

OF PROVINCETOWN - BOARD OF SELECTMEN

REGULAR MEETING - MONDAY, FEBRUARY 9, 2009

LARKIN HALL, CENTER FOR COASTAL STUDIES

Chairman Michele Couture convened the meeting at 6:05 PM noting the following Board of Selectmen attending: Michele Couture, Elaine Anderson, Mary-Jo Avellar, Austin Knight, David Bedard

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. PUBLIC HEARING: ECONOMIC DEVELOPMENT POLICY / ECONOMIC PERMIT GUIDELINES AND PROCEDURES

Application Criteria, Process and Procedures for Economic Development Permits

Michele Couture read Public Hearing into record.

David Gardner gave an overview of the purpose of this public hearing and the back-up material contained in this agenda item.

Open discussion and comments ensued.

MOTION: *Move that the Board of Selectmen vote, pursuant to General By-laws Section 5-15-4, to approve the issuance of Economic Development Permits according to the criteria established by the Board of Selectmen Policy 2009-02-09, as submitted.*

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

MOTION: *Move that the Board of Selectmen vote, pursuant to General By-laws Section 5-15-4, to amend the Economic Development Permit Guidelines and Procedures, as established [as revised].*

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

1B CENTER FOR COAST STUDIES

Support for Cape Cod Bay Monitoring Program

Marine Policy Coordinator, Pat Hughes gave a brief overview and purpose of the Cape Cod Bay Monitoring Program and what is happening within the Provincetown district and surrounding areas. Additionally, she is seeking funding support from Provincetown Board of Selectmen.

MOTION: *Move that the Board of Selectmen vote to provide the Center of Coastal Studies the sum of \$10,700 to continue the Cape Cod Bay Monitoring Program in 2009. Director of Municipal Finance to research to see if such funds may be taken out of Chapter 91 Funds contingent upon agreement from the Harbor Committee and clearance from Town Counsel, to insure it is appropriate use of these funds.*

Motion by: Michele Couture **Seconded by**: Austin Knight Yea 5 Nay 0

1C FIREWORKS – UPDATE

Rick Murray, Chief Jeff Jaran. Fireworks Fund Raising Committee will raise \$34,050 by May 1, 2009 to insure there will be fireworks this year. Their first meeting will be Wednesday – February 18, 2009 @ Town Hall 3:00 PM

MOTION: *Move that the Board of Selectmen vote to take Agenda Item 5A and 5C out of order.*

Motion by: Michele Couture **Seconded by:** Austin Knight Yea 5 Nay 0

5A PUBLIC SAFETY GRANT

Public Safety Answering Point & Regional Emergency Communication Center Support Incentive Grant

MOTION: *Move that the Board of Selectmen vote to authorize Chief of Police Jeff Jaran, to submit a Public Safety Answering Point and Regional Emergency Communication Center Support Incentive Grant application to the Executive Office of Public Safety in the amount of \$12,237 for Telecommunicator personnel costs, console furniture, and dispatcher chairs.*

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

5C 252 BRADFORD STREET FLOODING AND COURT STREET TOWN LANDING OUTFALL PIPE PROJECTS

MOTION: *Move that the Board of Selectmen vote to authorize the execution of an engineering contract with Sterns and Wheler in the amount of \$81,884 to cover 40% of the cost of the engineering assistance for reporting of the 319 Grant Funding, Final Design of the Court Street Outfall, Bidding Assistance for 252 Bradford Street and the Court Street Outfall, Construction oversight and Reporting Services for Both Sites, and Resident Project Representative for Both Sites and further;*

MOVE that the Board of Selectmen vote to approve an application to the Mass Highway Chapter 90 in the amount of \$204,932 to cover 40% matching funds for the 319 Grant for this project.

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

1D SOUTH HOLLOW WELLFIELD REHABILITATION

Report on meeting w/ DEP on February 4, 2009 for emergency permitting
South Hollow well #1 – Conductivity Impacts
South Hollow well #3 – bacteria issues
NTAFB well #4 – bacteria issues

MOTION: *Move that the Board of Selectmen vote to authorize the Dept of Public Works to proceed with the relocation of the wells at the Paul Daley Wellfield as expeditiously as possible as outlined per Agenda Item 1-D.*

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

2. PUBLIC STATEMENTS

Carrie Notaro – Lives near St. Mary’s of the Harbor and definitely needs a porta-pottie in that area during the 4th of July festivities. Check out Jerome Smith flooding.

Mary-Jo Avellar recused herself and left the room as her husband is a town employee who services are leased to the Provincetown Public Pier Corporation.

