

TOWN OF PROVINCETOWN - BOARD OF SELECTMEN

REGULAR MEETING - MONDAY, MAY 12, 2008

JUDGE WELSH HEARING ROOM

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

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

Recorder: David Gardner

The following are meeting minutes, in brief:

Chairman Avellar opened the meeting by congratulating Michele Couture on her re-election and welcoming Elaine Anderson to her first term with the Board.

1A1 PUBLIC HEARING: SHELLFISH AQUACULTURE GRANT REGULATIONS

MOTION: *Move that the Board of Selectmen vote to make the following change to the Regulations for Aquaculture Grants: To replace the words "bona fide domiciled resident" with the words "registered voter or tax payer" so that Section 1 of the Regulations for Aquaculture Grants reads:*

"1. Shellfish Grants may be granted to Provincetown residents who can show to the satisfaction of the Board of Selectmen that they are a registered voter or property tax payer of the Town of Provincetown. Grants shall be issued only to individuals, not corporations."

Motion by: Michele Couture **Seconded by**: Austin Knight Yea 4 Nay 0

1A2 PUBLIC HEARING: SHELLFISH AQUACULTURE GRANT APPLICATIONS

MOTION: *Move that the Board of Selectmen vote, pursuant to MGL. C.130 and the Town's Regulations for Aquaculture Grants, to approve aquaculture grant application of Nancy E. Jacobsen, 42 ½ Aunt Sukey's Way, Provincetown, MA for the parcel described in her application and supported by the Shellfish Committee and the Shellfish Constable. [March 13, 2008 to March 13, 2013]*

Motion by: Austin Knight **Seconded by**: Michele Couture Yea 4 Nay 0

MOTION: *Move that the Board of Selectmen vote, pursuant to MGL. C.130 and the Town's Regulations for Aquaculture Grants, to approve aquaculture grant application of Francis J. Santos and Lory Stewart, 1 Good Templar Place, Provincetown, MA for the parcel described in their application and supported by the Shellfish Committee and the Shellfish Constable.*

Motion by: Elaine Anderson **Seconded by**: Austin Knight Yea 4 Nay 0

1B PUBLIC HEARING: HANDICAPPED PARKING REGULATIONS

MOTION: *Move that the Board of Selectmen vote to continue this agenda item to our June 9,*

2008 meeting, and to re-advertise amending the Parking Regulations to require that Handicapped Parking cardholders pay 50% at the Municipal Parking Lot, and at the Grace Hall Lot.

Motion by: Michele Couture Seconded by: Elaine Anderson Yea 4 Nay 0

2. **PUBLIC STATEMENTS**

Barbara Rushmore - Property Transfer Tax: Added to exempt those living in town for 20 years. Seeks Town Counsel to draft the language for the STM. Waterfront Park improvements changes.

Alex Brown - repair boat ramp at the west end boat ramp. Abandoned bikes at the bike rack. Fishermen want to maintain traditional access to the bulkhead of Waterfront Park.

Kerry Adams - Harbor Committee should kick in money to repair the boat ramp on the west end.

Astrid Berg - Rescind the STM Article 2: \$200,000 since David Guertin said it wasn't necessary. Fireworks seek minutes of the vote to move the fireworks to a Prop 21/2 override. Letter in support for the fundraising task force was never written. Wants documentation as to the Fireworks Gifts Fund account balance.

3. **SELECTMEN STATEMENTS**

Michele Couture

Town Manager met with Mass Fish & Wildlife regarding repair of the West End Boat Ramp. Will send DPW down to take a look at what can be done in the mean time.

Agenda item for next meeting regarding summer police officer staffing.

Have bikes removed from bike rack in front of town hall.

Elaine Anderson

Beautification Committee should work with the VSB and DPW on the Waterfront Park.

Austin Knight

Wants to know why the Waterfront Park contract will not be less, since the footings will be less and the boardwalk will be reduced in width.

Need to talk with the Police Dept regarding the planning for 4th of July to determine the appropriate level of coverage.

Can the VSB contribute to the fireworks through the Tourism Fund? VSB should appear before the Board of Selectmen at the next meeting to respond to request for funding.

Waterways fund money could go to the emergency repairs of the West End boat ramp, and utilize a grant to replace the boat ramp.

