

TOWN OF PROVINCETOWN - BOARD OF SELECTMEN

REGULAR MEETING - MONDAY, MAY 22, 2006

JUDGE WELSH HEARING ROOM

Chairman Cheryl Andrews opened the meeting at 6:00 PM noting the following attendees:

Board of Selectmen members: Cheryl Andrews, Sarah Peake, Michele Couture, Richard Olson, David Nicolau

Other attendees: Town Manager Keith Bergman

Recorder: Vernon Porter

The following are meeting minutes, in brief.

1. **AFFORDABLE HOUSING NEEDS ANALYSIS**

90 Shankpainter Road – John J. Ryan, Development Cycles

David Nicolau - Range of incomes ... Middle and medium .. mixed ranges of units. Middle – don't qualify for low or moderate – still can't afford a house. 40B – pay attention to environmental issues .. For the purpose of clarity ... Workforce and workforce housing – includes middle income.

Michele Couture – Year-round workforce housing is tremendously important. Condo conversions, etc. There needs to be a focus. Housing is what we need to maintain our community.

Richard Olson - define need(s) – 100% for all people – of all ages.

Sarah Peake - We want to do anything we can do bring living space on line for people. What we do has an impact on our neighboring towns. North Truro Air Force Base – take a look at that. Report back in approximately 60 days. Also, summer housing is important for our seasonal workers.

Cheryl Andrews – Our vision for 90 Shankpainter – is year-round rental – does that make sense? I think of this in terms of what we want .. would like to see a diverse range ... quality of life and companionship. Rentals and flexibility ... My vision – age group 20 – 35 income range \$35 - \$45K

John Ryan - What I hear is a sense that what you are looking for is how do you create or in some cases bring back a sense of economic diversity in the community that feels like it has been lost ... so being able to get a sense to what degree has it been and to have you reach those that have fallen in between the cracks – whether they be at the low end or the middle end - where is it that those cracks exist and what can we do about that – and that it takes into account workforce housing, it takes into account rental as well as ownership and reconnaissance of the summer impacts that exist.

Cheryl Andrews – That is a good wrap-up and thanks for your time.

1B **AFFORDABLE WORKFORCE HOUSING**

Susan Kadar, Truro Housing Authority

This is a personal effort on her part. “What matters is that we allow people to live and stay in town.” What I am pursuing is symbolism. Regional effort to push the legislators

Sarah Peake – What I would like to see is the use of CPA funds for middle income housing, which can be used outside of town as well. Also take a good hard look at the North Truro Air Force Base. Definitely interested in the sharing of information between towns .. and would like a copy of the report from the Wellfleet consultant.

David Nicolau - Interested in the sharing of information between towns.

Susan Kadar - On June 9, 2006 there will be a meeting in Truro – time and place to be announced and I will notify everyone via the Town Manager – and would like anyone interested to attend.

MOTION: Move that the Board of Selectmen vote to support participating in the discussions led by Susan Kadar to help craft solutions to the Outer Cape Affordable Housing Projects.

Motion by: Sarah Peake

Seconded by: David Nicolau

Yea 5 Nay 0

2. PUBLIC STATEMENTS

Charlene Schwabe – Cicchetti's Espresso Bar, 353A Commercial St., –An anonymous complaint was called into the Licensing Dept. about the four stools and she had to remove them and consequently is losing business because of this .. people have no where to sit. Ask Board for help in securing seating for these four stools back.

Nathan Butera – Read letter into record re: liquor licenses. (*See attachment #1*)

Rik Kapler – Spoke on affordable living. Also gave proposal on permit parking fee table based upon need and accessibility. (*See attachment #2*)

Kerry Adams – 1) Encouraged to hear about Affordable Housing .. and we talk so much about open space .. but does not feel that they both go together. 78% of our town is owned by the Seashore – we have all the space we want just by walking across the highway. 2) Did not see a repair to Good Templar landing but was told that one was made and that this last storm totally destroyed it - so was wondering if we could hear from David Guertin this evening to find out if this is true?

3. SELECTMEN'S STATEMENTS

Sarah Peake

In response to Charlene Schwabe's comments regarding seats whether they be stools at the counter or some outside seating. We need to have an agenda item dealing with Economic Development and gallons.

MOTION: Move that the Board of Selectmen vote to have an agenda item on June 14, 2006 at 5 PM to meet with Doug Taylor to discuss Growth Management process/questions.

Motion by: Sarah Peake

Seconded by: Michele Couture

Yea 5 Nay 0

MOTION: Move that the Board of Selectmen vote to have a Public Hearing on June 14, 2006 at 6 PM to endorse an application form and any procedures necessary to implement Category 5.

