

TOWN OF PROVINCETOWN - BOARD OF SELECTMEN

REGULAR MEETING – MONDAY – APRIL 12, 2010

LARKIN HALL

Chairman Michele Couture convened the meeting at 6:00 PM noting the following Board of Selectmen attending: Michele Couture, David Bedard, Mary-Jo Avellar, Austin Knight, and Elaine Anderson

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

Recorder: Vernon G. Porter

The following are meeting minutes, in brief:

1A PUBLIC HEARING: ECONOMIC DEVELOPMENT PERMIT

281A Commercial St. Hair by the Sea, Michael Lussier (Applicant: Mopex Realty TR, Owner)

Chairman Couture read the Public Hearing into the record.

Public Comments

Joy McNulty – Supports all small business in Provincetown, and definitely recommends that the Board of Selectmen approve this application.

Board of Selectmen

Elaine Anderson – Floor plan doesn't show where all the chairs will be.

MOTION: Move that the Board of Selectmen vote to approve Economic Development Permit 10-02 for 281A Commercial Street, for 75 gallons, based on findings that the proposed use is consistent with the criteria set forth in Selectmen's Policy 2009-02-09, subject to the attached permit with conditions that the Notice of Compliance is approved by the Department of Environmental Protection.

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

1B COUNTY COMMISSIONER UPDATE

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

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

2. PUBLIC STATEMENTS

Carol D'Amico – High School teachers are planning 8th grade trip to Washington, DC and are requesting that the Board of Selectmen donate two days of parking revenues to help the students make a trip to Dates requested: MPL – Sunday, April 18, 2010, and Grace Hall on Sunday, April 25, 2010.

Treg Kaeselau – Supports the request for all the reasons mentioned by previous speaker Carol DeMarco.

3. **SELECTMEN STATEMENTS**

David Bedard

Open discussion on Ms. D'Amico's request.

Tom Roberts would like to do landscaping for West End Parking Lot. – would like to move forward on this, and have the Beautification Committee work with him as soon as possible

MOTION: Move that the Board of Selectmen vote to support the request of Tom Roberts to do the landscaping at the West End Parking Lot, with the approval of the Beautification Committee.

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

Town Meeting was very good. Have a problem discussing the value of land on town meeting floor.

Would like to have a workshop / open form on open meeting laws that take affect on July 1, 2010. Set it up for May.

Elaine Anderson

Excellent Town Meeting this year.

Austin Knight

June 1, 2010- is the date for implementing Credit laws. Do we have steps?

Open Cape – would like an update. Future agenda item.

MOTION: Move that the Board of Selectmen vote to send a letter of support to our State Representatives supporting "An Act Relative to Restaurant Rejuvenation", allowing restaurants to serve Alcoholic Beverages starting at 10:00 AM.

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

MOTION: Move that the Board of Selectmen vote to send a letter of congratulations to the school kids for their recent play.

Motion by: Austin Knight Seconded by: David Bedard Yea 5 Nay 0

Mary-Jo Avellar

Team mobile – are they going to installing a tower at the Treatment Plant? Answer Yes.

Abutters meeting on Bang Street will be held on Tuesday, April 20, 2009 (Let the Board of Selectmen know – post meeting.)

Michele Couture

Thanks to all town staff for an excellent job at Town Meeting.

Update on Shankpainter Road study?

Requested copy of Truro's Town Meeting Article.- Sharon

4A1 BOARD OF SELECTMEN APPOINTMENTS

MOTION: *Move that the Board of Selectmen vote to appoint Kristin Hatch as a Regular Member of the Licensing Board, with a term to expire on December 31, 2010.*

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

4A2 BOARD OF SELECTMEN APPOINTMENTS

MOTION: *Move that the Board of Selectmen vote to appoint Austin Knight as Provincetown's Representative to the Cape Cod Commission, with a term to expire on April 24, 2013.*

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

4B TOWN MANAGER APPOINTMENT

MOTION: *Move that the Board of Selectmen vote to approve the Town Manager's appointment of Henry (Hank) Janowsky to the Conservation Commission, pursuant to MGL C.40, §8C, and Charter § 6-6-1, for a term to expire on December 31, 2012.*

Motion by: Mary-Jo Avellar Seconded by: David Bedard
Yea 4 Nay 0 Abstain 1 (Elaine Anderson)

5A PMPM – "CELEBRATION 100" – UPDATE -July 31 - August 5, 2010

Attendees: Executive Director, PMPM Jim Bakker, Co-Chair of 100 Lori Meads and Harbor Lights Events Eric Martin.

Gave an update on the "Celebration 100". Very excited about all the events that will take place, and look forward to working with town staff.

Chief of Police – re: Taxi Cabs at the Pier during fast ferries boarding and unboarding. Suggest the are along MPL next to bus stop.

