

# TOWN OF PROVINCETOWN - BOARD OF SELECTMEN

## REGULAR MEETING – JULY 11, 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, Municipal Finance Director Dan Hoort

Recorder: David Gardner

#### 1A **PUBLIC HEARING: CURB CUT – 25 MILLER HILL ROAD**

Applicant, Joshua Prager

Chairman Anderson read the Public Hearing Notice into the record.

The applicant indicated that the curb cut is in existence, he was unaware of the requirement for a curb cut application prior to installing the curb cut.

He also indicated that he neglected to send the abutter notices by certified mail.

**MOTION:** *Move that the Board of Selectmen vote to continue the hearing to a time certain, July 25, 2011, pending proper certified mailing of the public hearing notice.*

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

#### 1B **JOINT MEETING WITH HUMAN SERVICES COMMITTEE**

Chair Teri Nezbeth called her committee to order at 6:12 pm.

Human Services Members: Chair Teri Nezbeth, Gabriela Villegas, Cynthia Franco.  
Also present: Council on Aging, Chris Hottle.

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.

Human Services Committee has been reviewing the RFP and grant reporting process.

#### 1C **WATER PROGRAM UPDATE**

Attendees: DPW Director David Guertin, Environmental Partners Group – Mark White and Facilitator John Goodrich.

##### **Facilitator John Goodrich Comments**

We have summarized a lot of new information for the Board in this month's Water Report. I will give you a very brief summary, and Mr. Mark White of Environmental Partners and DPW Director David Guertin are here tonight to answer any questions that you may have. We have 3 motions that we are asking the Board to consider tonight.

The Water Department continues to make significant progress with the leak detection and inspection program. The system-wide leak detection program conducted in May identified 12 service line leaks totaling over 35% of the average daily water pumpage rate, all of which have been repaired. Over 85% of the water system accounts have now been inspected, and since all of the properties have been visited at least once, the focus is now on those properties where the inspectors have not yet been able to gain entry.

The statistics continue to show that about 80% of the accounts are non-compliant in one way or another, with the highest priority situations for correction being missing pins, taps before the meter, and service lines with IPS plastic or galvanized pipe, particularly for those service lines that are > 50 feet in length. The compliance and enforcement program initiated last year for the missing pins and the taps before the meter is continuing to go well, and the Water Team is now recommending that the remaining half of the budgeted USDA grant funds be used to replace the meter pits and relocate the meters for as many properties as possible that have IPS plastic pipe >50 feet in length.

For all of the remaining accounts with either IPS plastic or galvanized pipe service lines, the Water Team recommends that account owners be notified that they have non-compliant pipe and that they are responsible for any leaks and for any replacement of the pipe. In addition, the Water Team seeks support from the Board for its recommendation to bring a rule change to the Water & Sewer Board for their approval following a public hearing stating that no abatements will be given should a service line leak occur after a property owner has been notified that they have non-compliant pipe material that is their responsibility to replace.

Your report summarizes a number of important developments concerning the USDA grant-funded projects, including the public notification and coordination with the School Superintendent for the demolition of the Winslow 1 water storage tank that is starting this week. The Source Final Report for the North Union Field well field has been submitted to the MassDEP, following a review of the draft by the consulting engineer for the Town of Truro, and discussions are on-going with Mr. John Walsh, his attorney, and the Truro Central School concerning the proposed alternate transmission main easement.

In addition, design and planning work continues for the Knowles Crossing Water Treatment Plant, and the Siemens membrane system activities have progressed to the point where the majority of the remaining MCDBG funds can be invoiced in the very near future. Mr. Mark White can provide you with additional information on these activities. Given all of the progress on the USDA grant-funded programs and the upcoming public comment period for the North Union Field Source Final Report later this summer, the Water Team recommends that the Board schedule another joint water program meeting with the Truro Board of Selectmen during the first half of August.

The Water Team is now ready to move ahead with the design, permitting and bidding of the raw water transmission main between Knowles Crossing and South Hollow, and a motion for Board approval for a Contract Amendment for Environmental Partners for this purpose has been prepared. This transmission main was not included in the USDA grant funding – the borrowing authorization approved by the voters at the September 2009 Special Town Meeting includes this type of water system infrastructure purpose and the cost will be borne by the Water Enterprise Fund and the water users. The second Contract Amendment for Environmental Partners that is requested for approval is for additional work for the North

Union Field well field development as well as for on-going program support for the USDA-funded water programs.

And, we have saved the best news for last: A review of the year-end financial projections for the Water Enterprise Fund by financial consultant Mark Abrahams shows that we should expect to have a substantial positive budget variance for FY 2011. Revenues from the off-peak billing period were higher than expected and the revenues from new water taps and meters have been higher than budgeted, while the expenses will be below budget. Mr. Abrahams is working with Finance Director Dan Hoort to confirm the numbers following the close of the financial year.

