

TOWN OF PROVINCETOWN - BOARD OF SELECTMEN

MONDAY – JULY 23, 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: Vernon Porter

The following are meeting minutes, in brief:

1A JOINT MEETING WITH WATER & SEWER BOARD – Rescheduled to Monday, August 13, 2012.

1B JOINT MEETING WITH LIBRARY BOARD OF TRUSTEES

Attendees: Board of Library Trustees – Chair Lyn Kratz, Donna Vaillancourt, Louise Venden, Vice Chair Patricia Green and Library Director Cheryl Napsha

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.

Lyn Katz

It's an exciting time to be on this board, with the library building finally finished. The past year has seen the completion of the restoration of: 1) the lower level into workable public space, 2) the main stack area which holds the bulk of the library's non-fiction collection and 3) a large meeting or program room. This satisfies the requirement the Mass Board of Library Commissioners stipulated in the initial grant in 2001.

Our Capital Campaign is finally over, after about 12 years.

We had the ribbon cutting ceremony in June, on Heritage Day. Robert Duffy cut the ribbon, and Josephine Del Deo was the keynote speaker on our Heritage Day program. STATS from Donor Recognition brochure.

The board was able to secure grants totaling \$410k toward the final phase of this restoration. 2010 Town Meeting awarded the project \$2.1 million. Our grants brought that total down to \$1.6 million. Thanks to David Guertin for making the USDA grants happen.

We received a 2012 Mass Historical Commission Preservation Award. The Secretary of the State's letter said: "The restoration and adaptive reuse of the Center Methodist Church as the new Provincetown Public Library has restored a landmark building on the town skyline, and has reinstated it as a vital resource for its community." Plaque is located in Sharon's office.

Now we get down to the business of what goes on “inside” the building, with the focus on the community we serve.

Patsy Green – We need \$60K and will be working at major fundraising.

Donna Vaillancourt – We are in the process of developing a market plan. We are using the Town Hall Rental Application as a basis for rental uses at the Library.

Louise Venden - Review some of the policies in place such as: computer loans, use of food and alcohol, and long range plans. We need to raise the level of awareness, and to make the library a resource for people and for them to enjoy the special programs we have.

Town Manager Sharon Lynn - Wendell Kalsow is preparing a maintenance plan.

Austin Knight – We need to make sure we keep up with the maintenance of all our buildings.

1C DAN HOORT – MUNICIPAL FINANCE DIRECTOR – Tom Scanlon Report

Open discussion on the Tom Scanlon, Independent Auditors Recommendations and Review. Management Letter from Auditors communicates to the Selectmen the status of the town’s accounting processes.

Pier Cash Reconciliation

For a number of years the cash balance on the Pier Corporation’s books has not matched the amount recorded on the Town’s general ledger. It appeared that the issues were tied to the accounting for the Pier when it first began operation as a separate entity in 2002 and the accounting for mooring fees in the town’s accounting records. The inability to reconcile the two entities’ records caused the Pier Corporation’s audited financial statements to be in draft form for a number of years because the Town could not sign off on the cash amounts.

After an exhaustive review of the Pier Corporation’s accounting records and matching them to the Town’s records we are pleased to inform the Board of Selectmen that the Pier Corporation and Town accounting records are now in agreement. The final entries and paperwork will be completed when the Town’s auditors are in Provincetown for their in-house audit work the last week in August. Shortly thereafter the Pier Corporation should be able to release their audit reports that were previously in draft form.

It is worthy to note that during the review of the past ten years, no funds were found to be missing from either the Pier Corporation or the Town. The problems were accounting related, and how entries were posted differently on the two entity’s books. The Pier Corporation and the Town now balance their records to each other every month so this problem should not come up again.

FY 2011 Management Letter

Each year the town’s auditors prepare a management letter in addition to their standard audit report. The management letter is addressed to the Board of Selectmen, and is the auditor’s communication to the Selectmen regarding any issues discovered during the audit or possibly discovered in prior years.

