

**TOWN OF PROVINCETOWN – SELECT BOARD
MEETING MINUTES – REGULAR MEETING
FEBRUARY 11, 2019, 2019 6:00 PM
TOWN HALL – JUDGE WELSH ROOM**

Chair Andrews convened the open meeting at 6:00 pm noting the following:

Select Board attending: Chair Cheryl Andrews, Vice Chair Robert Anthony, Members Lise King and Louise Venden

Excused:

Other attendees: Town Manager David B. Panagore, Assistant Town Manager David Gardner, Select Board Secretary Elizabeth Paine

Recorder: Linda Fiorella

Consent Agenda – Approval without objection required for the following items:

- A. *Approve the Parade Permit Application submitted by Susan Pesaturo, on behalf of Pan Massachusetts Challenge, 77 4th Avenue, Needham, MA 02494, for the Annual Pan Massachusetts Challenge charity bicycling event to be held on Sunday, August 4, 2019, from 6:00 a.m. to 5:00 p.m.*
- B. *Approve the Permit Application submitted by Susan Avellar, on behalf of the Provincetown Portuguese Festival, to hold the Portuguese Blessing of the Fleet Procession on Sunday, June 30, 2019, starting at approximately 11:00 a.m. to 2:00 p.m.*
- C. *Approve Parade Permit Application submitted by Susan Avellar, on behalf of the Provincetown Portuguese Festival to hold a Display of Portuguese Culture with Music and Dancing on Saturday, June 29, 2019, starting at 3:00 p.m. to 5:30 p.m.*
- D. *Approve the Parade Application Permit submitted by Emily Christian, on behalf of the National MS Society – Greater New England Chapter, for the Annual Cape Cod Gateway MS Bike Ride Fundraiser, to be held on Sunday, June 30, 2019 from 8:00 a.m. to 2:00 p.m.*
- E. *Approve participation in the regional Massachusetts Community Development Block Grant application through the Town of Truro for housing rehabilitation and childcare subsidies under the Community Development Fund through the Massachusetts Department of Housing & Community Development*
- F. *Appoint Julie Knapp to the Economic Development Committee as a regular member with a term to expire on June 30, 2021*
- G. *Appoint Bernice Steisel to the Economic Development Committee as an alternate member with a term to expire on June 30, 2019*
- H. *Appoint John R. Peters – Campbell to the Art Commission as a regular member with a term to expire on December 31, 2019*
- I. *Appoint John R. Peters-Campbell to the Planning Board as an alternate member with a term to expire on December 31, 2021*
- J. *Reappoint Kaolin Davis to the Disability Commission as a regular member with a term to expire on December 31, 2021*
- K. *Appoint Rita “Hersh” Schwartz to the Historical District as the Provincetown Chamber of Commerce Representative with a term to expire on December 31, 2021*
- L. *Declare the list of DPW equipment as a surplus: 2003 Ford F350 Pick Up, 2005 Chevrolet Recycling Truck, 2002 Ford Explorer and 1981 International Catch Basin Truck.*

Without objection Chair Andrews waived the reading of the consent items and without objection they were approved unanimously by the Select Board.

1. Public Hearings:

- A. Public Hearing - Traffic Control Improvements** – application by Brian P. Dundon on behalf of CVS Pharmacy, requesting approval to:
Installation of four (4) Manual Uniform Traffic Control Design compliant stop signs and paint stop bars at the following locations:
1. Standish Street at Standish Ave (includes the installation of a “Do Not Enter” sign)
 2. Standish Street at Cemetery Road
 3. Cemetery Road at Conwell Street
 4. Cemetery Road at Alden Street
- Installation of the following street signage
1. One (1) “Speed Limit” sign along Standish Street
 2. One (1) “Slow Children at Play” sign along Standish Street
 3. One (1) “Resident Only Parking” sign along Standish Street
 4. One (1) “Resident Only Parking” sign along Alden Street

Select Member Venden read the Hearing Notice.

Mr. Dundon a brief history of the project relating to the traffic conditions and proceeded to describe the proposed signage and paint stop bars, their purpose and the process moving forward to install them.

PUBLIC INPUT:

Tracy Kachtick-Anders lives on Standish, is concerned about accidents, and is for the signage.

SELECT BOARD INPUT:

The board discussed the best speed limit for the road, the adequacy of the recommendations from the Planning Board for the signage, and some of the other changes on Bradford Street including some which have been partially completed and those that are yet to begin. The Board also discussed concerns about the lack of a way for customers to turn around behind the upcoming CVS and head directly back to Bradford Street and the optimal placement for some signs as well as suggesting additional directional signs. Further discussion covered the deployment of seasonal traffic officers at the area and a review of the effects of the changes within a few months after the completion of the alterations.

