

TOWN OF PROVINCETOWN - BOARD OF SELECTMEN

SPECIAL MEETING – TUESDAY, APRIL 21, 2009

LARKIN HALL

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 and David Bedard

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

Recorder: Vernon Porter

The following are meeting minutes, in brief:

1A REPLACE LADDER TRUCK CONTRACT – BOARD OF FIRE ENGINEERS

New 77' Custom Ladder Truck (Quint) \$628,553 (STM-3, 4/6/2009)

MOTION: *Move that the Board of Selectmen vote, contingent upon the result of Town Election on May 5, 2009, to award a contract to Ferrara Fire Apparatus, Inc, 27855 James Chapel Road, Holden, LA 70744 in the amount of \$628,553 for a New 77' Custom Ladder Truck (Quint) for the Provincetown Fire Department.*

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

1B TOWN HALL RENOVATIONS REPORT

Presentation & Update on Gas Fired Absorption Chiller for Town Hall

Mark Almeda of McGinley Kalsow & Associates, Inc. gave a presentation and update on the gas fired absorption air cooled chiller for town hall. This is the last component before going out to bid.

MOTION: *Move that the Board of Selectmen vote to accept the plans as presented April 21, 2009.*

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

Schedule agenda item for Monday, April 27th to include Phase 2 Alternatives and also line item comparisons.

1C BOARD OF HEALTH – ADOPTION OF FEES

Board of Health Regulation of Part XIV – Habitation for rent

MOTION: *Move that the Board of Selectmen vote to approve Section 8 - Rental Certificate Registration Fees as found in the Board of Health Regulation Part XIV – Habitations for Rent.*

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

Post on town website.

2. PUBLIC STATEMENTS

Barbara Rushmore - Thank you for making the Town Meeting so successful. Make sure handicapped entrance to Larkin Hall is open during meetings. Doesn't like the 4 day work week for town hall employees and feels it reduces town services. Wants a public meeting with FinCom to look for ways to raise money and to save money for future budgets.

Carrie Notaro – Wants port-a-potties for the east end of town during the Portuguese Festival. Four-Way Stop at corner of Bradford Street & Howland is great if people stop. There is a need for more signage indicating STOP signs ahead. Thanked everyone for their support of the PTA at Town Meeting. Recyclables are not being picked up on Anthony Street. May want to send out notice to let people know what and how to recycle again.

Patricia Benatti - Wants to thank the DPW work crew for taking care of the Grace Hall Parking Lot.

Tom Boland & Jim Farley - Regarding the Farmers Market – concerned that it is more of a food bazaar than fresh fruit and vegetables. Also, it has moved away from being a ‘Cape’ venue. Market does not allow locals to compete with items sold by others within the market.

3. SELECTMEN STATEMENTS

Austin Knight

Questions Farmers Market regarding concerns raised during public statements.

MOTION: *Move that the Board of Selectmen vote to invite Andy Pollock to a future Board of Selectmen’s meeting prior to setting up this year’s market.*

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

Issue regarding signage at Whydah Museum?

Mary-Jo Avellar

The CCNS Advisory Committee has been reactivated. Not happy that they changed their phone number to a toll number.

Port-a-Potty – Can be put in the East End at the Fire Station or at the playground. (Town Manager will look into it.)

Trash needs to be picked up at the corner of Winslow Street and Bradford Street.

David Bedard

STOP signs at Howland and Bradford should indicate “4-Way” Stop Signs as voted upon.

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

Pier Corp - Issue with one of the employees who has made many allegations, and I suggest that we have this employee come before the Board of Selectmen and the Pier Corp to discuss any additional information on the binder. And only address the issues in the binder. Schedule as a regular agenda item about his concerns presented in the binder.

Mary-Jo Avellar returned.

Elaine Anderson

Only major disappointment in Town Meeting was not being able to test the solar parking meters.

Concerned over the graffiti on the new signs at Nicky’s’s Park and Skateboard Park. We have to get a handle on this, and would like the help of all citizens.

Looking forward to the discussion on Farmer’s Market.

Dog Park – many compliments on the design. Look forward to the fundraiser in August with featured guest Lily Tomlin.

