

TOWN OF PROVINCETOWN - BOARD OF SELECTMEN

REGULAR MEETING – MONDAY – JANUARY 11, 2010

LARKIN HALL

Chairman Michele Couture convened the meeting at 6:00 PM noting the following Board of Selectmen attending: Michele Couture, David Bedard, Mary-Jo Avellar, Austin Knight, and Elaine Anderson

Other attendees: Town Manager Sharon Lynn, Assistant Town Manager David Gardner

Recorder: Vernon G. Porter

The following are meeting minutes, in brief:

1A TOWN HALL ARCHITECTURAL UPDATE

Wendall Kalsow and Russ Braun

Information will be disseminated by Wendall Kalsow and Russ Braun. Project is progressing very well, and to-date, is on time and under budget. 40% of contingency has been used.

Local carpenters Shean Cowing and Bruce Healey are doing excellent work.

2. PUBLIC STATEMENTS

George Bryant – Commented on the Ocean Management Plan District Changes to maps. Large impact on wind turbines in Cape Cod Bay. Public meeting to be held on Wednesday, January 27, 2010.

2) Would like the Board to participate in the regional approach to the 100 year anniversary of the Pilgrim Monument, and to fix up the Bas Relief.

3. SELECTMEN STATEMENTS

David Bedard

-
Voting next Tuesday on the 19th. Absentee ballots available until this Friday.

Thanks to Town Manager in getting the Budget to us.

Vacancies on town boards. Want to fill as many vacancies as soon as possible this year.

Use recyclable cups as often as possible to honor Michael Ledger.

Elaine Anderson

-
New Fire Truck – When will it be available for people to see? Open house will be scheduled soon.

Ask citizens to consider shoveling and use de-icer in their area to help the postal service people.

Austin Knight

MOTION: Move that the Board of Selectmen vote to make Thursday, January 14, 2009 as Val Carrano Day upon her seventeen year retirement with the town.

Motion by: Austin Knight

Seconded by: David Bedard

Yea 5 Nay 0

Ask the Board of Health to consider passing a regulation to limit the sale of non-recyclable cups.

Mary-Jo Avellar

We need a temporary representative to the Cape Cod Commission to replace Roslyn Garfield. Should seek Town Counsel's opinion as to whether a Selectman could fill that position.

Michele Couture

Need clarification on what is happening with the third ferry request before the PPPC.

Schedule February 8, 2010 Joint meeting with School Committee @ 5 PM.

I've extended an invitation to all our Town Boards to meet with us at their convenience.

Unloading Zones – can they park there in the winter months? Need clarification.

4A BOARD OF SELECTMEN APPOINTMENTS

MOTION: Move that the Board of Selectmen vote to appoint Regina Binder as a Regular Member of the Provincetown Public Pier Corporation with a term to expire on July 29, 2012.

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

MOTION: Move that the Board of Selectmen vote to reappoint Jonathan Sinaiko as a Regular Member of the Water & Sewer Board with a term to expire on December 31, 2012.

Motion by: Mary-Jo Avellar Seconded by: David Bedard Yea 5 Nay 0

Recycling & Renewable Energy Committee - Schedule Scott Powell to come before the Board for an interview.

4B TOWN MANAGER APPOINTMENTS & RE-APPOINTMENTS

MOTION: Move that the Board of Selectmen vote to approve the Town Manager's appointment of Charlene Priolo to the Historical Commission, pursuant to MGL C.40, §8D, and Charter §6 9-1, for a term to expire on December 31, 2012.

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

5A PHASE 3 SEWER SYSTEM UPDATE – Project Update

David Guertin and John Goodrich

Comments by John Goodrich

In 2010, the Sewer Team proposes to provide the Board of Selectmen and the public with more frequent forward-looking updates on both the Phase 3 optimization and any other issues concerning the sewer system on a regular basis, generally at the first meeting of the Board each month.

This is because there have been a number of very important developments since the Board and Town Meeting approved the Phase 3 East End Optimization of the sewer system nearly a year ago. These developments include the July 4th downtown vacuum system event, and the opportunity for a substantial grant from the USDA under the federal stimulus program. With the anticipated \$9 million USDA grant funding, Phase 3 will likely become a large and complex infrastructure project that warrants this level of on-going attention from the Administration and the Board. If fully funded by USDA, Phase 3 will be about twice the construction cost of Phase 2.

I have had a number of discussions with the Sewer Team concerning the importance of providing more and better information up front to your board, other town boards, abutters and interested neighborhoods, the media, and the public in general because of the increased level of scrutiny for all decisions and issues concerning the sewer system. This will be particularly important given the

range of improvements that USDA funding may allow the Town to implement, and the construction plans and schedules associated with these improvements.

I will be assisting the Sewer Team this year in any way that I can be helpful with the preparation of published information and presentations. The Report prepared for the Board for this meeting includes updates in four important areas:

1st - The implementation of Phase 3 has been delayed for several reasons that are outside the control of the Town. The Town is still waiting for the Phase 3A sewer construction permit from the DEP two months after the permit application was formally submitted. With staff layoffs and many stimulus-funding applications for DEP to review, the Town has not received the expedited priority that we enjoyed with the Phase 2 permit applications.