Finding 2011-1 Reconciliation of Treasurer’s Cash

The Treasurer office is responsible to complete timely reconciliations of activity and balances of the cash and investments. The auditors expressed their concern again last year

that the Treasurer was not balancing the cash on a monthly basis.

Update:

The finance director has been reconciling the cash to the general ledger each month to ensure cash is reconciled on a timely basis. He has spent the past year working with the Treasurer in an attempt to get the Treasurer to a point where she is able to reconcile her cash book. The Treasurer has been given a deadline that all cash must be reconciled prior to the auditor's arrival on August 27, 2012. His expectation is that the Treasurer will meet this deadline.

Finding 2011-2 Accounts Receivable Reconciliation

The accounts receivable subsidiary records for deferred property taxes, tax liens, water, sewer and betterments were not reconciled to the general ledger.

Update:

All subsidiary records have now been balanced to the general ledger. It is our expectation that this finding will be eliminated from subsequent management letters.

Finding 2011-3 Reconciliation of Project Costs to General Ledger

Departmental records have not been reconciled to the general ledger in the past years which creates a concern that amounts reported to the Federal government do not accurately reflect the amounts charged to the project by the Town.

Update:

The finance department distributes project summaries to town departments. Primarily this is an issue for the Department of Public Works as they have the most ongoing projects of any town department. We expected that this finding would be eliminated completely from subsequent management letters, however, with the unfortunate passing of our Deputy Director it has taken a time for the new staff to work their way through her files to reconcile the departmental information to the general ledger. We are still hoping to have this complete by the time of the auditor's visit in late August.

CURRENT YEAR COMMENTS and RECOMMENDATIONS:

1. Maintenance of General Ledger

During the past few years the general ledger was not properly maintained and we have had numerous adjustments.

Update:

In fiscal year 2011 the finance department implemented a new chart of accounts. The primary focus in FY 2011 was to ensure the new chart of accounts was properly set up. In FY 2012 we focused on the maintenance of the new chart of accounts and feel comfortable that the general ledger is now properly maintained.

2. Implement Procedures to Review Tax Recap Sheet

Update:

This process is now in place and will happen each year.

3. Reconciliation of General Ledger to Department Records

Update:

See finding 2011-3 above. In addition a finance department staff person has been given the responsibility of distributing general ledger records for grants, revolving funds and gift funds to each department on a monthly basis.

4. Timeliness of Reporting Receipts in the Cashbook

Update:

The Treasurer has focused on the timely reporting of receipts in the cashbook and has stressed the importance of the timeliness to all department heads.

5. Student Activity Funds

Update:

It is my understanding the School Administration is discussing an annual audit of the student activity funds.

6. Parking Funds

Update:

a.) All waived permit tickets are given to the Finance Director who does a regular spot audit of the waived permit parking fee tickets to ensure waived permit fees are legitimate. There has been difficulty finding employees to work the 2:30 AM to 8 AM shift in the parking lots. Currently the parking administrator arrives early in the morning to cover the MPL booth. At most, the MPL and Grace Hall parking lots are left unmanned from 3 AM to 6 AM. We will continue to monitor this situation and look for solutions.

PRIOR YEAR ISSUES

7. GASB Statement No. 54

Update:

This is an ongoing accounting reporting change which we will continue to monitor.

8. Other Post Employment Benefits (OPEB)

Update:

The Board of Selectmen approved the OPEB Trust document and town meeting voters approved the first deposit into the fund.

9. Gift Accounts

Update:

The Board of Selectmen approved the Special Purpose Private Trust Gift Fund in May 2012.

10. Preparation of Schedule of Federal Awards

Update:

The finance staff continues to improve the reporting schedules regarding federal awards.

