

TOWN OF PROVINCETOWN - BOARD OF SELECTMEN

REGULAR MEETING – MONDAY – APRIL 26, 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: Assistant Town Manager David Gardner

Excused Absence: Town Manager Sharon Lynn (Attending meeting in Boston.)

Recorder: Vernon G. Porter

The following are meeting minutes, in brief:

MOTION: Move that the Board of Selectmen vote to table agenda item 1A & 1B until attendees arrive.

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

2. PUBLIC STATEMENTS

David Guertin – Gave an update on the street crossing of Bradford and Howland Street. Only two phone calls received. Hand outs were distributed to all, and we worked well with the market at the corner of Bradford & Howland through the lunch period.

Hank Keenane – Owner of new jewelry store located at 350 Commercial Street. Concerned about the green line going down the center of Commercial Street. Feels it degrades his business which is just west of the painted line.

Candice Collins-Boden – The Chamber Board of Directors totally supports Katherine's concept of making Provincetown an Arts Destination with the Walk the Line project for the East End.

Candace Nagle - The Provincetown Dog Park was recognized as the 2nd Best Dog Park in the country by Dog Fancy Magazine. Supports Katherine and her committee on the Walk the Line Project Committee.

Astrid Berg – Commented on the 'Green Line' – would like to support this concept, but there should have been more open communication to area businesses. Supports inclusion of the West End.

3. SELECTMEN STATEMENTS

Elaine Anderson

MOTION: Move that the Board of Selectmen vote to send a letter of congratulations to the Dog Park Association on being selected the 2nd Best Dog Park in the Country.

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

Thanks to Lt. Golden on the splendid job he did in controlling traffic in the work area of Bradford Street and Howland Street.

MOTION: Move that the Board of Selectmen vote to send a get well card to George Hitchcock.

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

The “Walk the Line Project” – may want to consider making the line a little smaller in width. Also maybe consider flags or banners.

Austin Knight

MOTION: Move that the Board of Selectmen vote to send a letter to the School Committee to accept the report given by the School Planning Committee given at Town Meeting.

Motion by: Austin Knight Seconded by: Elaine Anderson

Discussion:

Mary-Jo Avellar - Does not want to endorse the content and recommendation of the report, but rather would like to thank them for the work. The recommendations need more discussion. Not supportive of the idea of keeping the K students in the VMES.

- Motion withdrawn -

MOTION: Move that the Board of Selectmen vote to send a letter to the Regional Planning Committee thanking them for all the work put into the Regional Planning Committee Report.

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

Mary-Jo Avellar

Heard that the Lower Cape Ambulance is not being accepted at Outer Cape Health Services, and has to go directly to Cape Cod Hospital. Follow-up requested.

Looking forward to more discussion on the green line. Wants to consider signage to replace the green line.

Boat tied to 10W – unattended transient boat. Going on 3 weeks. Contact person lives in Provincetown. Boat is not properly moored. Another issue of Pier Regulations not being enforced.

David Bedard

MOTION: Move that the Board of Selectmen vote to send a letter of thanks to MIS Director Beau Jackett and his staff for the new website.

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

Attended the Cape Cod Water Collaborative last week, and I have a report if anyone wants to have a copy. Will place report on our website.

Attended the Bangs Street abutters meetings. Problem with definition of a structure being joined by a deck. Looking forward to zoning bylaws being revisited and amended. We need to address the remaining buildable lots in town.

Concerned about liquor company advertisement on Commercial Street during the summer.

Michele Couture

Asked Sharon to provide an update on the Harbor Report. Thanked staff on the successful water work.

MOTION: *Move that the Board of Selectmen vote to send a letter to Brian Sullivan in appreciation for his assistance in the death of David Jones, copy to David's sister Laura Gifford, N. Andover, MA.*

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

MOTION: *Move that the Board of Selectmen vote to send a letter to the Provincetown Rescue Squad, Harbormaster, and Flyer's Boat Yard in their efforts on rescue and drowning victim last week.*

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

1A CAPE COD NATIONAL SEASHORE – UPDATE

George Price, Karst Hoogeboom, Craig Thatcher gave update on Cape Cod National Seashore Park Service projects: Moors Road improvements moving forward, currently doing environmental analysis.

Provincelands Bike Path improvements – Phase I complete, Phase II substantially complete although the heavy rains flooded some areas that are not ready to be used.

Herring Cove Beach Bathhouse – Replace structurally unsound bathhouse with a modular moveable replacement structure to allow for the structure to be moved in the future if necessary.

