

TOWN OF PROVINCETOWN - BOARD OF SELECTMEN

REGULAR MEETING – MONDAY – SEPTEMBER 12, 2011 6 PM

TOWN HALL – JUDGE WELSH ROOM

Chairman Elaine Anderson convened the meeting at 6:00 PM noting the following
Board of Selectmen attending: Elaine Anderson, David Bedard, Austin Knight, John Santos and David McChesney

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

Recorder: Vernon Porter

The following are meeting minutes, in brief:

MOTION: *Move that the Board of Selectmen vote to take Agenda 1D out of order.*

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

1D PUBLIC HEARING: ECONOMIC DEVELOPMENT PERMIT

Outer Cape Health Services

MOTION: *Move that the Board of Selectmen vote to wave the reading of the Public Hearing Notice.*

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

This EDP request is for 563 gpd for a 7,898 sq/ft addition to the existing health clinic. See attached "DRAFT" Economic Development Permit, along with supporting information including the EDP application, floor plan of the clinic. The request will accommodate additional exam/treatment rooms, dental services, enhanced x-ray, mammography, bone density, ultrasound, behavioral health and lab/specimen collection. Staff recommends approval of this request based on criteria # 1, 2, 3, 4 and 5, and the fact the clinic is a major employer in the community and provides an essential service which is vital to the economic wellbeing of the Outer Cape.

Public in Favor

Pam French – Urge the Board of Selectmen support this project.

Public in Opposition – None

MOTION: *Move that the Board of Selectmen vote to read the names of the supporters only. (See attachment #1)*

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

Names of supporters for this application were read into the record along with additional letters from Outer Cape Health. (See attachment #1)

MOTION: *Move that the Board of Selectmen vote approve Economic Development Permit 11-09 for 49 Harry Kemp Way, Outer Cape Health Services, based on findings that the proposed use is consistent with the criteria set forth in Selectmen's Policy 2009-02-09, specifically:*

- Support year-round incomes, and
- Support an extended employment season, and
- Create or enhance employment opportunities, and
- Help to diversify Provincetown's economic base, and
- Feature solutions to known barriers to year-round economic success by providing access to health services locally

And subject to the attached permit with conditions as submitted.

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

1A PUBLIC HEARING: ADOPTION OF TOWN-WIDE POLICY GOALS FY 2011

MOTION: *Move that the Board of Selectmen vote to wave the reading of the Public Hearing Notice.*

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

Public Comments – None

MOTION: *Move that the Board of Selectmen vote, pursuant to Charter §4-2-1, to adopt the Town-wide Policy Goals for Fiscal Year 2012 as contained in the public hearing notice.*

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

1B PUBLIC HEARING: ADOPTION OF HAZARD MITIGATION PLAN

Chairman Anderson read the public hearing into the record.

Public Comments - None

FEMA Region I has completed its review of the Barnstable County, MA Multi-Hazard Mitigation Plan Annexes and found them approvable pending adoption. With this approval, the jurisdictions meet the local mitigation planning requirements of 44 CFR 201 pending receipt of the adoption documentation and an electronic copy of the final plan. Upon FEMA's receipt of these documents, a formal letter of approval will be issued, along with the final FEMA review. The FEMA letter of formal approval will confirm these jurisdictions' eligibility to apply for Mitigation grants administered by FEMA and identify related issues affecting eligibility, if any.

MOTION: *Move that the Board of Selectmen vote, as required by the Federal Emergency Management Agency under the Disaster Mitigation Act of 2000, to adopt and approve the updates to the Local Multi-Hazard Mitigation Plan (formally the Local Natural Hazard Pre-Disaster Mitigation Plan) for the Town of Provincetown, dated January 14, 2008 and updated May 4, 2011 and approved by FEMA on August 2, 2011 and furthermore to sign the Certificate of Adoption with changes.*

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

1C PUBLIC HEARING: ADOPTION OF STRETCH ENERGY CODE

Chairman Anderson read the public hearing notice into the record.

Attendees: Seth Pickering, Green Community Coordinator for the Southeast District, Michael Berry of ICF International and Health and Environmental Affairs Manager Brian Carlson.

Recycling & Renewable Energy Committee members present: Amy Germain, Elizabeth Patrick, Damon Leard and Lydia Hamnquist.

Public Comments in favor.

Sherry Dranch - Green Street Advisory Group – Urge the Selectmen to support the program and article.

Recycling and Renewable Energy Committee would like the Board of Selectmen's support for the Article at Town Meeting on October 24, 2011.

Open discussion ensued with the Board of Selectmen. Cape Cod Light Compact is very supportive of this program.

The Board of Selectmen will have another meeting on the overall Green Communities designation in the near future.