11. Wastewater Enterprise Funds – Reserve for Betterments

Update:

Completed

12. Massachusetts Water Pollution Abatement Trust Loan

Update:

Completed

13. Budgeting for Debt in the Enterprise Funds

Update:

Completed

14. Matching Grant Funds

Update:

Completed

15. Community Preservation Bank Account

Update:

Completed

16. Airport Revolving Account

Update:

The airport commission continues to monitor their revolving account and will begin drawing down funds in FY 2013. They were previously delayed due to environmental studies on the airport land.

17. Agreement Between the Town and School Department

Update:

We have not yet written up the agreement.

18. Overdrawn Capital Project Accounts

Update:

We have a couple of overdrawn capital projects left and expect that they will be taken care of in FY 2013. There are a couple of Enterprise Fund Capital Projects from 2002 and 2005 that we still need to reconcile.

19. Accounting/Financial Policies and Procedures Manual

Update:

The Finance Director has begun to write a policies and procedures manual, but admits to not being as far along on the process as he would like.

20. Posting of the Expenditures Accounts – '02 Fund'

Update:

Completed

21. Fraud Assessment – Implement Regular Department Audits

Update:

The fraud assessment is an ongoing assignment and will be closely monitored.

22. Inventories

Update:

No action taken at this time.

CIP PROCESS

- * Responsibility for overseeing Capital Improvement Program (CIP) rests with the Board of Selectmen (BOS)
- * The Town Manager shall be responsible for recommending the CIP to the BOS.
- * The BOS shall review the CIP and recommend to Town Meeting.
- * The Finance Committee shall recommend and approve a Capital Budget.

2. PUBLIC STATEMENTS

Candace Nagle – Highly suggests that FinCom member Clarence Walker's inappropriate behavior on his blog makes working together difficult, and requests that Mr. Walker be

reprimanded by the Selectmen at the upcoming joint meeting with FinCom.

Barbara Rushmore – 1) Community Center should be considered as a temporary relocation for the Police Station when the station will be rebuilt. 2) The Beautification Committee would like to upgrade the area around the comfort station and pump station.

Stephen Borkowski – 4 Willow Drive., - “In anticipation of the 400th Anniversary of the Pilgrim Landing in 2020, I am hopeful that we will have the consensus and the funding to have the Bas Relief fully restored by that time. With an eye toward that, I would suggest that we set aside a part of each rental fee for the area in front of the Bas Relief for that purpose, as well as pursuing public and private funds for the restoration. Such a public face will reflect well on the town, and be a wonderful counterpart to our beautifully restored Town Hall.”

Kim Hurd - Spoke on the “Wounded Worriers Project” - September 20, 2012 and would like Board of Selectmen to welcome these service men and women to Provincetown.

Michael Rogovsky - We have a very dedicated workforce in Provincetown. Would like the Board of Selectmen to push Capital Improvements at our next town meeting in order to provide much needed equipment and facilities to allow town staff to do their jobs.

3. SELECTMEN STATEMENTS

Elaine Anderson - I’ve said this many times before, that everyone should be trimming their hedges, and I appeal to everyone to adhere to the bylaw.

David McChesney – Far less expensive to maintain a road in good condition rather than wait for it to deteriorate. Everything in town needs to be properly maintained.

Erik Yingling – Spoke with the Town Manager Sharon Lynn last week on ways to increase non-tax revenues such as looking into building a parking garage to increase parking and revenue. And would like the support of the Board of Selectmen. All approved.

John Santos - Traffic congestion is better than it was many years ago in many regards. Would like to see the Bicycle Committee push to establish a bicycle path out through railroad bed to Truro.

Austin Knight

1. Definitely support the Wounded Warriors Event coming to town in September.
2. Bas Relief repairs - Board of Selectmen need to take a strong lead on this – our 200th anniversary of the Pilgrim’s Landing. Town Manager Sharon Lynn to report back to the Selectmen.
3. In answer to Michael Rogovsky – We now have some new mowers for the DPW to now maintain town properties.
4. I don’t respond to blogs and I do not even read them. I respond to emails, phone calls, and any other ways people want to talk with me.

