

TOWN OF PROVINCETOWN - BOARD OF SELECTMEN

REGULAR MEETING - MONDAY, JUNE 9, 2008

JUDGE WELSH HEARING ROOM

Chairman Mary-Jo Avellar convened the meeting at 6 PM noting the following Board of Selectmen attending: Mary-Jo Avellar, Michele Couture, Austin Knight, Elaine Anderson, David Bedard

Other attendees: Town Manager Sharon Lynn, Asst. Town Manager David Gardner, Municipal Finance Director Alix Heilala

Recorder: Vernon G. Porter

The following are meeting minutes, in brief:

Chairman Avellar opened the meeting by congratulating David Bedard on his election and welcoming him to the Board.

1A1 REORGANIZATION OF BOARD OF SELECTMEN

Election of Chairman and Vice Chairman

MOTION: Move that the Board of Selectmen vote to elect Selectman Michele Couture as Chairman of the Board of Selectmen for a term of one (1) year commencing immediately.

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

MOTION: Move that the Board of Selectmen vote to elect Selectman Elaine Anderson as Vice Chairman for the Board of Selectmen for a term of one (1) year commencing immediately.

Motion by: David Bedard Seconded by: Michele Couture Yea 5 Nay 0

1A2 BOARD OF SELECTMEN'S RULES OF PROCEDURE

Adoption, Consideration of Amendments

MOTION: Move that the Board of Selectmen vote to schedule adoption of the Rules of Procedure for its next regular meeting on Monday, June 23, 2008, with any proposed amendments to be submitted in writing to the secretary by Monday, June 16, 2008.

Motion by: Mary-Jo Avellar Seconded by: Austin Knight Yea 5 Nay 0

1B PUBLIC HEARING: HANDICAPPED PARKING REGULATIONS

No comments received in writing. Open for public comments – None.

Open discussion with Board of Selectmen ensued.

MOTION: Move that the Board of Selectmen vote to amend the Parking Regulations to require that Handicapped Parking cardholders pay 50% at the Municipal Parking Lot and at the Grace Hall Lot.

**Motion by: Elaine Anderson Seconded by: Austin Knight
Yea 4 Nay 1 (Mary-Jo Avellar)**

Chairman Couture read letters from constituents into the record that were not attached to the packets. (See attached.)

MOTION: Move that the Board of Selectmen vote to recommend that two Handicapped Parking spaces be created on Commercial Street between the beginning of Commercial Street and the intersection of Commercial and Allerton Streets. (One close to 606 and one close to 646 Commercial.)

Motion by: Mary-Jo Avellar Seconded by: Elaine Anderson Yea 5 Nay 0

1C PUBLIC HEARING

Curb Cut Request: 51R Harry Kemp Way

Open to Public Comments - None

MOTION: Move that the Board of Selectmen vote pursuant to MGL C. 11, § 6-2, to approve the request of William Rogers, II on behalf of Kenneth C. Weiss to establish a curb cut at the property located at 51R Harry Kemp Way (Assessor's Map 13-2-33A) (Res B Zone) with the condition that the Conservation Agent be consulted as to whether this area is a dune; and further to request that a certified plot plan be provided showing the actual location of the proposed curb cut.

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

1D PRESENTATION – McGINLEY KALSOW – TOWN HALL REHAB

Mr. Wendall Kalsow and Mark Almeida from McGinley Kalsow & Associates presented a breakdown for the upcoming June 16th joint meeting with the School Committee and the Rec. Dept. regarding location of offices and details of the transitional plan.

Open discussion ensued.

Mary-Jo Avellar – make sure that Special Town Meeting is not during the third week of October, as it is World Series time and we would not get a quorum.

Michele Couture - would like further discussion on new office furnishings.

David Bedard – would like to know the cost details.

Austin Knight – Suggested that we move forward with the transition plan in order to give direction to staff for securing modular trailers to be located at the Jerome Smith Parking Lot.

MOTION: Move that the Board of Selectmen vote to have a public hearing on Monday, June 30, 2008 @ 6 PM to discuss Town Hall Transition, Dog Park, and DOR Financial Management Review.

Motion by: Mary-Jo Avellar Seconded by: Austin Knight Yea 5 Nay 0

1E DOG PARK

Continued from May 27, 2008 Agenda

Attendees: Candace Nagle, Kath Cote, Deb Graber. Looking for approval that the proposed site draft is headed in the right direction. Cumberland Farms will not allow any parking on their property. In response to Selectmen Knight's concerned for the handicapped, there will be hardened surface for ADA accessibility.

