

# TOWN OF PROVINCETOWN - BOARD OF SELECTMEN

REGULAR MEETING – MONDAY – AUGUST 23, 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: Assistant Town Manager David Gardner

Recorder: Vernon G. Porter

**MOTION**: *Move that the Board of Selectmen vote to take agenda item 1A out of order.*

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

### 1B JOINT MEETING WITH THE BOARD OF HEALTH

BOH attendees: Chair Mark Phillips, Vice Chair Ken Janson and member John Livingstone. BOH Agent Jane Evans, Health Inspector Brian Carlson.

Red Dot delays policy discussion. Update on the status of properties in environmentally sensitive areas. Board of Health held a public hearing regarding a proposed regulation to require inspection of red dot delay properties, which received a great deal of opposition at the hearing. BOH feels the needs science based criteria to enforce state laws, or to make a local regulation that is more restrictive than state laws. We don't know what the link is between septic malfunction and water quality in the harbor or ground water. Seek more specific information or tests that identify the actual source of containments in the harbor. Michele Couture suggests contacting the County for assistance. Water monitoring collection protocol is determined by the County and consistent throughout the state.

**MOTION** – *Move that the Board of Selectmen ask the Board of Health to work with the Conservation Commission and the Harbor Committee to formulate a plan to clean up the beach within a reasonable timeline.*

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

Perhaps a task force to study the issue of beach cleaning and raking to remove the rackline and seaweed on the beaches. Look into bringing the material to the transfer station and include in the compost pile. Look into whether Harbor Funds can be used to obtain more specific tests to determine source of contamination. Pilot study to determine what type of bacteria grows in the rack line, and whether it is related to harbor contamination.

Board of Health appointed John Livingstone to the task force to further look into the issue of beach cleaning and potential sources of water contamination in the harbor.

**MOTION**: *Move that the Board of Selectmen vote to return to item 1A.*

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

*David Bedard recused himself as he is an abutter to 90 Shank Painter Road.*

1A **PROVINCE LANDING UPDATE**

The Community Builders – 90 Shank Painter Road Housing Development

Attendees: Michelle Jarusiewicz and Joe Carelo, Chair of Community Housing Council.

Jan A. Brodie, Northeast Regional Director for The Community Builders Inc. of Boston, MA, provided a status of the Province Landing development. Province Landing is delayed due to a lack of funding. The project is hoping for tax credit funding in the September round. The project construction drawings are complete and are ready to go. TCB rebid the project for contractor selection. Construction could start as early as October, or before the end of the year. Estimated 10-12 months construction time. TCB plans to utilize HUD NSP2 funds as a bridge loan for this project to keep it moving. HUD requirements are still pending. TCB would like to amend the Comp Permit approval in regards to income levels as follows: change 8 units available to household income at or below 30% of the Barnstable County median annual income, to be available to households with income at or below 60%.

**MOTION:** *Move that the Board of Selectmen vote to send an updated letter of support for the 90 Shank Painter Road Housing Development.*

**Motion by:** Elaine Anderson      **Seconded By:** Michele Couture      Yea 4      Nay 0

2. **PUBLIC STATEMENTS**

Clarence Walker – Concerned about changes to 90 Shank Painter. Selectmen should consider carefully. Change to income levels is significant. What about the residents in the lower income levels?

Marcene Marcoux – Concerned about changes to 90 Shank Painter. Income level change is major. Applaud John Livingstone for his scientific approach to water quality testing as it relates to policy. Applaud Grassy Santos for his approach to clean the beaches and have town boards work cooperatively.

3. **SELECTMEN STATEMENTS**

**Elaine Anderson**

Think 90 Shank Painter is still meeting a critical need, even with changes.

Dangerous traffic situation at Lopes Square and Commercial St needs attention and constant police enforcement and traffic control.

Concerned about Pedit cab and taxi cab speeding and unsafe driving.

