

# TOWN OF PROVINCETOWN - BOARD OF SELECTMEN

REGULAR MEETING – MONDAY – JUNE 28, 2010

## LARKIN HALL

Chairman Michele Couture convened the meeting at 6:00 PM noting the following Board of Selectmen attending: Michele Couture, David Bedard, Austin Knight, Elaine Anderson, and John Santos.

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

Recorder: Assistant Town Manager David Gardner

The following are meeting minutes, in brief:

### 1A TOWN HALL CHANGE ORDER

Mark Almeda announced that the Town Hall renovation project is 80% complete, and that this change order is still within the contingency fund set aside for the project.

***MOTION: Move that the Board of Selectmen vote to approve Field and Latent Conditions Change Order Request for June 2010, Number 13, Architect's Project No. 1477.01, in the amount of \$52,963.00, payable to Northeast Interiors, Inc. 41 Brooks Drive, Suite 1005, Braintree, MA for renovations to the Town Hall Project – Phase II.***

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

### 1B TOWN HALL DOG FOUNTAIN UPDATE

Candace Nagle present. Mark Almeda present. Remaining balance needed to complete the project is approximately \$9,709.00. A charge in the invoice not associated with the project will be backed out of the account. Remainder of funds will be privately donated. All cost outside of the gift fund to be borne by Ms. Nagle.

***MOTION: Move that the Board of Selectmen vote to send a letter of support to the VSB asking them to contribute \$4500.00 to the Town Hall Fountain project.***

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

John Santos suggested the selling of bricks as a fundraiser. Candace recommends another dog bowl fundraising event to take place on the steps of Town Hall.

***MOTION: Move that the Board of Selectmen vote to direct the Town Manager Sharon Lynn to work with the Town Hall Contractor to authorize the fundraiser effort at the town hall.***

***Motion by:*** John Santos      ***Second By:*** Austin Knight      Yea 5      Nay 0

Project should be contained to the current budget.

### 1C ACCEPTANCE OF PUBLIC FOUNTAIN GIFT FUND

***MOTION: Move that the Board of Selectmen vote to accept a donation from Candace Nagle in the amount of \$6,000.00, payable to the Town of Provincetown Public Fountain Gift Fund, to be***

*used for the installation of three (3) teak curved benches to be placed around the person-dog drinking water fountain to be located along Commercial Street. Installation of benches to be completed no later than October 31, 2010, and so inscribed per the attached description "A".*

Motion by: Elaine Anderson      Second By: David Bedard      Yea 5      Nay 0

2. **PUBLIC STATEMENTS**

Napi Van Derek – poor condition of streets are dangerous for bikers. Town needs to address the condition of the roads.

Candace Nagle – Pier has another boat in violation of rules. Problems at the Pier remain a lack of enforcement of regulations. Should have the Harbormaster report to the Chief of Police.

Jim McGowan – Sewer backup compensation has not yet been made. Funds for Phase III repaving from curb to curb should be redirected to Commercial St. What's happening to the Library. We are studying the Library to death. The Chapter 91 license for the Pier does not allow construction on the pier. I want these structures removed. Town Hall rental fees too low. Town Hall work week is 4 days. Building Commission is on vacation during the busiest week in town. Handicap ramp on the Pier still does not work. Concerned that the cost of town building maintenance.

3. **SELECTMEN STATEMENTS**

**Austin Knight**

Pot holes on Commercial Street should be addressed now that we are in the height of season. Follow-up with the Harbormaster on boats tied up to the Pier. Town Hall rental fees have been increased, and will be reviewed after one year. Accessible ramp at the Pier needs to be looked into. The Board of Selectmen would like to review the 4 day work week. Commend Candace on her contributions and fundraising efforts. Town Hall maintenance plan will be in place, and will be budgeted in the future. Board of Selectmen and Town Government is committed to taking care of its buildings.

**David Bedard** - Nothing at this time.

**Elaine Anderson**

Concern about issues related to the Pier Corp. Congratulate the marketing efforts of the Tourism Office and Tourism Director Bob Sanborn. Commend Brian Carlson on his efforts and vision regarding B St Community Garden. Commend all those who participate in the Garden. Thank all those who trim bushes in the East End.

**John Santos**

Thank the Pier Corp and Portuguese Festival for a good event. Wants to encourage biking and improve conditions in the street for bikers. Would like to see the waterfront cleaned up.

**Michele Couture**

Thank the Portuguese Festival committee. Thank Pier Corp regarding services during Portuguese Festival. RFP for Building Assessment to go out in July. Four day work week came about in a negotiated process which was a compromise with the union at a time when

we did not have money to compensate employees. The Facilities Plan will be pursued so that the Town can make informed decisions about the care of town buildings. We try to run things as efficiently as possible. Pier Corp holds public meetings and will take public comment. Library did receive funds from Town Meeting, and the renovations will move forward. All these issues are works in progress.