There have also been unanticipated delays with the processing of the Town's USDA grant application. We had expected that the application would move through the system quickly because of the push from Washington to get funds out to towns as soon as possible, but with constantly changing procedures and lack of staffing to process applications, USDA's review of the Town's application took over five months before it was finally sent to Washington on January 6th.

The Sewer Team believes that all of the necessary agency and public review steps will be completed no later than March 1st, and that, at that time, we should have both DEP approval to construct the Phase 3A sewer optimization and a substantial grant award from the USDA to fund the Phase 3B optimization. The Sewer Team can then prepare the updated construction plans and schedules, as well as recommend the most favorable borrowing source for the portion of the project that will be covered by the betterments from new users.

2nd – The Return to Compliance Plan required by DEP's Notice of Non-Compliance for the July 4th sewer event must be submitted by the Town to the DEP no later than January 15th. AECOM is preparing the RTCP on behalf of the Town. The Report prepared for the Board lists the capital, operational, and other improvements and recommendations that will be contained in the "Return to Compliance Plan".

3rd – There are a number of policy decisions that will need to be made for the Phase 3A construction, future connections to the sewer system, and the USDA-funded Phase 3B project elements. For example, the construction planning for Phase 3A is much more complicated than was the case with the recently completed Phase 2 Shank Painter sewer extension. For Phase 2, the pump stations could be located in parking lots, all of the force main work could occur in the streets, and laydown areas for storage and mobilization were available adjacent to Route 6 in areas now occupied by the temporary Town Hall and the Dog Park. None of these types of opportunities are available for Phase 3.

As described in the Report, these and other policy decisions do not need to be made at this time – once the Town receives notice of an award from the USDA, the Sewer Team will prepare an update for all of these policy decisions and bring them to the Board for review and approval.

The Sewer Team does have one policy request tonight for the Board – as a result of previous town board discussions concerning the Route 6 staging or laydown areas and the relocation of the laydown area to the DPW Garage site, the Sewer Team requests that the Board approve the discontinuance of any remaining laydown areas along the Route 6 corridor, to Shank Painter Road.

And 4th - The Sewer Team has undertaken a substantial amount of outreach to the Phase 3A neighborhoods over the past year, and will continue to do so once a construction schedule and plan have been finalized. In addition to the information that the Sewer Team has traditionally provided before and during sewer system construction, the public information and outreach will

give particular consideration to the properties that will be taken off the vacuum system and reconnected to the new gravity sewer line, the new policy for contractor approval for hook ups, and the timing of any inconveniences for businesses and other abutters.

In addition, once the USDA grant award is known and the Board decides the priority for serving additional neighborhoods with these grant funds, the Sewer Team will prepare and implement an outreach program for these areas.

And, finally, at the January 25th Board of Selectmen Meeting, financial consultant Mark Abrahams will provide the Board with an update on the finances for the Town's enterprise funds.

Open discussion

Selectmen are looking for the cost of the return to compliance project. When would that info be available?

Discuss with Open Space Committee the potential to place the laydown areas along Route 6 into permanent conservation lands.

MOTION: Move that the Board of Selectmen vote to approve the discontinuance of any remaining laydown area along the Route 6 corridor to Shank Painter Road.

Motion by: Mary-Jo Avellar Seconded By: David Bedard Yea 5 Nay 0

5B GRANT AWARD: FY 2008 MCDBG ARRA PROGRAM

Water Treatment System Improvements: \$819,500

MOTION: Move that the Board of Selectmen vote to accept a grant award in the amount of \$819,500 from Massachusetts Department of Housing and Community Development under its FY 2008 American Recovery and Reinvestment Act Community Development Block Grant program for water treatment system improvements and general administration

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

5C TOWN CLERK – 2009 Town Report Dedication

MOTION: Move that the Board of Selectmen vote to dedicate the 2009 Annual Town Report to those current and former Town board members and employees who died during calendar year 2009, as contained in the list of names submitted by Town Clerk Douglas Johnstone.

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

6A TOWN MANAGER'S BUDGET #123

MOTION: Move that the Board of Selectmen vote to approve Town Manager's budget #123 in the amount of \$257,102.00.

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

6B TOWN MANAGER'S FOLLOW-UP

Update on the water damage at the Library and the items that were destroyed. Claims to be submitted to the insurance company.

Update received regarding 90 Shank Painter Rd – did not get funded through its FY 2009 funding round. Prospects for funding in the February 2010 round looks very promising.

6C OTHER – Nothing at this time

7. MINUTES OF BOARD OF SELECTMEN'S

MOTION: *Move that the Board of Selectmen vote to approve the minutes of December 14, 2009 (Regular Mtg.) as printed.*

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

MOTION: *Move that the Board of Selectmen vote to approve the minutes of January 5, 2010 (Joint Mtg. w/FinCom) as printed.*

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

8. CLOSING STATEMENTS

Mary-Jo Avellar – None Austin Knight - None Michele Couture - None

David Bedard – None Elaine Anderson - None

9. EXECUTIVE SESSION - MGL C. 39, §23B, cl. 3

MOTION: *Move that the Board of Selectmen vote to table executive minutes to next meeting.*

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

Minutes transcribed by: Vernon G. Porter, Secretary to Board of Selectmen
January 14, 2010