

TOWN OF PROVINCETOWN - BOARD OF SELECTMEN

REGULAR MEETING – JUNE 27, 2011 6:00 PM

TOWN HALL – JUDGE WELSH ROOM

Chairman Elaine Anderson convened the meeting at 6:00 PM noting the following

Board of Selectmen members: Elaine Anderson, David Bedard, Austin Knight, John Santos and David McChesney

Other attendees: Town Manager Sharon Lynn, Assistant Town Manager David Gardner, Finance Director Dan Hoort

Recorder: David Gardner

1A JOINT MEETING WITH THE RECYCLING AND RENEWABLE ENERGY COMMITTEE

Chair Amy Germain, Scott Powell, Damon Leard, Kelli Dahl and Lydia Hamnquist
Chairmman Germain called their meeting to order at 6:05 PM.

Bottle Bill Discussion

MOTION: *Move that the Board of Selectmen vote to approve a resolution in support of The Bottle Bill Update, An Act to Improve Recycling Rates in the Commonwealth, House Bill 890 and Senate Bill 1650.*

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

Green Communities Act Designation

The Town has acquired a Green Communities Action Plan in 2010. We are requesting support from the Board of Selectmen to Move forward with the designation by completing the remaining criteria.

To qualify as a green community, a municipality or other local governmental body shall: (1) file an application with the division in a form and manner to be prescribed by the division; (2) provide for the as-of-right siting of renewable or alternative energy generating facilities, renewable or alternative energy research and development facilities, or renewable or alternative energy manufacturing facilities in designated locations; (3) adopt an expedited application and permitting process under which these energy facilities may be sited within the municipality and which shall not exceed 1 year from the date of initial application to the date of final approval; (4) establish an energy use baseline inventory for municipal buildings, vehicles and street and traffic lighting, and put in place a comprehensive program designed to reduce this baseline by 20 per cent within 5 years of initial participation in the program; (5) purchase only fuel-efficient vehicles for municipal use whenever such vehicles are commercially available and practicable; and (6) require all new residential construction over 3,000 square feet and all new commercial and industrial real estate construction to minimize, to the extent feasible, the life-cycle cost of the facility by utilizing energy efficiency, water conservation and other renewable or alternative energy technologies.

Selectmen and RREC need to hold a workshop on the Stretch Code to answer questions people have regarding the cost of building.

MOTION: *Move that the Board of Selectmen vote to authorize staff to consider all potential town-owned areas for a PV Solar site.*

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

1B JOINT MEETING WITH THE LICENSING BOARD

Chair Kristin Hatch, Rebecca Matarazzi, George Stephen Young, AJ Petras and Mindy Baransky called to order at 6:40 PM.

Discussion occurred – no action taken.

2. PUBLIC STATEMENTS - None.

3. SELECTMEN STATEMENTS

David Bedard

MOTION: *Nominate David McChesney to be the Town’s Representative to the Cape Cod Water Protection Collaborative.*

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

Thanks the Beautification Committee for great work in preparing the Grace Hall Parking Lot.

David McChesney – None.

John Santos – Still working on the street in the West End construction should be done by this time in season. Still seeing delivery trucks on Commercial Street after 11:00 AM. Should have designated parking for pedicabs to limit area where they can stand.

Austin Knight – Pedicabs need to park along the curb in front of town hall so that they are not blocking the street.

MOTION: *Send a letter of thank you to the Portuguese Festival Committee for a wonderful job and a successful event.*

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

Elaine Anderson – None.

4A. APPOINTMENTS - END OF FISCAL YEAR REAPPOINTMENTS

MOTION: *Move that the Board of Selectmen vote to reappoint the following Board and Committee members to an additional three-year term to expire on June 30, 2014, on their respective Boards and Committees:*

<i>Animal Welfare Committee</i>	<i>Carol MacDonald</i>	<i>Regular</i>
<i>CCNSGMPIAC</i>	<i>Paul Tasha</i>	<i>Regular</i>
<i>Community Housing Council</i>	<i>Joe Carleo</i>	<i>Regular</i>

<i>Harbor Committee</i>	<i>Susan Avellar</i>	<i>Regular</i>
<i>Harbor Committee</i>	<i>Gerald Irmer</i>	<i>Regular</i>
<i>Harbor Committee</i>	<i>Phillip Scholl</i>	<i>Regular</i>
<i>Human Services Committee</i>	<i>Kristin Hatch</i>	<i>Regular</i>
<i>Open Space Committee</i>	<i>Stephen Milkowicz</i>	<i>Regular</i>
<i>Visitor Services Board (At Large)</i>	<i>Michael Peregon</i>	<i>Regular</i>
<i>Visitor Services Board (At Large)</i>	<i>Rita "Hersh" Schwartz</i>	<i>Regular</i>
<u>Motion by:</u> Austin Knight	<u>Seconded By:</u> John Santos	Yea 5 Nay 0

4B APPOINTMENT – PBG REPRESENTATIVE TO THE VISITOR SERVICES BOARD OF SELECTMEN

MOTION: *Move that the Board of Selectmen vote to appoint Rick Murray as the PBG Representative to the Visitor Services Board with a term to expire on June 30, 2014.*

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

David Bedard recused himself as a direct abutter and left the room.

