

# TOWN OF PROVINCETOWN - BOARD OF SELECTMEN

## REGULAR MEETING – MONDAY – FEBRUARY 22, 2010

### LARKIN HALL

Chairman Michele Couture convened the meeting at 6:04 PM noting the following Board of Selectmen attending: Michele Couture, David Bedard, Mary-Jo Avellar and Austin Knight.

Excused Absence: Elaine Anderson

Other attendees: Town Manager Sharon Lynn, Assistant Town Manager David Gardner, Municipal Finance Director Alix Heilala

Recorder: Vernon G. Porter

The following are meeting minutes, in brief:

#### 1. TRANSPORTATION CENTER - UPDATE

Cape Cod Commission Transportation Engineer – Mr. Clay Scholfield

Mr. Schofield called and is home sick and he is unable to attend this meeting.

Ms. Lynn explained that was to discuss the denial of the Town's application for a Tiger Grant for transportation and gave an brief update.

**MOTION**: *Move that the Board of Selectmen vote to postpone this agenda item to a date to be determined.*

**Motion by**: Mary-Jo Avellar                      **Seconded by**: David Bedard                      Yea 4    Nay 0

#### 2. PUBLIC STATEMENTS

Celine Gandolfo - Request a formal hearing of their EDP request. (See attachment #1)

Candace Collins-Boden – Chamber of Commerce – Re: Fireworks for this year. Wants to make sure that Fireworks is budgeted for not only for this year, but for future years.

#### 3. SELECTMEN STATEMENTS

##### Mary-Jo Avellar

**MOTION**: *Move that the Board of Selectmen vote to send a letter of thanks to Nathan Herrick for his years of service to the town.*

**Motion by**: Mary-Jo Avellar                      **Seconded by**: Austin Knight                      Yea 4    Nay 0

**MOTION**: *Move that the Board of Selectmen vote to send a letter to DEP to hear Celine Gandolfo's requesting for 77 gallons for the apartment at 361 Commercial Street.*

**Motion by**: Michele Couture                      **Seconded by**: Mary-Jo Avellar                      Yea 4    Nay 0

**MOTION**: *Move that the Board of Selectmen vote to prepare an article for Town Meeting on the July 4<sup>th</sup> Fireworks, and to follow-up on the dollar figure.*

**Motion by**: Austin Knight                      **Seconded by**: Mary-Jo Avellar                      Yea 4  
Nay 0

##### David Bedard

Parking – Wants to bring the Parking Department Policy regarding parking permits before the

Board for consideration prior to April.

Bangs Street Subdivision – letter sent by Brenda Hayward – was wondering if there were any violations. David Gardner – Approval was done on this project back in 2008. All approvals were obtained for this development, and as far as we know, there are no violations. We understand that any damage that may have been done is being taken care of by the contractor with the homeowners.

**Austin Knight**

Attended the Cape Cod Commission meeting, and Bourne wants to go to all the Towns and talk about solid waste.

Ocean Management Planning Meeting at PHS on Thursday, February 25<sup>th</sup>.

**Michele Couture**

***MOTION: Move that the Board of Selectmen vote to send a letter to Julian Popko for his Lobster Pot display at Lopes Square.***

**Motion by: Michele Couture      Seconded by: Mary-Jo Avellar      Yea 4    Nay 0**

Cape Cod National Seashore Park Service will be holding a meeting on Wednesday, March 3, 2010 @ 5:30 PM to discuss poisoning of crows to help save plovers. Will post meeting in case Board of Selectmen want to attend.

**4A    BOARD OF SELECTMEN APPOINTMENTS**

***MOTION: Move that the Board of Selectmen vote to appoint John E. Hayler as a Regular Member of the Beautification Committee with a term to expire on December 31, 2012.***

**Motion by: Austin Knight      Seconded by: David Bedard      Yea 4    Nay 0**

***MOTION: Move that the Board of Selectmen vote to appoint Amy Germain as a Regular Member of the Recycling and Renewable Energy Committee with a term to expire on December 31, 2012.***

**Motion by: Mary-Jo Avellar      Seconded by: David Bedard      Yea 4    Nay 0**

***MOTION: Move that the Board of Selectmen vote to appoint Tina M. Trudel as a Regular Member of the Cultural Commission with a term to expire on December 31, 2012.***

**Motion by: Austin Knight      Seconded by: David Bedard      Yea 4    Nay 0**

**5A    EAST END GALLERIES PROPOSAL – “Walk the Line”**

Open discussion

***MOTION: Move that the Board of Selectmen vote to support the “Walk The Line” project as proposed by the East End Galleries District from Centre Street to Howland Street.***

**Motion by: Mary-Jo Avellar      Seconded By: Austin Knight      Yea 4    Nay 0**

**5B    HOURS OF ENTERTAINMENT – Rick Murray**

See comments by Rick Murray (Attachment #2)

Withhold support for the article to amend the General Bylaw to extend the Hours of Entertainment at this time.

