

TOWN OF PROVINCETOWN - BOARD OF SELECTMEN

TUESDAY – MAY 28, 2013 6 PM

TOWN HALL – JUDGE WELSH ROOM

Chairman Austin Knight convened the meeting at 6:00 PM, noting the following:

Board of Selectmen attending: Austin Knight, Elaine Anderson, David McChesney, Erik Yingling and Tom Donegan.

Other attendees: Assistant Town Manager David Gardner and Municipal Finance Director Dan Hoort. Excused Absence: Sharon Lynn – On Vacation

Recorder: Vernon G. Porter

The following are meeting minutes, in brief:

1A JOINT MEETING WITH BICYCLE COMMITTEE

Bike Trail Planning

Attendees: Acting Chairman Roger Chauvette, Karst Hoogeboom, Chief of National Seashore Facilities and Maintenance and National Seashore Transportation Scholar Daniel Alexander.

Roger Chauvette – Gave opening comments on what the Committee has been doing and the plans for the upcoming project.

Karst Hoogeboom, Chief of Facilities and Maintenance – This year the shuttle will operate seven days a week starting late June to Labor Day. Spoke on the Provincelands Bike trail connecting from Race Point Road to MacMillan Pier.

Mr. Alexander went over the project of connecting of the bike path from Race Point Road to MacMillan Pier.

Draft of Cooperative Agreement between the Department of the Interior National Park Service and the Town of Provincetown attached to agenda item.

Elaine Anderson asked what the cost would be to the Town. Karst Hoogeboom - There is no financial cost to the Town. All costs are included in the project.

MOTION: *Move that the Board of Selectmen vote to approve in concept the Cooperative Agreement between the Department of the Interior National Park Service and the Town of Provincetown to implement the Race Point Road/MacMillan Pier Bicycle Connection Project and to authorize the Town Manager to sign on behalf of the Board of Selectmen, subject to town counsel approval.*

Motion by: Elaine Anderson **Seconded By:** Erik Yingling Yea 5 Nay 0

1B JOINT MEETING – FISHERMEN’S MEMORIAL COMMITTEE

Members of the Provincetown Fishermen’s Memorial Committee present: Treasurer Kerry

Adams, Peter Cook, Luis Ribas and Romolo DelDeo, Sculptor.

They have been before the Art Commission and the Public Pier Corp and both are in favor.

Mr. Romolo DelDeo gave the background of how this memorial came about and the location the committee would like to have the sculpture.

Austin Knight – Suggests that the committee check with the Army Corp of Engineers and double check on Chapter 91 for requirements, if any.

MOTION: Move that the Board of Selectmen vote to support the structure of the sculpture and the location of the Provincetown Fishermen’s Memorial at the site of the entrance to the Provincetown Pier pending clarification of Chapter 91 and by the Army Corp of Engineers.

Motion by: Elaine Anderson Seconded By: Erik Yingling Yea 5 Nay 0

2. **PUBLIC STATEMENTS**

Cid Bolduc - Oklahoma City Animal Shelter is in need of anything donations to help the recover.

Treg Kaeselau - Chair of the Recreation Commission. We have no recommendation either way for the naming of the Skate Park. Will be taking this matter up at our next meeting on Tuesday, June 4, 2013 @ 5:15 PM and would like the proponent and supporters come to the meeting to discuss this project

H. Bradford Rose - Naming of Skate Board Park. His son, Jacob, lived here every summer during his life. Gave update and reason for proposing this project in memory of his son.

Leif Johnson, John Quigley and Nick Archibald – All spoke in support of naming the Skate Board Park after Jacob Rose and for what he stood for.

3. **SELECTMEN STATEMENTS**

David McChesney - None

Erik Yingling – Extended sympathies to Mr. Rose, his family and their supporters for their loss.

MOTION: Move that the Board of Selectmen vote as Commissioners of Parks recommend to the Recreation Commission that the Skate Board Park be renamed after Jacob Elijah Rose.

Motion by: Erik Yingling Seconded By: Tom Donegan

Chairman Knight declared the motion out of order. **No votes taken.**

Open dialogue ensued with the following motions made:

MOTION: Move that the Board of Selectmen vote to place this item on Board of Selectmen’s June 10, 2013 agenda.