5A AFFORDABLE HOUSING RESTRICTION: CHR 83 SPR LLC

Housing Specialist Michelle Jarusiewicz and Ted Malone present.

MOTION: *Move that the Board of Selectmen vote to approve the affordable housing deed restriction with CHR 83 SPR LLC for 15 rental units at 83 Shank Painter Road.*

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

David Bedard returned to the room.

5B BOARD OF SELECTMEN POLICY STATEMENTS – AFFORDABLE HOUSING INCENTIVES

Request for amendment to the existing Selectmen Policies dealing with affordable housing incentives as they relate to the provision of town services and permit fee waivers. Staff has reviewed the requests and provide the attached Draft Policy Statement amendments for Board’s consideration. On 6/13/11, the Community Housing Council reviewed and recommends proposals.

MOTION: *Move that the Board of Selectmen vote to adopt Policy Statement 2011-06-27A Provision of Certain Town Services for Affordable and Community Housing Developments as proposed.*

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

MOTION: *Move that the Board of Selectmen vote to adopt Policy Statement 2011-06-27B Waiver of Building Permit Fees for Affordable and Community Housing Developments as amended to increase the threshold to 75% of affordable or community housing units.*

Motion by: David Bedard **Seconded By:** John Santos
Yea 1 Nay 4 (Elaine Anderson, John Santos, Austin Knight, David Mchesney)
- Motion Failed -

MOTION: *Move that the Board of Selectmen vote to adopt Policy Statement 2011-06-27B Waiver of Building Permit Fees for Affordable and Community Housing Developments as proposed.*

Motion by: Austin Knight **Seconded By:** David McChesney
Yea 4 Nay 1 (David Bedard)

DPW to provide a list of private roads that are plowed.

Michelle Jarusiewicz gave a presentation regarding her attendance at the Mass. Cultural Council [MCC] Cultural District Initiative info session on Friday at CCCC. Towns, in partnership with arts organizations and business organizations, can apply for one or more cultural district designations. A cultural district is a specific geographical area that has a concentration of cultural facilities and activities. It must be walk able. It must have well defined edges. It must be authentic; one must be able to “feel it.” While MCC does not have grant funds per se at this time, other state agencies are encouraged to use their funds to support these districts. There will be signage, design not determined at this time, that town’s can acquire to mark the edges of the district or to direct travelers. There will be data collection required including empty store fronts and number of visitors plus 2 – 3 other data points that we can choose. The ultimate goal is to create a tool that can boost revenue locally. The state will be directing some of their marketing dollars to these districts.

Michelle would like to reconvene the former MCC Adams Grant Task Force [as a starting group] as the MCC Cultural District Initiative Task Force to begin this process. Meri Jenkins from MCC is willing to come to Provincetown to meet with us.

Staff to bring back the item to educate the Selectmen at a future meeting.

MOTION: *The Board of Selectmen vote to support the initiative and begin the process for designation.*

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

5C ELLIE MEMORIAL PLAQUE

Andree Clearwater and Tom Yaz present.

Request a living memorial to be placed in the sidewalk in front of town hall. The monument would be made of granite or brass. An alternative would be to dedicate a bench.

Austin Knight: No policy in place currently to allow memorial bricks or pavers to be placed in the sidewalk, although bench plaques are already in place and appropriate in this location.

David Bedard: Benches more appropriate. Selectmen need to consider the historic integrity of the property.

John Santos agrees as does David McChesney and Elaine Anderson.

5D1 PARADE PERMIT: CARRIE A. SEAMAN ANIMAL SHELTER

MOTION: *Move that the Board of Selectmen vote to approve the Parade Application Permit submitted by Carol MacDonald, to hold a parade to showcase the dogs in town to be held on September 25, 2011, starting at 2:00 PM to 2:45 PM.*

Motion by: David Bedard **Seconded By:** John Santos Yea 5 Nay 0
5D2 **PARADE PERMIT: FUN RUN PARADE PERMIT**

Parade route to commence at MacMillan Wharf and continue east on the beach to St. Mary's church and return to MacMillan Wharf, go along the boardwalk to the other side of the wharf and continue on the west end beach to the beach alongside the Boatslip and return to the boardwalk facing MacMillan Wharf. They estimate 10 runners.

Runners need to provide notice to the Pier Corporation, check in with the Harbormaster.

No permit is required for this activity.

