

TOWN OF PROVINCETOWN - BOARD OF SELECTMEN

MONDAY – APRIL 9, 2012 6 PM

TOWN HALL – JUDGE WELSH ROOM

Chairman Elaine Anderson convened the meeting at 6:13 PM noting the following:

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

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

Recorder: Vernon G. Porter

The following are meeting minutes, in brief:

Moment of silence in memory of DPW Deputy Director Sandy Turner who passed away last week.

1A PUBLIC HEARING: US SYNERGETIC

On behalf of: Open Cape Corporation Installation and Underground Cable

Chairman Anderson read the Public Hearing Notice into the record.

Ms. Shelly Cullen of US Synergetic on behalf of Open Cape Corporation gave an overview of this project that will provide telecommunications service to the Verizon Central Office located at 38 Winslow Street.

Public Comments – None

Letter of support received from Electrical Inspector John Browne. All abutters were notified of the public hearing by the Permit Coordinator via regular mail.

MOTION: *Move that the Board of Selectmen, pursuant to MGL C.166, §22, to approve the request of UC Synergetic; to install new underground conduit as indicated on Plan Number PTN-078 dated December 5, 2011 submitted by UC Synergetic to provide telecommunications service to the Verizon Central Office located at 38 Winslow Street, Provincetown, MA; and further that UC Synergetic provide an as-built plan to the property owner showing actual location and depth after installation.*

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

1B PUBLIC HEARING: PROVINCETOWN TROLLEY PARKING

At their meeting on Tuesday, March 13, 2012 (Annual Traffic Hearing) the Board of Selectmen voted to re-publish this proposal due to administrative error.

Petitioner Judith Cicero – As the owner of the building located at 265/267 Commercial Street, that contains the Waydowntown Restaurant, she is requesting that the town change the location of the Provincetown Trolley parking space currently located in front of Town Hall; with the following solution: “Move parking spots closer to Ryder Street”.

Public in Opposition

Yvonne Cabral – Not in favor of this recommendation. The Trolley does not block access to Waydowntown Restaurant. Thinks moving down closer to Ryder Street would be a traffic problem and at the current location the trolley does not block traffic.

Barbara Rushmore - Not in favor of moving the trolley. It is safer at its current location.

Scott Caldwell – Suggest that it be moved to where all the other buses are located near the Chamber of Commerce / MPL lot.

Board of Selectmen Comments

Austin Knight – Compromise by moving its current location back towards Ryder Street so that the front end of the trolley is just before the entrance to Town Hall.

David McChesney – Would like to see the Trolley move to a different location.

David Bedard – Not in favor of anything being parked in front of Town Hall, but the Trolley has been there for years. Also feel that if the Trolley were to be moved, it should be after the business changes hands.

John Santos – In favor of keeping the Trolley where it is.

Elaine Anderson – Moving the trolley to just before the entrance to Town Hall is a possibility.

MOTION: Move that the Board of Selectmen vote to move the location of the Trolley so that the front of the Trolley is adjacent to the entrance of Town Hall.

**Motion by: Austin Knight Seconded by: Elaine Anderson
Yea 1 Nay 3 Abstain 1 (Elaine Anderson) - Does Not Pass -**

MOTION: Move that the Board of Selectmen vote to take no action.

**Motion by: Austin Knight Seconded by: Elaine Anderson
Yea 4 Nay 0 Abstain 1 (Elaine Anderson)**

1C PUBLIC HEARING – CURB CUT REQUEST

160 Bradford Street Extension

Chairman Anderson read the Pubic Hearing Notice into the record.

Attendees: Applicant Donald Fiset and his Attorney Ed Patten.

Public in Favor

Rick Murray – In favor of all three of the applicant’s curb cuts before you this evening.

Duane Steele - In favor of all three curb cuts.

Mary-Jo Avellar - Very much in favor.

Jeffery Epstein – Owner of Gale Force Bicycle – supports the curb cuts request.

Public in Opposition

Erick Beck – Would like to see a provision that the applicant have an access road in back of his property for future developments.

Rebuttals – In Favor

Jeff Epstein - Allow parking on the opposite site of the street.

