

**TOWN OF PROVINCETOWN - BOARD OF SELECTMEN
MEETING MINUTES - REGULAR MEETING
MONDAY – MARCH 28, 2016 – 6:00 p.m.
JUDGE WELSH ROOM - 260 COMMERCIAL STREET**

Chairman Donegan convened the open meeting at 6:00 p.m. noting the following attendees:

Board of Selectmen members: Thomas Donegan, Erik Yingling, Cheryl Andrews, Raphael Richter, and Robert Anthony.

Other attendees: Town Manager David Panagore, Assistant Town Manager David Gardner; DPW Director Richard Waldo, Police Chief Jim Golden, Building Committee Chairman Tom Coen, Cape Cod Regional Tech High School Superintendent Bob Sanborn, GHD representatives Russell Kleekamp and Jessica Janney,

Recorder: David Gardner & Loretta Dougherty (off video tape)

Consent Agenda – Approval without objection required for the following items:

- A. *Treasurer's Transfer – Library Trust Fund (Flores Fund), to pay Ingram Library Services for books/videos, in the amount of \$4,564.82.*

MOTION: Move that the Board of Selectmen vote, as Commissioners of the Library Trust Fund – Flores Fund (#1626), pursuant to MGL C44 § 53A, to approve the use of the funds in the Library Trust Fund – Flores Fund (#1626) to pay \$4,564.82 for the attached invoice from Ingram Library Services.

- B. *Parade Permit submitted by Amanda Morris, 3 Sylvan Lane, N. Truro, MA, on behalf of Helping Our Women, for a "Walking Home" fundraiser to be held on Saturday, April 16, 2016, from 9:00 a.m. to 11:00 a.m.*

MOTION: Move that the Board of Selectmen vote to approve the Parade Application Permit submitted by Amanda Morris, 3 Sylvan Lane, N. Truro, MA, on behalf of Helping Our Women, to hold a "Walking Home" fundraiser on Saturday, April 16, 2016, starting at 9:00 a.m. to 11:00 a.m.

- C. *Parade Permit submitted by Sean McCabe, 4 Sunset Avenue, #2, Jamaica Plain, MA, on behalf of the 6th Annual Provincetown 10K Charity Road Race to be held on Sunday, June 5, 2016, from 9:00 a.m. to 12:00 p.m.*

MOTION: Move that the Board of Selectmen vote to approve the Parade Application Permit submitted by Sean McCabe, 4 Sunset Avenue, #2, Jamaica Plain, MA 02130, on behalf of the 6th Annual Provincetown 10K Charity Road Race, to benefit Outer Cape Health Services, to be held on Sunday June 5, 2016, starting at 9:00 a.m. to 12:00 p.m.

- D. *Parade Permit submitted by Recreation Director Brandon Motta, 2 Mayflower, Provincetown, MA, on behalf of the Provincetown Recreation Department, for the Fourth of July Parade to be held on Monday, July 4, 2016, from 11:00 a.m. to 1:30 p.m.*

MOTION: Move that the Board of Selectmen vote to approve the Parade Application Permit submitted by Recreation Director Brandon Motta, 2 Mayflower, Provincetown, MA 02657, on behalf of the Provincetown Recreation Department, for the Fourth of July Parade to be held on Monday July 4, 2016, starting at 11:00 a.m. to 1:30 p.m.

- E. *Parade Permit submitted by Executive Director Erin Atwood, 225 Bradford Street, #2, Provincetown, MA, on behalf of the Provincetown Business Guild, for the 38th Annual Carnival Parade to be held on Thursday, August 18, 2016, from 3:00 p.m. to 5:00 p.m.*

MOTION: Move that the Board of Selectmen vote to approve the Parade Application Permit submitted by Executive Director Erin Atwood, 225 Bradford Street, #2, Provincetown, MA 02657, on behalf of the Provincetown Business Guild, for the 38th Annual Carnival Parade to be held on Thursday, August 18, 2016, starting at 3:00 p.m. to 5:00 p.m.

- F. *Approval of the contract for the installation, by Winkler Construction & Crane, of composite pilings on MacMillan Pier per 2015 Annual Town Meeting Article 18-13.*

MOTION: Move that the Board of Selectmen vote to approve the contract(s) in the amount of \$98,000 with Winkler Construction & Crane, to install composite fender pilings on MacMillan

Pier, as funded by FY2015 Annual Town Meeting Article 18-13 Pier Maintenance Requests, in the amount of \$335,000 [as presented] [as revised].

MOTION: Move that the Board of Selectmen vote to declare as surplus the old composite fender pilings being replaced on MacMillan Pier.

Cheryl requested that Consent Agenda items G & H be taken individually. Chairman Donegan moved that without objection Consent Agenda items A through F be approved unanimously. Consent Agenda items G and H were placed under the Town Manager's section 7.

