

Public Hearing

Wednesday June 22, 2005

Location:
Caucus Hall
Time: 4:30 pm

Members Present: Kerry Adams, Alice Brock, Heather Bruce, Ann Colbourn, Mel Cote (arr. at 4:40p) and Gerard Irmer.

Members Absent: none

Advisory Staff: Rex McKinsey, Maxine Notaro, and Doug Taylor

The meeting was called to order at 4:30 p.m.

AGENDA

Review/amend/approve minutes of 6/8.

Motion: Kerry Adams made a motion (after reading the minutes) to approve as written. Alice Brock seconded the motion and it was approved 4-0-1 ab (Ann C).

Public Statements

There were none.

Unfinished Business

There was none.

Old Business:

Review Beach Cleanup on June 15, lessons learned

Manuel Araujo stopped in prior to the meeting and gave Jerry Irmer pages of donations, etc. Many donations were received but some of them had to be returned since there were so few people and the weather was bad.

Alice Brock had given him \$50 to buy tee shirts but none were purchased and thus the money was refunded to Alice. Alice said that she wanted to coordinate her list with the one Manuel gave Jerry; this will be done.

Motion: Heather Bruce made a motion that the group has to get on the ball and get the Town to clean the beach regularly. (Jerry said no motion was needed.)

Next, Heather Bruce said she will do research on beach cleaning machines, their cost, etc. Jerry Irmer said that manpower will be needed and Doug Taylor added that storage, maintenance, etc. should also be put into the mix and maybe the fall town meeting would be the place to address this issue. Doug said that the Conservation Commission (ConCom) would be quite interested in beach

maintenance; they are also talking about beach nourishment, etc. He further referred to a group (Volvo?) who had met in Town and said that Provincetown has the dirtiest beach they have ever seen.

Heather Bruce blamed the sand used after construction as being difficult to keep clean. Alice will be suggesting a plan to regularly use convicts. Their services are free and the inmates are happy to get out in the fresh air. It should be done on a regular basis. Kerry Adams suggested perhaps two or three times a year.

Jerry Irmer said he would send an e-mail to Ted Meyer to ask about the feasibility of this plan.

Alice said we should have planned the beach clean-up much earlier. Manuel got kind of defensive when Alice wanted to do the posters and he insisted that he didn't want any help. He did a great deal but we have to find a way to involve more people. Then a mini lesson was given on the distinction between flotsam and jetsam; evidently they both have to be cleaned up?

Ann Colbourn commented on the minutes just read regarding her treatment of Manuel. She hadn't attended the meeting when Manuel Araujo was given "carte blanche" by the Harbor Committee so she really didn't know why he had come to her place of work. Ann felt she was courteous to the man but also confused, i.e. did he want a donation, or what? Also Ann felt that she was attacked 'in absentia' by a member of her committee when it certainly would have been preferable to be approached by Alice so that she could first defend her actions privately and not have them related to all without any defense. The message was, "If you have anything to say about me, I would prefer it said **to me** – first."

Alice's defense was that Ann had been at the meeting and even seconded the motion for Alice to write the letter giving Manuel full authority for the beach clean-up.

New Business:

Review 2005 Amendments to the Harbor Plan status

Thus far there is nothing to report from the state. Heather worried that if we hear nothing the Harbor Plan becomes effective on June 27th. She suggested having Jerry send a copy of the letter that he had sent to Truman Henson to the DEP and ask if they can determine why there has been no response.

Any other business that shall properly come before the Committee

A copy of a letter sent from the Board of Selectmen (BoS) to the Harbor Committee asking for their input on mooring fees. The BoS asked where the Harbor Committee stands on it.

Rex McKinsey suggested getting a poll of mooring fees from other towns in the area. This issue has come up because of the threat of litigation. Rex will be looking at changes in the regulations in place in a group of other harbors. This may be a great opportunity to have the Pier Corporation and the Harbor Committee get together with joint meetings. Rex suggested looking around the harbor to ascertain which items need to be addressed.

