

TOWN OF PROVINCETOWN - BOARD OF SELECTMEN

REGULAR MEETING – MONDAY – FEBRUARY 8, 2010

LARKIN HALL

Chairman Michele Couture convened the meeting at 6:00 PM noting the following Board of Selectmen attending: Michele Couture, David Bedard, Mary-Jo Avellar, Austin Knight, and Elaine Anderson

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

Recorder: David Gardner

The following are meeting minutes, in brief:

1A PUBLIC HEARING: NSTAR – Install New Pole – 29 Miller Hill Road

Public Comments: None

Karen Corriveau representing NSTAR gave a brief update on the project.

MOTION: *Move that the Board of Selectmen vote, pursuant to MGL C.166,§22, to approve the request of NSTAR to install a new pole – 41/6 as indicated on Work Order Number: 1745426 dated January 07, 2010 and to install 115 feet of overhead wire from pole 41/5 to 41/6 as submitted by NSTAR to service the properly located at 29 Miller Hill Road, Provincetown, MA*

Motion by: Mary-Jo Avellar **Second By**: Elaine Anderson Yea 5 Nay 0

1B PUBLIC HEARING – GROWTH MANAGEMENT

1009 Growth Management Report [Zoning By-Laws 6600 (3)]

Public Comment:

Celine Gandolfo requesting the BOS to consider EDP requests on the East Main. (76 gpd request).

Greg Russo requesting a reallocation of commercial gallons to support economic development. Water conservation could be accomplished by eliminating leaks.

David Nicolau requesting allocation of gallons to growth management for the upcoming year.

MOTION: *Move that the Board of Selectmen vote, pursuant to the Provincetown Zoning By-Laws Section 6600, Growth Limitation Goal Allocations, to make the following findings that the average daily withdrawal for the Provincetown Water System in 2009 was 722,740 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 2010 allocations to growth management:*

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

Motion by: Mary-Jo Avellar **Second By**: Austin Knight Yea 5 Nay 0

1B JOINT MEETING – HISTORIC DISTRICT COMMISSION

Members Present: Marcene Marcoux, Carol Neal, Polly Burnell, David McGlothlin, Nathan Butera

Open discussion. No motions made.

1B JOINT MEETING – PROVINCETOWN PUBLIC PIER CORPORATION

Members Present: Lee Ash, Regina Binder, George Hitchcock, Kerry Adams, Richard Wood & Rex McKinsey

Kerry Adams presented the Financial Statement of the Pier for 2009.

Sharon Lynn explained the outstanding financial issue between the PPPC and the Town Accounting which requires a financial reconciliation of \$152,000 which should be brought before April Town Meeting in order to be taken off the books and allow the Draft PPPC Financial Statements to be finalized.

Open discussion ensued.

2. PUBLIC STATEMENTS

George Bryant – County provides a monthly update of their budget. Chair of the Health and Human Service Subcommittee of the County Assembly. Report of the Human Condition provided by the County. Report demonstrates the continued aging of the Cape and well as the reduction in school age population. Town leadership and policy do not encourage families with children

3. SELECTMEN STATEMENTS

Austin Knight

MOTION: Move that the Board of Selectmen vote to send a letter to Eric Dray thanking him for his part of the Town of Provincetown honored in the Dozen Distinctive Designation by the National Trust for Historic Preservation.

Motion by: Austin Knight Seconded by: Elaine Anderson Yea 5 Nay 0

Mary-Jo Avellar

Discuss the hours of the building department. Also to hold a meeting in the future to discuss the four day work week.

David Bedard

Appreciate the planning efforts of the Cape Cod National Seashore Park Service for the Moors Road improvements and bike path as proposed at the recent public meeting.

Elaine Anderson

Encourage citizens to volunteer and join town boards.

Michele Couture

Disagrees with George Bryant – does not feel the Town act to discourage families with children in town.

4A1 BOARD OF SELECTMEN APPOINTMENTS

MOTION: Move that the Board of Selectmen vote to appoint Austin Knight as the Cape Cod Commission Member for the Town of Provincetown for a term to expire on February 8, 2013.

Motion by: David Bedard Seconded by: Mary-Jo Avellar Yea 5 Nay 0

4A2 BOARD OF SELECTMEN APPOINTMENTS

MOTION: Move that the Board of Selectmen vote to appoint Town Clerk Doug Johnstone as the State Ethics Commission Liaison for the Town of Provincetown for an indefinite term, in accordance with Chapter 28 of the Acts of 2009.

Motion by: Austin Knight Seconded by: Elaine Anderson Yea 5 Nay 0

4B TOWN MANAGER APPOINTMENT

MOTION: *Move that the Board of Selectmen vote to approve the Town Manager's appointment of Barbara Grasso to the disability Commission, pursuant to M.G.L. c.40, §8J, for a term to expire on December 31, 2012.*

Motion by: Mary-Jo Avellar Seconded by: Austin Knight Yea 5 Nay 0

5A USDA WASTEWATER and WATER

Project Implementation

While both projects each have unique elements, the projects do share administrative requirements necessary for project control. This report addresses that implementation to include:

- *Monthly Reporting to the Board of Selectmen*
- *Project Administration*
- *Public Notifications as well as forums and dissemination of information to town boards, the media, and direct communications to affected neighborhoods*
- *Integration of the major grant/loan program with other grants received*
- *Known work items and scheduling efforts underway*
- *Permitting requirements directly influencing schedules*

DPW will give a detail report of Phase 3A improvements at the March 8th meeting.

