

TOWN OF PROVINCETOWN - BOARD OF SELECTMEN

REGULAR MEETING - MONDAY, AUGUST 14, 2006

JUDGE WELSH HEARING ROOM

Chairman Cheryl Andrews opened the meeting at 6:00 PM noting the following attendees:

Board of Selectmen members: Cheryl Andrews, Michele Couture, Richard Olson, David Nicolau.

Excused Absence: Sarah Peake

Other attendees: Town Manager Keith Bergman, Acting Asst. Town Manager Michelle Jarusiewicz

Recorder: Vernon Porter

The following are meeting minutes, in brief.

1A FILL VACANCIES ON HOUSING AUTHORITY

Joint Meeting with Remaining Members – MGL. C.41, § 11F

PHA Executive Director Patrick Manning and PHA member George Bryant.

MOTION: Move that the Board of Selectmen and the remaining members of the Provincetown Housing Authority vote, pursuant to MGL. C. 41, §11F, to appoint.

- (1) Pam Parmakian**
- (2) Molly Purdue**
- (3) Harry Opsahl-Gee**

to fill the vacancies on the Provincetown Housing Authority which expire at the May 2007 Annual Town Election

Motion by: Michele Couture . Seconded by: David Nicolau Yea 5 Nay 0

1B PUBLIC HEARING: CURB CUT APPLICATION

172 Bradford Street Onto Priscilla Alden Road (Assessors Map 7-2-175)

No Public Comments.

MOTION: Move that the Board of Selectmen vote, pursuant to Provincetown General By-laws §11-6-2, to approve the revised request of John Spazzarini and Jim Cottone to establish a curb cut at the property located at 172 Bradford Street with the actual curb cut to be on Priscilla Alden Road (Assessor's Map 12-4-101) with the following amendment: That the X in the road is eliminated and add a place pole such that there are two legal parking spaces of 14' each and upon the approved inspection by the Building Inspector.

Motion by: Michele Couture . Seconded by: David Nicolau Yea 4 Nay 0

1C PUBLIC HEARING

Curb cut Request 27 Commercial Street

No Public Comments.

MOTION: Move that the Board of Selectmen vote, pursuant to Provincetown General Bylaws Section 11-6-2, to approve the request of Robert Duffy to extend an existing curb cut from 22'-7" to 29'-9" at the property located at 27 Commercial Street (Assessor's Map 05-3-001 (Res2 Zone)). A plan is provided showing the actual location of the proposed curb cut.

Motion by: Michele Couture... Seconded by: Richard Olson Yea 4 Nay 0

2. PUBLIC STATEMENTS

Phil Gaudiano - 3 Conant Street - Upset of what he read in the local paper re: Town refused the assistance of the Dept. of Revenue and hired a consultant to do the work. 2) Additional fees charged at the landfill if a resident has some excess trash.

Noah Santos - Abutters being asked pay for Good Templar Landing washout . Abutters not cause of washout, ocean is.

Peter Souza – This the last time that he will be at a Selectmen’s meeting as he and Sheila are moving to Vermont and felt that he wanted to pass on some comments about the Town and the direction it is heading in. Re: Affordable Housing and Rentals why – no jobs. People are leaving town and hoping that some common sense will prevail in the future. Alternative Energy – Technology is out there – why aren’t we taking advantage of this now? Create job, that help the environment and people.

3. SELECTMEN’S STATEMENTS

Michele Couture

Talked with people who use Firehouse #3. Condition that some people leave it in is a mess. My proposal is to have the Tourism Director handle the bookings and charge a \$50 fee that is refundable if they leave the place in good condition they found it.

MOTION: Move that the Board of Selectmen vote to have Chairman Cheryl Andrews contact the Visitor Services Board concerning transferring the function of scheduling use of the former Fire Station No. 3 from the Police Department to the Administrative Director of Tourism.

Motion by: Michele Couture Seconded by: Richard Olson Yea 4 Nay 0

Thanks to the Chief and his crew during hot spell .. very much appreciate of the work of emergency team on heat related problem in which Grace Gouveia was operated as a shelter – our thanks to Pauline Richmond and Val Carrano.

To address Mr. Phil Gaudiano - re: trash bags – explained how the use of 2 bags became about and beyond two bags you pay for. Re: Consultant questions - Keith Bergman explained the reasons for not using DOR offered assistance and why the town hired their own consultant.

To address Mr. Santo’s – Good Templar Place. Keith Bergman - mentioned that the presentation from Sterns & Wheeler for Good Templar Place is schedule for the Board of Selectmen’s August 28, 2006 agenda.

Richard Olson

Heartbroken to see that Peter Souza and Sheila Benzer are moving away to Vermont. Peter’s use of ‘wash-a-ways’ is evocative to me of what we’re up against. People have to know that we’re trying to do our best to make housing available to people who are beloved in our community.

Relative to wind power – we are looking into it and I think he is right on the money concerning that matter.

Visited Nantucket for a few days this week and observed their pier area and all that is contained there and what’s happening. Sometimes we talk about Nantucketization that we must avoid .. let me say that we should be so lucky as to have some Natucketization here in Provincetown.

David Nicolau

Re: Surplus Gallonage – allocated to surplus for downtown area or the Pier or whatever. Have we set a date for this discussion? Cheryl Andrews - We haven’t set a date but it would be sensible to come up with a placeholder number and we can ask the EDC to comment if you would like and then bring it up at the next meeting; It’s a placeholder and should be there none-the-less.