Rick Murray – For years there was no parking there. Concur with Selectman Santos to designate some of the area for bicycle path.

Proponent – There is a lot of things going on in that area and 18 ft definitely needed to adhere to the Town’s policies.

MOTION: *Move that the Board of Selectmen vote, pursuant to MGL C. 11, § 6-2, to:*

- a) Approve the request of Donald N. Fiset to establish a curb cut at the property located at 160 Bradford Street Extension (Assessor’s Map 6-1-14-A) (Res 3 Zone).*
- b) And further to request that a certified plot plan be provided showing the actual location of the proposed curb cut.*

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

1D PUBLIC HEARING – CURB CUT REQUEST

162 Bradford Street Extension

Chairman Anderson read the Pubic Hearing Notice into the record.

Attendees: Applicant Donald Fiset and his Attorney Edward Patten.

Attorney Patten - Request that the testimony given for the previous request be entered into the record.

Public Comments

Rick Murray - Condition this curb cut so that when it gets to the planning board there is no parking on that side of the road. I hope you won’t condition the applicant to move his access.

Jeff Epstein – I don’t see any way that the bicycle path could be put there as the property dips down. Would like to see a walking path in the future.

MOTION: *Move that the Board of Selectmen vote, pursuant to MGL C. 11, § 6-2, to:*

- a) Approve the request of Donald N. Fiset to establish a curb cut at the property located at 162 Bradford Street Extension (Assessor’s Map 6-1-14-B) (Res 3 Zone).*
- b) And further to request that a certified plot plan be provided showing the actual location of the proposed curb cut.*

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

1E PUBLIC HEARING – CURB CUT REQUEST

164 Bradford Street Extension

Chairman Anderson read the Pubic Hearing Notice into the record.

Attendees: Applicant Donald Fiset and his attorney Edward Patten.

Attorney Patten - Request that the testimony give for the 2 previous requests be entered into the record.

Public Comments - None

MOTION: *Move that the Board of Selectmen vote, pursuant to MGL C. 11, § 6-2, to:*

- a) Approve the request of Donald N. Fiset to establish a curb cut at the property located at 164 Bradford Street Extension (Assessor's Map 6-1-14-C) (Res 3 Zone).*
- b) And further to request that a certified plot plan be provided showing the actual location of the proposed curb cut.*

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

1F WATER AND WASTEWATER PROJECT UPDATE

Attendees: DPW Director David Guertin, Facilitator John Goodrich, and Mark White of Environmental Partners and DPW Administrative Assistant Sherry Prada.

David Guertin - Gave an update regarding Good Templar and Commercial Street water line and paving. They will be off the job starting this Friday for the Patriots Day holiday.

Facilitator John Goodrich

WATER PROJECT UPDATE

1. Overview of the Water System
2. Unaccounted for water program update
3. USDA and Article-funded water projects update
4. Commercial Street water project update
5. Environmental Partners Group Contract Amendment

WASTEWATER PROJECT UPDATE

1. Overview of the Wastewater System
2. Phase 3 collection system and Treatment Plant expansion update
3. Vacuum sewer optimization and additional needs to be served
4. Planned review of potential additions to Phase 3 and new Phase 4 sewer extensions
5. AECOM Change Orders

This summer, the first part of the Town's nearly \$35 million of water and wastewater improvements that began several years ago will successfully come to an end and we will begin the second part which will be very different, more integrated with the on-going operations and finances of the water and wastewater systems - and much less disruptive. The grant and low-interest loan funded water main work was completed last week and the clean up and paving associated with that work will be completed this spring. And, the grant and low-interest loan funded sewer main work that stretches from one end of Commercial and Bradford Streets to the other end will also be completed this spring including the paving associated with that work.

The focus for wastewater this summer will be the Treatment Plant construction work that will begin very shortly. We met with Brian Dudley of DEP last week to review the Plant schedule and permitting and the Cape Cod Commission has scheduled their formal approval meeting for later this month, so we are on schedule to bring a Change Order to the Board in May for the flow equalization tank. Once that tank is on line this fall, the remaining half of the Phase 3 properties will be able to hook up, well before the 2013 peak season. Letters went out last fall to those properties that can connect immediately and several ACOs as well as the recently approved EDP requests can also connect now.

