

**TOWN OF PROVINCETOWN - BOARD OF SELECTMEN**

**REGULAR MEETING – MARCH 14, 2011 6 PM**

**JUDGE WELSH ROOM**

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: David Gardner

**1A PUBLIC HEARING – ECONOMIC DEVELOPMENT PERMIT – 225  
COMMERCIAL ST – BLONDIE’S BURGERS**

Applicant not present.

Public Comment: none.

**MOTION**: *Move that the Board of Selectmen vote to table to the next meeting pending attendance by the applicant.*

**Motion by**: Austin Knight

**Seconded By**: John Santos

Yea 5 Nay 0

**1B PUBLIC HEARING – ECONOMIC DEVELOPMENT PERMIT – 206-208  
COMMERCIAL ST – NOR’EAST BEER GARDEN**

Vida Hamnquist, applicant present.

Public Comment: None

**MOTION**: *Move that the Board of Selectmen vote to approve Economic Development Permit 11-06 for 206-208 Commercial Street, Vida Hamnquist, Nor’East Beer Garden, applicant, Hal Winard, property owner, based on findings that the proposed use is consistent with the criteria set forth in Selectmen’s Policy 2009-02-09, subject to the attached permit with conditions as submitted, however, no expansion may occur until the completion of the West End Redirect Sewer project and that the restaurant will pledge to be open a minimum of six months.*

**Motion by**: Austin Knight

**Seconded By**: John Santos

Yea 3 Nay 1 (Michele Couture) Abstain 1 (Elaine Anderson)

**1C JOINT MEETING WITH CONSERVATION COMMISSION – PRESENTATION BY  
GREG BURMAN, WOODS HOLE INSTITUTE**

Greg Berman presented a power point presentation on the dynamics of the harbor as it pertains to the movement of sand along the town beaches, to help the Board and the public understand beach dynamics and the possible need for a strategic beach nourishment program.

**Conservation Commission came to order at 6:45pm**

Chair Dennis Minsky, Hank Janowsky, Lynne Martin, Jack McMahon, David Hale, and Barbara Prato

What we need is a comprehensive beach management plan, which will include any discussion

of beach raking. Any plan should include beach grass planting. Funding needs to be identified to create a comprehensive beach management plan which requires expertise. The Town of Dennis is developing a RFP for similar issues.

**1D JOINT MEETING WITH DISABILITY COMMISSION – PRESENTATION BY JEFF DOUGAN, MASS OFFICE ON DISABILITY**

Mr. Jeff Dugan, Assistant Director for Community Services of the Massachusetts Office on Disability present to discuss a Warrant Article the Disability Commission is placing on the upcoming April 2011 Town Meeting.

**Disability Commission came to order at 7:08 pm**

Chair Michelle DeMarco, Barbara Grasso, and Randa Krise

Annual Town Meeting Article 30 requests funding for the Disability Commission from the violations for handicap parking regulations. Town Manager to craft a motion to establish an account, and then move forward to identify how and when it would be funded. Town Manager to meet with the Disability Commission at their next meeting.

**1E COMMERCIAL STREET WALKING MALL COMMITTEE REPORT;  
RECONFIGURATION OF THE MUNICIPAL PARKING LOT**

Report of the Commercial Street Walking Mall Committee presented by Police Chief Jaran, Parking Administrator Domenic Rosati, Tony Zampala, Rick Murray, and Robert Jason. The Committee makes the following recommendations to the Selectmen:

- 1) **RECOMMEND:** Open MPL's West exit, *keeping both exits.*
  - a) Enforce zones designated for drop off/pick up.

**MOTION:** *Move that the Board of Selectmen vote to approve recommendation 1.*

**Motion by:** John Santos      **Seconded By:** Austin Knight

**Yea 4    Nay 0    Abstain 1 (Michele Couture)**

- 2) **RECOMMEND:** Install new signs:
  - a) *Place parking signs* on Route 6 to help re-route traffic:
    - i) Eliminate, thin out, or move unnecessary signs on Route 6 at Conwell Street (at the stoplight) that create a barrage of confusing messages.