Motion by: Erik Yingling Seconded By: Tom Donegan

Chairman Knight indicated that it is already on the agenda. *No votes taken.*

David McChesney offered an amendment to Selectmen's Yingling's motion:

MOTION: *Move that the Board of Selectmen vote to place this item on Board of Selectmen's June 10, 2013 agenda as long as the Recreation Commission discusses this matter at their meeting on Tuesday, June 4, 2013.*

**Motion by: David McChesney Seconded By: Austin Knight
Yea 3 Nay 2 (Elaine Anderson / Tom Donegan)**

Open discussion followed. Erik Yingling went over the process that happened before this meeting and he is not happy with this.

Austin Knight explained that the Chair of the Recreation Commission and the Recreation Director want to meet with the family and supporters to do some fact finding and then come back with their recommendations to the Board of Selectmen. Austin also mentioned that any naming may have to go before Town Meeting for approval.

Tom Donegan

Thanked family and friends for attending this evening and is sorry for their loss.

Police Station field trip went very well. Thanks to all who made it possible. Would like to go to Chatham Police Station and then visit our own Police Station. The Building Committee has agreed to attend.

Housing - Would like to begin some fact building exercise to find out what is affordable, etc.

Elaine Anderson – Is there a place in town for electric cars to recharge?

Memorial Day celebration was beautiful and we thank all involved.

Reminded selectmen that we are not involved in day-to-day personnel matters. The Town Manager handles this.

Our voice does go through the Chair for agenda items and are then put in a cue for our agendas.

Austin Knight

Agree with Selectman Donegan on housing.

Chatham police station visit – Will have Town Manager's staff make the arrangements. Meet at our Chatham first, and then visit our police station, to be followed by a joint meeting with the Building Committee.

Reminder to have any changes to Rules of Procedure to Vernon Porter by noon on Thursday, June 20, 2013.

Performance appraisal for the Town Manager and BOS Secretary due by noon Friday, June 14, 2013.

Police visit - Thursday – June 6, 2013 leave 3 PM for Chatham for 4 PM meeting then return to Provincetown Police Station

4. BOARD OF SELECTMEN’S REAPPOINTMENTS

MOTION: *Move that the Board of Selectmen vote reappoint the current board members listed below who are eligible for reappointment for an additional three-year term to expire on June 30, 2016 and new applicant Cathy Nagorski as a member of the Visitor Services Board.*

Town Board	Name	Position
CCNSGMPIAC	Priscilla Jackett	Regular
Community Preservation Committee	Judith Cicero	Regular
Community Preservation Committee	James Hall	Regular
Historic District Commission	Ryan Landry	Regular
Human Services Committee	Cynthia Franco	Regular
Human Services Committee	Karen Kelly	Regular
Open Space Committee	David Hale	Regular
Open Space Committee	Dennis Minsky	Regular
Visitor Services Board (Arts Rep.)	James Bakker	Regular
Visitor Services Board (Women’s Inn Rep.) <i>NEW</i>	Cathy Nagorski	Regular
Visitor Services Board (At Large)	Marian Peck	Regular

Motion by: Elaine Anderson Seconded by: Erik Yingling Yea 5 Nay 0

5A1 AIRPORT COMMISSON – EA/FEIR/DRI PHASE IV

Grant and Assurances Extension

Present: Airport Manager Butch Lisenby

This Grant and Assurances outlines the Permitting and Design efforts necessary to enable Provincetown Airport to construct our Capital Improvement Projects (CIP) as defined in the Final Internal Draft of the Final Environmental Impact Report (FEIR) /Environmental Assessment (EA)/ Section 4(f)/Development of Regional Impact (DRI) document (FEIR/EA/Section 4(f)/DRI; EEA No. 13789). The Cape Cod Commission (CCC) has established that 90% design plans ensure enough information is available for them to make a determination on specifics, under their DRI review process. Also included in the Grant is the Wildlife Hazard Assessment, now required by the FAA.

