

TOWN OF PROVINCETOWN - BOARD OF SELECTMEN

REGULAR MEETING – MONDAY, NOVEMBER 23, 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, Municipal Finance Director Alix Heilala

Recorder: Vernon Porter

The following are meeting minutes, in brief:

1A PUBLIC HEARINGS – CABLE TELEVISION RENEWAL LICENSE

Comcast of Massachusetts, Inc.

Chairman Couture read the public hearing notice into record.

In Favor

Cable Advisory Commission - Members Present: Chair Carol Pugliese, Vice-Chair Mary Buyne, Richard Silver, and Beth O'Rourke

The Commission urges everyone to support this 10 year contract.

Attorney Mr. William Hewig of Kopelman & Paige gave a brief overview of the contract and recommended that the Board approve the contract as written.

Comcast Sr. Mgr. of Government &/Community Relations Mary O'Keefe thanked everyone for working with her on this contract.

Opposed – None

Board of Selectmen Comments

Austin Knight – we are increasing our rate from 3% up to 4.8%.

Would like a side letter from Comcast advising the Town, in advance, if and when they plan to close their office in Provincetown after the five years sited in their renewal contract.

MOTION: Move that the Board of Selectmen vote to approve the attached non-exclusive Renewal License to Comcast of Massachusetts Inc., ("Comcast") the duly authorized holder of a license to construct, maintain, and operate a Cable Television System in the Town of Provincetown, said license having commenced on July 24, 2000. Renewal License has been approved as to substance and legal form by Town Counsel.

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

1B JOINT MEETING WITH VISITOR SERVICES BOARD

Proposed Five-Year Financial Plan for Tourism Fund Expenditures FY 2011 – FY 2015

VSB Members Present: Chair Rob Tosner, Mick Rudd, Hersh Schwartz, James Bakker, Michael Peregon and Tourism Director Robert Sanborn.

Open discussion ensued.

MOTION: Move that the Board of Selectmen vote to approve the Visitor Services Board's recommended Five-Year Financial Plan for Tourism Fund Expenditures for FY 2011 – FY 2015, with amendments of the recommended Agreements for FY 2011 Tourism Grants and FY 2011 Enhancement Grants.

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

1C **PHASE III ROUTE 6 STAGING**

DPW Director gave an update regarding the Phase 3 Staging area.

Open discussion ensued.

David Bedard - Notification to the neighborhood is imperative for this project.

Mary-Jo Avellar wants pipes removed from all three staging areas and placed on town owned property.

Austin Knight - Selectmen to attend December 8th ConCom meeting.

Elaine Anderson - Supports relocating the staging area from in front of the Camp Ground.

MOTION: Restore all three areas as they were, and use Grace Hall Lot as storage area.

Motion by: David Bedard Seconded by: Mary-Jo Avellar

- Motion withdrawn-

MOTION: Remove staging area at Camp Ground immediately. Phase out staging area on Route 6 across from the Camp Ground first, and the third laydown area as project progresses. Seek alternatives to the existing laydown areas.

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

2. **PUBLIC STATEMENTS**

Dave Hale - Chairman of Conservation Commission – spoke on the incident that happened at Route 6, and ConCom has this as an agenda item on their December 8th meeting. Initial reaction is that they were disturbed that they were not informed of this project in advance. As a private citizen he is quite disturbed that this has happened the way it has.

Lincoln Sharpless - Application did not mention storage of pipes. Was the land that was given to us by the State have restrictions as to what we can use it for?

Bill Reinhardt – Don't think we are taking the loss of vegetation, especially scrub pine, seriously.

Rob Tosner – He does not think we could have found a less visible area. Concerned about

tourism impact. Formal notification is necessary for public projects.

Clarence Walker – Three points. 1) Land should have been surveyed, and the contractors are responsible for the costs. 2) Letter of non-conformance from the State said the Town has 180 days to comply with Phase II. 3) Town must change its protocol.

Miriam Collinson – Called National Park Service and they said that Transfer Station could be used. If DPW cleaned up the area of the DPW Garage there would be plenty of area for staging.

Candace Nagle - Quite upset over this whole ordeal.

Marcene Marcoux - Appalled that the land was used in this way, and disregard for the process it should have gone through.

Robin Evans - Thanked members of the Board for their efforts in reclaiming the area. This area must be kept as a greenway.

Jim Buckingham - Lauren McKean at the National Park Service was the person for Ms. Collinson spoke with that indicated that the Transfer Station is an acceptable area for laydown.

Celine Gandolfo – speaking for the Provincetown Conservation Trust - With all the good work that the DPW has done, this was a disappointment. Read email letter into record.

3. **SELECTMEN STATEMENTS**

David Bedard

Just received NON today, yet it was available since November 17, 2009.

Attended Beautification Committee meeting, and there was a lot of enthusiasm and communication.

Congratulations to Brian Carlson on receiving his PARC Grant for Suzanne's Garden.

Congratulations to Library Ranking 5th.

MOTION: Move that the Board of Selectmen vote to appoint Austin Knight as the Board of Selectmen's representative to the Police Work Group to study police regionalization with Truro.

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

Mary-Jo Avellar

Thank everyone who came this evening to speak on the Staging Area at Route 6.

Recap Fiscal Policy - with FinCom & School – Dec. 1st @ 5 PM – have joint mtg. Preliminary meeting re: Budget.