1. **Public Hearings:** None.

2. **Public Statements:**

Paul Randanz was not happy with the newspaper article regarding his towing company.

Pauline Galipole asked the Selectmen for help identifying lists of scholarships available to Provincetown students.

Beth Singer stated that every year the school superintendent sends a letter to all those who previously offered scholarships to students.

Don Murphy wanted everyone to be aware that even though Provincetown does not have a high school building that we still need to remember we have high school students.

Susan Avellar sits on a board for an organization that offers scholarships every year, but that the school is not doing a good job of identifying these resources.

3. **Selectmen's Statements:**

Erik had no statements this evening.

Cheryl thanked all those who participated in the Visioning Session of the Local Comprehensive Plan (LCP) this past Saturday. There were over 100 people in attendance to talk about who we are as a town and what we want to be.

Robert agreed with the two previous speakers relating to the need to take care of our high school students and to work hard to identify scholarship opportunities for them.

Raphael looks forward to seeing everyone at Town Meeting.

Tom stated that it was great to attend the LCP vision session. It was a very impressive event. We have had two different forums regarding Town Meeting which are posted on the PTV website. There are lots of opportunities for the public to inform themselves about all of the Town Meeting articles.

4. **Joint meeting / Presentations:**

A. **Cape Cod Regional Tech High School Budget PowerPoint Presentation to be given by School Superintendent Bob Sanborn.**

Superintendent Bob Sanborn gave a presentation regarding the budget for the Cape Cod Regional Tech High School. The FY17 budget of \$1,445,900 reflects a 5% reduction from last year. There was also a presentation regarding the Capital Plan with the MSBA for funding for a feasibility and schematic design phase for a building project. The current building is 42 years old. A building will be designed for 650 students. The study will help to determine whether we need a new facility or whether we can expand to accommodate the program needs.

The Board thanked Superintendent Sanborn for his presentation.

No action taken on this item.

5. **Appointments:**

A. **Interviews and deliberation for appointment of Provincetown's Representative to the Cape Cod Commission (Elton R. Cutler; John Krajovic, or Paul Richardson) with a term to expire on April 24, 2019.**

The Board interviewed Elton Culter who has been a resident of Provincetown since 2011. He works for the Council of Aging in Truro. He wants to represent Provincetown to help establish a balance between environmental protection and development. He has done a great deal of research on the past three years of Cape Cod Commission meetings on YouTube.

John Krajovic was interviewed next by the Board. He is a retired Planner for MassPort. He has experience in regional planning. He has changed residency to Provincetown and now wants to give back to the community. He wants to be a conduit of community concerns to the Commission.

Paul Richardson withdrew his application for the Cape Cod Commission as he is also an applicant for the Community Housing Council and is happy to pursue that area.

After a brief deliberation the Board agreed that John Krajovic would be selected as the regular member, and Elton Culter would be the alternate member.

MOTION: Move that the Board of Selectmen vote to approve the appointment of John Krajovic, as Provincetown's Representative to the Cape Cod Commission for the remaining term to expire on April 24, 2016, and for reappointment to a term beginning April 25, 2016 through April 24, 2019.

Motion: Cheryl Andrews

Seconded: Robert Anthony

5-0-0 Motion passed.

MOTION: Move that the Board of Selectmen vote to appoint Elton Culter as alternate Representative to the Cape Cod Commission.

Motion: Erik Yingling

Seconded: Robert Anthony

Motion was withdrawn due to the need to check with Cape Cod Commission to determine if they have alternate positions.

B. Appointment of Paul Richardson, as a regular member, to the Community Housing Council, with a term to expire on June 30, 2017.

MOTION: Move that the Board of Selectmen vote to approve the appointment of Paul Richardson, as a regular member, to the Community Housing Council, with a term to expire on June 30, 2017.

Motion: Cheryl Andrews

Seconded: Robert Anthony

5-0-0 Motion passed.

6. Requests:

A. Reinstall light pole in Portuguese Square and installation of a granite stone dedicating the lights to Fishermen lost at sea:

Susan Leonard and Susan Avellar were present. The lamppost has been stored in the warehouse and they requested that it be reinstall along Ryder Street. Also there is a small granite stone dedicating the lights to fishermen lost at sea they requested be placed at the beginning of the walkway leading up to Town Hall on the Ryder Street entrance.

MOTION: Move that the Board of Selectmen vote to approve the reinstallation of the light pole in Portuguese Square previously removed during renovation of Town Hall, and to install the granite stone dedicating the lights to Fishermen lost at sea.

Motion: Raphael Richter

Seconded: Robert Anthony

5-0-0 Motion passed.