Open discussion ensued.

The association was reminded that any changes to the plan will have to be brought back before the Board of Selectmen for approval. Legal agreement has to be drawn up by Town Counsel, as the land is owned by the Town, and will be under agreement with the Association. Oversight will be by the Town Manager, and not the Recreation Department. David Bedard reiterated that the voters approved this with NO cost to the town. Maintenance fees should cover trash pick-up, water hook-up. David Guertin said that the DPW will do the trash pick-up upon a motion and authorization of the Board of Selectmen. Follow-up needs to be done on the cost of trash pick-up, etc.

Schedule a Public Hearing for Monday, June 30, 2008 @ 6 PM. See Maxine Notaro for application for curb cut.

2. PUBLIC STATEMENTS

Douglas Walker – Apologize for speaking harshly the last time he spoke at public statements. Finally went to Wired Puppy, and was able to sit down at a stool and enjoy a cup of coffee. Concerned that there is too much consuming of alcohol in Provincetown.

Tim Downey – Supplies free maps to town, and gave the Board a sample of his "Free Map of

Provincetown” geared to Tourist, when they arrive in Provincetown. Would like to be able to place them throughout the town in more places.

Barbara Rushmore - Spoke on “Save The Trees” petition (over 600 signatures) sent to the Cape Cod National Seashore asking them not to go forward with their project on Route 6.

Rachel White - Agrees with Barbara Rushmore. Welcome David Bedard as the new Selectman. Spoke on insurance rates for retirees, and town employees, and not wanting any reduction.

3. **SELECTMEN STATEMENTS**

Austin Knight

To Mrs. White – we cannot get into any discussion about benefits and labor negotiations. That is between the Town Manager and various Unions.

Thanks Tim Downey for the update on his mom.

To the gentlemen in regards to alcohol consumption – there are local and state laws on the books.

Re: Route 6 – they had public hearings on this last Spring. (Town Manager Sharon Lynn – George Price said he would try to have another public hearing to take public input, but basically it is a done deal.)

Regarding the CCNS plans for improvement to Route 6, - the sidewalk on the far West End Rotary, I would also like to discuss with them maintaining the bike trails.

The Boat ramp at the West End – Any change to this area, I would like to know more about it before anything else happens at this time. Would like a dialogue on this.

Mary-Jo Avellar

Petition to Land Court – Briggs Lane – Bradford to Commercial Street – We should give to Town Counsel to take a look at it and have them get back to us at our next meeting.

Call from David Atkinson – World Wide Nude Bike-A-Thon on Montpelier, VT

Letter from Attorney for Elena Hall – re: DEP issue. Schedule for June 23, 2008 agenda.

Email from Celine Gandolfo re: EDC Permit. Assistant Town Manager David Gardner explained that he spoke to her on this matter, and she is resubmitting.

David Bedard

My main thrust during my campaign was finances. Health Cost must be taken a good look at as well

Maps that Mr. Downey was talking about - it is a for profit map, and there are places that he can place them but not on public trash cans.

Elaine Anderson

Respond to Douglas Walker re: alcohol use - I agree.

Summer officers – Suggest that we give our summer officers a quick hello when we see them.

I want to, once again, thank the Business response for the 4th of July festival, and show the spirit of Provincetown.

The town has many new citizens, and I am asking that you consider serving on Town Committees.

My heart goes out to Barbara and Lana in trying to save the trees, but the CCNS has its plan.

Thanks the Board for voting me as Vice-Chair.

Michele Couture

My thanks the Board for voting me as Chair.

Update on Waterfront Park. Mr. Gardner has that information – email will be sufficient.

Term limits – When letters are sent out to future term limit board members, explain that the action of Legislature required before our vote of Town Meeting is enacted, and it may take one to two years.

Congratulations to Dog Park people – they have accomplished quite a bit.

MOTION: Move that the Board of Selectmen vote to invite Superintendent George Price of the Cape Cod National Seashore to meet with the Board of Selectmen.

Motion by: Mary-Jo Avellar Seconded by: Austin Knight Yea 5 Nay 0
Police officers are doing a terrific job.

Fireworks – (Alix - To-date we have cash in hand \$37,750, and \$6K in more pledges to come in). I would like to have a discussion on this in September.