**4A BOARD OF SELECTMEN APPOINTMENTS**

***MOTION: Move that the Board of Selectmen vote to reappoint the following Board Members to their respective Boards and Positions with terms to expire June 30, 2010.***

<b>Town Board</b>	<b>Name</b>	<b>Position</b>
Animal Welfare Committee	Candace Nagle	Regular
Cable Advisory Commission	Richard Silver	Regular
CCNSGMPIAC	Kerry Adams	Regular
CCNSGMPIAC	Priscilla Jackett	Alternate
Board of Health	Duane Gregory	Regular
Human Services Committee	Cynthia Franco	Regular
Human Services Committee	James Pipilas	Regular
Shellfish Committee	Alex Brown	Regular
Open Space Committee	David Hale	Regular
Open Space Committee	Dennis Minsky	Regular
Visitor Serv Bd (Arts Rep.)	James Bakker	Regular
Visitor Serv Bd (Women Inn Rep.)	Kathleen Fitzgerald	Regular
Visitor Serv Bd (At Large)	Michelle Haines Lohr	Regular

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

***MOTION: Move that the Board of Selectmen vote to appoint David Nicolau as a Regular Member of the Zoning Board of Appeals with a term to expire December 31, 2012***

**Motion by: John Santos      Second By: David Bedard      Yea 5    Nay 0**

John Santos recused himself and left the room due to a conflict of interest as his brother is one of the PPPC applicants and has interest in several business on the pier.

Pier Corp reappointments: Interview James Santos and Napi Van Dereck. Napi withdrew from consideration, and supports James Santos for appointment.

***MOTION: Move that the Board of Selectmen vote to appointment Carlos Verde to the PPPC for a term to expire on July 29, 2015.***

**Motion by: Michele Couture      Second By: David Bedard    - Motion withdrawn -**

Austin Knight would like to re-invite Carlos Verde to be re-interviewed and postponed until the next meeting.

**5A COUNCIL ON AGING**

Submit Executive Office of Elder Affairs FY 2011 Formula Grant

***MOTION:*** *Move that the Board of Selectmen vote to submit a grant application to the Executive Office of Elder Affairs for their FY 2011 Formula Grant for Activities / Volunteer Coordinator and staff education / training program, in the amount of \$5,292.00.*

**Motion by:** David Bedard      **Second By:** Elaine Anderson      Yea 5    Nay 0

**5B1 DPW SERVICE CONTRACTS FOR FY 2011**

***MOTION:*** *Move that the Board of Selectmen vote to execute FY2011 contracts for: Generator Maintenance – FM Generator at \$460.00 per month per generator; Scrap Metal Removal – Howland Disposal at \$430.75 per haul; Single Stream Removal of Recyclables – J&L Enterprises @ \$480.00 per haul, trailer rental \$200.00 per month \$10.00 rebate.*

**Motion by:** David Bedard      **Seconded by:** Elaine Anderson      Yea 5    Nay 0

**5B2 DPW SERVICE CONTRACTS FOR FY 2011 – BARNSTABLE COUNTY**

***MOTION:*** *Move that the Board of Selectmen vote to execute FY2011 County Wide contracts as approved by the County Commissioners for: Disposal of Construction and Demolition and SEMASS unacceptable waste - Howland Disposal at \$96.50 per load at a DEP approved disposal site; Transportation of Municipal Solid Waste (MSW) to SEMASS – Howland Disposal at \$349.00 per haul.*

**Motion by:** David Bedard      **Seconded by:** Elaine Anderson      Yea 5    Nay 0

**5B3 DPW CHANGE ORDER #1 FUELING STATION**

***MOTION:*** *Move that the Board of Selectmen vote to execute a Change Order from MECO for our Fueling Station in the amount of \$14,878.24. This CO allows us to change the tank size from 6,000 gal for gas, and 2,000 gal for diesel to a dual tank of 4,000 gals each, which will be more efficient when ordering fuel.*

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

**5C1 EXECUTIVE OFFICE OF PUBLIC SAFETY**

Public Safety Answering Point and Regional Emergency Communication Center Support Incentive Grants

***MOTION:*** *Move that the Board of Selectmen vote to authorize the Chief of Police to submit a Public Safety Answering Point and Regional Emergency Communication Center Support Incentive Grant application to the Executive Office of Public Safety in the amount of \$17,747 for Telecommunicator personnel costs and equipment.*

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

**5C2 EXECUTIVE OFFICE OF PUBLIC SAFETY**

State Emergency Telecommunications Board Training Grant Application

**MOTION:** *Move that the Board of Selectmen vote to authorize the Chief of Police to submit a Statewide Emergency Telecommunications Board Training Grant Application to the Executive Office of Public Safety; in the amount of \$6,000, for dispatch training included reimbursement of overtime incurred to replace those employees who attend SETB approved courses.*

