

TOWN OF PROVINCETOWN - BOARD OF SELECTMEN

REGULAR MEETING – MONDAY, JULY 27, 2009

LARKIN HALL

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

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

Recorder: Vernon Porter

The following are meeting minutes, in brief:

1A LOCAL TRANSPORTATION CENTER

Clay Schofield – gave a power point presentation on the Provincetown Gateway and Transportation Center Proposal. (See attachment #1)

Mick Rudd - Read Chamber of Commerce statement of support for this project into the record. (See attachment #2)

Chief of Police Jeff Jaran - Support this project even if it did not contain a police facility, and highly recommends the Board of Selectmen support it fully.

Tourism Director Bob Sanborn – this project also has the support off the PBG and the VSB, and is a once in a lifetime opportunity for the town.

Board of Selectmen Comments

David Bedard – this is a once in a lifetime opportunity. This strictly is a concept, and there will be public hearings.

Michele Couture – What is the process? Clay Schofield – This is a grant, and it is 100% Federally funded. We have to apply and make conceptual plans, and hope that we get selected. It is not a done deal. Engineering funds are available in a previous grant.

Elaine Anderson – Reviewed some of the pro's & con's. I am excited about this, and so are many people that have talked to me about this. Maintain historic character. Offset tax impact?

Austin Knight - I've attend several of the latest meetings, and this action just moves the concept forward. This is an opportunity much like the WPA in the 30's. I will concentrate on the pluses: 1) Getting parking off the water. 2) Economic Development of this project to open up the whole waterfront to many festivals and events, etc.; 3) Transportation improvement air, sea, and land. I see this as a win-win situation.

Mary-Jo Avellar - My comments are best saved when we have concepts in front of us. My main concern is that it is not going to cost us any money. Does Mr. Duarte know about this project? Sharon – Yes, Mr. Schofield talked with him, and I also spoke with him last Friday, and he is open to and is aware of the process.

Michele Couture - I agree with Ms. Lynn. There are many benefits including taking advantage of funds from Federal stimulus, including funds for a new police station. As long as we are not locked into anything. Also, there will be public hearings on this.

MOTION: Move that the Board of Selectmen vote to authorize the Local Transportation Center Steering Committee to move forward with the consultants to develop a concept plan for the CCRTA Provincetown Gateway Project, and further to submit a Transportation Investment Generating Economic Recovery (TIGER) Grant application to the Department of Transportation.

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

1B1 **BOARD OF HEALTH**

Public Awareness Initiative Regarding Risk of Noise Induced Hearing Loss

Mary-Jo Avellar – Noise and fumes from motorcycles is a problem in town. A subcommittee is not what we need, but rather fund the police department budget so they can enforce the existing laws. Enforcement is the key. I would be happy to sit down with the group in the off season.

Elaine Anderson – I agree, that if this is the law, then enforcement is the way go. Possibly signage to indicate noise is not permitted.

Michele Couture - I like the idea of education. I also feel that an ad hoc or working group is the way to go. Work on this during the winter season. Chief Jaran informed that Patrolman Pavao was recently trained in this area. Chief supports education, but needs resources for enforcement, and he does not have the staff to work on this during the season.

Austin Knight – I agree with my colleagues to work on this during the winter season.

- 1) **MOTION:** *Move that the Board of Selectmen vote to support, in concert with the Board of Health, a public health education initiative regarding the risk of noise induced hearing loss from any source, the goal of which to reduce risk by enhancing the awareness of possible public health violators about the risk they may impose on the public, and by educating the general public, including public school children, to protect themselves and others from hearing damage; and further*
- 2) *Move that the Board of Selectmen vote to form an “ad hoc joint Board of Health and Board of Selectmen as an informal work group”, as a tool to integrate input from all relevant parties to develop public information, including signage, and to secure modest funding.*

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

Mary-Jo Avellar to participate in the off-season.

1B2 **BOARD OF HEALTH**

Public Awareness Initiative Regarding Risk of Human Infections from Dog Excrement on Town Beaches

Michele Couture - I think this is already in the purvue of the Board of Health. I support anything the Board of Health may want to do but I could not support an ad hoc committee.

Mary-Jo Avellar – I would rather see the BOH do an educational campaign to keep dogs on their leash. Suggest that you go to VSB, Chamber, and PBG, and ask them to spread the word through the guest houses, etc.

Elaine Anderson – I agree with Michele Couture, that the BOH and the Animal Welfare Committee work together to get this information out.

MOTION: *Move that the Board of Selectmen vote to support, in concert with the Board of Health, a public health education initiative regarding the risk to people in Provincetown from dog excrement left on town beaches and access ways, the goal of which is to utilize contemporary public health strategies to reduce risk by educating and prompting dog handlers about the risk of infectious diseases they impose on others by not picking up and disposing of dog excrement while on town property.*

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

1C **TOWN HALL TREES**

David Atkinson – offered to come back when they start digging to make sure that the roots are cut properly. Reminded the town that this process will need to be repeated and maintained over time. I will be more than willing to train the DPW workers on how to do this.