MOVE that the Select Board vote to approve the proposal;

Replacement of three (3) stop signs and paint stop bars at the following locations:

- 5. Standish Street at Cemetery Road**
- 6. Cemetery Road at Conwell Street**
- 7. Cemetery Road at Alden Street**

Replacement of the following street signage

- 5. One (1) “Resident Only Parking” sign along Standish Street**
- 6. One (1) “Resident Only Parking” sign along Alden Street**
- 7. One (1) “Do Not Enter” sign along Standish Street at Standish Ave**

New installation of the following street signage

1. One (1) “Speed Limit” sign along Standish Street
2. One (1) “Slow Children at Play” sign along Standish Street
3. One (1) MUTC stop sign at Standish Street at Standish Ave

And that Assistant Town Manager Gardner will work with the engineer on the placement of the “do not enter” and “one way” sign(s) and the addition of directional signage at Standish and Cemetery.

Motion: Select Member Venden **Seconded:** Select Member King

VOTED

In Favor: 4
Opposed: 0
Abstain:

MOVE that the Select Board direct staff through the Town Manager to prepare a memo outlining the concerns they heard tonight and recommendations for how we can monitor potential hazards or increase in traffic on Standish Street this summer.

Motion: Chair Andrews **Seconded:** Vice Chair Anthony

VOTED

In Favor: 4
Opposed: 0
Abstain:

B. Public Hearing – 2018 Growth Management Report, Assistant Town Manger Gardner, presenting

Mr. Gardner presented the Growth Management Report including previous policy recommendation and further recommendations moving forward. Mr. Gardner noted new projects since the inclusionary bylaw, discussed wastewater and solid waste disposal and the state of limited capacity, and reported that the town is in compliance with the DEP permit which requires flow to be below 850,000.

SELECT BOARD INPUT:

Select Member King discussed water leaks with DPW Director Richard Waldo and the effects of pipes bursting during the winter and ways to minimize those occurrences.

Select Member Venden requested info on gallons used for specific projects and discussed with Mr. Gardner growth management impacts.

Vice Chair Anthony discussed with Mr. Gardner the process for allocating gallons.

Chair Andrews clarified the remaining gallons with Mr. Gardner.

PUBLIC INPUT:

None

MOVE that the Board of Selectmen vote, pursuant to the Provincetown Zoning By-laws section 6600 (3), Growth Limitation Goal Allocations to make the following finding that the average daily withdrawal for the Provincetown Water System in 2018 was 622,630 GPD, below the permitted level is 850,000 GPDs; and that, therefore, the Town is in compliance with the water withdrawal permit issued by the Department of Environmental Protection (“DEP”) and all applicable rules and regulations by DEP with respect thereto, and to make the following 2019 allocations to growth management:

- Category 1a: 0* gallons**
- Category 1b: 0* gallons**
- Category 1c: 1,600* gallons**
- Category 2: 1,100 gallons**
- Category 3: 1,870 gallons**
- Category 4: 1,250 gallons**
- Category 4a: 12,500 gallons *includes 10,000 gallons from Oct 2018 STM Article 4***

Motion: Select Member King Seconded: Vice Chair Anthony

VOTED

In Favor: 4

Opposed: 0

Abstain:

DP left at 655 and returned at 656

2. Public Statements:

Michelle Couture – provided handouts of information for the Board. Harry Kemp Way parking was changed and there was no public hearing. She stated the change favors Outer Cape Health and disagrees with giving a public benefit to a private organization and noted that anybody can park there. Ms. Couture asked the Board to rescind the changes and have a public hearing.

Kathy Kruger – parking on Harry Kemp Way is difficult. Don’t know where it came from or who said it was okay.

Third speaker on the parking area on Harry Kemp stated she would like to see the “Tow Zone” signs taken down.

Marcene Marcoux – Pleased that Hersh Schwartz was appointed to the Historic District Commission. She stated that the Commission now files 300 decisions a year plus 450 administrative reviews each year. Marty Risteen helps to write decisions even after leaving the HDC. Marty Risteen’s contacts helped Ms. Marcoux organize a FEMA and impact on historic district meeting with experts.