Candace Nagle – MacMillan Pier floating dock tenants should be required to show proof of insurance after the first year. Demands a review of tenant subsidy program.

Mary-Jo Avellar returned.

George Bryant – Letter from County Commissioners regarding Regionalization. Forward minutes of Regionalization Committee to him.

Doug Johnstone – (Town Clerk) – Decided not to sell Fish & Wildlife Licenses for several reasons. 1) Department of Fish & Wildlife does not compensate the Town Clerks Office .. very low income. 2) can be purchased over internet as well as neighboring town Truro, and any sporting goods store.

Kerry Adams - Would like the Town Clerk to offer licenses for first time applicants.

Rick Murray - Using Credit Cards for Parking Meters – would like to see these used. Direct town employees to buy solar power trash compactors. VSB – opposed to the town taking any additional money from the Tourism Fund. Meals tax on the warrant should be reconsidered if we don't get the full amount of the increase back from the tax... I would hope that you err on the side of caution on meals tax. Possibly increase parking revenues. Hopes that the Board will share the burden with everyone if you have to do any cuts. Should be going after all unions and not just AFSCME.

3. SELECTMEN STATEMENTS

Austin Knight

- We are having a joint meeting with the Pier Corp at our next meeting.

Agree with Kerry Adams.

All the unions were asked to take a cut. We have no control over the school unions.
VSB – we will be meeting with them shortly and I am sure it will be a heated discussion

MOTION: Move that the Board of Selectmen vote to direct the Town Manager to look into the drainage problem at Jerome Smith and report back to the Board.

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

- Fire House #2 – We promised the businesses in that area that there would be no interruptions. I would hold off until fall since we have to go out to bid.

MOTION: Move that the Board of Selectmen vote to have a joint meeting with School Committee by the end of February to discuss the process for potential school regionalization.

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

- Would like update on the Town Landing on the West End – repair of boat ramps at the West End from DPW and Harbormasters.

Mary-Jo Avellar

- ***MOTION: Move that the Board of Selectmen vote to ask Town Counsel how we can place an article in the Warrant to re-write the formula seeking fairer lottery revenues for all towns.***

Motion by: Mary-Jo Avellar Seconded by: Elaine Anderson Yea 5 Nay 0

Condo inspection fees that were discussed with the Board of Health that we discussed a few weeks ago .. this bothers me that it is going to be taxed on to tenants.

Saturday I represented Frances Raymond at her 104 Birthday.

MOTION: Move that the Board of Selectmen vote to send a Proclamation to Frances Raymond upon her 104 Birthday.

Motion by: Mary-Jo Avellar Seconded by: Elaine Anderson Yea 5 Nay 0

David Bedard

- Why aren't the School Committee's Meetings taped? Answer – They are now starting to be.

Budget Crisis – We've been level funding for a long time. We have an opportunity to reshape the way government provides services in town. Maybe we should form an Adhoc Committee to look at how we provide services to our town and reinvent government.

Solar powered trash compactors, we should get enough to eliminate the need for 3rd barrel pick-up.

Elaine Anderson

-

I have great concern over private fireworks in the East End. Last year there was quite a few, and I am seeking help for a solution from whomever – I would appreciate it this year.

Pier Corp – is following through with good business practices, and we are following up with meetings.

Complaints of violations of business licenses. We have to enforce what we have in place. The most complaint about Victor's. Why are fines not being assessed?

MOTION: *Move that the Board of Selectmen vote to do a follow-up on year round licenses.*

Motion by: Elaine Anderson **Seconded by:** Michele Couture
Yea 4 Nay 0 Abstain (1) David Bedard

Support the use of new parking stations that use credit cards for parking along with credit card meters.

Committee on Recycling is thinking of writing a grant for the big-belly compactor.

I am disappointed in our union not agreeing to postpone their raises .. All three unions.

Firehouse #2 – if it is not going to be ready. Then port-a-potties should be used

Michele Couture

MOTION: *Move that the Board of Selectmen vote to send a letter to the students who organized the pot luck supper to raise funds for the new fire truck.*

Motion by: Michele Couture **Seconded by:** Austin Knight Yea 5 Nay 0

Schedule a show & tell for Helix wind turbines in Mid- March.

CPC meeting tomorrow - We need to have a clear ideal of what the Board of Selectmen wants to go forward.

Mary-Jo Avellar left the room as the Pier Corp was going to be discussed.

Michele Couture – spoke on the constant attack of the Pier Corp.

