

OF PROVINCETOWN - BOARD OF SELECTMEN
REGULAR MEETING - MONDAY, MARCH 9, 2009

VETERANS MEMORIAL ELEMENTARY SCHOOL

Chairman Michele Couture convened the meeting at 6:00 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, Town Accountant Alix Heilala

Recorder: Vernon G. Porter

The following are meeting minutes, in brief:

Chief Jeff Jaran – Officer Thomas Steele an eight-year veteran of our police force was introduced and promoted to Sergeant.

Mary-Jo Avellar left the meeting at 6:20 PM.

1. TOWN HALL RENOVATIONS REPORT

Proposal for Air Conditioning Unit

Attendees from McGinley Kalsow & Associates Wendell Kalsow & Mark Almeda and Bruce MacRitchie of MacRitchie Engineering Inc., gave mechanical report on pro's & con's of different types of air conditioning units for use at Town Hall.

Austin Knight – Concerned with need to repair the monument and gain access to the monument, as well as noise disturbing Pilgrim Monument & Provincetown Museum events.

Continue to March 23rd meeting and await surveyor's report.

MOTION: Move that the Board of Selectmen vote to select the Bas Relief as the site location for the air conditioning units for Town Hall.

Motion by: Michele Couture Seconded by: Austin Knight Yea 4 Nay 0

Mark thanked the PM and the Art Association (Stephen Borkowski) for their assistance today. Everything is on schedule and within budget. Gave overview of where town hall is now, and what was found when they removed the old fire escape. Things are looking good.

MOTION: Move that the Board of Selectmen vote to approve the paint scheme for Town Hall.

Motion by: Austin Knight Seconded by: Elaine Anderson Yea 4 Nay 0

1B BARNSTABLE COUNTY COMMISSIONERS

Annual Town Service Report to the Board of Selectmen

Attendees: Sheila Lyons, Mary Pat-Flynn, George Bryant, Paul Niedzwiecki, Maggie Downey – Cape Light Compact & County Commissioners.

Along with the material in our packets, all attendees spoke and gave their overviews of what has happened and what the upcoming plans and goals are for the future. Maggie said funds are available for grants re: green energy programs.

2. PUBLIC STATEMENTS - None

3. SELECTMEN STATEMENTS

David Bedard

Searching Town Website and noticed that the Tourism site was not updated. David Gardner – some updates were done this morning, and we will have a new website within a few months.

Regionalization Meeting – was amazing.

Presentation by Parking Department – I'm looking forward to the next presentation.

Elaine Anderson / Austin Knight / Michele Couture – None at this time.

4. **APPOINTMENT** - None at this time.

5A **USE OF TOWN PROPERTY**

Distribution Boxes for Free Town Maps

Concerns by Board of Selectmen: Is it appropriate to place these in the public Right of Way? Do we need to go out for bid, or can this individual who requested permission be allowed to place his racks? What type of precedent would this set, and would the Selectmen be required to allow others who requested to place racks within the public Right of Way? What type of business license would be required of the individual in order to allow him to place his racks in the public Right of Way?

MOTION: Move that the Board of Selectmen vote to continue this item until Monday, March 23, 2009 in order to respond to questions raised.

Motion by: Elaine Anderson Seconded by: David Bedard Yea 4 Nay 0

5B **MASS STATE LAND GRANT APPLICATION**

Browne Street Community / Agriculture and Conservation Project

Selectmen are concerned about value of property. Will selling price come down?

MOTION: Move that the Board of Selectmen vote to the submission of the Local Acquisitions for Natural Diversity (LAND) grant application to the Mass Department of Conservation and Recreation to seek maximum reimbursement grant funds to aid in the purchase of the Richard Davis property off Browne Street to be used for community agriculture and wetland resource area protection in an amount not to exceed \$104,000 and to furthermore submit a letter of support with the grant application.

Motion by: Elaine Anderson Seconded by: David Bedard Yea 4 Nay 0

Michele Couture left the room.