**5C    USDA – LOAN RESOLUTIONS**

**MOTION:** *Move that the Board of Selectmen vote to approve the United States Department of Agriculture Loan Resolution for Water in the amount of \$2,466,000.00, and for Sewer in the amount of \$3,000,000.00 as conditions of the grant/loan program.*

**Motion by:** Austin Knight      **Seconded by:** David Bedard      **Yea 4    Nay 0**

**5D    PROVINCETOWN FARMERS' MARKET – 2010 Farmers' Market Dates**

**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 15, 2010 and ending on December 4, 2010 (excluding June 26, 2010).*

**Motion by:** Austin Knight      **Seconded by:** Mary-Jo Avellar      **Yea 4    Nay 0**

**5E1    TREASURER'S TRANSFERS – John A Henry Trust Fund**

**MOTION:** *Move that the Board of Selectmen vote, as Commissioners of the Trust Funds, to approve the transfer of \$2,586.51 from the John A. Henry Trust Fund for the payment of the attached invoice(s).*

**Motion by:** Mary-Jo Avellar      **Seconded by:** Austin Knight      **Yea 4    Nay 0**

**5E2    TREASURER'S TRANSFERS – John Anderson Francis Scholarship Fund**

**MOTION:** *Move that the Board of Selectmen vote, as Commissioners of the Scholarship Funds, to approve the transfer of \$17,500.00 from the John Anderson Francis Scholarship Fund for the payment of scholarship(s).*

**Motion by:** Mary-Jo Avellar      **Seconded by:** Austin Knight      **Yea 4    Nay 0**

**5E3    TREASURER'S TRANSFERS – Town Scholarship Fund**

**MOTION:** *Move that the Board of Selectmen vote, as Commissioners of the Scholarship Funds, to approve the payment of \$2,000.00 from the Town Scholarship Fund for payment of the Town Scholarship to a member of the Class of 2009.*

**Motion by:** Mary-Jo Avellar      **Seconded by:** Austin Knight      **Yea 4    Nay 0**

**5F    THE LONG POINT CHARITABLE FOUNDATION**

**MOTION:** *Move that the Board of Selectmen vote to authorize the submission of a grant application in the amount of \$5,000 to The Long Point Charitable Foundation, PO Box 659, Provincetown, MA to support development of the new community garden off Browne Street.*

**Motion by:** Mary-Jo Avellar      **Seconded by:** Austin Knight      **Yea 4    Nay 0**

**6A    PAMET LENS OVERSIGHT GROUP - UPDATE**

Austin Knight - provided an update. Going through the emergency preparedness plans.

**6B    NATIONAL RESOURCES CONSERVATION SERVICES GRANT PROGRAM**

**MOTION:** *Move that the Board of Selectmen vote to direct the Town Manager to submit the necessary application(s) for the National Resource Conservation Services Grant Program.*

**Motion by:** Mary-Jo Avellar      **Seconded by:** David Bedard      **Yea 4    Nay 0**

**6C    AUDITORS REPORT – Re: PPC (Mary-Jo Avellar)**

Discussion of the Thomas J. Scanlon & Associates letter dated February 4, 2010 to Town Manager Sharon Lynn (Re: Overview of Pier Corporation's \$400,000 in funds.)

Open discussion ensued. No motions made.

List of what Ratepayers pay on the east side of the Pier, their rates, and who is there.

**6D TOWN MANAGER FOLLOW-UP**

Request from attorney for Outer Cape Health. – Expansion. Needs 35 foot easement on Harry Kemp Way. Condition: Insurance.

Town Hall – basement level has been poured. Fire House #2 is on schedule.

**6E OTHER - Nothing at this time.**

**6E1 OTHER – CEMETERY COMMISSION**

***MOTION: Move that the Board of Selectmen vote, pursuant to the recommendation of the Cemetery Commission, to approve the payment of \$500 from the Cemetery Sale of Lots Fund payable to the seller of Lot 4-C.***

**Motion by: Austin Knight      Seconded by: Mary-Jo Avellar      Yea 4    Nay 0**

**7. MINUTES OF BOARD OF SELECTMEN'S**

***MOTION: Move that the Board of Selectmen vote to approve the minutes of January 5, 2010 (Budget Mtg.) as printed.***

**Motion by: Mary-Jo Avellar      Seconded by: Austin Knight      Yea 4    Nay 0**

***MOTION: Move that the Board of Selectmen vote to approve the minutes of January 6, 2010 (Budget Mtg.) as printed.***

**Motion by: Mary-Jo Avellar      Seconded by: Austin Knight      Yea 4    Nay 0**

***MOTION: Move that the Board of Selectmen vote to approve the minutes of January 7, 2010 (Budget Mtg.) as printed.***

**Motion by: Mary-Jo Avellar      Seconded by: Austin Knight      Yea 4    Nay 0**

***MOTION: Move that the Board of Selectmen vote to approve the minutes of January 11, 2010 (Regular Mtg.) with changes so noted.***

**Motion by: Mary-Jo Avellar      Seconded by: Austin Knight      Yea 4    Nay 0**

**8. CLOSING STATEMENTS**

**Mary-Jo Avellar – None      Michele Couture - None**

**David Bedard – None**

**Austin Knight - Discontinued gallons will be brought before the board March 22<sup>nd</sup>.**

Motion to adjourn by Mary-Jo Avellar at 8:04 PM

**Minutes transcribed by: Vernon G. Porter, Secretary to Board of Selectmen**

February 24, 2010