**Motion by:** Austin Knight      **Seconded by:** John Santos      Yea 5    Nay 0

**5D1    PROVINCETOWN OFFICE OF TOURISM**

Renewal of Public Relations Film Contract

**MOTION:** *Move that the Board of Selectmen vote to approve the request of the Visitor Services Board to renew the contract of Marlo Marketing/Communications of 667 Boylston Street, Boston, MA as the Town of Provincetown public relation's firm in an amount not to exceed \$24,000 (not including travel and out-of-pocket expenses approved in advance); to commence on July 1, 2010, and expire on June 30, 2011.*

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

**5D2    PROVINCETOWN OFFICE OF TOURISM –GRAPHIC ARTIST SERVICES**

Contract Renewal – The Graphics Group

**MOTION:** *Move that the Board of Selectmen vote to approve the request of the Visitor Services Board to renew existing contract with The Graphics Group, P.O. Box 1938, Provincetown, MA as the Town of Provincetown's graphic design firm, to the Tourism Office, in an amount not to exceed \$8,050; to commence on July 1, 2010, and expire on June 30, 2011.*

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

**5E    TREASURER'S TRANSFER – Harbor Access Gift Fund**

**MOTION:** *Move that the Board of Selectmen vote, as Commissioners of the Gift Funds, pursuant to MGL C.44§.53A to approve the transfer and use of \$130.00 from the Harbor Access Gift Fund for the reimbursement of the Department of Public Works Memo dated June 2, 2010.*

**Motion by:** David Bedard      **Seconded by:** Elaine Anderson      Yea 5    Nay 0

**5F1    PARADE PERMIT REQUEST**

Provincetown Business Guild – Annual Carnival Parade

**MOTION:** *Move that the Board of Selectmen vote to approve the Parade application submitted by Roger A. Chauvette on behalf of the Provincetown Business Guild for the purpose of holding their Annual Carnival Parade to be held on Thursday, August 19, 2010 from 3:00 pm to 5:30 pm. No rain date.*

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

**5F2    PARADE PERMIT REQUEST**

Carrie A. Seaman Animal Shelter Annual Pet Walk

**MOTION:** *Move that the Board of Selectmen vote to approve the Parade Permit Application submitted by Carol MacDonald, on behalf of the Carrie A. Seaman Animal Shelter to hold*

*their Annual Pet Walk on Sunday, September 26, 2010 starting at 2:00 PM and finishing approximately at 2:40 PM*

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

6A      **BOARD OF SELECTMEN'S RULES OF PROCEDURES**

Adoption of Rules of Procedures

***MOTION:*** *Move that the Board of Selectmen vote to adopt their Rules of Procedure as previously amended and adopted on May 22, 2006 with the following addition: Section 6 – Minutes of Meetings, b1 add: “a summary of the discussions on each topic, a list of documents and other exhibits used at the meeting.”*

SECTION 6.      **MINUTES OF MEETINGS**

**b1**      Written minutes of Board meetings shall be prepared in an abbreviated form; however, as a minimum, the written minutes shall record time and date of meetings, names of Board Members present and voting, names of Town personnel attending, and names of Members of other Town Boards, Committees and Commissions attending the meeting, *a summary of the discussions on each topic, a list of documents and other exhibits used at the meeting(emphasis added)*. The record of exact motions made and votes taken shall be included in the written minutes. Written minutes shall not include verbatim or otherwise lengthy record of discussion on agenda items.

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

6B      **TOWN MANAGER FOLLOW-UP**

Celebration of 400 Committee Plymouth 2020 – Celebration of Pilgrim landing meeting here in Provincetown on July 14.

Sewer and Water response preparation for the July 4<sup>th</sup> weekend will be increased, and will have additional on call personnel for monitoring and response.

Outer Cape Health Services request directional signage to the clinic.

***MOTION:*** *Move that the Board of Selectmen vote to work with the Outer Cape Health Services to install the signage directing people to their location.*

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

Extend Firehouse 2 restroom hours on the Fourth weekend until 11:00 PM to handle the crowds during fireworks. Direct the TM to look into the use of the bathrooms at the High School for use during Fireworks.

6C      **OTHER** None.

7.      **MINUTES OF BOARD OF SELECTMEN'S MEETINGS**

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

*May 18, 2010 (Police Station Survey); May 24, 2010 (Regular Mtg.); June 7, 2010 (Special Mtg.); June 14, 2010 (Joint Mtg. w/Truro BOS 5 PM) and June 14, 2010 (Regular 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 Executive Session Minutes of: April 26, 2010 and May 3, 2010 as printed.*

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

8. **CLOSING STATEMENT** - None

Motion to adjourn by Austin Knight at 8:24 PM.

**Minutes transcribed by:** Vernon G. Porter  
July 20, 2010