B. Commercial Street Improvements Project & GHD Phase III Project Update:

DPW Director Richard Waldo and GHD Manager Russell Kleekamp appeared before the Board to present the project schedule and outreach flyer. There will be a public outreach and notification plan with abutters that will start with a mailer identifying the project and areas of flooding and property boundary monuments. This information will be used in the project design. After a few months, they will do a door- to-door survey in the project area. The project team will make themselves available to any property owner who has questions about the project. They will also hold a meeting in the neighborhood.

Erik was concerned about the project going beyond Memorial Day. He would like to see it completed in May.

The substantial completion date is actually on May 9th. But the schedule is, of course, governed by weather. Additional steps will be taken this time in order to address the issues with property boundary monuments. The team is to report back to the Selectmen on April 25th, and will include plan drawings and photos.

Assessment of the water main is currently ongoing, and water main work could have an impact on the fall project construction schedule.

MOTION: Move that the Board of Selectmen approve the project schedule as presented, including a neighborhood meeting on Thursday before the Memorial Day weekend, May 26th, in the neighborhood to obtain abutter input.

Motion: Tom Donegan

Seconded: Cheryl Andrews

5-0-0 Motion passed.

C. Police Report for the Month of February 2016

Police Chief Jim Golden appeared before the Board to present the monthly police report. Report tracks statistics of a police activity, trends for calls for service, arrests, protective custody, domestic violence calls, intoxication, larceny, traffic accidents, collisions, traffic stops, and noise complaints. Also tracks park, walk and talks and calls regarding street performers.

The Board of Selectmen liked the new format of the report much better. They would like to see the arrests chart month by month with yearly comparison.

D. Disclosure of Conflict of Interest:

This agenda item was informational only. **No action was taken.**

7. Town Manager / Assistant Town Manager:

A. Discussion of Winslow Farms & Old Community Center real estate transaction.

The Town Manager presented a PowerPoint of the overview of the Winslow Farms/Old Community Center Real Estate transaction.

Winslow Farms highlights:

Winslow Farms property unlocks potential for the VFW development site, with or without the police station. Infrastructure in place includes power, water, cable, storm water, septic and roadway. Housing opportunity includes the existing 3 bedroom house that is move-in ready.

Old Community Center highlights:

In 2011 the Town authorized the Community center for sale. We have twice issued RFPs and both have been unsuccessful. There are repair and rehabilitation costs: \$413,100 to just maintain the building in the same condition +/- \$3 million to redevelop for housing. Infrastructure in place is power, water, sewer and cable.

Density analysis of the potential of the Winslow Site/VFW based on the existing approved zoning for the Winslow site, the density allowed by zoning, the density comparable to that at Georges Path and density at 90 Shank Painter Road development was discussed.

There were discussions held on the evaluation of what the town could expect if the deal is rejected and what it might get if it is approved. What does the developer get out of the deal? A discussion on the permitting process if the deal was approved by Town Meeting, including public meetings with the community, Board of Selectmen and Planning Board, and on whether the town should sell or rent the 3 bedroom existing house.

Cheryl feels strongly that the Board has not made a decision yet as to the disposition of the house.

B. Review of Police Station options:

DPW Director Richard Waldo, Police Chief Jim Golden, Building Committee Chairman Tom Coen presented to the Board. David P. stated that they are establishing the project goals for the police station, including the baseline building program needs, and comparing new construction versus in-place rehabilitation. Comparisons of 3 potential projects: K&B design for a police station at 11,854sf as designed for Jerome Smith Road, the design for Shank Painter Road and the rehabilitation of the existing site.

Rich stated that the evaluation of the rehabilitation of the existing police station was not recommended because of the base flood elevation. The existing foundation would need to be replaced and raised. The cost of rehabilitation would not be cost effective, so it was determined that we would be rebuilding in place. The cost of renovation and new construction are about the same, but renovation has considerable restraints at the existing parcel. Also, the building program on the existing site would not satisfy the Department's space needs, and temporary quarters would be required, which would be a cost of \$9.2 million. An alternative plan with site acquisition of the adjacent medical office was considered which eliminates the need for temporary quarters to reduce cost and disruption to the department. The cost was estimated at \$10.5 million. The alternative with the building fronting on Shank Painter would require temporary quarters at a cost estimated at \$11.5 million. An alternative on Jerome Smith was also considered; does not require site acquisition; does not require temporary relocation, and allows for slightly greater square footage, at probably \$8.6 million.

Of the options, the Jerome Smith Road option was the most cost effective at \$722 per square foot for a total project cost.

Tom Coen stated that the Building Committee reviewed the presentation and voted that the square footage and program needs of the 12,000 sf building was adequate, and that the Jerome Smith location was preferred to the Shank Painter options. The cost of construction continues to increase over time and the longer we wait, the less building we can afford to build.