3. Select Board Member's Statements:

- **Robert Anthony** – had no statements
- **Lise King** – an administration note: it's really helpful when you put the page numbers on the outlines. If we could go back to having that again I, and I think my colleagues as well, would appreciate having the page numbers. The other thing I would like to talk about tonight is the success of the round table on Saturday. It was great seeing everybody come out and we got our swag, which is awesome. It's a nice bonus for showing up so whoever's idea that was: very kudos. Great to see a lot of people come out and have a robust conversation about issues that are really important to us now. I attended the police station discussion and the coastal resiliency and climate change sessions and I'd like to give my thanks to the staff for doing such a good job organizing it and doing the outreach so that we had a good turnout, and to everyone who showed up and contributed to the conversation. This is really what our local democracy is about. The more the better and I'd like to see that continue to grow. The fact that we had to move chairs and bring in extra benches for folks to sit on was really exciting.
- **Louise Venden** – I agree the town topics on Saturday was a great turnout and the preparation was very good. The thing that that I was struck by there were not a lot of board members from other boards there but there was a whole other group of people who were obviously very interested. It was great to see people I don't always see, who aren't on boards, coming out to get that information. We need to have a wide variety of people Tim Famulare had done a great job of embellishing the presentation he gave to us on coastal resiliency; breaking out things and making them clear. I want to congratulate him on the that. I think the people who discussed the police station did a better job explaining some of the differences in pricing etcetera and talking about price per square foot on other facilities in other places. I also sat in on the Housing Trust. It was supposed to be a broader discussion but we talked in the session I was in about the Housing Trust Board. That was a robust discussion as well. I think these efforts show the kinds of broad interest areas in this community. Not everybody could make it but eighty or ninety people were there. It's another way in which we need to reach out, go to places, make these presentations and make sure that people have an opportunity to see them. They may not come to our meetings, it's just not convenient for a lot of people. This was a tremendous effort on the part of the staff.

Select Member King added that she was sorry to hear PTV was having audio problems and was unable to broadcast the event live. Mr. Panagore added that it was recorded and broadcast later and Select Member King discussed the importance of redundancy to ensure access.

- **Cheryl Andrews** – It falls to me. On behalf of the town I will apologize to you folks. My understanding of the regulations is exactly what Michelle's is: that these kinds of changes come before the Board of Selectmen, in a hearing, and get voted on. That didn't happen and I didn't know about it when I first got a call about a week ago, and asked, and was a little chagrined to learn, that it had happened. I don't know how it did happen. I drove by there and didn't notice. Thank you for calling me. Sorry you had to come out tonight. What's really galling is that all this happened and it really wasn't needed. We're all good neighbors. I've been asked to give parking to Outer Cape before. I know the funeral home has and the insurance company during construction. We can all solve problems but there is a process to solve them. Something went askew here. For the right reasons but the wrong process. Mr. Panagore, is there any reason we can't have those signs removed?

Mr. Panagore requested consensus from the Board. The Board discussed that there was no objection to removing the signs and noted that this was not about Outer Cape Health, but about the correct process.

- **Cheryl Andrews** – The only other comment I want to make, quickly because we have other things to deal with, is previous member of the Historic District Commission gave us two statistics. One is 300, and I assume that means written decisions by this commission which, why anyone would apply to be on this commissions is beyond me. I had no idea. And then you added in 150 administrative decisions.

Ms. Marcoux clarified that there were three hundred decisions and 450 administrative decisions.

- **Cheryl Andrews** – You’re telling me it’s 750 total decisions? Good Lord. Okay, something’s wrong. I have thought, just anecdotally, I’m sharing this with my colleagues and obviously to you folks in the public, watching how the work’s been done, what’s it been 18 years now since we passed the district, that perhaps it was time to revisit the scope of the commission. The data that we heard tonight says to me the answer is yes. It sounds like we’re doing maybe more detail work than anybody ever intended. I remember the debate at Town Meeting. Everybody wondered what we were voting on. I knew what the intent was. I’m not so sure 750 decisions per year for one board is really it. Let’s plan on having a discussion with staff about this, maybe after Town Meeting. I know you have your hands full but that’s astonishing.

The Board further discussed the process for determining what if anything the Board wants to pursue related to the Historical District Commission.

4. Joint meeting/Presentations:

A. Commercial Street Improvements Project – Phase IV

Town engineer Robert Capurso, and Russ Kleekamp, Engineer with GHD

Mr. Kleekamp presented brief overview of the previous three phases, phase IV, the public input process, and the upcoming final phase of the project. Mr. Kleekamp discussed the installation of new water services infrastructure underground before paving, the condition of the drain pipes which were replaced and the funding of the project as well as the timeline moving forward.

5. Appointments:

Chair Andrews stated some appointments are on the consent agenda but if the Board wants to, they can pull that item and interview those people. She noted in the case of 5A two people have applied and stated that they could schedule interviews or make a motion but since no interview was posted that was not an option for the meeting of February 11, 2019.

A. Historic District Commission – Alternate Member: Marty Risteen and Polly Burnell

MOVE that the Select Board vote to appoint Marty Risteen as an alternate member to the Historic District Commission with a term to expire on December 31, 2021.