The focus for the water improvements will now shift to the two major construction projects in Truro – the North Union Field well development and the Knowles Crossing filtration building. With the key approvals for both projects either behind us or imminent, the bidding and construction can start this summer so that all of the facilities can be on line by the fall of 2013. The most recent good news is word that no concerns were identified during the North Union Field archeological investigation. We have prepared a motion for the Board for two contract amendments for Environmental Partners Group so that we can move both of these projects forward to the construction phase.

The second part of the water improvements project will also involve the on-going leak detection, inspection, compliance and enforcement activities necessary to continue the Water Department's successful reduction in the amount of unaccounted for water. These on-going efforts will be fully integrated with the Department's other activities, including automated meter reading, meter turn-ons, service changes, and water system operations and maintenance. And, the Department will be working with the Water & Sewer Board and others in the Administration on an on-going basis to ensure implementation of the important long-term compliance and enforcement steps.

In addition to the construction to increase the Plant capacity, the second part of the wastewater improvements project will involve first engineering and permitting and second construction to both optimize and expand the collection system to meet the identified public health, municipal, public service and property owner needs. This includes improvements to the vacuum sewer system, possible additions to the Phase 3 sewer on Commercial and Bradford Streets, sewer extensions to serve Coastal Acres Campground and the Shank Painter Pond area, as well as the new Cape Cod National Seashore Herring Cove bathhouse, and preparation of the design and permitting documents needed to apply for a MCDBG grant to serve Maushope housing and Outer Cape Health. The supplemental borrowing authorization approved by the Town Meeting voters last week included funding for AECOM to complete the review of the needs including the interest from the summer 2011 outreach program and to prepare the necessary design and permitting documents for these optimization and expansion improvements. We have prepared a motion for a Change Order for AECOM for this work.

Austin Knight – How are we going to guarantee that this work is going to be done by the end of May?

David Guertin – By maintaining direct contact, Ms. Prada and the contractor discuss the schedule on a daily basis. We make sure we get commitments from the contractors, who in many cases happens to be the same contractor. We have two pavers at this time. We are not relying on a limited resource; we may even have three contractors. We are expanding the resource so that commitments can be made. I can assure you it will be done by the end of May.

Austin Knight – Is the Town Manager comfortable with that?

Sharon Lynn - My questions is three different paving contractors. So the paving contractor – Canto on Commercial Street is not the same paving contractor for the wastewater work on Bradford? David Guertin – He could be in combination with Lawrence Lynch. Lawrence Lynch tends to take care of the wider more pronounced larger tonnage jobs. Canto generally does smaller tonnage jobs. We can't dictate to Robert B. Our who they use, but we can certainly keep their feet to the fire for a schedule. Sharon Lynn – When is that decision going to be made? David Guertin – I said earlier that we would have a schedule from Rob Adams very shortly. That is one of the things he is doing right now. Sharon Lynn – My comment to the Board of Selectmen, when Mr. Adams does have that schedule together (hopefully soon), is if they're working on Commercial Street already and it happens to be Canto, why can't they come into Bradford and just continue that effort along with the additional water work connections that need to be made? Start at one end wherever the work is and continue at the same time just to get off the streets as soon as possible. I think the concern is that it continues into May, and then we have another lapse into June, and that is not what we are looking for.

Austin Knight - Remember when we did the whole Commercial Street project what we talked about was mid-May completion because the last week is Memorial Day and there is a lot of stuff going on and we have to be done prior to the last week in May.

John Santos – Do we have the funding in place for these things to all go ahead so that it is not going to be held up? And for the drainage on Commercial Street – is the planning all in place to do that work? Answer – Sharon Lynn – The scope of work was changed in January and it was bid out again. The funding that is in place to begin the paving work and reconstruction of Commercial Street, in the fall, is part of that one million dollar grant that was received.

John Goodrich – The Board of Selectmen already approved the change orders for the sewer project which includes all the paving we are talking about.

