

TOWN OF PROVINCETOWN - BOARD OF SELECTMEN

MONDAY – JANUARY 23, 2012 6 PM

TOWN HALL – JUDGE WELSH ROOM

Chairman Elaine Anderson convened the meeting at 6:12 PM noting the following:

Board of Selectmen attending: Elaine Anderson, David Bedard, Austin Knight, John Santos and David McChesney

Other attendees: Town Manager Sharon Lynn, Assistant Town Manager David Gardner

Recorder: Vernon G. Porter

The following are meeting minutes, in brief:

1A PUBLIC HEARING: CURB CUT REQUEST - 95 BRADFORD STREET

This public hearing was opened on December 12, 2011, at that meeting the Selectmen *voted, at the request of the applicant's Attorney James M. Norcross, to postpone this public hearing until a time certain of January 23, 2012.* Since that time Attorney Norcross requested another *postponement until February 13, 2012.*

Chairman Anderson read the letter from the applicant's attorney requesting postponement dated January 11, 2012. (Letter is part of this agenda item).

MOTION: *Move that the Board of Selectmen vote, at the request of the applicant's attorney James M. Norcross, to postpone this public hearing until a time certain of February 13, 2012.*

Motion by: David Bedard **Seconded By:** John Santos
Yea 4 Nay 0 Abstain 1 (Austin Knight)

1B PUBLIC HEARING: 2011 GROWTH MANAGEMENT REPORT

The Town Manager's 2011 Growth Management Report dated January 9, 2012 is attached to agenda item.

Chairman Anderson read the Public Hearing Notice and opened the meeting to public for comments.

Comments from Assistant Town Manager David Gardner.

Public Comments

Rick Murray – Is this information available? Where are we with our affordable housing goals? What is the annual update? Answer: Elaine Anderson read the Current Housing Needs Assessment located on Page 12 of 14 of the Growth Management Report.

MOTION: *Move that the Board of Selectmen vote, pursuant to the Provincetown Zoning By-Laws Section 6600 (3), Growth Limitation Goal Allocations, to make the following findings that the average daily withdrawal for the Provincetown Water System in 2011 was 658,923 GPD; that the permitted level is 850,000 GPDs; and that, therefore, the Town is in*

compliance with the water withdrawal permit issued by the Department of Environmental Protection (“DEP”) pursuant to 310 CMR 36.00 and all applicable rules and regulations by DEP with respect thereto, and to make the following 2012 allocations to growth management:

*Category 1A: 1650 gallons
Category 1B: 0 gallons
Category 1C: 0 gallons
Category 2: 1100 gallons
Category 3: 1870 gallons
Category 4: 1250 gallons
Category 4a: 2500 gallons*

Motion by: David Bedard

Seconded By: Austin Knight Yea 5 Nay 0

1C PUBLIC HEARING: TOWN HALL AUDITORIUM RENTAL POLICY

Regulations for the Public Use of Town Hall and Fee Schedule

Chairman Anderson read the Public Hearing Notice and opened the meeting to public for comments.

Public Comments

Lynn DeAngonia – Provincetown Cares – Concerned about custodial costs and would like custodial fees waved during Town Hall working hours. Answer: David Gardner – We do accommodate on a case by case basis. Also there is a cost for the on-call custodian.

Erin Atwood - PBG Director - Cost of custodian services is excessively high – especially after we have left the building. Answer: We brought this concern to the Board last year. We need to look into a management program for oversight of the custodian.

Suggest that the town come up with a base minimum fee for both non-profit and profit.

Shawn Nightengale - Rental fee has quadrupled and with the cost of the custodian. The baseline fees should be reconsidered for for-profit events.

Rick Murray - Rented town hall as a for-profit venue this past year. Are you satisfied with the structure that is in place since the conception a year ago? Need to revisit the way you want to rent town hall.

Public Comments closed at 6:43 PM.

Staff / Selectmen Comments

Austin Knight – We have a base line that we are starting to work with. It was successful this year, and I think we can tidy it up a little bit.

David Bedard – Consider possibly implementing a cleaning deposit in advance.

Elaine Anderson – I agree, and think we can look into that.

David McChesney – We’re trying to make this work, but there are several things that have to be looked into and this new rental policy is a progress.

David Bedard – Opposed to any increases. Thank people for bringing the custodian cost to be Board.

John Santos – I agree with David Bedard. Hold the line on any increases.

Elaine Anderson – I like new proposal fee that takes into account off-season and in-season costs and in favor of trying it for another year to see how it works.

David Gardner

On December 12, 2011, the Board of Selectmen directed town staff to refer proposed changes to the Town Hall Rental Fee Schedule and amendments to the *Regulations for the Public Use of Town Hall* to a public hearing. The amendments were posted as a Public Hearing in the *Provincetown Banner* on January 5, 2012 and January 12, 2012. In additional, the regulations were forwarded to known past applicants.