5B CHAPTER 90 REIMBURSEMENT REQUEST

Court Street and 254 Bradford Street Project

MOTION: *Move that the Board of Selectmen vote to approve the second Chapter 90 Reimbursement Request in the amount of \$42,254.49 for the portion of the Court St/254 Bradford St., Drainage Project that is funded by Chapter 90.*

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

5C USDA WATER AND WASTEWATER UPDATE

Attendees: Rob Adams, David Guertin, and John Goodrich.

MOTION: *Move that the Board of Selectmen vote to approve the following contracts to implement the USDA-funded Water and Wastewater improvement projects:*

A-1 \$125,000 to Environmental Partners Group for 3rd party wastewater review

A-2 \$120,000 to the Abrahams Group for financial consulting

A-3 \$120,000 to John Goodrich for facilitation and public reporting consulting

Motion by: Austin Knight Seconded by: David Bedard Yea 5 Nay 0

B – Water System Improvements Update – by John Goodrich. Open discussion. No motion made.

C – Monthly Wastewater Update

MOTION: Move that the Board of Selectmen vote to allow water main construction work along Bradford Street from Howland Street eastward, no farther than Thistlemore Road, commencing the week of April 19th, and continuing through June. In preparation for the Memorial Day holiday, work will stop at the end of day Wednesday May 26, 2010, and recommence on Wednesday June 2, 2010.

Motion by: Austin Knight Seconded by: David Bedard Yea 5 Nay 0

May 10, 2010 meeting – discuss red dot delays.

5D DISCONTINUE USE GALLONS
Growth Management Discussion

Open discussion

5E1 PARADE PERMIT REQUEST

Provincetown Public Schools Fundraiser for Aids Support Group of Cape Cod

MOTION: Move that the Board of Selectmen vote to approve the parade application permit submitted by Physical Education Teacher Lisa Colley, on behalf of the Provincetown Public Schools, to hold a “Road Race / Walk”, on Saturday, May 22, 2010 starting at 9:00 AM to 12 Noon.

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

5E2 PARADE PERMIT REQUEST

Portuguese Festival Parade – Saturday, June 26, 2010

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 the theme: “Sharing of Portuguese Culture & Heritage”, to be held on Saturday, June 26, 2009 from 3 p.m. to 5:30 p.m.

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

5E3 PARADE PERMIT REQUEST

Blessing Of the Fleet – Sunday, June 27, 2010

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 27, 2009 from 11:30 am to 12:30 pm.

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

5E4 PARADE PERMIT REQUEST - ASGCC

Combination – Walk on Beach / Run on Commercial Street

MOTION: Move that the Board of Selectmen vote to approve the parade application permit

submitted by Director of Public Affairs Kim Shkapich on behalf of the AIDS Support Group of Cape Cod, to hold a combination walk / run fundraiser on Saturday, July 24, 2010, starting at 8:00 AM to 9:00 AM.

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

5E5 **PARADE PERMIT REQUEST - ASGCC**

Conclusion of 8th Annual Harbor to the Bay Bike Ride

MOTION: *Move that the Board of Selectmen vote to approve the parade application permit submitted by Director of Public Affairs Kim Shkapich on behalf of the AIDS Support Group of Cape Cod, to hold their conclusion of their 8th Annual Harbor to the Bay Bike Ride on Saturday, September 25, 2010, starting at 6:30 PM to 7:00 PM.*

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

5E6 **PARADE PERMIT REQUEST**

Road Race for Charities (ASGCC and Center for Coastal Studies)

MOTION: *Move that the Board of Selectmen vote to approve the parade application permit submitted by Sean McCabe, 4 Sunset Avenue #2, Jamaica Plain, MA, to hold a "Road Race for Charity", on Sunday, November 7, 2010 starting at 9:00 AM to 12 Noon. Proceeds go to benefit the Aids Support Group of Cape Cod and the Center for Coastal Studies.*

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

5E7 **PARADE PERMIT REQUEST – The Gifford House Inn.**

MOTION: *Move that the Board of Selectmen vote to approve the Parade Permit Application submitted by David Wallace on behalf of The Gifford House Inn, 9 Carver St., Provincetown, MA., to hold a Parade, as part of Drag Weekend in Provincetown, for their "Drag Weekend Participants", and for town folk and visitors to watch on Saturday, May 1, 2010, from 4:30 PM to 5:00 PM. No rain date.*

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

6A1 **TOWN HALL RESTORATION – Chandelier & Wall Sconces**

Contract to New Stamp Lighting Corporation

MOTION: *Move that the Board of Selectmen vote to approve a contract between the Town of Provincetown and New Stamp Lighting Corporation, 227 Bay Road, North Easton, MA, in the amount of Forty Thousand Six-Hundred Dollars (\$40,600), for the "Replication of Historic Chandelier and Wall Sconces for Provincetown Town Hall Auditorium".*

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

6A2 **TOWN HALL RESTORATION – Auditorium Historic Ceiling**

Contract to Green & Robinson Inc.