**MOTION:** *Move that the Board of Selectmen vote to approve recommendation 2a.*

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

- b) *Place stop signs*, or appropriate traffic control device at Bradford and Ryder St. to make/create a 3-way stop.

Police Department to review more carefully to come up with a proposal of how to deal with the signage.

- 3) **RECOMMEND:** Replace electronic traffic/parking signs:
  - a. on Standish Street indicating "Lot Full/Empty" to direct traffic accordingly.

**MOTION:** *Move that the Board of Selectmen vote to approve recommendation 3.*

**Motion by:** John Santos

**Seconded By:** Austin Knight

**Yea 5 Nay 0**

- b. at Route 6 prior to left-hand turn lane onto Conwell to direct traffic to Shank Painter.

Parking Department to look into further and come up with a proposal and consider signage options.

4) **RECOMMEND:** implement the following:

- a. Eliminate ALL unlawful parking on Commercial Street in accordance with the Town's by-laws.

Parking Department to use their discretion.

**MOTION:** *Move that the Board of Selectmen vote to approve recommendation 4a..*

**Motion by:** John Santos

**Seconded By:** Elaine Anderson

**Yea 2 Nay 3**

**(Michele Couture, Austin Knight, David Bedard) - Motion DOES NOT carry -**

- b. Enforce The Safe Driving Law, concerning use of mobile phone/texting, effective in Massachusetts as of September 30, 2010. *Ch 90/8M- Use of a Mobile Phone or Mobile Electronic Device by a Junior Operator; Improper Use of a Mobile Phone by Operators 18 and Over; Sending/Reading Text Messages.*

**MOTION:** *Move that the Board of Selectmen vote to approve recommendation 4b.*

**Motion by:** David Bedard

**Seconded By:** Michele Couture

**Yea 5 Nay 0**

5) **RECOMMEND:** Establish a Bike/Pedestrian path, along Cemetery Road to direct bike/pedestrian, changing current traffic flow to one-way.

**MOTION:** *Move that the Board of Selectmen vote to approve recommendation 5 but keep the existing traffic flow for now and replace with signs that say "share the road".*

**Motion by:** John Santos

**Seconded By:** David Bedard

**Yea 5 Nay 0**

6) **RECOMMEND:** Create and execute an Education Campaign to inform:

- a. residents, seasonal residents and workers, and tourists; and include:
- b. vehicles of rerouting off route 6; parking areas and enforcement of parking laws; and use of cell phone while driving or biking.
- c. signage and educational materials that enroll stakeholders such as: Businesses, Transportation services, and POS outlets, (i.e. Cape Air, Taxis, Ferries, Buses, Bike Shops, Parking Kiosks, Patrol officers and organizations such as the Library, VSB, PBG and The Chamber)

Materials forwarded to the Selectmen and consider at the next meeting.

7) **SUPPORT:** *Review current Taxi Stand arrangement,*

- a. The task force supports the work being considered at the upcoming "Spring Traffic Hearing" on Tuesday, March 15, as they consider Taxi stands at: 1) Johnson and

Commercial St; 2) Tourism Office; 3) Standish Street at Governor Bradford; and 4) West End at Court and Winthrop. These stands will accommodate 2 to 3 Taxis's.

- **CONSIDER:** Board of Selectmen explore a discussion with Joe Duarte over future possibilities.
  - Discuss options with Joe Duarte (parking lot) to work with town to alleviate traffic flow, such as adding a second person, or leasing the property during the high season.

**2. PUBLIC STATEMENTS**

Lance Lambros: Congressman Keating's aide introduced himself and provided an update from Congressman Keating's office.

**3. SELECTMEN STATEMENTS**

**David Bedard** – Cape Cod Wastewater Collaboration met. Provincetown is well ahead of the rest of the Cape in meeting wastewater needs. Future County tax may be necessary moving forward to address this issue.