MOTION: *Move that the Board of Selectmen vote to approve changes to the Town Hall Rental Fee Schedule as posted in the public hearing notice.*

Motion by: Austin Knight **Seconded By:** David McChesney
Yea 3 Nay 2 (David Bedard and John Santos)

MOTION: *Move that the Board of Selectmen vote to approve changes to the Regulations for the Public Use of Town Hall as submitted.*

Motion by: David Bedard **Seconded By:** Austin Knight Yea 5 Nay 0

1D COUNTY COMMISSIONERS

Provincetown Town Services Report FY 2011

Email received from Barnstable County Assembly of Delegates Representative Sheila Lyons. Everyone sick and unable to attend. Request postponement until a date after Town Meeting.

1E JOINT MEETING WITH CULTURAL COUNCIL

At their meeting on Monday, May 23, 2011 the Board of Selectmen unanimously voted in favor of requesting an annual joint meeting with each board and committee of the Town. The intention of this meeting is to become acquainted with any members the Selectmen may not have already had the opportunity to meet, and to discuss matters of mutual importance as well as common goals for the coming year.

Members present: Chair Tina Trudel, Brian O’Malley, Judith Cicero, Grace Ryer-O’Malley, Robert Speiser, Cherie Mittenthal and Francine D’Olimpio.

Chair Tina Trudel - Full board is meeting on a regular basis. Have funded many events and programs and are looking forward to holding a public hearing soon regarding the AIDS memorial. Fundraising supplements State funding for Cultural Councils. Fishermen’s Memorial is open to apply through the state’s program website. Need support from the Board of Selectmen to hold the committee responsible to fulfilling the mandate to procure an aids memorial.

Austin Knight – suggest that they contact State Representative Sarah Peake as she is Chair of the State Cultural Council.

David Bedard – Suggest that they put their mission statement and what they have been working towards on the website.

1F JOINT MEETING WITH PERSONNEL BOARD

At their meeting on Monday, May 23, 2011 the Board of Selectmen unanimously voted in favor of requesting an annual joint meeting with each board and committee of the Town. The intention of this meeting is to become acquainted with any members the Selectmen may not have already had the opportunity to meet, and to discuss matters of mutual importance as well as common goals for the coming year.

Members present: Tina Trudel, Jane Harper and Christie Hardwick

Chairman Trudel - Working closely with town manager reviewing personnel rules, compensation schedules, work performance evaluations, and employment training.

2. PUBLIC STATEMENTS

Rick Murray - Water Main Award – would like the DPW to keep people abreast of what is happening on a regular basis and that Sherry Prada receive some help during this project. We, as merchants, have to know what the schedule is so that plans can be made in advance. Thinks the town needs to document all underground services while the street is opened up.

Mick Rudd - Chairman of VSB - the VSB Board request that I come before you to see if the VSB, PBG and Chamber of Commerce can be utilized to put out information on the Water Main project, and the impact it is having on our downtown commercial district. We are your advisory board and would like to help in any way we can.

3. SELECTMEN STATEMENTS

David Bedard

Work on Commercial Street – We are all aware that it is going to be a difficult project to deal with and everyone needs to work together. In response to Mr. Rudd, contact David Gardner and he will work with you.

Special thanks to Dr. Singer for her assistance when we toured the High School last week.

David McChesney

Is there going to be signs at the Library? Answer by Mick Rudd: Yes, the VSB awarded a \$5K grant to the library and the BOLT decided to use this for outside signage.

At MMA Convention this weekend I attended two interesting seminars: 1) solar and 2) LED Lighting.

John Santos

Lots of interesting things at the MMA Convention that we attended this past weekend.

Austin Knight

Relative to the Water Project – I agree with documentation when we open up the streets.

Look forward to a more detailed time frame of the project.

Elaine Anderson

Agree that the water project is going to take front and center. I like the private – public partnership that was mentioned by Mr. Murray during Public Statements.

Town Manager Sharon Lynn - Russ Kleekamp and now Mr. Weeks have met with Rick Murray on this project and addressed his concerns. There is a letter going out this week and it will explain what to expect in the scope of work. Plan to have as many meetings as possible to communicate with the Board as well as the community, PBG, VSB and the Chamber.

4A BOARD OF SELECTMEN'S APPOINTMENTS

MOTION: *Move that the Board of Selectmen vote to re-appoint Paul Mendes as a Regular Member on the Council on Aging with an expiration date of December 31, 2014.*

Motion by: David Bedard **Seconded By:** Austin Knight

Motion withdrawn by David Bedard and Austin Knight.