David Bedard to Sharon Lynn – Can you refresh our memory as to why it was rebid? Sharon Lynn – I think Mr. Guertin would best answer that question. David Guertin – The bids came in, and if I remember the numbers correctly, the project had a funding limit of about \$800K and there was a hundred given to GHD for engineering and that left a working budget of \$700K and the bids came at around \$680K. It needed reevaluation because there was not adequate contingency on a high risk job. So it required fundamentally cut in scope. It was originally from Johnson Street to Winthrop. We then took elevation 10 as a basic criteria for the at risk pipe and it left pretty much from Freeman Street to on or about the Post Office as at risk. So, we shortened the job which was the proper thing to do.

David McChesney – 1) I've said a number of times, as the Town's Representative on the Cape Cod Water Protection Collaborative, I have to tell everyone in the audience and at home that this town is so far ahead in every single town on the Cape. I know it's frustrating and it's difficult but if you think we have problems, wait until the rest of the Cape start expanding.

But pursuant to that, will we have lines painting soon? Answer – Line painting procurement was signed and forwarded to the Town Manager at 3 PM this afternoon. Once I get it back it goes to Ray Duarte's office and I'll let you know when the lines are scheduled to be done. (Center lines and crosswalks)

2) David McChesney – The hydrant flushing where it showed up as a 50 gallon/minute leak

does that show up just because you are flushing? I don't quite understand why that was not evident before. Answer – Unidirectional flushing is a night time program where we go in and flush. While there, and because leak detection requires low ambient noise, we perform leak section too. That process has been so successful that our people have volunteered to do leak detection for the entire town, again this Wednesday and Thursday night... But it is separate from hydrant flushing.

3) What were the general findings when they dug up Commercial Street regarding hook-up and leaks, etc? Answer – The main was in relative good shape but there were places where the main was deteriorated. Some services did need love! I don't have a count but we replaced a number of services.

4) Our goal is 10% unaccounted for water – what is the figure today? Answer: Under 20%.

David Bedard – I am adamant that any future water or wastewater construction includes curb-to-curb paving. The detrimental effect of trench paving will be felt in this town for years to come.

MOTION: *Move that the Board of Selectmen vote to establish a policy that any further planning water and wastewater work include curb-to-curb paving.*

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

Austin Knight – So, you are saying that any work on Bradford Street will be done by the end of May? David Guertin – Yes. I can assure it will be done by the end of May.

John Santos – Do we have the funds available for the work to be done in the fall? Sharon Lynn – Yes.

MOTION: *Move that the Board of Selectmen vote to approve Contract Amendments to Environmental Partners Group for (1) \$36,745.00 for engineering services for the bidding for the Knowles Crossing water treatment plant project and (2) for \$39,300.00 for the North Union Field archeological investigation, and on-going project management, both from USDA funding.*

Motion by: David Bedard **Seconded By:** Austin Knight
Yea 4 Nay 0 (*John Santos out of the room.*)

MOTION: *Move that the Board of Selectmen vote to revoke the Water motion so that Selectmen Santos may cast his vote.*

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

MOTION: *Move that the Board of Selectmen vote to approve Contract Amendments to Environmental Partners Group for (1) \$36,745.00 for engineering services for the bidding for the Knowles Crossing water treatment plant project and (2) for \$39,300.00 for the North Union Field archeological investigation, and on-going project management, both from USDA funding.*

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

MOTION: *Move that the Board of Selectmen vote to approve Change Order #9-8 for AECOM in the amount of \$500,000.00 for engineering and permitting services for optimization and expansion of the sewer system.*

2. PUBLIC STATEMENTS

Barbara Rushmore - 1) Sympathy for the passing of Sandy Turner – she was a great asset to the Town.

2) Suggest that the town keep the Police Station where it is currently located.

Clarence Walker - Thank you for town meeting. I commend you for what you did. What we discovered is that we have a crop of new and young people and older people who were not involved before, and this time they did their homework. It was a long but healthy meeting. The three objects that I thought came out of town meeting were: 1) Rethink the police station; 2) move the personnel funds from the Town Manager back to the Selectmen and 3) Neon light system. For good or bad, the people spoke. Ask the Board to keep things status quo until the Fall Town Meeting. Interested in being on the Building Committee.

