

TOWN OF PROVINCETOWN - BOARD OF SELECTMEN

MONDAY – JULY 9, 2012 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, John Santos and Erik Yingling

Other attendees: Town Manager Sharon Lynn, Assistant Town Manager David Gardner and Municipal Finance Director Dan Hoort.

Recorder: David Gardner

The following are meeting minutes, in brief:

1A DISCUSSION – USE OF TEXTING AND EMAILS

Use of texting and emails by members of Board of Selectmen

Chairman Austin Knight - Raised concern about an inappropriate text message sent from Selectmen Yingling in which it was expressed that “I heard Tom Coen was elected chair of the Building Committee, I am telling my people to keep him [Chair Coen] in check. It’s not going to be a good time for Ole TC [sic].”

Town Counsel John Giorgio present and stated that his opinion was that no law was broken.

1B PUBLIC HEARING – Adoption of Town-wide Policy Goals for FY 2013

Continued to for a future meeting to ensure proper noticing.

1C JOINT MEETING WITH BEAUTIFICATION COMMITTEE

Attendees: Barbara Rushmore, Bill Docker, Elizabeth Patrick

The intention of this joint 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.

Beautification Committee considers themselves the custodian of the Beautification Committee funds and is hard at work on several projects. Planted a tree on Standish St. Water outlets installed at the Waterfront Park to allow for irrigation. Planning improvements in the area adjacent to Ryder St Extension Bus Depot (Fisherman’s Memorial Park) including new boardwalk way and additional shade trees and benches. Wants to move the Fisherman’s Memorial Park to the Waterfront Park as it is a more appropriate place for that memorial. Remind the Selectmen of the condition of the Bas Relief as the important date of 2020 approaches. Would like to replace dead pine at the West End Parking Lot. The committee will adopt a memorial bench program and approve placement of future benches. New benches for Lopes Square along with new plantings. Discussion to revise Mission Statement.

John Santos would like to see the anchor moved from Lopes Square walkway. Thinks we

should consider the placement of benches on town hall lawn as they are shaded and are starting to rot. Does not like the planting of pines at the Waterfront Park as they block the view.

Elaine Anderson agrees with moving Fisherman's Park to the Waterfront Park. Thinks we should have a new name for the Bus Depot park area. Needs to have a protocol regarding working with Town staff, especially when it comes to procurement.

Austin Knight reminds the committee that all procurement must go through the Town Manager.

Marcus Costonis, the Beautification person from Buildings and Grounds, resigned abruptly. We are talking with him to see if he will reconsider and return.

1D1 VISITOR SERVICES BOARD

FY 2013 Contract with Public Relations Firm (ATM 11)

Attendees: Tourism Director Bob Sanborn, Chair Mick Rudd, Lynn Mogell, James Bakker

The VSB recommends a contract with Valsin Marmillon of Marmillon and Company, a national public relations firm with local roots, as Valsin owns a home in Provincetown. The VSB vote 7-0-0 on June 27, 2012 to approve.

MOTION: Move that the Board of Selectmen vote to approve the request of the Visitor Services Board to contract with Marmillon + Company, 227 Commercial Street, Provincetown, MA 02657, as the Town of Provincetown's public relations firm to the Tourism Office in an amount not to exceed \$40,000 plus expenses; to commence on July 1, 2012, and expire on June 30, 2013.

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

1D2 VISITOR SERVICES BOARD

FY 2013 Contract with Graphic Design Firm (ATM 11)

Attendees: Tourism Director Bob Sanborn, Chair Mick Rudd, Lynn Mogell, James Bakker

The VSB recommends a contract with Topher Ellsworth of Ellsworth Creative, a local graphic artist. The VSB vote 6-1-0 on June 27, 2012 to approve.

MOTION: Move that the Board of Selectmen vote to approve the request of the Visitor Services Board to approve contract with Ellsworth Creative, 188 Commercial Street, Provincetown, MA 02657, as the Town of Provincetown's graphic design firm to the Tourism Office in an amount not to exceed \$15,000; to commence on July 1, 2012, and expire on June 30, 2013.