5C1 **AIRPORT COMMISSION**

EA / FEIR /DRI PERMITTING – EXECUTE GRANT

MOTION: Move that the Board of Selectmen vote to execute a grant in the amount of \$427,500 from the Federal Aviation Administration (FAA) for the Environmental Assessment / Final Environmental Impact Report / Determination of Regional Impact - Permitting (EA/FEIR/DRI -Permitting) at the Provincetown Municipal Airport.

Motion by: David Bedard Seconded by: Austin Knight Yea 3 Nay 0

5C2 **AIRPORT COMMISSION**

EA / FEIR /DRI PHASE II - EXECUTE GRANT

MOTION: Move that the Board of Selectmen vote to execute a contract in the amount of \$415,000 with Edwards and Kelcey Inc., 343 Congress Street, Boston, MA. 02210, for the consultant work required for the Environmental Assessment (EA) Final Environmental Impact Report (FEIR), and Development of Regional Impact (DRI) PHASE II (EA/FEIR/DRI PHASE II) at the Provincetown Municipal Airport.

Motion by: David Bedard Seconded by: Austin Knight Yea 3 Nay 0

Michele Couture returned.

5D1 TREASURER’S TRANSFER
Library Gift Fund

MOTION: *Move that the Board of Selectmen vote, as Commissioners of the Library Trust Funds, pursuant to MGL C44 § 53A, to approve the use of \$1,768.96 from the Library Trust Fund - Flores to pay for the attached invoice(s).*

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

5D2 TREASURER’S TRANSFER
Library Building Gift Fund

MOTION: *Move that the Board of Selectmen vote, as Commissioners of the Library Building Gift Funds, pursuant to MGL C44 § 53A, to approve the use of \$34,718.76 from the Library Building & Gift Fund to pay for the attached invoice(s).*

Motion by: David Bedard Seconded by: Elaine Anderson Yea 4 Nay 0

5D3 TREASURER’S TRANSFER
Library Building Gift Fund - Landscaping

MOTION: *Move that the Board of Selectmen vote, as Commissioners of the Library Building Gift Funds, pursuant to MGL C44 § 53A, to approve the use of \$1,200.00 from the Library Building & Gift Fund - Landscaping to pay for the attached invoice(s).*

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

MOTION: *Move that the Board of Selectmen vote to take agenda item 5F out of order.*

Motion by: David Bedard Seconded by: Elaine Anderson Yea 4 Nay 0

5F PROVINCETOWN CEMETERY COMMISSION
Revision of Fees and charges

MOTION: *Move that the Board of Selectmen vote, pursuant to Provincetown General By-laws Section 6-6-1, to approve the schedule of Cemetery Fees and Charges recommended by the Cemetery Commission.*

Motion by: Elaine Anderson Seconded by: Austin Knight Yea 4 Nay 0

David Bedard is an abutter and recused himself.

5E COMPREHENSIVE PERMIT RECOMMENDATION
90 Shank Painter Road – Province Landing

MOTION: *Move that the Board of Selectmen vote to send a letter of support to MassHousing, the Massachusetts Housing Finance Agency, for the speedy issuance of their Site Approval for the application by The Community Builders Inc. for the construction of 50 rental units at Province Landing, at 90 Shank Painter Road.*

Motion by: Austin Knight Seconded by: Elaine Anderson Yea 3 Nay 0

David Bedard returned.

MOTION: *Move that the Board of Selectmen vote to table agenda items 5G and 5H until the next meeting..*

Motion by: David Bedard Seconded by: Elaine Anderson Yea 4 Nay 0

5G COMCAST
Changes to Channel Line-Up

5H NSTAR
Project Update: Bradford and Winslow Streets

6A PAMET LENS OVERSIGHT GROUP - UPDATE

Austin Knight gave brief update. Consideration of three alternative well sites?

6B REGIONALIZATION UPDATE

Michele Couture gave brief update. Board received latest minutes prior to this meeting.