Elaine Anderson – Thank you for the letter to the Banner Editor clarifying the issue.

Michele Couture – We don't have money in the budget for an arborist. The funds should be restored.

Mary-Jo Avellar – There should have been an accompanying story related to the pollarding to educate the public.

2. PUBLIC STATEMENTS

Candace Nagle – Gave an update on the Animal Welfare Committee regarding dog excrement, and the progress they have made over the past couple of years. Comments regarding risk of dog excrement on town beaches is low, and there have been no reported cases of infection amongst anyone.

Chief Jeff Jaran - Clarified that rumors of an incident that happened Friday around 1:15 PM was not a hate crime as determined by the District Attorney. The case is still being investigated.

Barbara Rushmore – Came to protest strongly against the Local Transportation Project because I thought it was going to be an impact on the taxpayers. Once I heard the presentation, then I questioned whether it was going to make Provincetown a better place? Perhaps it is better to remove parking from the waterfront. You need to consider how to maintain what we build, and a bigger park will need more maintenance. The Selectmen should slow down. I'm glad they are going to have public hearings on this.

George Bryant – Talked about the problems that the town put his mother through. In May of 2000, the Town sued my family, and it caused my mother's stroke. The town charged \$160,000 for what they did.

3. SELECTMEN STATEMENTS

Elaine Anderson

MOTION: Move that the Board of Selectmen vote to send a welcome letter to the new Superintendent of Schools Dr. Beth Singer, and the new Library Director Jan Voogd.

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

MOTION: Move that the Board of Selectmen vote to send a letter to Stop & Shop for being a good neighbor.

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

MOTION: Move that the Board of Selectmen vote to send a letter to our Town Manager Sharon Lynn for taking care of the port-a-potties situation next to the entrance of Cabral's Pier.

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

Would like a report on the graffiti project at the Skate Board. Sharon Lynn – Mr. Motta will respond with an email.

Local press should give equal time to the sewer issue that speaks to how to respond to problems.

Austin Knight

Thank the Animal Welfare Committee for their report and all they have done for the town.

Reminded people that there will be public hearings on the Transportation Center.

Governor Patrick was in town on Friday. It was a listening tour, and he visited many places. It was important that he visited, and was good for our town.

Mary-Jo Avellar

Would like a report from the Harbormaster as to why the boats were destroyed and not auctioned off like the bicycles are each year.

MOTION: Move that the Board of Selectmen vote to send a letter to the President of the United States and our Congressional delegation inviting them to attend the 200th Anniversary of the dedication of the Pilgrim Monument.

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

David Bedard - None at this time.

Michele Couture

Follow-up on recent Town Meeting Article regarding the renaming of a street to honor the native American Meeshaw Tribe. Invite Mae Bush to a future meeting.

MOTION: Move that the Board of Selectmen vote to send a letter of thanks to Executive Director Steven Colarusso of Seashore Point upon his resignation and to wish him well.

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

4. **APPOINTMENTS** – None at this time.

5A1 **AIRPORT COMMISSION**

Re-Stripe & Crack Seal Runway 07/25 – Award Contract

MOTION: Move that the Board of Selectmen vote to execute a contract in the amount of \$78,822.50 with Markings Inc. of Pembroke, MA. for the Re-Stripe and Crack Seal of Runway 07/25 at the Provincetown Municipal Airport.

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

5A2 **AIRPORT COMMISSION**

Security Enhancements – Execute Grant

MOTION: Move that the Board of Selectmen vote to execute a grant in the amount of \$11,672.00 from the Massachusetts Aeronautics Commission (MAC) for the Replacement of Existing Security Cameras and addition of Security Door Locks at the Provincetown Municipal Airport.

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

5A3 **AIRPORT COMMISSION**

EA/FEIR/DRI Permitting – Award Contract

MOTION: Move that the Board of Selectmen vote to execute a contract in the amount of \$435,000 with Jacobs Engineering Group 343 Congress Street, Boston, MA. 02210, for the consultant work required for the Environmental Assessment (EA) Final Environmental Impact Report (FEIR), and Development of Regional Impact (DRI) PERMITTING, (EA/FEIR/DRI PERMITTING) at the Provincetown Municipal Airport.

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

5B **PROVINCETOWN OFFICE OF TOURISM**

Renewal of Public Relations Firm Contract

MOTION: Move that the Board of Selectmen vote to approve the request of Tourism Director Bob Sanborn, and as recommended by the Visitor Services Board at their July 15, 2009 meeting, to renew the contract of Marlo Marketing/Communications of 667 Boylston Street, Boston, MA., as the Town of Provincetown public relation's firm in an amount not to exceed \$24,000 (not including travel and out-of-pocket expenses approved in advance); to commence on August 25, 2009, and expire on August 31, 2010.