MOTION: *Move that the Board of Selectmen vote to send a letter of confidence to the Provincetown Public Pier Corporation.*

Motion by: Michele Couture **Seconded by:** Elaine Anderson Yea 4 Nay 0

Mary-Jo Avellar returned.

4. **APPOINTMENT**

MOTION: *Move that the Board of Selectmen vote to approve the recommendation of Town Manager to appoint Linda Loren as a Regular Member of the Disability Commission with a term expiration date of December 31, 2011.*

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

MOTION: *Move that the Board of Selectmen vote to approve the recommendation of Town Manager Sharon Lynn to appoint Char(lene) Priolo as a Regular Member of the Historic Commission with a term expiration date of December 31, 2009.*

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

5B **SUPPORT FOR FREIGHT RAIL EXPANSION**

MOTION: *Move that the Board of Selectmen vote to sign a Resolution to Support the freight rail expanding act S.1125/H.R. 2116, and to direct the Town Manager to send this Resolution to our U.S. Senators and to Representative Delahunt.*

Motion by: Mary-Jo Avellar

Seconded by: Austin Knight

Yea 5 Nay 0

5D TOWN HALL – RESTORATION

Massachusetts Historical Commission Grant Application

MOTION: Move that the Board of Selectmen vote to authorize the submission of a grant application in the amount of \$100,000 from the Massachusetts Historical Commission under the Massachusetts Preservation Projects Fund grant program for the repair and restoration of the town hall auditorium to be matched by \$100,000, and to submit a letter of the town's intent to enter into a preservation restriction in perpetuity.

Motion by: Mary-Jo Avellar

Seconded by: David Bedard

Yea 5 Nay 0

5E ZONING BYLAW AMENDMENTS

Refer to the Planning Board

MOTION: Move that the Board of Selectmen vote, pursuant to Massachusetts General Law Chapter 40A Section 5, to submit the attached zoning bylaw amendments to the Planning Board for review and public hearing in order to be placed on the April 6, 2009 Annual Town Meeting Warrant.

Motion by: Mary-Jo Avellar

Seconded by: Austin Knight

Yea 5 Nay 0

5F1 TREASURER'S TRANSFER

Beautification Committee Gift Fund

MOTION: Move that the Board of Selectmen vote as Commissioners of the Town of Provincetown Gift Funds, pursuant to MGL C44 § 53A, to approve the use of \$275.00 from the Beautification Committee Fund to pay for the attached invoice(s).

Motion by: Mary-Jo Avellar

Seconded by: Elaine Anderson

Yea 5 Nay 0

5F2 TREASURER'S TRANSFER

John A. Henry Trust Fund

MOTION: Move that the Board of Selectmen vote, as Commissioners of the Trust Funds, to approve the transfer of \$1,250.00 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 5 Nay 0

5G PARADE PERMIT REQUEST

Dog Run Dog, LLC

MOTION: Move that the Board of Selectmen vote to approve the Parade Permit Application submitted by Paul Gardner, Founder of Dog Run Dog, LLC, P.O. Box 880, Norwich, Vermont to hold their Annual Dog Run to be held on Saturday, June 20, 2009 from 9 AM to 11 AM. No rain date.

Motion by: Mary-Jo Avellar

Seconded by: Austin Knight

Yea 5 Nay 0

5H 2009 SNOW / ICE BUDGET – ADDITIONAL FUNDS REQUEST

Open discussion. No motion made.

6A DISTRICT LOCAL TECHNICAL ASSISTANCE GRANT

This agenda item withdrawn.

6B REGIONALIZATION UPDATE

Work draft of work accomplished to-date will be distributed shortly.

6C TOWN MEETING – BUDGET OVERRIDE ADJUSTMENTS

Open discussion ensued. No motions made.

Chairman Couture suggested that Town Manager speak to FinCom about the monies needed for a new copier and server.

6D TOWN MANAGER FOLLOW-UP / OTHER

Firehouse #2 – will not be completed by Memorial Day. We received four bids. Bids not within scope of request. Reject the general bids and remove the heating system from the bid. Rebid will take approximately 4-6 weeks, which would delay the project till Fall. Selectmen do not want to remove heating from the bid. Better signage as to where restrooms are located. West End needs restrooms. Town Manager to ensure adequate signage for restrooms at Whalers Wharf and Aquarium Mall. Follow-up needed.

7. CLOSING STATEMENTS

None at this time.

Motion to adjourn by Mary-Jo Avellar at 10:00 PM.

Minutes transcribed by: Vernon G. Porter, Secretary to Board of Selectmen
April 1, 2009