

# TOWN OF PROVINCETOWN - BOARD OF SELECTMEN

REGULAR MEETING – MONDAY – JULY 26, 2010 6 PM

## 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: Vernon G. Porter

The following are meeting minutes, in brief:

1. **SHANK PAINTER ROAD CORRIDOR STUDY SCOPE OF WORK**  
Cape Cod Commission - Glenn Cannon

Town Manager Sharon Lynn gave a brief introduction and update

Mr. Cannon presented the scope of work for a study of improvements for Shank Painter Road and emphasized that the Cape Cod Commission staff will assist Provincetown through a public outreach effort to determine if Shank Painter Road should be the main access for the commercial district in Provincetown.

***MOTION: Move that the Board of Selectmen vote to approve the scope of work for the Shank Painter Road Corridor Study as presented.***

**Motion by: Elaine Anderson      Second By: John Santos      Yea 5    Nay 0**

***MOTION: Move that the Board of Selectmen vote to secure the funds for this project from the Barnstable County Surplus Fund Account.***

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

2. **PUBLIC STATEMENTS**

Tom Thompson – dangers of crosswalks on Bradford St, drivers don't take note of the crosswalks. Crosswalk signs are being removed. More signage necessary. Enforcement is needed. Traffic enforcement at the stop sign on Howland.

3. **SELECTMEN STATEMENTS**

**Austin Knight**

Ask the Town Manager to bring the concerns regarding crosswalk enforcement to the police chief. Pedestrian right-of-way signs needed. Bike riders are riding erratically down Commercial St. Discuss with Sandy and have come back at the Traffic Hearing.

***MOTION: Move that the Board of Selectmen vote to proclaim Thursday, August 5, 2010 as Pilgrim Monument and Provincetown Museum day in honor of its 100<sup>th</sup> Anniversary.***

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

**MOTION:** *Move that the Board of Selectmen vote to proclaim July 30, 2010 as Alix Ritchie and Marty Davis day.*

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

**David Bedard**

Thank the Housing Authority for hiring an additional person to get the vacant units online.

Concern about pedi-cab and taxi cab safety in town. Send a letter to the Licensing Board to encourage safety enforcement with taxi's and pedi-cabs.

Building a west end parking lot beach storage rack for kayaks per request of local volunteers. Consider Harbor Funding. Should refer to Sandy Turner upon her return from vacation. Would like to see west end park lot kayak rack as prototype as expansion to other town landings

Volunteers needed on Town Boards.

**Elaine Anderson**

**MOTION:** *Move that the Board of Selectmen vote to support the idea of a racks for kayaks and boats on the beach.*

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

Commend ZBA for their support of the will of town meeting by turning down extended hours of operation of alcohol.

Cut back hedges encroaching into the street.

We need some creative thinking to accommodate a shade structure at the dog park.

Encourage good behavior of those who provide customer service during August when we have many visitors in town.

Board of Health did not accept inspections of Red Dot Delays, and is instead looking to have all title 5 systems inspected.

Firehouse #2 problems in the evening hours with unruly customers have been sporadic, worst on weekends and holiday weekends.

Outer Cape Health Services is working on direction signage for the clinic.

There is no schedule for closure of Commercial Street between Ryder St and Court St. The Police should anticipate and publish a schedule of when the road will be closed to thru traffic. Close traffic on Friday and Saturday.

**John Santos**

No movement on beach cleanup. We should also be looking at sand movement.

Suggestion box for town employees. (Town Manager is working on this.)

Concerned about single stream recycling container and should revisit the bid for the open top

container. Provide additional information to Selectmen on the bid for the container. Harbormasters Town patrol boat is still in Florida. Request staff report back on the delays.

**Michele Couture**

***MOTION: Move that the Board of Selectmen vote to send thank you letter to Duane Gregory for her service on the Board of Health.***

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

Submit Article for Fall Special Town Meeting to combine entertainment and alcohol service in the General Bylaw.

Thank police and DPW workers for doing a good job working in the hot weather.

**4A    APPOINTMENTS – TOWN MANAGER’S APPOINTMENT**

Disability Commission

***MOTION: Move that the Board of Selectmen vote to table this agenda item until our August 9, 2010 meeting.***

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

**5A    LIBRARY CONSTRUCTION/RENOVATION**

Engineering Design Selection

Lynn Kratz and Wendal Kalsow present. Four respondents to the RFQ. Two finalists interviewed. Library Selection made by committee who recommends McGinley Kalsow because of their existing relationship with the town and their familiarity of the library building. Wendal is working on the scope of work.

