vote]*

Mary-Jo Avellar – Yes

Austin Knight – Yes

David Bedard – Yes

Elaine Anderson – Yes

Michele Couture – Yes

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

Yea 5 Nay 0 - Motion Passes -

The Board went into executive session at 8:41 PM

Minutes transcribed by: Vernon G. Porter, Secretary to Board of Selectmen
November 12, 2008