

**TOWN OF PROVINCETOWN - BOARD OF SELECTMEN**

**REGULAR MEETING – TUESDAY – OCTOBER 12, 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, and John Santos.

Excused absence: Elaine Anderson,

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

Recorder: David Gardner, Assistant Town Manager

Swearing in of Patrolman Michael Carr as Sergeant. Police Chief Jaran announced the promotion of Michael Carr as Sergeant.

**1A PUBLIC HEARING: Curb Cut Request 19 Alden Street**

Tom Mueller present on behalf of his partner.

**MOTION**: *Move that the Board of Selectmen vote, pursuant to MGL C. 11, § 6-2, to:*

- a) *Approve the request of Daniel Jackson to establish a curb cut at the property located at 19 Alden Street (Assessor's Map 12-1-39-0-R) (Res 3 Zone).*
- b) *And further to request that a certified plot plan be provided showing the actual location of the proposed curb cut.*

**Motion by**: Austin Knight      **Seconded By**: John Santos      Yea 4    Nay 0

**1B CAPE LIGHT COMPACT**

John Burns and Maggie Downey of the Cape Light Compact presented the Town with a check for the energy efficiency work on the remodel of town hall and to discuss the Energy Efficiency Conservation Block Grant. The improvement to Town Hall should save approximately 75,000 watts per year or saving \$10,000 to \$12,000 in cost. Total of \$134,180 from Cape Light Compact between the Town Hall, Highway Garage and Grace Gouveia Building.

**MOTION**: *Move that the Board of Selectmen vote to accept a check from the Cape Light Compact in the amount of \$75,000.00 for the energy efficiency work on the remodeled/new Town Hall.*

**Motion by**: Austin Knight      **Seconded By**: John Santos      Yea 4    Nay 0

**2. PUBLIC STATEMENTS**

George Bryant – Conservation Law Foundation is suing the EPA and other groups on Cape Cod due to lack of enforcement of the Clean Water Act and failure to protect water quality on the Cape. He is submitting a petition to support the suit. Believes a systematic solution for the entire Cape needs to be developed. Sewer system continues to have substandard pipes within the vacuum system like the one on Dyer Street which failed last year.

Cape Cod National Seashore Superintendent George Price and Karst Hoozeboom - presented an update on the Moors Road and Herring Cove Bathhouse projects. Replacement project at

the bath house required because the building is in structural failure. The new building will be pushed back and will be built to allow relocation in the future if the need arises. Moors Road project is moving forward. CCNS met with the Town four times in the last year to receive input on the design. Will be going to Con Com in December. Schedule for the project will calls for closure of the road in mid-March to mid-April for completion in mid-May.

### 3. **SELECTMEN STATEMENTS**

**David Bedard** - So many guest to Provincetown use the services at Herring Cove. Congratulation Outer Cape Health Services for receiving a grant.

**MOTION:** *Move that the Board of Selectmen vote to send a letter to the Beautification Committee to request that they move forward with the Adopt a Median Project.*

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

**John Santos** - Thanks to Cape Cod National Seashore Park Service for the update.

**Austin Knight** - Likes the Herring Cove project and design

**Michele Couture** - Thanks to CCNSP for the update. Sarah Peake in Boston working on securing additional funds for affordable housing.

### 4 **APPOINTMENTS** – None

*David Bedard recused himself as he is a direct business abutter.*

### 5A **CPA GRANT AGREEMENT EXTENSION**

83 Shank Painter Road

Michelle Jarusiewicz and Ted Malone present. This extension allows for construction start to begin no later than April 2011. The agreement calls for construction to be completed within 9 months thereafter. CHR has re-submitted its funding application to DHCD. Awards are announced in November and, if funded, loan closings and construction could start in January 2011.