Rick Murray - I support your vote for siting the police station at the highway garage. Excellent job done on the Water & Wastewater construction on Commercial Street and the Robert B. Our crew has worked well with me.

3. SELECTMEN STATEMENTS

David Bedard

Agreed with Clarence Walker, Town Meeting went well and participation is encouraged.

MOTION: *Move that the Board of Selectmen vote to request emergency funding from FinCom to fund the Town Manager’s Secretary to be replaced at the Fall Town Meeting.*

Motion by: David Bedard Seconded By: Austin Knight

Discussion

Town Manager Sharon Lynn – There is funding in place to keep everything status quo for both positions until a Special Town Meeting in the fall. That’s only 4 maybe 4 ½ -5 months max. There’s funding in place for 2013 budget for those two positions. Certainly Selectmen Bedard's idea would work but you could also not request from the FinCom reserve fund monies and just request that at town meeting from free cash that I expect we’ll have.

David Bedard – My intent of the motion is to make sure that we fund that position for the year and that we do that as soon as possible. Sharon Lynn – Again, there is money for that and you can include in your motion that you’re preference is to fund both positions as they had been funded through this year 2012, or any other previous year. Whatever your preference, I am just giving you another option.

Austin Knight – I seconded the motion just for the discussion point of this. I do believe the unattended consequences we are well aware of. I do believe the voters will be well aware of that come fall. I’m more comfortable not taking something out of that fund at this point. I think we need to make our case in the fall, and I think it is very clear. I’m not opposed to funding that position come the fall out of free cash. I would much rather do it that way than out of the Finance Committee, and I think it is a matter of the public realizing that the unintended consequences of making a budget switch at town meeting – this is what happens. However, we have the need for both the Board of Selectmen’s Secretary and the Town

Manager's Secretary, and we have to go back to the voters in the fall so we can take the money out of free cash and fund that position.

David Bedard - I **withdraw the motion** and will rewrite it.

MOTION: *Move that the Board of Selectmen vote to direct the administration to submit an article in the fall town meeting to provide funding for a full time secretary to the Town Manager.*

Discussion

Elaine Anderson - This is for an article to be developed that identifies the source of funding to restore the full time position to the Town Manager. Town Manager Sharon Lynn – We'll have to fund that, yes. David Bedard – And we will. Elaine Anderson – We have several options as it turns out – one we have to pay back, the other we don't, as I see it. David Bedard – either way it's going to be the same amount of money. Elaine Anderson – This is certainly something to keep our eye on and keep working forward until we get it right.

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

Regarding the Parking Department – is there any reason why permits are not sold prior to the start of the parking season? Town Manager Sharon Lynn – At the staff meeting this morning I directed the Parking Administrator to open the parking department on Saturday's for the rest of April, and on Monday this coming holiday, and to have those hours posted in the Banner and the town website. Next year there will be hours posted so there is plenty of time prior to April 1st for residents to purchase their parking stickers.

Outer Cape Health parking is horrendous. The Town should work cooperatively with them on a parking plan until their construction is completed.

At town meeting there was a question regarding mooring fees that never got answered. Would like a report in the future from the Harbormaster. Also would like a report from the Finance Director because there is a monetary component.

Lobster Pot is celebrating their 40th year.

MOTION: *Move that the Board of Selectmen vote to send a letter of congratulations to the Lobster Pot upon their 40th Anniversary.*

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

David McChesney

1) Want to remember Sandy Turner. I emailed her constantly and she was always extremely responsive. 2) Weekend of April 20th, is a beach cleanup. 3) New HVAC system at Freeman St. building needs to be protected or enclosed.

John Santos

Want to see the beaches cleaned. Its time to start fining people for leaving their kayaks, etc. especially at the Johnson St. Beach area.

Out of line for charging for parking in the off season. We should be giving people coupons to come here for gasoline. Should not be ticketing cars this time of the year. What happened to the two 15 minute parking spaces for people to do business at town hall – should be reinstated and they should be free.

Farmer's Market – Should be moved to a larger location.

Austin Knight

Sandy Turner - Always stood up for the employees at the Department of Public Works and never took it personally if we could not approve her budget. Will miss her for all that she has done.