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

5C1 **PARADE PERMIT**

Carrie A. Seaman Animal Shelter Annual Pet Walk

MOTION: Move that the Board of Selectmen vote to approve the Parade Permit Application submitted by Carol MacDonald, on behalf of the Carrie A. Seaman Animal Shelter to hold their Annual Pet Walk on Sunday, September 27, 2009 starting at 2:00 PM and finishing approximately at 2:30 PM

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

5C2 **PARADE PERMIT**

Annual Yankee Lambda Car Club Parade

MOTION: *Move that the Board of Selectmen vote to approve the Parade application submitted by Ben Burnham, 26 Bradford St., Provincetown, MA on behalf of the Yankee Lambda Car Club for their Annual Public Showing of Residential Motorcade & Classic Cars on Saturday, September 12, 2008 starting at 2:00 PM and ending by 2:45 PM.*

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

5C3 **PARADE PERMIT**

American Lung Association – Annual Autumn Escape Bike Trek

MOTION: *Move that the Board of Selectmen vote to approve the Parade Application Permit submitted by Mr. Paul Curley of the American Lung Association, 460 Totten Pond Road #400, Waltham, MA to hold their Annual Autumn Escape Bike Trek on Sunday, October 4, 2009 from 10 AM to 3 PM. No rain date.*

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

5D **PROCLAMATION**

Family Equality Council Week

MOTION: *Move that the Board of Selectmen vote to approve the request of Selectman Austin Knight to declare August 1 – 8, 2009 as Family Equality Council Week in the Town of Provincetown as per the attached Proclamation.*

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

5E **TOWN HALL RENOVATIONS – Asbestos Abatement Contract**

MOTION: *Move that the Board of Selectmen vote to approve*

1) The sum of \$3,150 for Town Hall Asbestos Abatement Consulting Services provided by The Orin Group, LLC, 80 Gibson Avenue, Narragansett, RI, 02882; and further

2) Move that the Board of Selectmen vote to approve the sum of \$22,320.00 for the abatement of services for the removal and disposal of asbestos-containing material as contained in the attached contract provided by Franklin Analytical Services, Inc., 401 Delano Road, Marion, MA 02738

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

5F **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 \$74,469.52 from the Library Building Gift Fund to pay for the attached invoice(s).*

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

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

Emergency Response Plan for water related emergency being develop by Woodward & Curran. Mark Forest coming back to town on August 4th to meeting with Selectmen regarding federal stimulus funds.

6B **PERSONNEL POLICIES UPDATE**

Board is very pleased with the update of this policy. Excellent job. Employees will need to read and acknowledge.

6C **TOWN MANAGER FOLLOW-UP - SEWER UPDATE**

Future meeting regarding local options tax. State Bulletin regarding these taxes provided to the Selectmen. George Price responded regarding questions from Selectmen regarding walkway and beach shuttle.

Mary-Jo Avellar – Concerned that the access to the beach on the far north end of the parking lot. Need to address short range issues like access to beach.

Sewer update provided with agenda item.

6D OTHER - None

7. MINUTES OF BOARD OF SELECTMEN'S MEETINGS

MOTION: *Move that the Board of Selectmen vote to approve the minutes of April 2, 2009* (Sr. Town Hall Forum) *as printed.*

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

MOTION: *Move that the Board of Selectmen vote to approve the minutes of June 8, 2009* (Regular Mtg.) *with changes so noted.*

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

MOTION: *Move that the Board of Selectmen vote to approve the minutes of June 15, 2009* (Adopt TM Articles.) *as printed.*

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

MOTION: *Move that the Board of Selectmen vote to approve the minutes of June 22, 2009* (Town Mtg.) *as printed.*

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

MOTION: *Move that the Board of Selectmen vote to approve the minutes of June 28, 2009* (No Place For Hate) *as printed.*

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

MOTION: *Move that the Board of Selectmen vote to approve the minutes of June 29, 2009* (PPPC Mtg.) *as printed.*

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

MOTION: *Move that the Board of Selectmen vote to approve the minutes of June 29, 2009* (Regular Mtg.) *as printed.*

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

MOTION: *Move that the Board of Selectmen vote to approve the minutes of July 6, 2009* (Emergency Sewer Mtg.) *as printed.*

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

MOTION: *Move that the Board of Selectmen vote to approve the minutes of July 10,, 2009* (Sewer Follow-Up Mtg. *as printed.*

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

MOTION: *Move that the Board of Selectmen vote to approve the minutes of June 13, 2009* (Regular Mtg.) *with changes so noted.*

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

8. CLOSING STATEMENTS

Elaine Anderson – None **Mary-Jo Avellar** – None

Michele Couture – None **Austin Knight** - None

David Bedard - Looking forward to public hearings on the transportation center.

Motion to adjourn by Austin Knight at 9:07 PM

Minutes transcribed by: Vernon G. Porter, Secretary to Board of Selectmen
August 2009