A copy of the letter from Louis Gitto was distributed regarding BEACH ACCESS signs. It was wondered if it should be paid out of the Harbor Access gift funds? It was wondered, by Jerry, if we should have two different kinds of signs - one on the beach side and one on the street side? Heather said that houses should not have to have enormous signs. Kerry Adams said that the decision should be made by consensus of the Harbor Committee.

Motion: Jerry Irmer made a motion to accept sign #1 for Beach Access. Heather Bruce seconded the motion and it was approved unanimously.

Board of Health Combined Meeting

A report was requested on the Board of Health meeting and the group found that it had been canceled.

Chapter 91 Decisions Mailed to Harbor Committee Members:

Next Doug Taylor was asked about his request to have the Chapter 91 decisions submitted to the Harbor Committee in a timely fashion. Doug said he had requested and they agreed to send the findings to the individual homes of the members of the Harbor Committee. Heather Bruce then asked if Doug has had any conversation about the Harbor Plan? “The answer was, “No.”

DPW Expenditure of \$4K Trash Bins

Heather Bruce said that she had seen an e-mail which stated that the DPW had spent \$4K on trash bins. She said that huge construction bins cost \$400. Rex said that it wasn't ordinary trash and it probably had to go to the DPW and then be sorted. Heather would like to see the breakdown. She was challenged to “go ahead and ask for the breakdown!”

Chapter 91 Licenses:

51 Commercial Street (Heather Bruce said that it was evident that finally the DEP was starting to get the message) The Town gets \$8,025 under special condition #1.

53 Commercial St – no access –

Alice wondered if anyone on the HC had been to this location? The owner put in a groin and that the Schofield Line makes a big change there. Heather Bruce wants the Committee to write a letter to the DEP and ask how the computation was made.

Motion: Heather Bruce made a motion to write a letter asking for a breakdown on the computations for 51 and 53 Commercial Street. Ann Colburn seconded the motion and then Kerry Adams interjected an amendment to the motion, i.e. “we have no problems with their decisions but would request a computation.”

Ann Colbourn seconded the amended motion and the vote was 3 in favor, 1 opposed (AB) and 1 abstention (JI).

553-555 Commercial St – Heather Bruce said that this particular piece of property should definitely have a sign because otherwise no-one will realize that there's any beach access.

Motion: Kerry Adams made a motion to accept as written. Heather Bruce seconded the motion and it passed 4 in favor – 0 opposed – and 1 abstention (AB).

451 Commercial Street

Motion: Kerry Adams made a motion to accept the decision. Heather Bruce seconded the motion and it was passed by all.

Chapter 91 Issues:

Motion: Alice Brock made a motion requesting that at least 2 members of the Committee must – at least – visit the properties with Chapter 91 license decisions. Jerry Irmer seconded the motion and the motion died right there!

Another try:

Motion: Alice Brock made a motion that anybody who votes on the Chapter 91 license decisions must have been physically at the site. Jerry Irmer, once again, seconded the motion. The vote was 3 opposed (AC, KA, HB) and 1 abstention (JI). (AB was in favor of her motion) (Motion did not carry.)

Maxine Notaro, an advisor to the group, said that since – as the Committee members had requested – the Chapter 91 decisions will be sent directly to them, then they can visit the properties at their leisure and certainly do not have to go to the site as a group. Alice Brock said she didn't think it was responsible of the Committee to vote on properties they haven't even looked at. She, personally, had visited every one they have had to rule on.

Doug Taylor told Alice Brock that he felt she wasn't getting the support of the Committee. Maxine said that she felt that everyone on the Committee should visit the properties under consideration. Heather said that some of them are such simple findings that visiting the site is not necessary.

Whatever the defense is in this case: Jerry said he had received something from Kopelman and Paige that said when a Board goes out on a site, they're just there to look at the property and not make any decisions. That seems to have been understood before this edict from K & P.

THE NEXT MEETING WILL TAKE PLACE ON JULY 6TH AT 4:30 P.M.

Motion: Jerry Irmer made a motion to adjourn at 5:40 p.m.; Kerry Adams seconded it and it was approved by all – except Alice Brock who felt the brief meeting left a lot to be yet discussed.

Respectfully submitted,

Evelyn Gaudiano

Evelyn Rogers Gaudiano

Approved by _____ on _____, 2005.

Gerard Irmer, Chair