Elaine Anderson

In response to Public Statements the request for Building Committee members has already been in the Banner and to anyone interested that the deadline is April 17th.

Commend David Bedard for thinking about the ways to restore the funds for the Town Manager's Secretary.

Feel that it was a very successful, although brutal, Town Meeting in terms of length and participation. I certainly appreciated it and all we have to hope now is for people to support all of the decisions at the ballot box.

A point of clarification - The Board of Selectmen voted to have NO recommendation on ATM Articles 29 and 30, it was mistakenly recorded as NOT recommended.

4. BOARD OF SELECTMEN'S APPOINTMENTS - None

5A1 TREASURER: BOND ANTICIPATION NOTE #1087

Renewal of portion of BAN #1083. This request is from the April 5, 2010 Special Town Meeting - Article #5 – North Union Field Land Acquisition and covers the purchase of the land and other current expenses.

MOTION: Move that the Board of Selectmen vote to issue Bond Anticipation Note #1087 in the amount of \$375,000 dated April 17, 2012 at 0.70% (\$1,524.66) interest payable at maturity to Cape Cod Five Cents Savings Bank due November, 15, 2012.

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

5A2 TREASURER: BOND ANTICIPATION NOTE #1088

Renewal of BAN #1084. This is from the September 14, 2009 Special Town Meeting - Article #1 - Water System Capital Improvements.

MOTION: Move that the Board of Selectmen vote to issue Bond Anticipation Note #1088 in the amount of \$59,000 dated April 17, 2012 at .70% (\$239.88) interest payable at maturity to Cape Cod Five Cents Savings Bank due November 15, 2012.

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

5A3 TREASURER: BOND ANTICIPATION NOTE #1089

This is from the September 14, 2009 Special Town Meeting - Article #1 - Water System Capital Improvements.

MOTION: Move that the Board of Selectmen vote to issue Bond Anticipation Note #1089 in the amount of \$900,000 dated April 17, 2012 at .70% (\$3,659.18) interest payable at

maturity to Cape Cod Five Cents Savings Bank due November 15, 2012.

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

5B U.S. DEPARTMENT OF AGRICULTURE – WATER BOND

MOTION: *Move that the Board of Selectmen, of the Town of Provincetown, Massachusetts (the “Town”) vote that the sale of the following 2 percent bond of the Town dated April 17, 2012 (the “Bond”),*

\$2,466,000 Water Bond payable in principal installments of \$64,895 on April 17 in each of the years 2013 through 2049, inclusive, and \$64,885 in the year 2050, with interest thereon calculated from April 17, 2012.

to the United States of America, acting through the Rural Utilities Service, USDA, at par, is hereby confirmed.

Further Vote: *that the annual installment amounts may be subsequently amended by the United States of America, acting through the Rural Utilities Service, USDA, to make minor rounding or computation adjustments, and we hereby authorize the Treasurer to approve such minor changes in the payment schedule, provided that the principal amount, interest rate and term of the Bond remain unchanged.*

Further Vote: *that the Bond shall be subject to redemption upon such terms and conditions as are set forth in the Bond*

Further Vote: *to covenant with the registered owner from time to time of the Bond that the Town shall maintain rates and charges for the use of the Town’s water system in an amount sufficient, with other income of the Town’s water works, to pay all costs of operating the system and the entire principal of and interest on the Bond and all other indebtedness of the Town incurred for municipal water purposes as they become due. The Bond shall nevertheless be a general obligation of the Town, payable from any of its available revenues, including revenues derived from ad valorem taxes levied in accordance with the law upon all property in the Town, subject to the limit imposed by Chapter 59, Section 21C of the General Laws.*

Further Vote: *that each member of the Board of Selectmen, the Town Clerk, the Town Treasurer and any other officials of the Town be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes.*

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

5C HARBOR ACCESS FUND

First Year Environmental Monitoring for Beach Raking Pilot Project

Attendees: Pier Manager Rex McKinsey, Conservation Agent Brian Carlson and Owen Nichols from Center for Coastal Studies.