Motion by: Sarah Peake

Seconded by: Michele Couture

Yea 5 Nay 0

MOTION: Move that the Board of Selectmen vote to forward a copy of the letter we received from the Provincetown Center for Coast Studies dated May 16, 2006 relative to the performance of the Long Point Dike to the Harbor Committee and the Shellfish Committee for their recommendations.

Motion by: Sarah Peake

Seconded by: Cheryl Andrews

Yea 5 Nay 0

Emails from Town Manager /Mark Forest - Congressman's Delahunt's office - Re: wind energy – Ptown hosting a Public Hearing without endorsing any plans or notions.

MOTION: Move that the Board of Selectmen vote to respond to Congressman Delahunt's email and offer to host the wind energy Public Hearing meeting.

Motion by: Sarah Peake

Seconded by: Michele Couture

Yea 4 Nay 1 (Cheryl Andrews)

Good Templar Landing – What is the status? David Guertin – The Department had no knowledge that after the interim repairs that there has been subsequent damage. We do know that damage can occur by any one of two things. 1) surface drainage and 2) beach erosion. Considering the rainstorms we just experienced there is no doubt that surface drainage could have caused further erosions. We will check into it. However, the interim repair only took a half-day and we acknowledge that if it needs another half day on a continuing basis – so be it. The engineering will be making a recommendation for the permanent fix shortly. Sarah – Thank you. So if it got wrecked you'll rebuild it. Answer: Absolutely. First time hearing of it – usually we hear of it first.

Michele Couture

MOTION: Move that the Board of Selectmen vote to send a letter welcoming Cathy Clobridge as Provincetown's new US Postal Service Postmaster on Wednesday, June 7, 2006 at the New Art Cinema.

Motion by: Michele Couture Seconded by: Richard Olson Yea 5 Nay 0

Curfew for trucks being off the Street by 11 AM – remind Chief to inform companies who make deliveries.

Handicapped parking permits – gentleman who brought this forth at Public Statements – good idea to bring forth for next year's Annual Traffic Hearing.

Fire Chief's email re: crossovers on Route 6.

MOTION: Move that the Board of Selectmen vote to reconsider the Howland Street Crossover on Route 6.

**Motion by: Michele Couture Seconded by: Sarah Peake Yea 5 Nay 0
Richard Olson**

Will miss Stanley Kuntz and Lenny Grandchamp. They both have done a tremendous amount for the Town. They will be sadly missed and my sincerest sympathy to their families.

Applications for appointments and re-appointments ... if they are incomplete, I will be consistent and will be voting NO – on the basis that they are incomplete..

Energy matters - involving ethanol - Receive Keith's second memo on this.. is this the time to enhance upon it? Keith - There is very little information at this point – but Mark Forest has been able to put together a Staff meeting with folks from the Cape Cod National Seashore and Cape Cod Commission and Representatives from DPW from other Cape Town for May 30th at the Seashore Visitors Center in Eastham to try to pull together some preliminary statistics and information.

David Nicolau

Two-day conference with School - very enlightening and look forward to continuing with the dialogue.

MOTION: Move that the Board of Selectmen vote to send a note to the School Committee that we are disappointed that we are not having a meeting and would like to reschedule.

Motion by: David Nicolau .. Seconded by: Sarah Peake Yea 5 Nay 0

Regarding Mr. Butera's Public Comments on liquor stores and liquor licenses, I have done some research and found out that it is State driven. It's a planning issue and it doesn't feel right to me. There is no quota on summer seasonal liquor stores.

MOTION: Move that the Board of Selectmen vote send a letter to the Economic Development Council asking them to converse with the Assessors Department as to how the seasonal population numbers are achieved in order to determine the procedure for issuing seasonal liquor licenses.

Motion by: David Nicolau .. Seconded by: Sarah Peake Yea 5 Nay 0

MOTION: Move that the Board of Selectmen vote to send a letter of thanks to Alice Brock upon her resignation from the Harbor Committee.

Motion by: David Nicolau Seconded by: Michele Couture Yea 5 Nay 0

MOTION: Move that the Board of Selectmen vote to send a letter of thanks to Ruth Dutra upon her retirement of many years of service from the Cape End Manor.

Motion by: David Nicolau Seconded by: Michele Couture Yea 5 Nay 0

MOTION: Move that the Board of Selectmen vote to send a letter of thanks to Eric Dray upon his resignation from the Community Preservation Commission.

Cheryl Andrews

Relative to Mr. Adams public statements comments – I disagree - Affordable Housing and Open Space do go together. I think we can have both – although I understand your sentiment

With regards to new business owners in town - you’re learning what we all learned, which is – besides parking and sewer gallorage (the assessment for your property that allows you to use the sewer) .. I’m talking about what’s gold in this town ... it’s a competitive town. We’re all here to do what we can to help business people .. at the same time we have to do it within the confines of the Zoning and Board of Health laws ..