MOTION: *Move that the Board of Selectmen vote to approve a contract between the Town of Provincetown and Green & Robinson, Inc., 350 Elm Street, Kingston, MA, in the amount of Eighty-Seven Thousand Three Hundred Eighty-Seven Dollars (\$87,387), for the "Auditorium Historic Ceiling for Provincetown Town Hall Auditorium".*

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

6A3 TOWN HALL RESTORATION – Interior Paint Scheme
Dimitrios C. Contracting Inc.

MOTION: *Move that the Board of Selectmen vote to approve a contract between the Town of Provincetown and Dimitrios C. Contracting Inc., 80 Dale Street, Dedham, MA, in the amount of Twenty-Three Thousand Seven Hundred Dollars (\$23,700), for painting the “Historic Paint Scheme at the Provincetown Town Hall”.*

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

1B COUNTY COMMISSIONER UPDATE

MOTION: *Move that the Board of Selectmen vote to appoint David Bedard as the Board’s representative on the Wastewater Collaborative.*

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

6B TOWN MANAGER’S FOLLOW-UP

Update on town hall progress. Construction trailer will be move to Bradford Street freeing up the parking spaces on Ryder Street.

New maps & agreement Horsley Whiten Group.

MOTION: *Move that the Board of Selectmen vote to approve the contract with Horsley Whiten in the amount of \$9,750.*

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

April 20th is Tech Day here at Larkin Hall.

Tour Town Hall scheduled for May 10th @ 3 PM.

6C OTHER

MOTION: *Move that the Board of Selectmen vote pursuant to MGL C. 268A, §23 (b) (3) and as appointing authority for the Zoning Board of Appeals, to make the determination that the financial interest of appointee David Nicolau, relative to an application for 29 Alden Street Road, is not so substantial as to be deemed likely to affect the integrity of the services which the municipality may expect from the appointee.*

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

7. MINUTES OF BOARD OF SELECTMEN’S

MOTION: *Move that the Board of Selectmen vote to approve the minutes of March 8, 2010. (Regular Mtg.) as printed.*

Motion by: David Bedard Seconded by: Austin Knight

MOTION: *Move that the Board of Selectmen vote to approve the minutes of March 15, 2010 (Joint Mtg. w/FinCom) as printed.*

Motion by: David Bedard Seconded by: Austin Knight Yea 5 Nay 0

MOTION: *Move that the Board of Selectmen vote to approve the minutes of March 16, 2010 (Annual Traffic Hearing) as printed.*

Motion by: David Bedard Seconded by: Austin Knight Yea 5 Nay 0

MOTION: *Move that the Board of Selectmen vote to approve the minutes of March 22, 2010 (Scanlon & Associates) as printed.*

Motion by: David Bedard Seconded by: Austin Knight Yea 5 Nay 0

MOTION: *Move that the Board of Selectmen vote to approve the minutes of March 22, 2010 (Regular Meeting) with change so noted..*

Motion by: David Bedard Seconded by: Austin Knight Yea 5 Nay 0

MOTION: *Move that the Board of Selectmen vote to approve the minutes of March 24, 2010 (State of Union) as printed.*

Motion by: David Bedard Seconded by: Austin Knight Yea 5 Nay 0

MOTION: *Move that the Board of Selectmen vote to approve the minutes of March 29, 2010 (Joint Mtg. w/Truro) as printed.*

Motion by: David Bedard Seconded by: Austin Knight Yea 5 Nay 0

MOTION: *Move that the Board of Selectmen vote to approve the minutes of April 1, 2010 (Sr. Forum) as printed.*

Motion by: David Bedard Seconded by: Austin Knight Yea 5 Nay 0

MOTION: *Move that the Board of Selectmen vote to approve the minutes of April 5, 2010 (Town Mtg.) as printed.*

Motion by: David Bedard Seconded by: Austin Knight Yea 5 Nay 0

MOTION: *Move that the Board of Selectmen vote to approve the minutes of April 6, 2010 (Town Mtg.) as printed.*

Motion by: David Bedard Seconded by: Austin Knight Yea 5 Nay 0

8. CLOSING STATEMENTS

David Bedard – None Elaine Anderson - None Austin Knight - None

Mary-Jo Avellar – None Michele Couture - None

Motion to adjourn by Elaine Anderson at 9:10 PM

Minutes transcribed by: Vernon G. Porter, Secretary to Board of Selectmen
April 12, 2010