**Elaine Anderson** – Sewer work on East End is disruptive but necessary work.

**John Santos** – None

**Austin Knight** – None

**Michele Couture** – None

**4. APPOINTMENTS**

**MOTION:** *Move that the Board of Selectmen vote to appoint Patsy Greene as an Interim Member of the Board of Library Trustees with a term to expire on May 3, 2011. [Roll Call Vote }*

**Michele Couture** – Yes

**David Bedard** – Yes

**Michele Couture** - Yes

**Elaine Anderson** - Yes

**Austin Knight** – Yes

**Motion by:** David Bedard

**Seconded By:** Austin Knight

**Yea 5 Nay 0**

**5A. LANCE LAMBROS – CONGRESSMAN KEATING'S OFFICE/ UPDATE**

Lance Lambros provided comments under Public Comments.

**5B. AMERICORPS REPRESENTATIVE**

Each year the AmeriCorps Cape Cod Program gives an update to the town they serve. Mark Pfeifer is the Provincetown Service Member this year, and works with the Conservation Commission and the Health & Environmental Affairs Manager on issues pertaining to natural resources, the environment, and emergency preparedness.

**5C. ACCEPT RECREATION DEPARTMENT GIFT – MARC JACOBS**

**MOTION:** *Move that the Board of Selectmen vote to accept the donation of \$25,000 by Marc Jacobs International LLC, for the benefit of the Recreation Department, and to write a letter of thank you for this generous gift to the Town.*

**Motion by:** David Bedard

**Seconded By:** Elaine Anderson

**Yea 5 Nay 0**

**5D ALTERATION OF LAYOUT OF PORTION OF HARRY KEMP WAY**

**MOTION:** *Move that the Board of Selectmen vote to approve the Order of Alteration of Layout and file the Plan Showing Alteration of Layout of Harry Kemp Way dated March 3, 2011 with the Town Clerk.*

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

**MOTION:** *Move that the Board of Selectmen hereby declares that the parcel of land shown as "Discontinued Portion" on a plan entitled "Plan Showing Alteration of Layout of Harry Kemp Way," dated March 3, 2011, prepared by Coastal Engineering Company, Inc., on file with the Town Clerk, currently held by it for public way purposes, is no longer needed for such purposes.*

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

**5E1 PARADE PERMITS – HELPING OUR WOMEN**

**MOTION:** *Move that the Board of Selectmen vote to approve the Parade Application Permit submitted by Teri Nezbeth, Helping Our Women, PO Box 1376, 336 Commercial Street, Provincetown, MA 02657 to hold a bike ride to be held on Saturday, June 4, 2011 starting at 8:00 AM.*

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

**5E2 PARADE PERMITS – FAMILY EQUALITY COUNCIL**

**MOTION:** *Move that the Board of Selectmen vote to approve the Parade Application Permit submitted by Elaine Lee, on behalf of the Family Equality Council, PO Box 206, Boston, MA 02133, to hold parade to be held on Friday, August 5, 2011 from 3:00 PM to 4:00 PM.*

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

**5E3 PARADE PERMITS – YANKEE LAMBDA CAR CLUB**

**MOTION:** *Move that the Board of Selectmen vote to approve the Parade Application Permit submitted by Ben Burnham, on behalf of the Yankee Lambda Car Club, 50 Tremont Street #108, Melrose, MA, to hold parade to be held on Saturday, September 10, 2011 from 2:00 PM to approximately 2:45 PM.*

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

**5F1 TREASURER'S TRANSFER – TOWN HALL FOUNTAIN 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 \$38.00 from the Town Hall Fountain Gift Fund for the payment for the payment of the attached invoice(s).*

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

**5F2 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 \$500.00 from the Harbor Access Gift Fund for the payment for the payment of the attached invoice(s).*

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

**6A    TOWN MANAGER SHARON LYNN FOLLOW-UP - None**

**6B    FIRE DEPARTMENT – ACCEPT HOMELAND SECURITY GRANT - \$38,000**

**MOTION: *Move that the Board of Selectmen vote to accept a grant of \$38,000 by the Homeland Security Agency for operations and safety equipment.***

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

**7.    MINUTES OF BOARD OF SELECTMEN’S MEETING – None**

**8.    CLOSING STATEMENTS**

**Elaine Anderson – None                      David Bedard – None.                      Michele Couture – None**

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

Motion to adjourn by Austin Knight at 9:16 PM.

Minutes transcribed by: Vernon G. Porter, Secretary to Board of Selectmen  
March 15, 2011