Rex McKinsey gave a background and updates for the purpose of this request.

Attached to the agenda item is letter from Chairman Jerry Irmer, of the Provincetown Harbor Committee, along with proposal, budget and contract information from the Center for Coastal Studies. The treasurer will put forth a request for payment once the job is completed and an invoice and authorized voucher to pay are received.

MOTION: *Move that the Board of Selectmen vote to approve the use of \$25,688.00 from the Harbor Access Fund for the First Year Environmental Monitoring for Beach Raking Pilot Project in accordance with the attached contract from Center For Coastal Studies, Provincetown, MA.*

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

5D PROVINCETOWN FARMERS’ MARKET

2012 Farmers’ Market Dates

This is the sixth year for the Provincetown Farmers’ Market and they are enthusiastically planning their return after yet another successful year in 2011.

MOTION: *Move that the Board of Selectmen vote to authorize the Provincetown Farmers’ Market location at the Ryder Street Parking Lot every Saturday afternoon from 11:00 am to 4:00 pm starting on May 19, 2012 and ending on November 17, 2012 (excluding June 23, 2012).*

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

6A TOWN MANAGER FOLLOW-UP

Conversation with Cape Cod National Seashore Superintendent George Price. They are forming a sub-committee on how best to make some changes and repair the revetment and the costs associated. Appointing Assistant Town Manager David Gardner to attend these meetings as a sub-committee member.

Austin Knight – Schedule George Price to Board of Selectmen before the summer.

Peer review requested by the FinCom for the Veterans Memorial School has been done by McGinley & Kalsow. Formal report will be available later this week.

6B OTHER – APRIL 2, 2012 TOWN MEETING FOLLOW-UP ASSIGNMENTS

This is agenda item is for information purposes only. No action required by the Board of Selectmen.

<i>Article</i>	<i>Action required</i>	<i>Person responsible</i>
STM-1 FY 2012 Budget Adjustments – operating budget		Finance Director
STM-2 Rescind Unused Borrowing Authority		
STM-3 Stabilization Fund		
STM-4 Sale of the Grace Gouveia Building and the Community Center building		
STM-5 Wastewater Optimization and Expansion – Supplemental Borrowing Authority		
STM-6 Replace Heating System at VMES		
STM-7 Police Station/Highway Maintenance Facility (Indefinitely Postponed)		

<i>Article</i>	<i>Action required</i>	<i>Person responsible</i>
STM-8 High School Building Pointing and Sealing of Exterior Walls		
STM-9 Use of Parking Funds to Purchase a Parking Vehicle		
STM-10 Use of Parking Funds to Purchase Automated Pay Stations	Post RFP (done), review proposals, choose vendor	Parking Administrator
STM-11 Deposit Medicare Part D Reimbursements into the Other Post-Employment Benefits Liability Trust Fund.		Finance Director
ATM-2 FY 2013 Operating Budget \$21,340,542 – +1.4%		
ATM-3 Cape Cod Regional Technical High School Assessment		
ATM-4 Wastewater Enterprise Fund \$3,294,115 – +10.5%		
Water Enterprise Fund \$2,401,212 – +1.6%		
ATM-5 FY 2011 Capital Improvements Program:		
1. Shortel Telephone Network Expansion \$50,000		MIS Director
2. Police Fleet Upgrade Plan \$24,960		Police Chief
3. Police Fleet Upgrade Plan \$8,800		Police Chief
4. Police Fleet Upgrade Plan \$19,835		Police Chief
5. Police Portable Radio Replacement \$45,116.		Police Chief
6. Storm Water Management \$100,000		
7. Public Works Fleet replacement Plan \$221,000		
8. Replace Rescue Ambulance \$174,000		Fire Chief
9. Re-paving of Commercial Street \$800,000		
10. Open Cape Connections \$200,000		
11. Town Emergency Shelter Retrofit \$406,417		MIS Director
ATM-6 FY 2012 Revolving Accounts: Town Hall Auditorium, B-street Garden and Shellfish Grants		
ATM-7 Fuel Reimbursement Revolving Account		
ATM-8 Greenhead Fly Assessment \$938.75		Finance Director
ATM-9 Community Preservation Budget for FY 2013 \$850,940		
1A. Open Space reserve \$240,000		
1B. Community Housing reserve \$45,000		
1C. Historic Resources reserve \$45,000		
2A. Debt Service \$484,148		
2B. Vital Records Preservation \$19,106		
2C. Winthrop St. Cemetery Stone Restoration \$40,000		
2D. Ceiling Restoration at UU \$25,000		