**MOTION:** *Move that the Board of Selectmen vote to approve the Community Preservation Act Grant Agreement extension with CHR 83 SPR LLC for 83 Shank Painter Road through April 2011 for construction start-up.*

**Motion by:** Austin Knight    **Seconded By:** Michele Couture    Yea 3    Nay 0

### 5B **OPEN THE SHELLFISH SEASON – Public Shellfish Area**

**MOTION:** *Move that the Board of Selectmen vote, pursuant to MGL C.130,§52, and the Selectmen’s Recreational Shellfish Regulations, to approve opening the public shellfishing areas as follows:*

- *On Sunday, October 31, 2010 the shellfish area west of Captain Jacks to the east side of the Provincetown Inn and 25’ inside the Private Grants will open to the public.*
- *On Sunday, November 14<sup>th</sup>, the shellfish area from Allerton Street to the Provincetown / Truro town line will open to the public.*

- *On Sunday, November 28<sup>th</sup>, the public will be allowed to take shellfish from Hatches Harbor. Access will be between 7am and 5pm.*
- *The proposed dates are subject to the results of both shellfish and water quality testing at the state lab.*
- *The days allowed are Sundays and Fridays through the end of March 2011, with a ten-quart limit per week. Licenses, gauges, and a copy of the regulations will be available at the Town Clerk's office. Fees are \$15.00 for residents and \$50.00 for non-residents. Residents or taxpayers shall be issued a free shellfish permit at age 65 or older.*
- *If Bay Scallops are abundant the Shellfish Constable will post the days and location of their taking and the recreational limit shall be two pecks per week.*

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

**5C      ANIMAL WELFARE GRANT**

Cape Cod Foundation Thomas C. McGowan Fund for Animals - The grant request would be for signage related to the danger of animals being left unattended in motor vehicles, which will compliment the proposed town by law. Would like to put up signage at the various municipal parking lots. Signage would really help increase the public's awareness and education and continue to underscore Provincetown's leadership in animal welfare.

**MOTION:** *Move that the Board of Selectmen vote to authorize the submission of a grant application in the amount of \$1,000 to the Cape Cod Foundation Thomas C. McGowan Fund for Animals Grant Program for the procurement and placement of signs at the various municipal parking lots.*

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

**6A      TOWN MANAGER FOLLOW-UP**

Town-wide Building Assessment selection committee reviewed 4 applicants. Bargmann Hendrie and Archetype Inc. (BH+A) was chosen and we are negotiating a contract for the Selectmen to review on October 25, 2010.

USDA did not award the funds for the development of North Union Field. In anticipation of a potential denial, we have been working with Congressman Delahunt's office and the USDA to reprogram existing grant awards to North Union Field to ensure that we are able to secure the redundant source of water. DPW will provide update at your October 25, 2010 meeting. Should consider having a special meeting on October 25, 2010 to discuss this item.

Shank Painter Road Corridor Study will hold a public hearing with property owners along Shank Painter Road on October 20, 2010. Should do a e-blast to all businesses and the Chamber and PBG.

**6B      SEGAL ACTUARIAL STUDY**

**MOTION:** *Move that the Board of Selectmen vote Move that the Board of Selectmen vote to authorize the Town Manager Sharon Lynn to enter into a contract jointly with The Town of Truro to engage The Segal Company, 116 Huntington Avenue, 8<sup>th</sup> Floor, Boston, MA, to perform an analysis to estimate the impact on the Town of Provincetown of adopting MGL*

*Chapter 32B, Section 18 or 18A.*

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

**6C    NOVEMBER 8, 2010 SPECIAL TOWN MEETING APPROVAL OF WARRANT**

**MOTION: *Move that the Board of Selectmen vote to approve the warrant for the November 8, 2010 Special Town Meeting, as presented by the Town Manager.***

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

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

**MOTION: *Move that the Board of Selectmen vote to approve the minutes of September 21, 2010 (Special Mtg. FinCom/Insurance Mtg.) as printed.***

**Motion by: John Santos    Seconded By: Michelle Couture    Yea 3    Nay 0  
Abstain 1 (David Bedard)**

**MOTION: *Move that the Board of Selectmen vote to approve the minutes of September 27, 2010 (Regular Mtg.) as printed***

**Motion by:    Seconded By: David Bedard    Yea 4    Nay 0**

**MOTION: *Move that the Board of Selectmen vote to approve the minutes of October 4, 2010 (Special Mtg. Proclamations) as printed.***

**Motion by: John Santos    Seconded By: Austin Knight    Yea 3    Nay 0  
Abstain 1 (David Bedard)**

**8.    CLOSING STATEMENTS**

**David Bedard - None                      Michele Couture - None**

**Austin Knight - None                      John Santos - None**

Motion to adjourn by Austin Knight at 7:14 PM.

Minutes transcribed by: Vernon G. Porter, Secretary to Board of Selectmen  
October 19, 2010