Mary-Jo Avellar

MOTION: *Move that the Board of Selectmen vote to reorganize to elect a Chairman and Vice-Chairman at the June 9, 2008 meeting after the June 3rd election is held.*

Motion by: Austin Knight **Seconded by:** Elaine Anderson Yea 4 Nay 0

MOTION: *Move that the Board of Selectmen vote to send a letter of congratulations to the Department of Public Works on the success for 90 Shankpainter clean up.*

Motion by: Mary-Jo Avellar **Seconded by:** Michele Couture Yea 4 Nay 0

4. **APPOINTMENTS**

MOTION: *Move that the Board of Selectmen vote to reappoint Cheryl Andrews as the Provincetown Representative to the Cape Cod Water Protection Collaborative for a term to expire on May 14, 2010.*

Motion by: Michele Couture **Seconded by:** Elaine Anderson Yea 4 Nay 0

5A **90 SHANK PAINTER ROAD** – Update on Soil Remediation Project

Open discussion ensued. No motions made.

5B1 **DPW SERVICE CONTRACT FOR FY 2009**

Municipal Solid Waste Hauling Service s: J & L Enterprises

MOTION: *Move that the Board of Selectmen vote to execute a contract with low bidder J & L Enterprises, Inc. of Truro, for the provision of municipal solid waste hauling services for Fiscal Year 2009 from the Provincetown Transfer Station to the SEMASS facility in Rochester, MA, including provision of one yard truck, keeping trailers on a maintenance schedule, changing flat tires, and providing an additional trailer during the summer for the contract price of \$380 per round trip.*

Motion by: Michele Couture **Seconded by:** Elaine Anderson Yea 4 Nay 0

5B2 **DPW SERVICE CONTRACT FOR FY 2009**

Bituminous Concrete Paving: Lawrence Lynch Corporation

MOTION: *Move that the Board of Selectmen vote to execute a contract with low bidder Lawrence Lynch Corporation of Falmouth, MA, for the provision of bituminous concrete paving to the Town of Provincetown for Fiscal Year 2009, at a cost of: \$89.50 per ton delivered in place and for berms to be laid in place; \$8.85 per lineal foot for bituminous concrete curb to be laid in place; and \$168.15 per ton for hand work (sidewalks and driveway approaches).*

Motion by: Michele Couture **Seconded by:** Austin Knight Yea 4 Nay 0

5C **CONSERVATION SIGNAGE PROJECTS**

Shankpainter Pond Sanctuary, Turtle Crossing and Deer Tick Habitat

MOTION: *Move that the Board of Selectmen vote to approve the posting of informational signs for the following:*

(A) *Shankpainter Pond Wildlife Sanctuary*

- (B) *Turtle Crossing*
- (C) *Deer Tick Habitat*

at the locations indicated on the attached map.

Motion by: Michele Couture Seconded by: Elaine Anderson Yea 4 Nay 0

5D BOARD OF HEALTH

Public Health Emergency Operations Plan

Open discussion. Look into what it would take to get the Town's emergency generators back.

6A PAMET LENS OVERSIGHT GROUP - UPDATE

Open discussion. No motions made.

6B HOUSE BILL 4015

Easement to 320R Bradford Street: Malicoat Property

MOTION: *Move that the Board of Selectmen vote to accept the language of House Bill 4015 as presented by State Representative Sarah Peake.*

Motion by: Austin Knight Seconded by: Michele Couture Yea 4 Nay 0

6C FY 2009 TOWN-WIDE GOAL-SETTING PROCESS

Adopt Timetable and Meeting Schedule

MOTION: *Move that the Board of Selectmen vote to adopt the timetable for the FY 2009 Annual Town-wide Goal Setting Process, including a preliminary goal-setting exercise at the regular meeting on Monday, June 9, 2008, and a public hearing on the proposed goals on June 30, 2008, at 6:00 PM.*

Motion by: Michele Couture Seconded by: Austin Knight Yea 4 Nay 0

6D FOLLOW-UP LETTER TO CABRALS

MOTION: *Move that the Board of Selectmen vote to send a letter as drafted (attached).*

Motion by: Michele Couture Seconded by: Austin Knight
Yea 3 Nay 0 Abstain 1 (Elaine Anderson)

7. MINUTES OF BOARD OF SELECTMEN'S MEETINGS

None at this time.

8. CLOSING STATEMENTS

Michele Couture – None Austin Knight – None

Elaine Anderson - None Mary-Jo Avellar - None

Motion to adjourn by Michele Couture at 8:30 PM.

Minutes transcribed by: Vernon G. Porter, Secretary to Board of Selectmen
May 16, 2008