MOTION: *Move that the Board of Selectmen vote to direct staff to submit an Article for adoption of the Stretch Code, Green Communities Grant Program - Criteria 5, for the October 24, 2011 Special Town Meeting.*

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

1E JOINT MEETING WITH SCHOOL COMMITTEE

At their meeting on Monday, May 23, 2011 the Board of Selectmen unanimously voted in favor of requesting an annual joint meeting with each board and committee of the Town. The intention of this meeting is to become acquainted with any members the Selectmen may not have already had the opportunity to meet, and to discuss matters of mutual importance as well as common goals for the coming year.

Representing the School: Superintendent Beth Singer and School Committee Members: Cass Benson, Jamie Kryszkiewicz, Loretta Stewart, Shannon Patrick and Kerry Adams.

Chairman Shannon Patrick thanked all town Departments and the Town Manager for working closely with the School Board and read a statement into the record. (*See attachment #2*) The School Board is looking forward to offering more adult education programs and working with the Recreation Department, Council on Aging, the Library and PTV to develop a series of classes for adults.

The School Committee is interested in continuing to work closely with the town on common projects. Shared use of Motta Field, Renewable energy projects, joint management of the VMES, joint programs with Recreation Department and Council on Aging. There will be capital improvement expenses such as: fences around the school, create a playground to the school, irrigate the lawn, re-grade the side to avoid flooding, brick work needs to be repointed and sealed to stop leaks, generator, replace kitchen floor. Heating system will ultimately need to be replaced but is currently being inspected. Looking forward to restoring Adult Education programs. MCAS scores are rated as "needing improvement" by the State. There are currently only 6 children in grades 6, 7 and 8.

Open discussion ensued around what the school will be offering and the town offering more affordable housing for families and working cooperatively with each other.

2. **PUBLIC STATEMENTS** - None

3. **SELECTMEN STATEMENTS**

David Bedard

Thanks to all town staff for a professional and effective response to the events surrounding the hurricane. Special thanks to our Town Manager Sharon Lynn.

David McChesney

Special thanks to town staff, especially DPW during Hurricane Irene.

John Santos

Also want to thank everyone for the hurricane as well.

Would like the Town Manager to look into the tone test and dispatch for fire. Dispatchers should repeat twice.

Austin Knight

NSTAR request for staging of their truck changed this year as they requested a covered location. NSTAR needs to do additional tree trimming to reduce risk of power outages.

Where is NSTAR with the pole replacement on Route 6? David Guertin - Our needs are specific and NSTAR (Mr. Galvin) will be in touch with the Town Manager Sharon Lynn this week to relate the changes anticipated.

The Provincetown Canteen provided sandwiches to emergency responders during Hurricane Irene under the direction of Marilyn Downey.

MOTION: Move that the Board of Selectmen vote to send a letter of thanks to the Provincetown Canteen (Marilyn Downey).

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

Elaine Anderson

Agree with Selectman Knight that trees need to be cut back by NSTAR.

Talked with Chair of the Pier Corp and brought the issue of boats all over the beaches.

MOTION: Move that the Board of Selectmen vote to send a letter of congratulations to Jay Critchley and volunteers for the Swim for Life.

Motion by: Elaine Anderson Seconded By: John Santos Yea 5 Nay 0

4. **BOARD OF SELECTMEN'S APPOINTMENTS** - None

5A **COMMERCIAL STREET PROJECT UPDATE**

Attendees: Deputy DPW Director Sandy Turner and Russell Kleekamp Project Engineer – Wastewater / Infrastructure.

Discussion on the placement of water main.

Fellow Doug Kress gave an update on his survey of approximately 250 business and property owners on the water main placement from Johnson Street to Court Street.

MOTION: *Move that the Board of Selectmen vote to authorize a work period for water main replacement excavation from November 1, 2011 to April 30, 2012 and paving through May 15, 2012, and October 15, 2012 to May 15, 2013.*

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

MOTION: *Move that the Board of Selectmen vote to authorize temporary asphalt sidewalks during construction.*

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

5B PARADE PERMIT: PILGRIM PROVINCETOWN TURKEY TROT

MOTION: *Move that the Board of Selectmen vote to approve the parade application permit submitted by Tanya Huizdak, 60 Racepoint Road, Provincetown, MA , to hold a “Pilgrim Provincetown Turkey Trot” on Thanksgiving Day - Thursday, November 24, 2011, from 9 AM to 10 AM. No rain date.*

Motion by: Austin Knight **Seconded By:** John Santos For discussion only.

- Motion Withdrawn -

Ask the applicant to come back with a revised route that does not include Bradford Street.