Michele Couture

Would like to have Detective Himes come to a meeting and report on the recent graffiti attacks.

Thank Town Staff for doing a tremendous job at Town Meeting. People came well prepared and knowing what was happening.

MOTION: *Move that the Board of Selectmen vote to send a letter of thanks to the School for hosting Town Meeting.*

Motion by: Michele Couture **Seconded by: Elaine Anderson** **Yea 5 Nay 0**

Consider reappointing Sgt. Lopes to Barnstable County Human Rights Commission. Sharon to look into this and report back.

MOTION: Move that the Board of Selectmen vote to send a letter of appreciation to Town Clerk Doug Johnstone regarding the Mass Campaign for Open Government Award.

Motion by: Michele Couture **Seconded by: David Bedard** **Yea 5 Nay 0**

Susanne's Garden – Regarding emails that we are receiving – want to let people know that we are not disregarding the article passed at town meeting. The Town Manager is following through with proper procedures. We are in the process of following up on the appraisals and there is no attempt to preempt Town Meeting vote.

4. APPOINTMENT

None at this time.

5A PROVINCETOWN PUBLIC LIBRARY

Update on Start of Construction – Library Façade

The Board of Selectmen authorized a contract with Campbell Construction on February 23, 2009 for the repairs to the upper façade at the library. A pre-construction meeting was held April 8, 2009 with the contractor and staff. Also in attendance were representatives from Mass Historic for a review of their grant particulars. This up-date provides summary details regarding this construction project about to commence.

5B USE OF TOWN PROPERTY – TIM DOWNEY

Distribution Boxes for Free Town Maps

MOTION: Move that the Board of Selectmen vote to grant permission to Tim Downey, dba LandSquares, of Provincetown, MA, to place distribution boxes, commonly referred to as “newsracks,” for free maps of Provincetown on Town Property at the locations specified on attachment “A” (as amended) with the following restrictions: (a) placement at each location within the public right-of-way be approved by the Town; (b) contact information shall be available on each rack indicating racks provided by LandSquares, and (c) any rack that becomes damaged, graffiti, or in disrepair will be removed immediately; (d) the maps gets replenished on a regular basis; and e) obtain a transient vendor license.

Motion by: Austin Knight **Seconded by: Mary-Jo Avellar**
Yea 3 Nay 2 (David Bedard / Elaine Anderson)

5C WASTEWATER

Change Order to Metcalf & Eddy: Phase 3 Continuation of Service

MOTION: Move that the Board of Selectmen vote to approve a contract to Metcalf & Eddy, engineers of record, in the amount of Two Hundred Fifty Thousand Dollars (\$250,000.00), for Scope of Services as delineated by their proposal dated April 7, 2009.

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

5D1 PARADE PERMIT REQUEST – HELPING OUR WOMEN

9TH Annual By The Sea Bike Trek

MOTION: Move that the Board of Selectmen vote to approve the Parade Application Permit submitted by Teri Nezbeth on behalf of Helping Our Women, P.O. Box 1376, 336 Commercial St., Provincetown, MA, to hold their 9th Annual By The Sea Bike Trek to be held on Saturday, June 6, 2009 from 8:00 AM to 2:00 PM.

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

5D2 PARADE PERMIT REQUEST – PORTUGUESE FESTIVAL

Portuguese Festival Parade – Saturday, June 27, 2009

MOTION: Move that the Board of Selectmen vote to approve the Parade Permit application submitted by Susan Avellar on behalf of The Portuguese Festival Committee for the annual celebration of “The Portuguese Festival Parade” with this years theme: “Sharing of Portuguese Culture & Heritage”, to be held on Saturday, June 27, 2009 from 3 p.m. to 5:30 p.m.

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

5D3 PARADE PERMIT REQUEST – PORTUGUESE FESTIVAL

Blessing of the Fleet – Sunday, June 28, 2009

MOTION: Move that the Board of Selectmen vote to approve the Parade Permit Application submitted by Susan Avellar on behalf of Blessing Of The Fleet, Inc., for their annual celebration of “The Blessing of the Fleet” to be held on Sunday, June 28, 2009 from 11:30 am to 12:30 pm.