6C APRIL 6, 2009 ANNUAL & SPECIAL TOWN MEETINGS

MOTION: *Move that the Board of Selectmen vote to accept the ordering of the articles in the warrants for the April 6, 2009 Annual and Special Town Meeting, as presented by the Town Manager.*

Motion by: Austin Knight **Seconded by:** Elaine Anderson Yea 4 Nay 0

6D PROVINCETOWN FARMERS' MARKET

2009 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 16, 2009 and ending on December 5, 2009 (excluding June 27, 2009).*

Motion by: Austin Knight **Seconded by:** Elaine Anderson Yea 4 Nay 0

6D TOWN MANAGER FOLLOW-UP / OTHER – None at this time.

7. MINUTES OF BOARD OF SELECTMEN'S MEETINGS

MOTION: *Move that the Board of Selectmen vote to approve the minutes of January 8, 2009 (Budget Mtg.) as printed.*

Motion by: Elaine Anderson **Seconded by:** David Bedard Yea 4 Nay 0

MOTION: *Move that the Board of Selectmen vote to approve the minutes of January 12, 2009 (Budget Mtg.) with changes so noted.*

Motion by: Elaine Anderson **Seconded by:** David Bedard Yea 4 Nay 0

MOTION: *Move that the Board of Selectmen vote to approve the minutes of January 14, 2009 (Budget Mtg.) as printed.*

Motion by: Elaine Anderson **Seconded by:** David Bedard Yea 4 Nay 0

MOTION: *Move that the Board of Selectmen vote to approve the minutes of January 15, 2009 (Budget Mtg.) as printed.*

Motion by: Elaine Anderson **Seconded by:** David Bedard Yea 4 Nay 0

MOTION: *Move that the Board of Selectmen vote to approve the minutes of January 21, 2009 (Budget Mtg.) as printed.*

Motion by: Elaine Anderson **Seconded by:** David Bedard Yea 4 Nay 0

MOTION: *Move that the Board of Selectmen vote to approve the minutes January 26, 2009 (Regular Mtg.) as printed.*

Motion by: Elaine Anderson **Seconded by:** David Bedard Yea 4 Nay 0

MOTION: *Move that the Board of Selectmen vote to approve the minutes of January 27, 2009 (Special*

Mtg.) as printed.

Motion by: Elaine Anderson Seconded by: David Bedard Yea 4 Nay 0

MOTION: *Move that the Board of Selectmen vote to approve the minutes of January 29, 2009 (Special Mtg. 5:30 PM) as printed.*

Motion by: Elaine Anderson Seconded by: David Bedard Yea 4 Nay 0

MOTION: *Move that the Board of Selectmen vote to approve the minutes of January 29, 2009 (BOFE Mtg. 6 PM) as printed.*

Motion by: Elaine Anderson Seconded by: David Bedard Yea 4 Nay 0

8. CLOSING STATEMENTS

Elaine Anderson – Proud of town during the recent budget process.

Michele Couture – Joint meeting with FinCom on March 16, 2009. Request memo from FinCom Chair prior to meeting.

Austin Knight

MOTION: *Move that the Board of Selectmen vote to send a thank you letter to the Teachers Union for foregoing their raise.*

Motion by: Austin Knight Seconded by: Elaine Anderson Yea 4 Nay 0

9. BARGAIN STRATEGY

MGL C. 39, §23B, cl. 3

MOTION: *Move that the Board of Selectmen vote, pursuant to MGL C. 39, §23B, clause 3, to go into executive session for the purpose of discussing personnel issues; and not to convene in open session thereafter. [Roll Call Vote]*

Elaine Anderson – Yes

Austin Knight – Yes

David Bedard – No

Michele Couture – Yes

Motion by: Austin Knight Seconded by: Elaine Anderson

Yea 3 Nay 1 - Motion Passes -

The Board adjourned to go into executive session at 9:10 PM.

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