Funding Breakdown: FAA 95%, MassDOT 2.5%, Town 2.5%

MOTION: *Move that the Board of Selectmen vote to execute a Grant and Assurances Extension in the amount not to exceed \$33,000.00 from the MassDOT / Aeronautics Division for the Phase IV Environmental, 90% Design, Final Terminal Concept, Energy Assessment and Wildlife Hazard Assessment at the Provincetown Municipal Airport; and approved as to form by Town Counsel.*

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

5A2 AIRPORT COMMISSON

Replace Security Cameras DVR

Present: Airport Manager Butch Lisenby

This project consists of: Replacing the Security Cameras DVR due to a breakdown of the existing DVR System. The funding breakdown is: MassDOT 100%

MOTION: *Move that the Board of Selectmen vote to execute a grant in the amount of \$12,800.00 from the MassDOT / Aeronautics Division for Replacing Security Cameras DVR at the Provincetown Municipal Airport; and as approved to form by Town Counsel.*

Motion by: David McChesney **Seconded By:** Erik Yingling Yea 5 Nay 0

5B1 TREASURER'S TRANSFERS – Library Trust Funds

Library Director Sheryl Napsha explained at the Board of Selectmen's meeting on Monday, May 13, 2013 that these are ongoing invoices for children's books order that are shipped at different intervals as they become available.

Once this voucher is paid a balance of the Library Trust Fund-Harold K. Hersh is \$9,002.37.

MOTION: *Move that the Board of Selectmen vote, as Commissioners of the Library Trust Funds, pursuant to MGL C44 § 53A, to approve the use of \$144.90 from the Library Trust Fund-Harold K. Hersh to pay for the attached invoice(s).*

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

5B2 TREASURER'S TRANSFERS – Captain Joseph Oliver Scholarship Fund

Attached to the agenda item are the minutes and payment authorization from the John Anderson Francis Scholarship Committee in support of this request totaling \$1,000.00 leaving a remaining balance in the John Captain Joseph Oliver Scholarship Fund of \$495,788.27

MOTION: *Move that the Board of Selectmen vote, as Commissioners of the Scholarship Funds, to approve the transfer of \$1,000.00 from the Captain Joseph Oliver Scholarship Fund for the payment of scholarship(s).*

Motion by: Tom Donegan **Seconded By:** Elaine Anderson Yea 5 Nay 0

5B3 TREASURER'S TRANSFERS – John Anderson Francis Scholarship Fund

Attached to the agenda item are the minutes and payment authorization from the John Anderson Francis Scholarship Committee in support of this request totaling \$1,078.00 leaving a remaining balance in the John Anderson Francis Scholarship Fund of \$1,136,897.34

MOTION: *Move that the Board of Selectmen vote, as Commissioners of the Scholarship Funds, to approve the transfer of \$1,078.00 from the John Anderson Francis Scholarship Fund for the payment of scholarship(s) and reimbursement of expenditure(s).*

Motion by: Tom Donegan **Seconded By:** Elaine Anderson Yea 5 Nay 0

5C PROCLAMATION – GAIL BROWNE

2013 Senior Citizen of the Year

MOTION: *Move that the Board of Selectmen vote to proclaim Thursday, June 13, 2013 as Gail Browne Day in honor of her being selected as the Council on Aging Sr. Citizen of the Year.*

Motion by: Elaine Anderson **Seconded By:** Erik Yingling Yea 5 Nay 0

5D CONSERVATION RESTRICTION

Peter's Property – Water Supply Protection

Assistant Town Manager David Gardner explained that the Peter's Property was acquired in 2005 for water supply protection lands adjacent to the South Hollow Wellfield in Truro. As the property was obtained with Community Preservation Act funds, the State is requiring the recordation of the conservation restriction prior to seeking the \$400,000 PARC Grant award for the Dune's Edge Campground. The Conservation Restriction was never finalized at the time of purchase. The restriction will also need to be considered by the Truro Selectmen on Conservation Commission.

MOTION: *Move that the Board of Selectmen vote to approve the conservation restriction for the Peter's Property, Off Route 6, Truro, Massachusetts, Book19819, Pages 246 and 252.*

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

5E INTERMUNICIPAL AGREEMENT

Harbor Management Software Project and Mooring Field Mapping.

Assistant Town Manager David Gardner explained that the Towns of Chatham, Dennis and Provincetown received a DLTA Grant in the amount of \$19,000 to fund the implementation of this mooring mapping project. All three towns will sign on to the agreement.