4. APPOINTMENTS

MOTION: Move that the Board of Selectmen vote to reappoint Joe Carleo as a Regular Member on the Community Housing Council a term to expire on June 30, 2010.

Motion by: Elaine Anderson Seconded by: Mary-Jo Avellar Yea 5 Nay 0

MOTION: Move that the Board of Selectmen vote to appoint Cathy Brouillet as a Regular Member on the Community Housing Council a term to expire on June 30, 2010.

Motion by: Elaine Anderson Seconded by: Mary-Jo Avellar Yea 5 Nay 0

MOTION: Move that the Board of Selectmen vote to reappoint Michael Carroll as a Regular Member on the Economic Development Council a term to expire on June 30, 2010.

Motion by: Elaine Anderson Seconded by: Mary-Jo Avellar Yea 5 Nay 0

MOTION: Move that the Board of Selectmen vote to reappoint Martin Huey as a Regular Member on the Economic Development Council a term to expire on June 30, 2010.

Motion by: Elaine Anderson Seconded by: Mary-Jo Avellar Yea 5 Nay 0

MOTION: Move that the Board of Selectmen vote to reappoint Thanassi Kuliopulos as a Regular Member on the Economic Development Council a term to expire on June 30, 2010.

Motion by: Elaine Anderson Seconded by: Mary-Jo Avellar Yea 5 Nay 0

MOTION: Move that the Board of Selectmen vote to reappoint Joseph Collins as an Alternate Member on the Historic District Commission a term to expire on June 30, 2010.

Motion by: Elaine Anderson Seconded by: Mary-Jo Avellar Yea 5 Nay 0

MOTION: Move that the Board of Selectmen vote to reappoint L. Lee Ash as a Regular Member on the Provincetown Public Pier Corporation Board of Directors a term to expire on June 30, 2013.

**Motion by: Austin Knight Seconded by: David Bedard
Yea 4 Nay 0 Abstain 1 (Mary-Jo Avellar)**

MOTION: Move that the Board of Selectmen vote to appoint Elizabeth Patrick as a Regular Member on the Open Space Committee a term to expire on June 30, 2013.

Motion by: Austin Knight Seconded by: Mary-Jo Avellar Yea 5 Nay 0

David Bedard recused himself.

5A RECREATION COMMISSION – Recreational Fees Increase

MOTION: *Move that the Board of Selectmen vote to table this item until the next Board meeting on Monday, June 23, 2009*

Motion by: Mary-Jo Avellar **Seconded by:** Elaine Anderson Yea 5 Nay 0

David Bedard returned.

Mary-Jo Avellar recused herself and left the room as she works for Provincetown Realty.

5B **SANDY HILL LANE**

Affordable Housing Deed Restriction Unit #20

MOTION: *Move that the Board of Selectmen vote to approve the affordable housing restriction for median income ownership for 6 Sandy Hill Lane, Unit #10.*

Motion by: Elaine Anderson **Seconded by:** Austin Knight Yea 4 Nay 0

Mary-Jo Avellar returned.

5C **TREASURER'S TRANSFER**

Library Building Gift Fund

MOTION: *Move that the Board of Selectmen vote, as Commissioners of the Library Building Gift Funds, pursuant to MGL C44 § 53A, to approve the use of \$7,811.32 from the Library Building & Gift Fund to reimburse the Library Buildings and Grounds Budget (01019402) that previously paid for the attached invoice(s).*

Motion by: Mary-Jo Avellar **Seconded by:** Austin Knight Yea 5 Nay 0

MOTION: *Move that the Board of Selectmen vote to send Mr. White a thank you for the discount on this invoice.*

Motion by: Mary-Jo Avellar **Seconded by:** Michele Couture Yea 5 Nay 0

5D1 **PARADE PERMIT REQUEST**

National Multiple Sclerosis Society Cycling Tour

MOTION: *Move that the Board of Selectmen vote to approve the Parade Application Permit submitted by Director of Development Joel Richards on behalf of the National Multiple Sclerosis Society, Central New England Chapter, 101A First Ave, Suite 6, Waltham, MA to hold a their 25th Annual Cape Cod Getaway MS Bike Ride to be held on Sunday, June 29, 2008 from 9:30 AM to 6:00 PM.*

Motion by: Mary-Jo Avellar **Seconded by:** Elaine Anderson Yea 5 Nay 0

5D2 **PARADE PERMIT REQUEST**

Provincetown Business Guild Annual Carnival Parade

MOTION: *Move that the Board of Selectmen vote to approve Parade application submitted by Don Knuuttila on behalf of the Provincetown Business Guild for the purpose of holding their Annual Carnival Parade to be held on Thursday, August 21, 2007 from 3:00 pm to 6:00 pm.*