4. BOARD OF SELECTMEN APPOINTMENTS – Harbor Committee

MOTION: Move that the Board of Selectmen vote to appoint Chris Brooke as Regular Member of the Harbor Committee with a term to expire on June 30, 2015.

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

5A RENAME WATERFRONT PARK

Attendees: Beautification Chairman Barbara Rushmore and Fishermen's Memorial Chair Carol Peters.

At their meeting on Monday, July 9, 2012 the Beautification Committee voted unanimously to bring this matter before the Board of Selectmen.

The Board of Selectmen would like to have the memorial data maintained and kept on record here at town hall.

MOTION: *Move that the Board of Selectmen vote to support the request of the Beautification Committee to rename the Waterfront Park to the Fishermen's Memorial Park.*

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

5B FIRE DEPARTMENT - Approve Contract to Re-chassis Ambulance

Attendees: Mike Trovato Fire Chief and Jimmy Roderick Asst. Fire Chief

MOTION: *Move that the Board of Selectmen vote to execute a contract with Bulldog Fire Apparatus, 17 Winter Street, Woodville, MA 01784, in the amount of \$103,200.00 to remount a 2006 Ford E-450 Super Duty, Type III, Class I ambulance to a new 2012 Chevrolet G-4500, Type III chassis.*

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

Chief Trovato indicated that two life packs were included in the town meeting article, but a third life pack is needed right away. Chairman Knight suggested that this request should be referred to the Fall Town meeting (\$34,000 each), or for the Board of Fire Engineers to contact the FinCom for emergency funding.

5C1 PARADE PERMIT - 10TH Annual Harbor to the Bay Bike Ride

Bike riders will gather at the Cape Inn parking lot on Route 6A as they arrive from Boston or Bourne, then proceed with a police escort down Commercial Street to the finish line at the Boatslip Resort, where a reception will be held for the participants.

MOTION: *Move that the Board of Selectmen vote to approve the parade application permit submitted by Director James Morgrage of the 10th Annual Harbor to the Bay Bike Ride on Saturday, September 15, 2012 starting around 1:00 PM to 6:30 PM and ending at the Boatslip at 7:00 PM.*

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

5C2 PARADE PERMIT - Provincetown Art Association and Museum

Guess Who's Coming to Dinner – Gala Fundraising Event

MOTION: *Move that the Board of Selectmen vote to approve the parade application permit submitted by Christine McCarthy on behalf of the Provincetown Art Association and Museum to hold a "Guess Who's Coming to Dinner Gala Fundraising Event" on Saturday, October 6, 2012, permitting the closing of Commercial Street between Cook*

Street and Bangs Street from 4:00 PM to 8:00 PM.

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

5D WATER PROJECTS AWARD REQUESTS

DPW Director David Guertin, DPW Operations Director Sherry Prada and Mark White of Environmental Partners review the following: Chris Our and Jodrey

1. Memorandum from DPW Director David Guertin to the Town Manager, July 13, 2012
2. Contract award recommendation from Environmental Partners, July 13, 2012
3. Contract documents for the three recommended awards

MOTION: *Move that the Board of Selectmen vote to approve the following contracts for the Knowles Crossing filter building to be funded from the USDA grant and from water articles:*

a) \$5,490,540 to Robert B. Our for construction - see attached contract award recommendation from Environmental Partners to R.B. Our as the low bidder.

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

b) \$563,585 to Environmental Partners for construction services including a full-time resident engineer and the startup and testing services.

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

c) \$71,890 to Neylon Instrumentation and Controls for the SCADA management system for the new facility.

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

5E MacMILLAN PIER

Marine Patrol Officers Update

Chief of Police Jeff Jaran and Harbormaster Rex McKinsey to update the Board of Selectmen on happenings since their last meeting.

Marine Patrol Pilot project is effective. At least 8 incidences recently that were addressed did not necessitate calls to the Police Dept because of police presence. Many more incidences prevented. Time freed up in the Harbormaster's Office is put into ongoing maintenance and pier and harbor planning efforts.