MOTION: *Move that the Board of Selectmen vote approve the Intermunicipal Agreement between the Towns of Chatham, Dennis and Provincetown to undertake the software development for the harbor management software project.*

Motion by: David McChesney **Seconded By:** Erik Yingling Yea 5 Nay 0

5F CONSERVATION RESTRICTION – Suzanne's Garden

Suzanne's Garden was acquired in 2009 for passive recreation land and park. As the property was obtained with Community Preservation Act funds, the State is requiring the recordation of the conservation restriction prior to seeking the \$400,000 PARC Grant award for the Dune's Edge Campground. At the time of purchase, we were informed that a restriction was not required. The restriction will also need to be considered by the Provincetown Conservation Trust. It has already been approved by the Provincetown Recreation Commission.

MOTION: *Move that the Board of Selectmen vote approve the conservation restriction for the Suzanne's Garden Property, Commercial St., Provincetown, Massachusetts, Book 24358, Page 296.*

Motion by: Elaine Anderson **Seconded By:** Tom Donegan Yea 5 Nay 0

6A FY 2014 TOWN-WIDE GOAL SETTING PROCESS

Review Past Goals, Adopt Timetable

The annual goal setting is a central event in the life of the Town government, as the goals established by the Selectmen are translated to objectives to be achieved by the staff throughout the coming year.

MOTION: *Move that the Board of Selectmen vote to adopt the timetable for the FY 2014 Annual Town-wide Goal Setting Process, including a goal setting exercise at the regular meeting on Monday, June 24, 2013 and a public hearing at the regular meeting on Monday, July 22, 2013 at 6:00 PM.*

Motion by: Elaine Anderson **Seconded By:** Erik Yingling Yea 5 Nay 0

6B TOWN MANAGER FOLLOW-UP

FEMA Flood Insurance Map Updates have been received. Lynne Martin has taken the GIS data provided by FEMA and created town-wide maps which have been placed on the town's website. The maps will be referred to town meeting for adoption in April 2014 and are to be finalized in June 2014. We have contacted FEMA to schedule the required Flood Map Review meeting. She informed us that due to the Federal sequester, FEMA is not allowed to travel. We will follow-up with them to try to get a FEMA representative here to explain the map changes to property owners.

Now that we have paved Commercial Street, we need the Selectmen to decide if we will paint the "bike sharrows" on the Commercial Street like we did last year. Sharrows are intended to inform pedestrians and driver to watch out for bikers riding both ways on Commercial Street. It is also intended to inform bikers that they should ride on the right side of the road. The Selectmen decided that the sharrows were not very visible and therefore not effective and that they would prefer to not have too much painting on the new roads. Request that the Bicycle Committee replace the "bike safety" banner on Commercial Street.

6B OTHER

7. MINUTES OF BOARD OF SELECTMEN'S MEETINGS

Move that the Board of Selectmen approve the minutes of April 13, 2013 (Regular Mtg.) as printed.

Motion by: Elaine Anderson **Seconded By:** Erik Yingling Yea 5 Nay 0

8. CLOSING STATEMENTS

David McChesney – None **Elaine Anderson** - None

Erik Yingling – Agree with sentiments of Selectman Anderson on the Memorial Day services. Enjoyed the guest speaker.

Agree more needs to be done with affordable housing. We should convene another affordable housing summit. We need to move more aggressively to meet our housing

goals, including work on the Inclusionary Housing bylaw.

Tom Donegan - Attended the Pier Corp meeting and I would be cautious about adding a police boat. Need one permit for the harbor. Austin Knight mentioned that there is a joint meeting scheduled with the Army Corps of Engineers to discuss this matter on Monday June 24, 2013.

We need to go over the agenda setting process. Worried about what things get on agenda and what does not. Referenced Board of Selectmen's Rules of Procedures Section 3 #A and E. When we know something is going to come up, it is important to the public that we make sure that they know that it is going to come up. .

Austin Knight - Gave background for handling executive session minutes. All our executive session agenda are now reviewed by Town Counsel before posting. Also, any Selectman, during their statements, can bring up or suggest an item and we can vote to have that on a future agenda. This is all part of the process.

MOTION: *Move that the Board of Selectmen vote to send a letter of thanks Retired U.S. Army Sgt. Brendan O'Bryne and to all involved in this year's Memorial Day Services.*

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

Motion to adjourn by Elaine Anderson at 8:42 PM.

Minutes transcribed by: Vernon Porter, Secretary to Board of Selectmen
June 4, 2013