***MOTION: Move that the Board of Selectmen vote to direct Town Manager Sharon Lynn to move forward to negotiate a contract with McGinley Kalsow and Associates of Somerville, MA.***

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

**5B1    AIRPORT COMMISSION**

AARF Truck Purchase

***MOTION: Move that the Board of Selectmen vote to execute a contract in the amount of \$8550.00 with Jacobs Engineering Group, 343 Congress St., Boston, MA for the consultant work required for the purchase of an Airport Rescue Fire Fighting (ARFF) Vehicle for the Provincetown Municipal Airport.***

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

**5B2    AIRPORT COMMISSION**

SRE Truck Purchase

***MOTION: Move that the Board of Selectmen vote to execute a contract in the amount of \$3,750.00 with Jacobs Engineering Group, 343 Congress St., Boston, MA for the consultant work required for the purchase of Snow Removal Equipment (SRE) for the Provincetown Municipal Airport.***

5B3 Motion by: Austin Knight      Seconded by: David Bedard      Yea 5 Nay 0  
AIRPORT COMMISSION  
EA / FEIR / DRI PHASE III

***MOTION:*** Move that the Board of Selectmen vote to execute a contract in the amount of \$290,000.00 with Jacobs Engineering Group, 343 Congress Street, Boston, MA 02210 for the consultant work required for the Environmental Assessment (EA), Final Environmental Impact Report (FEIR) and Development of Regional Impact (DRI) PHASE III (EA/FEIR/DRI PHASE III) at the Provincetown Municipal Airport.

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

5B4 AIRPORT COMMISSION  
EA / FEIR / DRI PHASE III

***MOTION:*** Move that the Board of Selectmen vote to execute a grant in the amount of \$285,000.00 from the Federal Aviation Administration (FAA) for the Environmental Assessment (EA) / Final Environmental Impact Report (FEIR) / Determination of Regional Impact (DRI) Phase III at the Provincetown Municipal Airport.

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

5B5 AIRPORT COMMISSION  
EA / FEIR / DRI PHASE III

***MOTION:*** Move that the Board of Selectmen vote to execute a grant in the amount of \$7,500.00 from the MassDOT / Aeronautics Division for the Environmental Assessment (EA), Final Environmental Impact Report (FEIR), and Development of Regional Impact (DRI) Phase III for the Provincetown Municipal Airport.

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

5B6 AIRPORT COMMISSION  
Purchase Aircraft Rescue & Fire Fighting (ARFF) Vehicle

***MOTION:*** Move that the Board of Selectmen vote to execute a grant in the amount of \$657,400.00 from the Federal Aviation Administration (FAA) for the purchase of an Aircraft Rescue and Fire Fighting (ARFF) Vehicle for the Provincetown Municipal Airport.

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

5C1 PARADE PERMIT  
Annual Yankee Lambda Car Club Parade

***MOTION:*** Move that the Board of Selectmen vote to approve the Parade application submitted by Ben Burnham, 26 Bradford St., Provincetown, MA on behalf of the Yankee Lambda Car Club for their Annual Public Showing of Residential Motorcade & Classic Cars on Saturday, September 11, 2010 starting at 2:00 PM and ending by 2:45 PM.

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

5C2 PARADE PERMIT

American Lung Association – Annual Autumn Escape Bike Trek

**MOTION:** *Move that the Board of Selectmen vote to approve the Parade Application Permit submitted by Mr. Paul Curley of the American Lung Association, 460 Totten Pond Road #400, Waltham, MA to hold their Annual Autumn Escape Bike Trek on Sunday, October 3, 2010 from 10 AM to 3 PM. No rain date.*

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

5D1 TREASURER’S TRANSFERS - John A. Henry Trust Fund

**MOTION:** *Move that the Board of Selectmen vote, as Commissioners of the Trust Funds, to approve the transfer of \$993.07 from the John A. Henry Trust Fund for the payment of the attached invoice(s).*