Sorry to hear that Good Templar Place was repaired without the Board of Selectmen being notified only because I think it started it at our table. Next time, please keep us in the loop and email me.

For those that are income challenged ... Non-Profits – think about issuing vouchers for parking stickers.

MOTION: *Move that the Board of Selectmen vote take Agenda Item 6A out of order.*

Motion by: Sarah Peake Seconded by: David Nicolau Yea 5 Nay 0

6A TOWN HALL STRUCTURAL REPAIRS

Architectural / Structural Engineering Services – Frank A. Marafioti & Associates

MOTION: *Move that the Board of Selectmen vote to approve and execute a contract with Frank A. Marafioti & Associates of Stonington, CT in an amount not to exceed \$60,000 for architectural and structural engineering services for Town Hall structural repairs and necessary restorative upgrades.*

Motion by: Michele Couture Seconded by: Richard Olson Yea 5 Nay 0

4. BOARD OF SELECTMEN APPOINTMENTS

MOTION: *Move that the Board of Selectmen vote to appoint Melville Cote as a Regular Member of the Harbor Committee with a term expiration date of June 30, 2009*

Motion by: Michele Couture Seconded by: Sarah Peake Yea 5 Nay 0

MOTION: *Move that the Board of Selectmen vote to appoint Anthony Philip Travers as a Regular Member of the Provincetown Public Pier Corporation with a term expiration date of June 20, 2009.*

Motion by: David Nicolau Seconded by: Sarah Peake Yea 5 Nay 0

MOTION: *Move that the Board of Selectmen vote to appoint William ‘Todd’ Dever as an Alternate Member of the Council on Economic Development with a term expiration date of June 30, 2009.*

Motion by: David Nicolau Seconded by: Michele Couture Yea 5 Nay 0

MOTION: *Move that the Board of Selectmen vote to reappoint Elizabeth Ann Brooke as a Regular Member of the Animal Welfare Committee with a term expiration date of June 30, 2009.*

**Motion by: Sarah Peake Seconded by: Michele Couture
Yea 3 Nay 1 (Richard Olson) Abstain 1 (Cheryl Andrews)**

MOTION: *Move that the Board of Selectmen vote to reappoint Stephen Melamed as a Regular Member of the Economic Development Council with a term expiration date of June 30, 2009.*

**Motion by: David Nicolau Seconded by: Sarah Peake
Yea 4 Nay 1 (Richard Olson)**

MOTION: *Move that the Board of Selectmen vote to reappoint Mick Rudd as the Chamber of Commerce Representative on the Visitor Services Board with a term expiration date of June 30, 2009.*

Motion by: Sarah Peake **Seconded by:** Michele Couture Yea 5 Nay 0

5A TREASURER'S TRANSFER

Johnson Trust Fund

MOTION: *Move that the Board of Selectmen vote as Commissioners of the Trust Funds, to approve the transfer of \$2,000.00 from the Johnson Trust Fund for the payment of the attached invoice.*

Motion by: Sarah Peake **Seconded by:** Michele Couture Yea 5 Nay 0

5B BOARD OF LIBRARY TRUSTEES

Heritage Museum Collection Long-Term Loan: Rose Dorothea Items

MOTION: *Move that the Board of Selectmen vote to approve the request of the Board of Library Trustees Cape Cod Pilgrim Memorial Association for long-term loan of the following Heritage Museum Collection items: framed narrative entitled "The Schooner ROSE DOROTHEA and the Lipton Cup; and three photographs of the ROSE DOROTHEA in the Boston-to-Gloucester Fishermen's Race of 1907 and in the Lipton Cup Race.*

Motion by: Sarah Peake **Seconded by:** Michele Couture Yea 5 Nay 0

5C COUNCIL ON AGING

Submit Executive Office of Elder Affairs FY 2007 Formula Grant

MOTION: *Move that the Board of Selectmen vote to submit a grant application for \$4,438 to the Executive Office of Elder Affairs for a FY 2007 Formula Grant for staff education and training, and outreach services.*

Motion by: David Nicolau **Seconded by:** Sarah Peake Yea 5 Nay 0

5D DONATIONS TO DISABILITY COMMISSION

Establish Special Gift Fund to Receive Donations to Disability Commission

MOTION: *Move that the Board of Selectmen vote, pursuant to MGL Chapter 44, section 53A, to establish a special gift fund account to receive donations to the Disability Commission, the proceeds of which shall be used without further appropriation under the supervision of the Town Manager and the Disability Commission for the purpose of updating and printing of a brochure entitled "Getting Around Provincetown: A Guide to Wheelchair Accessibility".*