5B WATER SYSTEM INFRASTRUCTURE IMPROVEMENTS

Contract to Environmental Partners Group: USDA Water System Improvements

MOTION: *Move that the Board of Selectmen vote to approve a contract to Environmental Partners Group, engineers of record, in the amount of Two Hundred Forty Two Thousand Eight Hundred Dollars (\$242,800) for:*

- *Planning and permitting activities for this multifaceted project*
- *Design and contract documents for Winslow 1 tank decommissioning*
- *Design and contract documents for Mt. Gilboa tank raising*
- *Water Treatment Facility – Initial permitting and preliminary design*

Motion by: Austin Knight Seconded by: Mary-Jo Avellar Yea 5 Nay 0

Note: Board of Selectmen would prefer that Winslow 1 not be decommissioned prior to the completion of the raising of Mt. Gilboa.

5C WASTEWATER REPORTING

A. MONTHLY REPORT UPDATE

Improvements to the existing downtown vacuum system and Phase 3 extension of the sewer system; Board of Selectmen would like the detail of the Route 6 Force Main at the March 8 meeting. Board would also like to maximize grant funds on making improvements to the existing downtown vacuum system/Return to Compliance. Report of Discontinued Gallons on March 8th meeting.

B. CHANGE ORDER TO AECOM

MOTION: *Move that the Board of Selectmen vote to approve a Change Order to AECOM, contractor of record, in the amount of One Hundred Fifty Four Thousand Five Hundred Dollars (\$154,500) to furnish and install the vacuum system upgrades as identified in the*

Return to Compliance dated January 15, 2010 and as prescribed in the USDA program funding. [The language of this CO has been reviewed by Town Counsel]

Motion by: Elaine Anderson **Seconded by:** Austin Knight
Yea 4 Nay 1 (Mary-Jo Avellar)

C. WORK SCHEDULE THIS SPRING

MOTION: *Move that the Board of Selectmen vote to allow construction work, water main and sewer force main, along Howland commencing early March [subject to permitting] and continuing through June. Work to stop the end of day Wednesday May 26, 2010 before the holiday and recommence the Wednesday June 2, 2010 after the holiday then the sewer force main only continuing west along RT 6 during June as reviewed by ConCom on February 4, 2010*

Motion by: Elaine Anderson **Seconded by:** Austin Knight
Yea 4 Nay 1 (Mary-Jo Avellar)

5D DPW TOWN BUILDING ASSESSMENT REQUEST

Facilities Master Plan/Needs Assessment for all Town Owned Buildings

MOTION: *Move that the Board of Selectmen vote to approve for the April 2010 ATM the CIP request in the amount of \$300,000 to do a Facilities Master Plan/Needs Assessment for all town owned buildings as adopted by the BOS's Goal #5 Town Facilities Action Plan adopted on 6/29/09.*

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

6A APRIL 5, 2010 ANNUAL & SPECIAL TOWN MEETINGS

Set Dates for Opening and Closing of Warrants

MOTION: *Move that the Board of Selectmen vote to open the Monday, April 5, 2010 Annual and Special Town Meeting warrants on February 9, 2010 and to close them on Thursday, March 4, 2010 at 5:00 p.m., in accordance with Charter §2-1-7.*

Motion by: Mary-Jo Avellar **Seconded by:** Austin Knight Yea 5 Nay 0

6B WASTEWATER ENTERPRISE BUDGET

MOTION: *Move that the Board of Selectmen vote to approve #440 Wasterwater Enterprise Fund Budget in the amount of \$2,817,594.*

Motion by: Elaine Anderson **Seconded by:** Mary-Jo Avellar
Yea 4 Nay 1 (David Bedard)

6C TOWN MANAGER FOLLOW-UP

Fire House #2 is on schedule and due to be completed prior to Memorial Day. Update on NSTAR's proposal to provide a redundant grid connection to Provincetown. Town Manager to inquire with NSTAR whether it was possible to provide an emergency generator for the Town.

6D CAPE COD FIVE CHARITABLE FOUNDATION GRANT

MOTION: *Move that the Board of Selectmen vote to authorize the submission of a grant application in the amount of \$5,000 to the Cape Cod Five Charitable Foundation to support development of the new community garden off Browne Street.*

Motion by: Mary-Jo Avellar **Seconded by:** Austin Knight Yea 5 Nay 0

7. MINUTES OF BOARD OF SELECTMEN'S MEETINGS

MOTION: *Move that the Board of Selectmen vote to table this item until our next meeting on Monday, February 22, 2010.*

Motion by: Mary-Jo Avellar

Seconded by: Austin Knight

Yea 5 Nay 0

8. CLOSING STATEMENTS - None

Motion to adjourn by Elaine Anderson at 10:52 PM

Minutes transcribed by: Vernon G. Porter, Secretary to Board of Selectmen
March 4, 2010