**MOTION:** *Move that the Board of Selectmen vote to support the Water Department recommendation for a Water & Sewer Board rule change that provides that no abatements will be given should a service line leak occur after the property owner has been notified that they have non-compliant pipe material that is their responsibility to replace.*

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

**MOTION:** *Move that the Board of Selectmen vote to schedule a joint water program update meeting with the Truro Board of Selectmen on August 8, 2011 at 5:00 pm.*

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

**MOTION:** *Move that the Board of Selectmen vote to approve the award of Contract Amendments to Environmental Partners for (1) \$50,450.00 to be funded from Article 1 of the September 14, 2009 Special Town Meeting and (2) \$57,000 to be funded from the USDA Water Program Grant.*

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

2. **PUBLIC STATEMENTS** - None

3. **SELECTMEN STATEMENTS**

**John Santos**

Thank staff for good work during July 4<sup>th</sup> weekend. Message sign on Route 6 should be moved away from the Conwell intersection and should refer to parking.

**Austin Knight**

The Cape Cod Commission will be holding a hearing to consider The Barnstable County Ocean Management Planning District of Critical Planning Concern.

Governor expected to sign the Health Care act, the Selectmen should meet to consider implications.

**MOTION:** *Move that the Board of Selectmen vote to proclaim August 4, 2011 as Family Pride Day.*

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

**David Bedard** – None.

**David McChesney**

Happy about the construction fence at the Library being moved back.

Concerned about cell service in summer and whether the cell tower will help.  
DPW to follow-up with list of private roads maintained.

**Elaine Anderson**

**MOTION:** *Move that the Board of Selectmen vote to send a letter of gratitude to Carol McDonald for her volunteering to maintain the dog bag stations in town.*

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

Concerned about confetti machines used during the 4<sup>th</sup> of July parade. Follow-up to make sure they are bio-degradable.

Pleased to see property owners trimming back their hedges.

Concerned about inappropriate comments coming from Selectmen to staff and Board members. Complaints or criticism should be filtered through the Chair and the Town Manager Sharon Lynn pursuant to Board of Selectmen Rules of Procedure.

**4. APPOINTMENTS**

**MOTION:** *Move that the Board of Selectmen vote to send Kerry Adams a letter of recognition regarding his service on the Provincetown Public Pier Corporation Board of Directors.*

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

**5A COMMERCIAL STREET REPAVING PROJECT – Follow-up**

Presentation by Russ Kleekamp

Project Update: Survey is complete. Subsurface utilities took longer than intended.

Power Point presentation regarding sidewalk material options.

Existing sidewalks in the work area are all brick. Some areas in good condition, some in poor condition.

Recommend leaving good condition walks in place, and spot repair poor sections with matching pavers. May need to replace longer sections to reduce visible “patch” repairs. Will propose to fix depressions and pedestrian/handicapped hazards.

Replace granite curbs throughout as needed.

Much of the water main exists within the parking lane. Once construction starts, parking will be prohibited.

**MOTION:** *Move that the Board of Selectmen vote to hold a Public Hearing on Monday, August 1, 2011 to take public comments on the Commercial Street Repaving Project.*

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

**5B CPA GRANT EXTENSION**

Pilgrim Monument and Provincetown Museum

**MOTION:** *Move that the Board of Selectmen vote to approve an extension to the grant agreement with the Pilgrim Monument and Provincetown Museum for \$25,760 for repairs and improvements to the Lodge through December 31, 2011, and funded through the Community Preservation Act.*

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

**5C YEAR-END TREASURER'S TRANSFERS**

Municipal Finance Director Dan Hoort presented the FY 2011 Budget Transfers.

**MOTION:** *Move that the Board of Selectmen vote, pursuant to MGL C. 44, §33B to approve year-end budgetary transfers for Fiscal Year 2011 as requested by the Finance Director in the amount of \$115,051.*

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

**6A POLICE DEPARTMENT SURPLUS EQUIPMENT**

**MOTION:** *Move that the Board of Selectmen vote to declare the following vehicle as surplus, pursuant to M.G.L. c. 30B and Provincetown General By-law §6-4-6, and to authorize the Town Manager to dispose of same in the manner deemed most advantageous to the Town.*

*One - 2002 Ford Explorer, VIN # 1FMZU73EX2UC93344.*

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

**6B TOWN MANAGER FOLLOW-UP**

Joint meeting scheduled with FinCom and Insurance Advisory Board at the July 25, 2011 Selectmen's meeting to discuss the Municipal Health Insurance Reform Act.

Thanks to Mr. Winkler for use of the barge for July 4<sup>th</sup> fireworks.

**MOTION:** *Move that the Board of Selectmen vote to a letter of gratitude to Mr. Mike Winkler of Winkler Crane Service in Truro, MA for the use of his barge for our July 4<sup>th</sup> fireworks.*

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

**6C OTHER - None.**

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

**MOTION:** *Move that the Board of Selectmen vote to approve the following minutes as printed:*

*June 27, 2011 (Public Meeting 5:00 PM) and June 27, 2011 (Public Meeting 6:00 PM)*

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

**8. CLOSING STATEMENTS**

**John Santos** – Apologize for comments made to staff regarding the pace of the beach cleanup program.

**David McChesney** - None    **David Bedard** - None

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

Motion to adjourn by Austin Knight at 8:08 PM

**Minutes transcribed by:** Vernon G. Porter, Secretary to Board of Selectmen  
July 12, 2011