MOTION: *Move that the Board of Selectmen vote to ask Mr. Mendes to appear before the Board at their next meeting on February 13, 2012.*

Motion by: Austin Knight **Seconded By:** David Bedard Yea 5 Nay 0

5A 10 & 22 HENSCHKE LANE RESALES

Resale of Affordable Income Units

Housing Specialists Michelle Jarusiewicz - The Community Housing Council and the Housing Specialist do not recommend purchase. This is extremely time sensitive as the town has limited time to act. Note that this is a deed-restricted affordable income unit.

MOTION: *Move that the Board of Selectmen vote to approve letters to the owners of 10 and 22 Henschke Lane with the maximum resale price of \$133,500 per unit, that the town does intend to exercise its right of first refusal, and will assist with locating an eligible buyer, in accordance with the deed restriction.*

Motion by: David Bedard **Seconded By:** John Santos Yea 5 Nay 0

5B AFFORDABLE HOUSING RESTRICTION – Seashore Point-Deaconess, Inc.

Attendees: Grant Administrator Michelle Jarusiewicz and Seashore Point Kevin Cormack

Housing Specialists Michelle Jarusiewicz - The Affordable Housing Restriction and update from Seashore Point is attached to agenda item. Recall that both of the Phase 2 units were included in the Phase 1 structure, this Affordable Housing Restriction formalizes the overall restriction for all 9 units. These units will always be rental units in perpetuity.

MOTION: *Move that the Board of Selectmen vote to approve and execute the Affordable Housing Restriction with Seashore Point – Deaconess, Inc. (f.k.a NEDA Cape Manager, Inc.), for two affordable income rental units at Seashore Point, 100 Alden Street, in the form presented by Town Counsel.*

Motion by: David Bedard **Seconded By:** John Santos Yea 5 Nay 0

5C CONTRACT AMENDMENT: WINTHROP STREET CEMETERY ASSESSMENT

Martha Lyon Landscape Architect: \$44,500

Grant Administrator Michelle Jarusiewicz - This amendment is to increase the total number of professionally treated gravestones by 5 for total of 16. This project is funded through a CPA grant of \$44,500. Preliminary mapping, landscape assessment, and planning is complete. Excerpt of some documents are attached to this agenda item.

MOTION: *Move that the Board of Selectmen vote to approve a contract amendment in the amount of \$2,000, for a total not to exceed contract of \$44,500 for the Winthrop Street Cemetery Assessment Conservation Plan to Martha Lyon Landscape Architect LLC.*

Motion by: Austin Knight **Seconded By:** John Santos Yea 5 Nay 0

5D GREEN COMMUNITIES GRANT APPLICATION

New Heating System at Veterans Memorial Building

Grant Administrator Michelle Jarusiewicz – This grant application is being prepared for submission by the January 27, 2012 deadline. Letter from the Department of Energy Resources dated December 31, 2011 and memo from Health & Environmental Affairs Manager Brian Carlson dated January 18, 2012 are attached to agenda item.

MOTION: *Move that the Board of Selectmen vote to authorize the submission of a grant application in the amount of \$143,600 to the Massachusetts Department of Energy Resources and the Green Communities Grant Program to support installation of a heating system at the Veterans Memorial building.*

Motion by: David Bedard **Seconded By:** David McChesney Yea 5 Nay 0

5E OPEN SPACE AND RECREATION PLAN UPDATE – Review Committee

Assistant Town Manager David Gardner – Provincetown’s Open Space and Recreation Plan was last revised in April 2007 and is due to expire. A current Open Space Plan is a requirement to participate in Department of Conservation Services’ LAND and PARC State Grant Programs.

MOTION: *Move that the Board of Selectmen vote to authorize the creation of an Ad Hoc Open Space and Recreation Plan Review Committee made up of representatives from Staff, Open Space Committee, Recreation Commission, Conservation Committee, Bicycle Committee, Disability Commission and the Planning Board and to initiate a Plan Update process.*

Motion by: Austin Knight **Seconded By:** John Santos Yea 5 Nay 0

6A TOWN MANAGER SHARON LYNN FOLLOW-UP

Construction at the VMCC and at the Freeman Street Building continues.

6B OTHER - None

7. CLOSING STATEMENTS

David Bedard – None **David McChesney** – None **John Santos** – None

Austin Knight – Need to have a meeting with the Housing Authority for a general discussion.

Elaine Anderson – I support having a joint meeting with the Housing Authority and ask staff to arrange this meeting.

David Bedard – I also think the State office that oversees Housing Authority should conduct an audit.

MOTION: *Move that the Board of Selectmen vote to request an audit by the State office that oversees the Housing Authority.*

Motion by: David Bedard **Seconded By:** Austin Knight
Yea 4 Nay 0 Abstain 1 (David McChesney)

Motion to adjourn by John Santos at 8:30 PM.

Minutes transcribed by: Vernon Porter, Secretary to Board of Selectmen
January 25, 2012