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

5D2 TREASURER’S TRANSFERS – Library Building Gift Fund

**MOTION:** *Move that the Board of Selectmen vote, as Commissioners of the Library Building Gift Funds, pursuant to MGL C44 § 53A, to approve the use of \$1,651.25 from the Library Building Gift Fund to reimburse the Town of Provincetown for the attached invoice(s).*

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

5E NEW 2011 AMBULANCE – AWARD CONTRACT

**MOTION:** *Move that the Board of Selectmen vote to award a contract in the amount of \$155,810.00, for the purchase of a New 2011, Class I, Type III, Ambulance on a 2011, Chevrolet, G-4500 chassis to Quality Emergency Vehicles, Inc., 85 South Avenue, Natick, Mass.*

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

6A TOWN MANAGER FOLLOW-UP -

Wendal Kalsow in town for principals meeting for town hall rehab tomorrow.

Site visit for AIDS memorial will be postponed until the site work can be completed. Phase I punch list is complete except for the windows. Fire horn for town hall will be discussed at tomorrow’s construction meeting. John Santo's suggestion about redoing the landscaping at Town Meeting to accommodate a movable vehicle adjacent to town hall to repaint the building was considered but found to be infeasible.

Parking lot directional signs will be placed throughout town directing visitors to public parking lots, thanks to funding from the VSB.

Parking pay station at Ryder Street is doing very well with revenue up significantly.

**MOTION:** *Move that the Board of Selectmen vote to have a special town meeting on Monday, November 1, 2010 at 6:00 PM*

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

6B INSERT BALLOT QUESTION

Tuesday, November 2, 2010 Special Town Election

***MOTION: Move that the Board of Selectmen vote, pursuant to MGL C. 59, § 21C(g) to insert ballot question(s) onto the November 2, 2010 State Election, as printed.***

Shall the Town of Provincetown be allowed to exempt from the provisions of Proposition 2 and ½, so-called, the amounts required to pay for the bond issued to pay for the costs of engineering services to prepare plans and specifications in connection with an engineering assessment of Fisherman's Wharf?

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

*John Santos said he was not going to speak to the issue and remained at the table.*

6C FISHERMAN'S WHARF

Purchase & Sale Agreement

Town Manager Sharon Lynn explained the Purchase and Sale conditioned on grants awards, town meeting authorization and appropriation, structural analysis of the pier, obtain all permits and existing licenses transferred to the town, etc.

Board of Selectmen would like to have an executive session and special meeting on August 2, 2010 at 9:00 am regarding Purchase and Sale Agreement for Fisherman's Wharf, located at 9 Ryder Street Extension prior to approving the PURCHASE AND SALE.

***MOTION: Move that the Board of Selectmen vote to continue this agenda item until Monday, August 2, 2010 at 9:00 AM***

**Motion by: Austin Knight      Seconded by: David Bedard      Yea 4    Nay 0**

6C WALSH PROPERTY

Purchase & Sale Agreement

***MOTION: Move that the Board of Selectmen vote to execute a Purchase & Sale Agreement for a parcel of land located on Walsh Way, Truro, containing 6.35 acres, designated as "Portion of Zone 1 on Walsh Property (6.345 ac.)" on the sketch plan entitled "Plan of Truro Showing North Union Field and Zone 1 Area of Influence Based on Test Production Wells 1 & 2", in the amount of \$1,625,000.00.***

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

7. MINUTES OF BOARD OF SELECTMEN'S MEETING

***MOTION: Move that the Board of Selectmen approve the minutes of June 28, 2010 (Water Emergency Plan 5 PM) as printed.***

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

***MOTION: Move that the Board of Selectmen approve the minutes of June 28, 2010 (Regular Mtg.) as printed.***

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

**MOTION:** *Move that the Board of Selectmen approve the minutes of July 12, 2010 (Regular Mtg.) with changes so noted.*

**Motion by:** David Bedard

**Seconded by:** Elaine Anderson

Yea 5 Nay 0

8. **CLOSING STATEMENTS**

**John Santos** - Will not leave the room when recusing himself regarding the pier or harbor because he has filed a disclosure.

**Austin Knight** - Not complying with Open Meeting Law can subject members to fines.

**David Bedard** - None

**Elaine Anderson** – None

**Michele Couture** - Can't pick and choose which items of the Open Meeting Law you will comply with.

Motion to adjourn by David Bedard at 8:30 PM

**Minutes transcribed by:** Vernon G. Porter  
August 2, 2010