Herring Cove Beach Parking Lot – Repair part of the north lot damaged by winter storms. Winter storms have provided a lot of damage throughout the Park.

Elaine Anderson - Confirm that the crow poisoning is currently off the table. Intent of the Predator Management Plan was to protect plover population.

Mary-Jo Avellar - Feels the Seashore picks and chooses which animals it seeks to control. Also concerned about the way the Race Point Rd project was done many years ago, and hopes that the Moors Road will not go the same way. North Parking Lot - Does the sand that gets eroded away get replaced to allow access on the north end, or does the beach just come back?

Austin Knight - Will the stairs at the far north end come back? Mobymat will be replaced, which provides wheelchair access to the beach this spring.

David Bedard - Thank you for the Moors Road public hearing, for the infrastructure improvements and funding, which help the entire community.

Elaine Anderson - Thanks for the attractive restrooms that were placed a year ago on each end of the Herring Cove parking area. Would like to do a bike path ribbon cutting in the future. Wind turbine at the bathhouse will be included in replacement project.

Mary-Jo Avellar - Hopes to support the Town if we move forward with our own renewable energy project.

Michele Couture - Agrees with the cancellation of the crow poisoning program. Protecting the plovers requires closing the beaches and that limits visitor access.

Mary-Jo Avellar - Regarding the \$7000 donation from the Seashore to cover the cost of Emergency response - fire/police. The amount has not increased as long as she has been a Selectman. Wants to see that contribution increased.

1B CAPE COD COMMISSION – UPDATE

Cape Cod Commission Director Paul Niedzwiecki gave an overview of the Commission for their annual update.

Implementing the Cape Cod Commission Vision Plan. Under new Policy Plan now allows each town to tailor the DRI thresholds to fit their community. Open Cape provided technical infrastructure to allow for economic development on the Cape. Working with Fishing industry to make them more competitive. Update on initiatives May 12th in Sandwich. Wind and wastewater are two subjects which are upcoming in the near future. Cape Wind to be decided within the week. Ocean Management Plan will allow for a process for considering wind projects in state waters in the future. State legislation for wind turbine siting. Wastewater is a major issue in Provincetown as it is throughout the Cape. The Cape Cod Commission seeks to develop a regional approach to wastewater on the Cape with the Cape Cod Water Protection Collaborative. Regional solutions can not penalize communities that have already made these improvements.

Elaine Anderson - Town needs to be protected from potential cost sharing for wastewater systems in other communities.

Michele Couture - Consideration of regionalizing prosecutor services. Request to hire an attorney who can perform that service to free up a police officer for the streets. Open Cape will provide the public bandwidth backbone which will allow for other providers to enter into the region, and provide greater competition for cable and internet services. Construction period for Open Cape will take three years, but has great potential for economic development.

4. TOWN MANAGER APPOINTMENT

MOTION: Move that the Board of Selectmen vote to approve the Town Manager's appointment of Barbara Prato as an alternate member of the Conservation Commission, pursuant to MGL C.40, §8C, and Charter § 6-6-1, for a term to expire on December 31, 2010.

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

5A EAST END GALLERIES PROPOSAL (“WALK THE LINE”)

Katherine Baltivik presented. Walk the line is part of a larger marketing effort to brand Provincetown as an arts destination. The committee formed to create this initiative started back with the planning for the first restaurant week and gallery stroll. The committee has been working with the Tourism Office, and business organizations on additional marketing efforts that supplement the Walk the Line initiative as a component to a broader strategy of marketing the town's cultural assets.

Austin Knight - Wants to expand the signage further on the west end. Ask the VSB for additional funding to cover the cost of the additional signs on the west end.

Elaine Anderson - Likes the concept of the signs. Signs will be of the same standard as street signs.

David Bedard - Wants to consider adding art to the "line" much like the Portuguese Festival's rooster stencil, wants to see an artistic element.

Elaine Anderson - People are concerned about the quality of this campaign.

Mary-Jo Avellar - Concerned about the BOS becoming the arbiter of the art on the line. Concerned about when the painting can be completed when the streets start to get crowded.

David Bedard - Concerned about the number of signs going in on the east end.

Austin Knight - Concerned about the time frame of the art element. BOS needs to give the committee some guidance as to what they would like to see done. Needs to be done by the second week in June. Place on Board of Selectmen's May 10th agenda to consider art additions to the line. Size not to exceed 3 feet circles (no bigger than the rooster).

MOTION: Move that the Board of Selectmen vote to approve the request of the "Walk the Line Project Committee" to install twelve (12) signs leading into the East End of town, and five (5) signs leading into the West End of town. Installation of these signs would be installed on the back of existing town signs by the towns Department of Public Works. Plus the installation of poles under the direction of Deputy DPW Director Sandy Turner.