Motion by: Sarah Peake **Seconded by:** Michele Couture Yea 5 Nay 0

5E TOWN HALL PIANO

Establish Special Gift Fund - MGL Chapter 44, §53A

MOTION: *Move that the Board of Selectmen vote, pursuant to MGL Chapter 44, section 53A, to establish a special gift fund, with the balance in said fund to be expended without further appropriation by the Town Manager in consultation with the Board of Selectmen to maintain, make repairs to, and/or replace the piano in the Town Hall Auditorium*

Motion by: Sarah Peake **Seconded by:** David Nicolau Yea 5 Nay 0

MOTION: *Move that the Board of Selectmen vote to bring an article forward to Town Meeting re: Town Hall revolving fund to allow the withdrawal of funds to match fund donated to the Town Hall Piano Gift Fund up to \$3,000.*

Motion by: Sarah Peake Seconded by: Michele Couture Yea 5 Nay 0

MOTION: *Move that the Board of Selectmen vote to express its preference to replace rather than repair the Town Hall piano with a larger piano suitable for the size of the hall*

Motion by: Sarah Peake Seconded by: Michele Couture Yea 5 Nay 0

6B CONFIRMATORY RELEASE DEED

34 Alden Street – Confirming 1977 Land Exchange

MOTION: *Move that the Board of Selectmen vote to authorize execution of a confirmatory release deed for a 271-square-foot portion of 34 Alden Street, shown as Parcel 2 on plan dated May 1977, said plan being recorded at Plan Book 314, Page 60 of the Barnstable County Registry of Deeds and depicting a land exchange between the Town of Provincetown and Joseph E. Souza and Evelyn C. Souza.*

Motion by: Sarah Peake Seconded by: Michele Couture Yea 5 Nay 0

7A MEETING WITH TOWN BOARDS

Future Meeting with Town Boards / Committees

First meeting to be with Zoning Board of Appeals and Cable Advisory Commission.

7B BOARD OF SELECTMEN'S RULES OF PROCEDURES

Adoption of Current Rules of Procedures

MOTION: *Move that the Board of Selectmen vote to change Section 3 Agenda For Regular Meetings a. 1. Public Hearing to read as follows: a. 1. Public Hearing/Joint Meetings/Presentations*

Motion by: Sarah Peake Seconded by: David Nicolau Yea 5 Nay 0

MOTION: *Move that the Board of Selectmen vote to adopt the Board of Selectmen's Rules of Procedure as amended through May 22, 2006.*

Motion by: Michele Couture Seconded by: Sarah Peake Yea 5 Nay 0

7B. BOARD OF SELECTMEN

Town Manager – Executive Search Process

Open discussion ensued. No motions made.

8. MINUTES OF BOARD OF SELECTMEN'S MEETINGS

MOTION: *Move that the Board of Selectmen vote to approve the minutes of May 8, 2006 (Regular Mtg.) as printed.*

Motion by: Michele Couture Seconded by: Richard Olson Yea 5 Nay 0

9. CLOSING STATEMENTS

Sarah Peake – None

Richard Olson – None

Michele Couture

Discussion on letter sent out by DEP to all homeowners re: –water quality -- Not happy that we were not

notified of this first. Cheryl Andrews – to Keith Bergman - I have a lot of question about this ... none of us are happy about it .. Frankly, the strange way we got told is the least of our concerns. First, is the safety of the water.

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David Nicolau – July 4th event. Do we need to re convene Fireworks Task Force ?? Do we need donation barrels? What's happening with parking on Route 6? Etc??

Contact Chief Meyers – re: special meeting - June 7th @ 5 pm.- Fireworks Task Force. (Richard Olson – I will be in Boston on this date and will give you a written note.)

Cheryl Andrews – I think we should consider repainting the East Side of Town Hall. David – I think we should wait until they fix the roof and stop the leads otherwise we're throwing money out. Sarah - I want to wait until they do the roof assessment this summer. Cheryl – Ok, so we're not painting it this summer.

10. TRURO - LAND NEGOTIATIONS

Truro Water - North Union Field – C5” Sea Water! [MGL C.39, §23B cl.6]

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MOTION: *Move that the Board of Selectmen vote, pursuant to MGL C. 39, §23B, clause 6, to go into executive session to consider the purchase, exchange, lease or value of real property; and not to convene in open session thereafter. [Roll Call Vote]*

Motion by: Sarah Peake Seconded by: David Nicolau

Michele Couture – Yea Sarah Peake – Yea Richard Olson - Yea

David Nicolau – Yea Cheryl Andrews - Yea

Yea 5 Nay 0 Motion Passes

The Board went into executive session at 10:01 PM.

Minutes transcribed by: Vernon Porter, Secretary
May 24 2006