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

2. PUBLIC STATEMENTS

Chief Jaran – Concerned about a text sent by Erik Yingling and the intention to undermine the integrity of the Building Committee and disrupt the process.

Candace Nagle – Concerned about a text sent by Erik Yingling, wants to be assured that

the town boards are not going to be interfered with.

Carlos Verde – Disgusted and embarrassed about the situation occurring currently in regards to the text sent by Erik Yingling.

3. SELECTMEN STATEMENTS

John Santos – Thanks for all those who worked to make July 4th successful. Town Board members should be rest assured that the Board of Selectmen has confidence in board members and will not interfere.

Elaine Anderson - Need to ensure that there is an expectation of higher caliber of behavior by the Selectmen.

David McChesney - Concerned about any interference with the Building Committee. Committee members should not be collaborating with members outside the committee. Open Meeting Law training went well and was well attended. All board members and elected officials should be encouraged to attend at the next training.

Erik Yingling– Has confidence in the Building Committee and the process will be free and fair. Concerned about the Chair of the BOS making statements at the Finance Committee representing the Selectmen without first talking to the Selectmen.

Austin Knight - Will respond to comments made to the Finance Committee. Nothing said to the Finance Committee needed a vote of the Board, no private deliberation occurred. Spoke as the Chair of the Selectmen to the Finance Committee to express concerns that the FINCOM was overstepping their authority and delving into matters of policy. Town Counsel John Giorgio weighed in regarding Charter which refers to the Board of Selectmen as being the primary policy making body. Elaine Anderson supports the Chair’s comments to the Finance Committee regarding roles and responsibilities of the two boards. David McChesney made clear that the Finance Committee is not the legislative body. Joint meeting to occur with the Finance Committee on July 23, 2012.

Chair Tom Donegan spoke stating that he is new in his position and is trying hard to do a good job and that people should just leave him alone and stop criticizing.

Thanks to the Police Department and Recreation Department for July 4th activities.

MOTION: *Move that the Board of Selectmen vote to send letters of thanks to all those who made July 4th.*

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

4A FOURTH OF JULY REPORT

Attendees: Chief of Police Jeff Jaran and Lieutenant Jim Golden

Annual 4th of July Report by Chief of Police, Jeff Jaran. Busy July 4th holiday, very high call volume during the holiday week. Parade went well, 32 floats in the parade, an increase from previous years. Parking lots were full early, so a lot of traffic direction needed. 10 detainees on July 4th 22 detainees over the course of the week. 204 calls for service, average 8.5 calls/per hour. 814 calls the week. Sheriff and State Police units assisted. Two teams of two horses included in crowd control, which was very helpful and successful.

4B1 COUNCIL ON AGING

Elder Services of Cape Cod and Island Title III Grant

Attendee: COA/PH/HS Director Chris Hottle

MOTION: *Move that the Board of Selectmen vote authorize submission of a grant application to Elder Services of Cape Cod and the Islands under the Older AmErikans Act Title III Grant for \$6,500 to provide medical transportation for Provincetown seniors 60 years old and older.*

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

4B2 COUNCIL ON AGING

Submit Executive Office of Elder Affairs FY 2013 Formula Grant

Attendee: COA/PH/HS Director Chris Hottle

The Executive Office of Elder Affairs awards this grant annually to all Councils on Aging in Massachusetts. This year the formula for Provincetown will be calculated at either \$6.42 or \$7.00 / senior for 938 seniors 60+ years of age (according to 2010 Census).