Beach Raking at Ryder Beach is effective, and beach is cleaner and public is responding with increased activity.

Working with Massachusetts Office of Travel & Tourism (MOTT) and the Chamber of Commerce on the ongoing Historic Ports Initiative to market Provincetown to cruise ships. Mayflower II will come to Provincetown Pier as part of the Celebration in 2020. Need to start that planning process.

Police Chief indicates that they are tracking all incidents on the Pier, and feels the pilot program is going well and getting better.

Letter from Whydah Museum received that supports the MacMillian Pier Officers program. (See attachment #1)

5F1 TOWN HALL AUDITORIUM - REQUEST FOR BEER & WINE SERVICE

AIDS Support Group of Cape Cod – Joe Carleo

MOTION: *Move that the Board of Selectmen vote, pursuant to the Regulations for Public Use of Town Hall, to authorize the consumption or sale of beer, wine or champagne service in the Town Hall Auditorium as requested by Joe Carleo of AIDS Support Group of Cape Cod, for the annual live auction fundraiser to be held on Saturday, September 1, 2012 (4:00 pm to 9:00 pm).*

Motion by: Elaine Anderson **Seconded By:** David McChesney
Yea 4 Nay 0 (John Santos stepped out of the room.)

5F2 TOWN HALL AUDITORIUM - REQUEST FOR BEER & WINE SERVICE

The Gold Dust Orphans

MOTION: *Move that the Board of Selectmen vote, pursuant to the Regulations for Public Use of Town Hall, to authorize the consumption or sale of beer, wine or champagne service in the Town Hall Auditorium as requested by David Mazochi representing The Gold Dust Orphans, for variety show event to be held on Monday, August 13, 2012 (9:00 pm to midnight) and on Monday, September 3, 2012 (9:00 pm to midnight)*

Motion by: Erik Yingling **Seconded By:** No second - Motion failed -

MOTION: *Move that the Board of Selectmen vote to continue this agenda item until their August 13, 2012 to consider the September 3, 2012 event.*

Motion by: Elaine Anderson **Seconded By:** John Santos
Yea 4 Nay 1 (Erik Yingling)

5F3 TOWN HALL AUDITORIUM - REQUEST FOR BEER & WINE SERVICE

Berry/Griessmeyer Wedding

MOTION: *Move that the Board of Selectmen vote, pursuant to the Regulations for Public Use of Town Hall, to authorize the consumption or sale of beer, wine or champagne service in the Town Hall Auditorium as requested by Adam Berry and Ben Griessmeyer for a private wedding event to be held on Wednesday, August 22, 2012 (5:30 pm to midnight).*

Motion by: John Santos **Seconded By:** Elaine Anderson
Yea 4 Nay 0 Abstain 1 (Erik Yingling)

5G TREASURER'S TRANSFERS

John A. Henry Trust Fund

This payment is supported by a contract between the Town and the Cape Cod Children's Place. The contract authorizes \$14,457.84 to be expended from the John A. Henry Trust Fund in FY 2012 to assist less fortunate children leaving a remainder for FY 2012 of \$700.83. The Estate of John A. Henry has a balance after this award of \$502,191.30

MOTION: *Move that the Board of Selectmen vote, as Commissioners of the Trust Funds, to approve the transfer of \$6,673.00 from the John A. Henry Trust Fund for the payment of the attached invoice(s).*

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

5H **MEMORIAL SITE FOR BLAKE VAN HOFF**

Requested by Selectman Erik Yingling

Attendee: Stephen Rome brother of Mr. Van Hoff

MOTION: *Move that the Board of Selectmen vote to postpone this item until our next meeting on Monday, August 13, 2012.*

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

6A **TOWN MANAGER FOLLOW-UP**

Community Challenge Grant award Regional Permitting program is proceeding with Provincetown as a pilot town. We have a Memorandum of Agreement needs to be signed by the Chair.