Motion by: Mary-Jo Avellar **Seconded by:** Austin Knight Yea 5 Nay 0

5E **PORTUGUESE FESTIVAL COMMITTEE**

Request to use Captain Bill Banner and Portuguese Flag

MOTION: *Move that the Board of Selectmen vote to grant the annual request of Susan Leonard on behalf of the Portuguese Festival Committee the use of the Captain Bill Banner and the Portuguese Flag as so stipulated in the attached agreement prepared by our Provincetown Town Clerk Doug Johnstone.*

Motion by: Mary-Jo Avellar **Seconded by:** Austin Knight Yea 5 Nay 0

5F **ECONOMIC DEVELOPMENT PERMITS**

Clem & Ursie's Restaurant – Application for Growth Management Category 5 Allocation

MOTION: *Move that the Board of Selectmen vote to approve the Economic Development Permit gallons for Clem & Ursie's Restaurant as submitted subject to the following conditions: that the applicant receives approval from the License Board for their increased seating.*

Motion by: Austin Knight **Seconded by:** Mary-Jo Avellar **Yea 5 Nay 0**

5G **DOR FINANCIAL MANAGEMENT REVIEW**

Follow-Up Plan

Re-schedule for special meeting on Monday – June 30, 2008

6A **PAMET LENS OVERSIGHT GROUP - UPDATE**

Open discussion. No motions made. Next meeting – June 19th @ Grace Gouveia Bldg.

6B **FY 2009 TOWN-WIDE GOAL-SETTING PROCESS**

Annual Goal Setting Exercise

MOTION: *Move that the Board of Selectmen vote to schedule a public hearing on Monday, July 7, 2008 at 6 pm on Town-wide Policy Goals for Fiscal Year 2009.*

Motion by: Austin Knight **Seconded by:** Mary-Jo Avellar **Yea 5 Nay 0**

6C **COMCAST CABLE RENEWAL LICENSE**

Appoint Town Manager as Agent

MOTION: *Move that the Board of Selectmen vote, pursuant to the provisions of 307 C.M.R. sec. 3.01(3), the Selectmen of the Town of Provincetown, as issuing authority for cable television licenses for the Town, hereby appoint the Provincetown Town Manager to act as their agent for negotiating a cable television renewal license with Comcast*

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

6D **TOWN MANAGER FOLLOW-UP / OTHER**

MOTION: *Move that the Board of Selectmen vote to have the Chairman sign the appropriate papers for the Building Commissioner.*

Motion by: Mary-Jo Avellar **Seconded by:** Austin Knight **Yea 5 Nay 0**

7. **MINUTES OF BOARD OF SELECTMEN'S MEETINGS**

MOTION: *Move that the Board of Selectmen vote to approve the minutes of May 27, 2008 (5:30 PM)*

Motion by: Elaine Anderson **Seconded by:** Austin Knight

Yea 3 Nay 0 Abstain 2 (Mary-Jo Avellar / David Bedard)

MOTION: *Move that the Board of Selectmen vote to approve the minutes of May 27, 2008 (Regular Mtg.)*

Motion by: Elaine Anderson **Seconded by:** Austin Knight

Yea 3 Nay 0 Abstain 2 (Mary-Jo Avellar / David Bedard)

8. **CLOSING STATEMENTS**

Austin Knight – USA Today listed Route 6 as a Coast Road to travel from Provincetown to Boston.. Cape Cod Selectmen's meeting this Friday, June 13, 2008

Mary-Jo Avellar – None

David Bedard – We're coming up on the end of FY '08 are there any surprised? Answer: Alix Heilala – No. And I don't think we are going to have a lot of extra free cash.

Elaine Anderson - I am feeling the cooperation of the town on the significant challenges such as the beautification of the waterfront park.

- **Michele Couture** – I want to thank the Town Manager and Alix Heilala for their interoffice memo .. year end procedures and 1/12 procedures. And I am looking forward to the Monthly Expenditures Reports.

The Seashore Point has transferred their residents into their new location. I can't say enough for the staff and everyone who executed this special day.

Motion to adjourn by Mary-Jo Avellar at 9:40 PM.

- Minutes transcribed by: Vernon G. Porter, Secretary to Board of Selectmen
June 16, 2008