C. Recommendations for the 2016 Annual Town Meeting Article 18-1 through 14, and Special Town Meeting Articles 10, 11 & 12, for the FY2017 Capital Improvements Program.

MOTION: Move that the Board of Selectmen vote to reconsider STM 11.

Motion: Raphael Richter **Seconded:** Cheryl Andrews
4-1-0 (Erik Yingling) Motion passed.

MOTION: Move that the Board of Selectmen vote to recommend STM 11.

Motion: Raphael Richter **Seconded:** Cheryl Andrews
4-1-0 (Erik Yingling) Motion passed.

MOTION: Move that the Board of Selectmen vote to reconsider STM 12.

Motion: Raphael Richter **Seconded:** Cheryl Andrews
4-1-0 (Erik Yingling) Motion passed.

MOTION: Move that the Board of Selectmen vote to recommend STM 12.

Motion: Raphael Richter **Seconded:** Cheryl Andrews
3-2-0 (Erik Yingling; Robert Anthony) Motion passed.

MOTION: Move that the Board of Selectmen vote to indefinitely postpone ATM 18-3 and 18-4.

Motion: Raphael Richter **Seconded:** Erik Yingling
5-0-0 Motion passed.

MOTION: Move that the Board of Selectmen vote to recommend ATM 18, all sections except 18-3 and 18-4.

Motion: Raphael Richter **Seconded:** Erik Yingling
5-0-0 Motion passed.

Items removed from Consents agenda:

G. Removal of Ballot Question previously approved by the Board of Selectmen for the May 3, 2016, Annual Town Election, regarding the proposition two and one-half to pay cost of making capital improvements to MacMillan Pier.

MOTION: Move that the Board of Selectmen vote to remove the attached ballot question previously approved for the May 3, 2016, Annual Town Election, as presented by the Town Manager.

Motion: Raphael Richter **Seconded:** Robert Anthony
5-0-0 Motion passed.

H. Approval of Draft Policy Statement 2016-03-28 for restroom signage changes to Town owned single-stall restroom

MOTION: Move that the Board of Selectmen vote to approve Policy Statement 2016-03-28, as revised TO INCLUDE VERBIAGE THAT THE SIGNS WILL SAY "UNISEX."

Motion: Raphael Richter **Seconded:** Robert Anthony
5-0-0 Motion passed.

D. Town Manager's Report – Administrative Updates:

- A contract was signed this past week for the Case Manager (Navigator), for the Outer Cape Health.
- The pier finger replacement project will be moving forward immediately.
- Carpet is being ordered for the Library and for Town Hall hallways.
- BAS Relief Conservation services – the committee met and recommended Ray Dunetz' architect service to do the work there.
- The Coastal Studies moving into the VFW is being figured out. Staff met with them at the VFW and discussed some of the costs that may be incurred in getting the building up and running.
- The Local Comprehensive Plan Committee held the visioning session and is finalizing its Visioning Statement and working on posting online.
- Tomorrow night at the Sage Inn Provincetown 365 is holding another Town Meeting forum at 6 p.m. He welcomed any Board member's attendance.
- He attended a program last Thursday night sponsored by the Massachusetts Municipal Lawyers Association on municipal charters.
- Next Wednesday he, Cheryl and Candy from the Chamber of Commerce, Harbormaster Rex McKinsey, and a few other folks will be going to Plymouth for the 400 forum.
- Friday morning at 9 a.m. he will be on Town Talk at WOMR.

E. Other: None.

8. Minutes:

MOTION: Move that the Board of Selectmen approve the minutes of February 22, 2016 (Special) and March 04, 2016 (Special), as printed.

Motion: Raphael Richter

Seconded: Cheryl Andrews

5-0-0 Motion passed.

9. Closing Statements/Administrative:

Raphael asked if there has been any follow-up regarding the building of a grand staircase up to the monument.

David P. stated that he does not have any details at present.

Raphael wanted to encourage a joint meeting between the Board of Selectmen and the Monument Board to determine how the Town might be able to help with this project.

MOTION: Move that the Board of Selectmen vote to invite the Provincetown Monument and Museum Board to meet with the Board of Selectmen during the month of April or May, at the chairman's discretion, specifically to discuss BAS Relief improvements and any other identified needs.

Motion: Raphael Richter

Seconded: Robert Anthony

5-0-0 Motion passed.

- A. *Thank you letter to Brenda Haywood who resigned from the Community Housing Council on March 7, 2016.*
- B. *Letter to Superintendent George Price, Cape Cod National Seashore, regarding Herring Cove Beach north parking lot.*
- C. *Letter of appreciation to Dennis Santos who just recently retired after 32 years with the Provincetown Dept. of Public Works.*

Without objection the meeting was adjourned at 10:10 p.m.

Minutes transcribed by: David Gardner & Loretta Dougherty (off video tape)