**John Santos**

I checked with the Accessors office, and 69% of homeowners in Provincetown are second homeowners. We should go to the State to request changes to laws that allow Towns to reconsider its regulations to give these people rights to vote and sit on town boards. We should also look at the number of town boards in Provincetown, and consider disbanding unnecessary town boards.

**Austin Knight**

Viability of 90 Shank Painter is in question, and therefore could support the change in income,

**David Bedard**

Concerned about taxi and pedi-cab safety and enforcement.

***MOTION: Move that the Board of Selectmen vote to send letters of thanks to DPW, Police for carnival parade, and to the Cape Inn for hosting the parade staging.***

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

Special thanks to David Gardner for the excellent job he has done in the absence of the Town Manager this past week.

**Michele Couture**

Pedestrians ignore traffic control at Lopes Square & Commercial despite Police Dept efforts to manage the intersection, not just a matter of lack of enforcement.

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

***MOTION: Move that the Board of Selectmen vote to re-appoint Cynthia A. Franco as a Regular Member of the Human Services Committee, with a term to expire on June 30, 2013.***

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

*John Santos recused himself and left the room.*

**5A    NRCS/ARRA STORMWATER IMPROVEMENT GRANT**

***MOTION: Move that the Board of Selectmen vote to accept a grant from the United States Department of Agriculture (NRCS) through the American Reinvestment and Recovery Act (ARRA) in the amount of \$163,400 for storm water improvements to the Good Templar Place Town Landing, and to authorize the Town Manager to enter into contracts as needed for the administration of this grant.***

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

**5B    PROCLAMATION**

United National Association of Greater Boston

***MOTION: Move that the Board of Selectmen vote to approve the request of Richard Golob, President of the United Nations Association of Greater Boston, 44-46 Temple Place, Boston, MA to proclaim Sunday, October 24, 2010, as “United Nations Day”, in the Town of Provincetown.***

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

**6A    TOWN MANAGER FOLLOW-UP - Nothing at this time.**

**6B    OTHER - None**

6C DPW HIGHWAY GARAGE BOILER REPLACEMENT GRANT

Cape Light Compact Energy Efficiency Program

***MOTION:*** *Move that the Board of Selectmen vote to accept a grant from Barnstable County through the Cape Light Compact Energy Efficiency Program in the amount of \$25,000 for the boiler replacement at the DPW Highway Garage and to authorize the Town Manager to enter into contracts as needed for the administration of this grant.*

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

7. MINUTES OF BOARD OF SELECTMEN'S MEETING

***MOTION:*** *Move that the Board of Selectmen vote to approve the minutes of August 9, 2010 (Regular Mtg.) as printed.*

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

8. CLOSING STATEMENTS

**John Santos**

Thanks to David Gardner for stepping in and helping out during the Town Manager's absence.

Wants the issue of single stream recycling placed on the next BOS agenda. Would like a report from DPW as to what equipment for the transfer station has been ordered for this program and at what costs. Wants to understand how single stream recycling program will work at transfer station, what alternatives were considered, why compacting was not considered.

Wants an update on the Building Assessment program, and wants to ensure that department needs assessment will be considered when discussing the future of town owned buildings. Wants to understand why we would accept a grant for boiler replacement for the Grace Gouveia building if that building will be surplus property in the future.

Would like to know what happened to the suggestion box at the Town Manager's office, and why his suggestion has been ignored by the Town Manager.

**Austin Knight** - None                      **David Bedard** - None

**Elaine Anderson** – Seeks an update on the Kayak proposal that is going before the Harbor Committee

Suzanne's Garden – signage – hope it is in the works.

**Michele Couture**

***MOTION:*** *Move that the Board of Selectmen vote to send a letter of thanks to Diane Corbo and Gabby Hanna for their service on their respective town boards.*

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

Motion to adjourn by John Santos at 7:50 PM

**Minutes transcribed by:** Vernon G. Porter - August 24, 2010