MOTION: *Move that the Board of Selectmen vote submit a grant application in the amount of * \$5,950 / \$6,475 to the Executive Office of Elder Affairs for a FY 2013 Formula Grant for a Program / Volunteer Coordinator position.*

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

4C YEAR-END TREASURER’S TRANSFERS

MOTION: *Move that the Board of Selectmen vote to approve the FY 2012 budget transfers in the amount of*

Transfer From:

Retirement/Benefits/Insurance \$149,024

Transfer To:

1	Board of Assessor A Budget	700
2	Conservation Commission B Budget	14
3	Bldg & Grounds-Cemetery B Budget	1,715
4	Inspections A Budget	8,205
5	Community Development A Budget	3,164
6	Shellfish A Budget	200
7	Parking B Budget	6,497
8	DPW Administration	110,000
9	Board of Health B Budget	369
10	Library A Budget	3,410
11	Debt Service B Budget	14,750
	Total	149,024

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

4D LETTERS TO CAPE COD NATIONAL SEASHORE

Letters prepared for the Selectmen by John Thomas of the CCNSGMPIAC.

MOTION: *Move that the Board of Selectmen vote to send three letters to Superintendent George Price, Cape Cod National Seashore regarding*

- 1. Pending and future CCNS project and activities*
- 2. Documentation of cited authorities*
- 3. Local hiring for Cape Cod National Seashore projects*

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

MOTION: *Move that the Board of Selectmen vote to send a letter of thanks to John Thomas for his many years of service on the CCNSGMPIAC.*

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

4E1 PARADE PERMIT – Aids Support Group of Cape Cod

Parade route to commence at Snail Road at Rt 6A, continue on to Commercial Street, onto MacMillan Wharf back to Commercial Street to finish at Pilgrim’s First Landing Park.

MOTION: *Move that the Board of Selectmen vote to approve the Parade Application Permit submitted by the Events Coordinator Tanya Rosario on behalf of the AIDS Support Group of Cape Cod for their 4th Annual Run/Walk to be held on Sunday, July 22, 2012 from 7:45 am to 9:30 am. No rain date.*

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

4E2 PARADE PERMIT – Pan Mass Challenge Annual Bike Trek

There are two finish lines: 1) Provincetown Inn and 2) Motta Field.

MOTION: *Move that the Board of Selectmen vote to approve the Parade Application Permit submitted by the Kirsten Af Klinteberg on behalf of the Pan Mass Challenge for their Annual Charity Bicycling Event, to be held on Sunday, August 5, 2012 from 8:30 am to 3:30 pm.*

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

5A TOWN MANAGER SHARON LYNN FOLLOW-UP

Provincetown Laundromat complaints have again been received. The Selectmen will seek to hold a joint meeting with the Water and Sewer Board and invite Mr Silva to come in and address potential violations of the approved management plan.

MOTION: *Move that the Board of Selectmen vote to send a letter to Mr Silva to invite him to attend a joint meeting on July 23, 2012.*

Motion by: Erik Yingling **Seconded By:** John Santos Yea 5 Nay 0

Met with the Chair of the Disability Commission, who advised that SMILE Massachusetts has donated a beach wheel chair (\$2500) to the Town which will be made available at the Chamber Office to be used by the public at the Ryder St beach. Disability Commission intends to purchase another chair with their own funds.

MOTION: *Move that the Board of Selectmen vote to send a letter to Smile Massachusetts to thank them for the donation of the beach wheelchair .*

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

5B OTHER - None

6. MINUTES OF BOARD OF SELECTMEN'S MEETINGS

Move that the Board of Selectmen approve the minutes of:

June 11, 2012 (Executive Session 5 PM) as printed

June 11, 2012 (Regular Mtg. 6 PM) with change so noted.

June 18, 2012 (Public Workshop 4 PM) as printed.

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

7. CLOSING STATEMENTS

John Santos – None.

Elaine Anderson - Concerned that Erik does not see that there was nothing wrong with what was done. It doesn't have to be illegal for it to be inappropriate.

David McChesney – Wants an update regarding the pointing project at the School.

Erik Yingling – Concerned that the Chair has used the public meeting to wage a personal vendetta against him in an attempt to embarrass him.

Austin Knight – Agree to disagree. The tone of the text was clear, and expressed an intent to interfere with the business of the Building Committee.

Motion to adjourn by John Santos at 8:32 PM.

Minutes transcribed by: Vernon Porter, Secretary to Board of Selectmen
July 11, 2012