5C PARADE PERMIT: FAITH BUILD 2011 WALK

MOTION: *Move that the Board of Selectmen vote to approve the parade application permit submitted by Dian Hamilton, 9 Seashore Park Drive, Provincetown, MA , to hold a “Faith Build 2012 Walk” on Saturday - October 1, 2011, from 12 Noon to 2 PM. No rain date.*

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

6A OPEN AND CLOSING OF SPECIAL TOWN MEETING WARRANT

Charter §2-1-7 provides that the warrant "shall be closed thirty days prior to the date of the town meeting." Articles may be submitted onto the warrants at the request of the town manager, selectmen, any town board, or 10 registered voters in the case of the annual [§2-1-3], or 100 registered voters in the case of the special [§2-1-4].

MOTION: *Move that the Board of Selectmen vote to open the Monday, October 24, 2011 Special Town Meeting warrant forthwith and close it on Friday, September 23, 2011 at 11 A.M., in accordance with Charter §2-1-7.*

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

6B TOWN MANAGER SHARON LYNN FOLLOW-UP

David Guertin provided an update on the sewer outreach. Requests a place holder on the Fall Town Meeting for a funding (borrowing authorization) request to allow us to move forward with sewer expansion based on increased interest. Water, Wastewater and Stormwater data management request to place existing data into GIS in conjunction with MIS Department. Radio system in DPW will need to be replaced because of code requirements, requesting an

article this fall.

David Gardner met with the representatives from the Cape & Vineyard Electric Co-Op to finalize the grant request for Round 2 funding for Solar PV REP for town owned buildings.

MOTION: *Move that the Board of Selectmen vote to authorize the Town's participation in the Request For Proposals for Solar PV facilities on town owned property.*

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

Town Manager Sharon Lynn gave an update on the VMES sub-bids.

6C **OTHER** - none

6C1 **MASS WORKS INFRASTRUCTURE GRANT**

Province Lands Road Bike Path Project

This project supports our Priority 1 bike trail connection as identified by the Board of Selectmen on June 8, 2009. The MassWorks Infrastructure Grant Program (same as Commercial Street Paving Grant) deadline is September 16, 2011. This is a 100% grant request, there is no local match. The proposed grant request will link the West End Rotary with the Bradford Street Extension and Seashore Moors Road Bike Trails. It will consist of a four foot bike path on each side of the roadway. If we are awarded the grant, the town will hold a public hearing with adjacent property owners prior to finalizing design. On September 7 2011, the Bike Advisory Group voted 4-0-0 to recommend the Selectmen authorize the grant request. The Grant application is being written by Clay Schofield, Cape Cod Commission Transportation engineer on behalf of the Town. A description of the project is attached to the agenda item.

MOTION: *Move that the Board of Selectmen vote to authorize the submission of a MassWorks Infrastructure Grant application in the amount of approximately \$290,000 for a bike trail extension along Province Lands Road from the West End Rotary to the Cape Cod National Seashore Park and to write a letter in support to be included in the application.*

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

6C2 **COMMERCIAL STREET SHARROW PROJECT**

Bike Advisory Working Group Follow-Up

On August 8, 2011, the Selectmen requested the Bike Advisory Working Group and the Cape Cod Commission propose a plan for "bike sharrows" for Commercial Street. On September 7, 2011, the Bike Advisory Group voted 4-0-0 to recommend the Selectmen approve the Sharrow Plan drafted by Clay Schofield, Cape Cod Commission. Police Chief Jaran and Asst. Town Manager David Gardner met with the Chair and Mr. Schofield on September 7, 2011, and due to the upcoming Commercial street Repaving Project and the time of the season, staff recommends a limited trial period be authorized.

The Selectmen are in favor of the sharrows. There is some discussion still as to where they should go and how big they should be. The Selectmen are having a hard time visualizing what 28x10 looks like despite various efforts to demonstrate. They want to see the scaled mock up which David Gardner will attempt to give them of various sizes around the scale that we have discussed.

MOTION: *Move that the Board of Selectmen vote to table this item until our next meeting, subject to a scaled graphic of the sharrow, on Monday, September 26, 2011.*

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

6C3 STATEWIDE PUBLIC SAFETY MUTUAL AID LAW

Opt-in Requirement

The Massachusetts Emergency Management Agency sent a letter reminding all cities and town of the legal requirement to Opt-In in order to request and receive mutual aid from other municipalities during disasters and other public safety incidents

MOTION: *Move that the Board of Selectmen vote to authorize the Town Manager Sharon Lynn to Opt-In to the Statewide Public Safety Mutual Aid Law pursuant to MGL Chapter 40, Section 4J.*

Motion by: David Bedard **Seconded By:** John Santos 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 8, 2011 (Regular Mtg. 6 PM) as printed.*

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

8. CLOSING STATEMENTS

David Bedard – Both John and I received our agendas electronically and the experiment went well.

David McChesney - None **John Santos** - None

Austin Knight – None **Elaine Anderson** – None

Motion to adjourn by Austin Knight at 9:15 PM

Minutes transcribed by: Vernon Porter, Secretary to Board of Selectmen
September 13, 2011