MOTION: *Move that the Board of Selectmen vote to authorize the Chair to sign the Memorandum of Agreement for the Regional Permitting Program.*

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

Municipal Finance Director Dan Hoort went over the following drafted CIP Process.

CIP PROCESS

- * Responsibility for overseeing Capital Improvement Program (CIP) rests with the Board of Selectmen (BOS)
- * The Town Manager shall be responsible for recommending the CIP to the BOS.
- * The BOS shall review the CIP and recommend to Town Meeting.
- * The Finance Committee shall recommend and approve a Capital Budget.

CIP Timetable Summary

| <u>Target Due Date:</u> | <u>Step:</u> |
|--------------------------------|---|
| October 1 st | Staff shall prepare current facilities inventory and assessment of facility needs. |
| October 1 st | Departments prepare and submit CIP requests to Town Manager Sharon Lynn. |
| October 31 st | Town Manager and staff review and rank CIP requests to establish project priority. |
| October 31 st | Staff prepares financial analysis of town's financial capacity |
| November 1 st | Staff delivers Capital Improvement Program recommendations to BOS. |
| November 30 th | BOS reviews Capital Improvement Program recommendations. |
| December 31 st | BOS hold public hearing on CIP and prioritizes the requests. |
| December 31 st | BOS hold joint meeting with the Finance Committee to deliver their CIP recommendations. |

January 31st Finance Committee deliberates on CIP recommendations and approves capital budget.
April Capital Improvement Program recommendations presented to town meeting voters.

Bid opening for Veterans Memorial Community Center was last week. Unfortunately no bids were received. We will need to go back out to bid.

Pay stations are installed on Harry Kemp and at the Fire Station. In a 10 day period the new pay stations had a 61% and 33% increase in revenue respectfully.

Sharon and Austin Knight will go to Boston tomorrow to accept the Green Communities Designation.

6B OTHER - None

7. MINUTES OF BOARD OF SELECTMEN'S MEETINGS

MOTION: *Move that the Board of Selectmen vote to postpone the approval of the July 25, 2012 minutes until our next meeting on August 13, 2012.*

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

MOTION: *Move that the Board of Selectmen approve the minutes of July 9, 2012 (Regular Meeting) as printed.*

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

8. CLOSING STATEMENTS

Elaine Anderson - None **Erik Yingling** – None **Austin Knight** - None

David McChesney – What is the status of the Beautification member of DPW? **Answer:** He took a job in Wellfleet.

John Santos – 1) Would like to see the street signs on Commercial St to be moved to the inside of the street. 2) I mentioned this last November - Firehouse #2 doors need to be painted. 3) Would like to see the bike trail extended adjacent to the property at Bradford Street Extension and West Vine.

Motion to adjourn by John Santos at 8:35 PM.

Minutes transcribed by: Vernon Porter, Secretary to Board of Selectmen
August 2, 2012

Dear Chief Javen, (Permission granted to forward to)


I had copied this email to you because of the outstanding job your officers have been doing on the wharf this year. But, since the email bounced, I thought I would ~~take~~ take the opportunity to send a personal note.

I know that I speak for Barry + Margot Clifford (and the rest of the Whydah crew) when I tell you what an outstanding + professional job your officers have been doing! Our museum has been here since 1997, + in those 15 years, this has been the best service/help we've received from the Town in all that time.

I don't want to single anyone out as they have all been very good, but I was particularly impressed by the Department's response to a hate speech incident directed at one of our staff (+ to ~~the~~ townspeople in general) not long ago.

We used to feel like we were "on our own" out here, but that hasn't been the case this year.

And that, in part, has been due to your effective leadership and direction of some great officers in your Department.

5E-Attachment #1
Bos mtg 7/23/12


Thank You!

Ken Kinkor

508-487-8899

RECEIVED
BOS - Vernon

JUL 20 2012

CC: BOS/TM/ATM

Emailed 7/20/12