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

5D4 PARADE PERMIT REQUEST – FAMILY EQUALITY COUNCIL

LGBTQ Family Unity and Pride Parade – Monday, August 3, 2009

MOTION: Move that the Board of Selectmen vote to approve the Parade Permit Application submitted by Ember Cook on behalf of the Family Equality Council, 41 Winter St., 4th Floor, Boston, MA 02108, to hold their Family Week LGBTQ Family Unity and Pride Parade on Monday, August 3, 2009, from 9:45 AM to 11:00 AM.

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

6A PAMET LENS OVERSIGHT GROUP - UPDATE

Austin Knight gave an update Sharon unable to attend.

**6B SET DATE FOR SPECIAL TOWN MEETING
SET DATES FOR OPENING AND CLOSING OF WARRANT**

MOTION: Move that the Board of Selectmen vote to set the date of Monday, June 22, 2009 for a Special Town Meeting to commence at 6:00 PM. and

Move that the Board of Selectmen vote to open the Monday, June 22, 2009, Special Town Meeting warrant at 8:00 AM on Thursday, May 14, 2009 and to close it on Thursday, May 21, 2009 at 5:00 p.m., in accordance with Charter §2-1-7.

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

6C APRIL 6, 2009 TOWN MEETING FOLLOW-UP - Tracking Sheet of Articles Passed

Open discussion – accepted as presented.

**6D CENTER FOR COASTAL STUDIES
Support for Cape Cod Bay Monitoring Program**

MOTION: Move that the Board of Selectmen vote to approve, as voted unanimously by the Harbor Committee at their meeting on March 5, 2009, the expenditure of \$10,700, from the Harbor Access Gift Fund, to the Center for Coastal Studies in support of their Cape Cod Bay Monitoring Program.

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

6E TOWN MANAGER FOLLOW-UP / OTHER

May 1, 2009 – 10 AM – Meeting with Mark Forest @ Town Hall.

7. **MINUTES OF MEETINGS**

MOTION: *Move that the Board of Selectmen vote to approve the minutes of:*

February 9, 2009 (Regular Mtg.), *February 23, 2009* (Joint Mtg w/ Pier Corp.),
February 23, 2009 (Regular Mtg.), *March 23, 2009* (ATM & STM Articles) *with changes so noted.*

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

MOTION: *Move that the Board of Selectmen vote to approve the minutes of:*

February 10, 2009 (Attend CPC Mtg.), *February 10, 2009* (Attend School Cmte Mtg.),
February 17, 2009 (Tour Town Hall), *February 18, 2009* (Joint Mtg w/ W & S Board).
February 26, 2009 (Observe Mtg w/School & Fin Com), *March 2, 2009* (Joint Mtg w/FinCom), *March 2, 2009* (Joint Mtg w/FinCom), *March 2, 2009* (Discuss Annual & TM Warrants), *March 4, 2009* (Special Mtg.), *March 4, 2009* (Intermunicipal Mtg.), *March 9, 2009* (Regular Mtg.), *March 16, 2009* (Joint Mtg w/FinCom), *March 17, 2009* (DEP/Cabral's Public Hearing), *March 18, 2009* (Demo Parking Machine), *March 23, 2009* (Regular Mtg), *March 26, 2009* (Joint Mtg w/FinCom), *March 31, 2009* (State of TM), *March 2, 2009* (Joint Mtg w/FinCom), *April 6, 2009* (Town Meeting), *April 7, 2009* (Town Meeting) *as printed.*

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

8. **CLOSING STATEMENTS**

Austin Knight – Have a joint meeting with CPC in future.

Elaine Anderson - None **David Bedard** – None

Mary-Jo Avellar – Cop Cards

Richard Olson's letter – had some good suggestions.

Michele Couture - Alice Foley passed away Sunday evening. Will be sadly missed.

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

Mary-Jo Avellar - Yes

David Bedard – Yes

Michele Couture – Yes

Motion by: Austin Knight **Seconded by:** Mary-Jo Avellar

Yea 5 Nay 0 - Motion Passes -

The Board adjourned to go into executive session at 9:20 PM.

Minutes transcribed by: Vernon G. Porter, Secretary to Board of Selectmen
April 28, 2009