Austin Knight

Should look into area at the Highway Garage and check license to see if we can use the

Transfer Station area as well.

Charter Review – last time was 1991. Needs to be looked at.

Elaine Anderson

Excited about the future of PTV.

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

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

MOTION: *Move that the Board of Selectmen vote to send a letter of thanks to Jim Keefe and all those involved with the Annual VFW Ceremonies at Town Hall for Veteran's Day.*

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

Michele Couture

Thanked everyone for coming this evening and for speaking at public statements.

MOTION: *Move that the Board of Selectmen vote send a letter of thanks to Artist Ralph Banhccio for his "Y" display that was well received this year here in Provincetown.*

Motion by: Michele Couture **Seconded by:** Mary-Jo Avellar Yea 5 Nay 0

MOTION: *Move that the Board of Selectmen vote to support the Intermunicipal letter to be sent regarding the closure of the RMV in Eastham.*

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

Michele Couture spoke with John Dowd, Chairman of the Historic District Commission, and he is agreeable to a joint meeting on Monday, January 11, 2010 at 6 PM.

Mary-Jo Avellar left the meeting 9:11 PM

4. **APPOINTMENTS**

MOTION: *Move that the Board of Selectmen vote to reappoint the following members to their respective board/committees with an expiration date of December 31, 2012.*

| | | |
|------------------------------|------------------|-----------|
| Airport Commission | Michael Leger | Regular |
| Airport Commission | Steve Tait | Regular |
| Board of Assessors | Gregory Muse | Regular |
| Board of Assessors | Leslie Parsons | Regular |
| Beautification Committee | Cecilia Hall | Alternate |
| Cultural Council | Dorothy Antezak | Regular |
| Board of Health | John Livingstone | Regular |
| Historic District Commission | Marcene Marcoux | Regular |
| Historic District Commission | David McGlothlin | Regular |

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|------------------------------------|-------------------|-----------|
| Historic District Commission | E. Cothier Tepper | Alternate |
| John Anderson Francis FamSch. Com. | Bill Schneider | Regular |
| Licensing Board | Todd Wagar | Regular |
| Planning Board | Peter Page | Regular |
| Recreation Commission | Carrie Notaro | Regular |
| Recycling & Renewable Energy Com | Michael Leger | Regular |
| Recycling & Renewable Energy Com | Elizabeth Patrick | Regular |
| Board of Registrars | Ron Gamella | Regular |
| Shellfish Committee | Paul Tasha | Regular |
| Town Scholarship Committee | Olympia Ciliberto | Regular |
| Town Scholarship Committee | Bill Schneider | Regular |
| Water & Sewer Board | Mark Collins | Regular |
| Water & Sewer Board | Sacha Richter | Regular |
| Zoning Board of Appeals | Patrick Eeley | Regular |
| Zoning Board of Appeals | Anne Howard | Regular |
| Zoning Board of Appeals | Elizabeth Verde | Regular |

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

MOTION: *Move that the Board of Selectmen vote to reappoint Carrie Notaro as a Regular Member of the Recreation Commission with an expiration date of December 31, 2012.*

**Motion by: Elaine Anderson Seconded by: Austin Knight
Yea 3 Nay 0 Abstain 1 (David Bedard)**

5A1 604(B) GRANT AND STATE CONTRACT APPROVAL

MOTION: *Move that the Board of Selectmen vote to accept the 604(B) Grant and approve the State contract in the amount of \$90,240.*

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

5A2 604(B) GRANT CONTRACT – STEARNS & WHEELER

MOTION: *Move that the Board of Selectmen vote to award the 604(B) grant contract to Stearns & Wheeler of 1545 Iyannough Road, Hyannis, MA, in the amount \$90,240 which is funded through the 604(B) grant in the same amount.*

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

5B SEWER TEAM UPDATE – RE: JULY 4 INCIDENT

Open discussion. Town is in receipt of the NON from DEP. Progress is being made. Austin Knight inquired as to the cost of coming back into compliance with the Notice of NON.

5C EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY

Assignments: STM-1 - Mary-Jo Avellar; STM-2 – Elaine Anderson , STM-3-Austin Knight and STM-4- David Bedard .

6B PAMET LENS OVERSIGHT GROUP - UPDATE

Discussion about water management.

6C TOWN MANAGER FOLLOW-UP

Construction trailer in place at Town Hall. Outside construction proceeding as scheduled. Short week this week due to Thanksgiving holiday.

6D OTHER – None

7. MINUTES OF BOARD OF SELECTMEN'S

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

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

MOTION: *Move that the Board of Selectmen vote to approve the minutes of October 29, 2009 (Warrant Articles 5 PM) as printed.*

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

MOTION: *Move that the Board of Selectmen vote to approve the minutes of November 5, 2009 (Warrant Article 4:30 PM) as printed.*

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

MOTION: *Move that the Board of Selectmen vote to approve the minutes of November 9, 2009 (Joint Mtg. w/FinCom) as printed.*

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

MOTION: *Move that the Board of Selectmen vote to approve the minutes of November 9, 2009 (Regular Mtg.) as printed.*

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

8. CLOSING STATEMENTS

David Bedard - None Elaine Anderson – None Michele Couture – None

Austin Knight - Thank TM & ATM for update on licensing.

Motion to adjourn by Elaine Anderson at 9:55 PM.

Minutes transcribed by: Vernon G. Porter, Secretary to Board of Selectmen
December 8, 2009