MOTION: *Move that the Board of Selectmen vote to support the fun run effort for Camp Lightbulb on the condition that they notify the Harbormaster and comply with the Police memo but that a parade permit is not necessary and that they follow-up with non-profit status.*

Motion by: David Bedard **Seconded by:** David McChesney Yea 5 Nay 0
5D3 **PARADE PERMIT: AIDS SUPPORT GROUP PROVINCETOWN 5K**

MOTION: *Move that the Board of Selectmen vote to approve the Parade Application Permit submitted by the AIDS Support Group of Cape Cod for a run/walk for ASGCC to be held on July 24, 2011 from 7:45 am to 9:30 am.*

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

5E1 **TREASURER'S TRANSFER: SCHOLARSHIP COMMITTEE – JAFF SCHOLARSHIP FUND;**

John Anderson Francis Scholarship Committee in support of this request totaling \$356.00 leaving a remaining balance in the John Anderson Francis Scholarship Fund of \$1,155,911.46

MOTION: *Move that the Board of Selectmen vote, as Commissioners of the Scholarship Funds, vote to approve the transfer of \$356.00 from the John Anderson Francis Scholarship Fund for the payment of the attached invoice(s).*

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

5E2 **TREASURER'S TRANSFER: 2) FIREWORKS GIFT FUND;**

MOTION: *Move that the Board of Selectmen vote, as Commissioners of the Town of Provincetown Gift Funds, pursuant to MGL C44 § 53A, to approve the use of \$26,500 from the Fireworks Gift Fund to pay for the attached invoice(s).*

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

5E3 **TREASURER'S TRANSFER: 3) JOHN HENRY TRUST FUND**

This is to purchase Children's items for the Provincetown Library Children's Room from the John A. Henry Trust Fund leaving a balance after this purchase of \$514,435.37.

MOTION: *MOVE that the Board of Selectmen vote, as Commissioners of the Trust Funds,*

to approve the transfer of \$6,285.90 from the John A. Henry Trust Fund for the payment of the attached invoice(s)

Motion by: Austin Knight

Seconded By: David Bedard

Yea 5 Nay 0

5F BOARD OF SELECTMEN POLICY STATEMENT – ECONOMIC DEVELOPMENT PERMIT CRITERIA

At the June 13, 2011 Workshop, the Board of Selectmen requested an opportunity to discuss the existing criteria to consider amendments.

MOTION: *Move that the Board of Selectmen vote to take no action.*

Motion by: David Bedard

Seconded By: Austin Knight

Yea 5 Nay 0

6A RATIFICATION OF UNION CONTRACT

MOTION: *Move that the Board of Selectmen vote to ratify the Agreement between the Town of Provincetown and the American Federation of State, County, and Municipal Employees, AFL-CIO, State Council 93, Local 1462 for a term of July 1, 2011 through June 30, 2014.*

Motion by: Austin Knight

Seconded By: John Santos

Yea 5 Nay 0

6B TOWN MANAGER/ ASSISTANT TOWN MANAGER FOLLOWUP

Discussion of traffic on Center Street during construction of the Library

Proposal to make Center Street a “NO RIGHT TURN” from Commercial Street during the time period of construction.

MOTION: *Move that the Board of Selectmen vote to make Center Street a “NO RIGHT TURN” from Commercial Street during the time period of construction.*

Motion by: Austin Knight

Seconded By: John Santos

Yea 5 Nay 0

Town Manager follow-up items.

Redirects of the sewer system off the vacuum system have been completed within the projected timeframe. Streets have been paved and construction has ceased for the season and will resume in the September.

Joint meeting with the Truro Board of Selectmen regarding water improvements.

Staffing plan for July 4th sewer backup is in place in case of an emergency.

Temporary street closure at 44 Commercial Street.

Town needs to repair the potholes on the west end in front of Ann Maguire’s house as well as the UU Church.

Veterans Memorial Elementry School renovations bid will be posted this week. Bids due by the end of July. Construction work to start early August.

6C **OTHER** - None.

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

MOTION: Move that the Board of Selectmen approve the minutes of:

June 13, 2011 (Workshop) as printed.

June 13, 2011 (Regular Meeting) with changes so noted.

June 20, 2011 (Public Forum) as printed.

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

8. **CLOSING STATEMENTS**

David Bedard - Concerned about gas prices on the Cape.

MOTION: *Move that the Board of Selectmen vote to send a letter to the AG's office to review gas price gouging on the Cape during the summer.*

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

Austin Knight – None.

David McChesney – Freeman Street building repairs bids will be pending in August.

John Santos – Should fix the stairs in front of town hall. Painting contractor will power wash the stain and leave the stairs natural.

Elaine Anderson – PTV first year anniversary celebration open house tomorrow. Bike Trails ribbon cutting this week also.

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

Minutes transcribed by: Assistant Town Manager David Gardner, July 5, 2011