<i>Article</i>	<i>Action required</i>	<i>Person responsible</i>
2E. Foss Woods Addition/Sateriale Property \$50,000		
2F. Dunes Edge Campground Conservation \$150,000		
2G. Provincetown School Playground \$35,000		
2H. Housing Office Support \$31,369		
2I. CPC General Administration \$16,317		
ATM-10 Amendments to Personnel By-law / Classification and Compensation Plan		
ATM-11 Expenditures from the Tourism Fund \$600,000		
ATM-12 FY 2013 Human Services Program \$58,375		
ATM-13 July 4 th Celebration \$22,000		
ATM-14 Renaming Veterans' Memorial Elementary School		
ATM-15 0.5% Real Estate Transfer Fee – Home Rule Petition		
ATM-16 Room Occupancy Tax on Seasonal Rentals		
ATM-17 Amend Charter to Reduce Size of Finance Committee – Home Rule Petition		
ATM-18 GIS Flyover/Aerial Photographs		
ATM-19 Purchase or Conservation Restriction at Dune's Edge Campground		
ATM-20 Acquisition of Sateriale Property		
ATM-21 Zoning Article: Definitions	Update Zoning By-laws	Town Clerk
ATM-22 Zoning Article: Signage	Update Zoning By-laws	Town Clerk
ATM-23 General By-law Amendment: Sign Code	Update General By-laws	Town Clerk
ATM-24 Non-criminal Disposition of Pier Corporation Regulations	Update General By-laws	Town Clerk
ATM-25 <i>Abolish the Water Meter Charge</i>	<i>(does not pass)</i>	
ATM-26 Ban Herbicides in Provincetown		
ATM-27 <i>Eliminate Zoning By-law 3224</i>	<i>(indefinitely postponed)</i>	
ATM-28 Shut the Pilgrim Nuclear Plant Down		
ATM-29 Social Security For All and By All		
ATM-30 Tax on Stock Trades		
ATM-31 Peace, Thank You		

7. MINUTES OF BOARD OF SELECTMEN'S MEETINGS

MOTION: *Move that the Board of Selectmen vote to approve the minutes of:*

*February 21, 2012 (Joint Mtg. FinCom 4:30 PM as printed;
March 13, 2012 (Traffic Hearing 6 PM) with change so noted;
March 26, 2012 (Regular Meeting 6 PM) as printed;
April 2, 2012 (Town Meeting 5 PM) as printed;*

April 3, 2012 (Town Meeting 5:30 PM) as printed

April 4, 2012 (Town Meeting 5:30 PM) as printed.

Motion by: David Bedard

Seconded By: Austin Knight

Yea 5 Nay 0

MOTION: *Move that the Board of Selectmen vote to approve the minutes of:*

February 27, 2012 (Exec Session 4:30 PM as printed

March 22 , 2012 (Sr. Forum re: Town Mtg.) as printed.

Motion by: Austin Knight

Seconded By: David McChesney

Yea 4 Nay 0 Abstain 1 (David Bedard)

8. CLOSING STATEMENTS

David Bedard - None

David McChesney – None

Austin Knight – None

Elaine Anderson – None

John Santos

There should be two spaces on either side of Ryder Street and staff should look into re-establishing two 15 minute parking spots in front of Town Hall for citizens to conduct business in Town Hall.

MOTION: *Move that the Board of Selectmen vote to move the town hall business parking spaces from the Ryder Street Lot to Ryder Street.*

Motion by: John Santos

Seconded By: Austin Knight

Yea 1 (John Santos) Nay 4

- DOES NOT PASS -

Motion to adjourn by Austin Knight at 9:33 PM.

Minutes transcribed by: Vernon Porter, Secretary to Board of Selectmen
April 12 , 2012