Motion: Select Member Venden Seconded: Vice Chair Anthony

VOTED

In Favor: 4
Opposed: 0
Abstain:

6. Requests:

A. Update on Standish Street intersection improvements

Mr. Panagore presented an update of the Bradford and Standish intersection, noting what has been completed and what improvements still need to be completed, as well as the projected timeline for the outstanding work. This summer the improvements will be monitored and money has been put aside for potential alterations or adjustments. He noted additional traffic police will be available for busy times. The Board expressed concerns about the narrowing of the roadway, and discussed with Mr. Panagore and Mr. Waldo the types of curbs, turning at the intersection, other options for entering Riley’s parking lot, developing a comprehensive plan for traffic through throughout the town, bike safety, and the interplay between the modes of transportation used to arrive in Provincetown.

Further discussion covered the Select Board role in oversight and the importance of communicating to staff, as well as when and how the Select Board gets involved with projects based on concerns of voters. Further discussion covered expectations of success of projects and the difficulty of having three different entities involved in one construction project.

B. Discuss Policy Statement – 2018-07-09-A Appointment Process

Chair Andrews discussed possible changes to the appointment process when nominations are made from representative organizations due to unintended consequences of a previous change.

MOVE that the Select Board vote to rescind 2018-07-09-A

Motion: Select Member Venden Seconded: Vice Chair Anthony

VOTED

In Favor: 4

Opposed: 0

Abstain:

Without objection Chair Andrews took Items E, F, and D, in that order, before Item C.

E. Annual Town Meeting Calendar Review

Ms. Paine presented information and options for upcoming meetings and public hearings on the Calendar and the effects of the new Charter requirements.

F. Annual Elections Calendar Review

Town Clerk Darlene Van Alstyne discussed calendar related timelines for potential Annual Election dates one on June 18th and one on May 14th. Discussion also covered when term endings need to be reported to the Town Clerk.

D. Schedule Select Board Warrant Article Recommendation Public Hearing.

Ms. Paine confirmed dates for posting hearing notices for scheduled Public Hearings.

Move that the Select Board vote to confirm scheduling the Select Board Warrant Article

Recommendation Public Hearing on March 11, 2019
Motion: Select Member Venden Seconded: Vice Chair Anthony

VOTED

In Favor: 4
Opposed: 0
Abstain:

C. Reschedule Communication Round Table

Select Member King requested to work with Town staff on the agenda and Select Member Venden requested to be involved in the process. The scheduling of the Round Table was postponed.

G. Draft Warrant

Mr. Panagore noted that the Draft Warrant in the packet is a work in progress. Articles were briefly discussed.

Ms. Paine left the meeting at 9:30

7. Town Manager / Assistant Town Manager:

A. Update on Cape Cod and Islands Water Protection Fund

Mr. Panagore reported on a February 1, 2019 meeting State and local officials regarding the fund, including concerns about how the fund will be set up, and noted that he would like to be the Town's representative. The Board requested a memo in addition to his verbal report.

B. Town Manager's Report – Administrative Updates

Mr. Panagore discussed the Town Forum as the first event Erin Ellis coordinated and thanked the volunteer facilitators, Ginny Binder, Laura Ludwig, Dennis Minsky and Michelle Crone for their help. Mr. Panagore noted meetings and conferences attended as well as current open positions on staff. Discussion covered potential software upgrades, the success of a recent Coffee With the Town Manager meeting at the Library, PTV equipment and concerns about audio, negotiations of the cable contract, the Tourism economy report for the past summer, and the availability of early voting for the special election as well as the voting hours of election day which are 7am to 7pm.

8. Minutes: Approve minutes of previous meetings.

Motion: Move that the Select Board approve the minutes of:
January 22, 2019 5:00 pm (Budget) as printed,
January 23, 2019 5:00 pm (Budget) as printed, and
January 28, 2019 6:00 pm (Regular) as printed

Motion: Chair Andrews Seconded: Vice Chair Anthony

VOTED

In Favor: 4
Opposed: 0
Abstain:

9. Closing Statements/Administrative Updates:

- **Robert Anthony** – had no closing statement
- **Lise King** – reminded people to vote. She encouraged people to check their mail for a form attesting to their current address for voting purposes and the need to return that form to the Town Clerk, or to stop by the Town Clerk's office for the form if you didn't get one.
- **Louise Venden** – stated it was a good meeting and thanked staff
- **Cheryl Andrews** – contacted Town Counsel John Giorgio about Board Secretary evaluation and the legally easiest way to do it. Chair Andrews wanted to confirm with the Board that they did not object to the Chair doing the annual evaluation instead of a subcommittee. There were no objections.

Without objection the meeting was adjourned at 9:53 pm

Minutes transcribed by: Linda Fiorella