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

5B OPEN CAPE STATUS – UPDATE

Beau Jackett

Gave a brief status update on the Open Cape Status which was just awarded \$32 million in the American Recovery and Reinvestment Act (ARRA) Broadband Technology Opportunity Program (BTOP) funds to construction a 350-mile fiber optic network, wireless microwave network, and regional data center.

David Bedard left the room.

5C DPW CONTACTS: WEST END PARKING LOT DRAINAGE

1st Northern Sealcoating and Paving, Inc.

MOTION: Move that the Board of Selectmen vote to execute a contract to Northern Sealcoating and Paving for the construction of stormwater improvements in the amount of \$96,500, which includes the alternate of removing the outfall pipe from the beach.

Motion by: Mary-Jo Avellar Seconded by: Austin Knight Yea 4 Nay 0

David Bedard returned.

5D 55 WEST VINE STREET LAND GIFT

Open discussion

MOTION: Move that the Board of Selectmen vote to endorse the Conservation Commission recommendation of March 23, 2010, to accept under Chapter 40 as a gift for habitat purposes, Lot 6 of Land Court Plan 42932 dated December 22, 2006, subject to the executed acceptance

certificate to be completed and recorded by December 31, 2010.

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

5E **PARADE PERMIT REQUEST**

Celebrate 100th Anniversary of Pilgrim Monument

MOTION: Move that the Board of Selectmen vote to approve the parade application permit submitted by Eric Martin on behalf of the Pilgrim Monument and Provincetown Museum, to hold a parade of "Celebration of 100th Anniversary of Pilgrim Monument", on Thursday, August 5, 2010 starting at 10:00 AM to 12:30.

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

6A **PAMET LENS OVERSIGHT GROUP - UPDATE**

Open discussion – accepted minutes as presented.

6B **TOWN MANAGER'S FOLLOW-UP**

Trailer has been moved to Bradford Street.

Race Point Road affordable housing project 40B application should be moving forward.

6C **APRIL 5, 2010 TOWN MEETING FOLLOW-UP**

Tracking Sheet of Articles Passed

Open discussion – accepted as presented.

6C **OTHER**

MOTION: Move that the Board of Selectmen vote pursuant to MGL C 268A §23 (b) (3) and as appointing authority for the Provincetown Public Pier Corporation, to make the determination that the financial interest of appointee, Richard Wood, relative to his fishing charter business leasing a slip on MacMillian Pier, 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 April 12, 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 minutes of April 14, 2010 (Joint Mtg. Board of Fire Eng.) with change so noted.

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

8. **CLOSING STATEMENTS**

Elaine Anderson - Mary-Jo's last meeting. Will miss your unique style.

Austin Knight - Ditto what Elaine Anderson has said. But I am sure that we have not heard the last from you.

Mary-Jo Avellar – Privilege to serve. To my replacement – do not take politics personally, and just keep moving on. I thank you all for your patience with me.

David Bedard – We haven't always agreed, but when I am no longer on this board, the most memorable moments will be the times spent with you.

Michele Couture – My memories of you will be how well you speak off the cuff at town meeting.

MOTION: *Move that the Board of Selectmen vote to send a letter of thanks to Robert Duffy and Mark Jacobs for the \$26,000 raised in the sale of 'T' shirts to help benefit the Provincetown Library and Town Hall projects.*

Motion by: Michele Couture Seconded by: Elaine Anderson Yea 5 Nay 0

9. **REVIEW EXECUTIVE SESSION MINUTES**

MOTION: *Move that the Board of Selectmen vote to approve and release the following executive session minutes:*

2006

October 23; November 9; December 11

2007

January 8; February 17; March 19; May 14, 29; June 25; July 16, 23; August 13, 30; September 24; November 14; December 10, 18.

2008

January 22; February 5, 24; March 13, 19; May 2, June 23; July 14; August 11; September 8; October 14, 27; November 3; December 8.

2009

January 12, 20, 26, 29 (5:30), 29 (6 PM); February 23; March 9, 16, 23; June 1, 22; August 10, 24; September 29; October 13, 21 (4 PM), 21 (4:30 PM), 26; November 10.

2010

January 11; February 24; March 15, March 22, March 29 (3 PM), March 29 (5:40 PM); April 1, April 2, April 12.

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

Motion to adjourn by Elaine Anderson at 9:47 PM

Minutes transcribed by: Vernon G. Porter, Secretary to Board of Selectmen
May 13, 2010