(Reminder: Send note to EDC and ask for comments. Keith - bring back at next meeting for policy

decision.)

My thanks to all the applicants who applied for the Local Housing Partnership.

Thanks to our Chairman for the letter to the property owners. Very well thought out and nicely done.

Cheryl Andrews

Letter from Mr. Tom Cole, Moderator of the Lower Cape Public Access Regionalization Group requesting the Board of Selectmen to appoint a representative in lieu of a Cable Advisory Committee, to join the multi town committee that is working toward fundamental changes in Public Access governance.

MOTION: Move that the Board of Selectmen vote to ask Lou Ann Bowen to be the Board of Selectmen's representative to the Lower Cape Public Access Regionalization Group.

Motion by: Cheryl Andrews Seconded by: Michele Couture Yea 4 Nay 0

Curb Cuts - On file – Conwell Street - is the curb cut authorized?

MOTION Move that the Board of Selectmen vote to ask Staff through the Town Manager to check the property on Conwell Street to see if a Curb Cut was authorized.

Motion by: Cheryl Andrews Seconded by: David Nicolau

Motion Withdrawn - as this will be a Board agenda item for September 11, 2006.

To Town Manager – Timeline needed for Fall Special Town Meeting.

. MOTION: Move that the Board of Selectmen vote to ask the Health Department what the regulations are on the number of trash bags that are permitted by residents.

Motion by: Cheryl Andrews Seconded by: Michele Couture Yea 4 Nay 0

Re: Phil Gaudiano comments of charging a residents with resident stickers for two bags of trash ... to Keith Bergman - I would like clarification on this.

Explained to Phil Gaudiano - the reasons why the Board of Selectmen hired a town consultant. What you heard Mr. Bergman say about the Department of Revenue, even though I would have used different words, is pretty darn on the money. Upon staff recommendations we have timelines and schedules and if for some reason we need more help it is there. However, DOR was not offering the help we needed and they weren't offering it in a timely matter. Our current staff 's presentation made sense and it's only fair to give them a shot at it and it looks like they are doing a pretty good job.

Schedule an agenda item for August 28, 2006 to discuss Firehouse #2 – Town Meeting Article.

4A BOARD OF SELECTMEN APPOINTMENTS

MOTION: Move that the Board of Selectmen vote to appoint Michael Leger as a Regular Member on the Recycling Committee with a term expiration date of December 31, 2006.

Motion by: Michele Couture Seconded by: Richard Olson Yea 4 Nay 0

MOTION: Move that the Board of Selectmen vote to appoint Melissa Jones as a Regular Member on the Local Housing Partnership with a term expiration date of June 30, 2007.

Motion by: Michele Couture Seconded by: David Nicolau Yea 4 Nay 0

MOTION: Move that the Board of Selectmen vote to appoint Arturo Alon as a Regular Member on the Local Housing Partnership with a term expiration date of June 30, 2007.

Motion by: Michele Couture Seconded by: David Nicolau Yea 4 Nay 0

MOTION: Move that the Board of Selectmen vote to appoint Noah Taylor as a Regular Member on the

Local Housing Partnership with a term expiration date of June 30, 2007.

Motion by: Michele Couture Seconded by: David Nicolau Yea 4 Nay 0

MOTION: Move that the Board of Selectmen vote to appoint David Nicolau Federico as a Regular Member on the Local Housing Partnership with a term expiration date of June 30, 2007.

Motion by: Michele Couture Seconded by: David Nicolau Yea 4 Nay 0

5A WAIVER OF AUDITORIUM FEES

Portuguese Festival

MOTION: Move that the Board of Selectmen vote [to waive/not to waive] the utility and license fees for the use of Town Hall Auditorium on Friday and Saturday, June 23 and 24, 2006, by the Portuguese Festival for the relocation of Ryder Street activities due to rain. Custodial and police detail fees are not included in this request.

- NO ACTION TAKEN -

5B1 TREASURER'S TRANSFERS

John A. Henry Trust Fund

MOTION: Move that the Board of Selectmen vote, as Commissioners of the Trust Funds, to approve the transfer of \$1,000.00 from the John A. Henry Trust Fund for the payment of the attached invoice.

Motion by: Michele Couture Seconded by: David Nicolau Yea 4 Nay 0

5B2 TREASURER'S TRANSFERS

Cape End Manor Gift Fund

MOTION: Move that the Board of Selectmen vote, as Commissioners of the Gift Funds, to approve the transfer of \$6,400.31 from the Cape End Manor Gift Fund for the payment of the attached invoices.

Motion by: Michele Couture Seconded by: Richard Olson Yea 4 Nay 0

5C1 PARADE PERMIT REQUEST

Dog Run Dog, LLC

MOTION: Move that the Board of Selectmen vote to approve the Parade Application Permit submitted by Paul Gardner, Founder of Dog Run Dog, LLC, P.O. Box 880, Norwich, Vermont to hold an Dog Run to benefit the Carrie A. Seamen Animal Shelter to be held on Sunday, September 24, 2006 from 8 AM to 10 AM. No rain date.

Motion by: Michele Couture Seconded by: Cheryl Andrews Yea 4 Nay 0

5C2 PARADE PERMIT: PROCESSION OF MOURNERS

MOTION: Move that the Board of Selectmen vote to approve the Parade Application Permit submitted by Towanda de Nagy, 44 Harry Kemp Way #27, Provincetown, MA to hold a 'Procession of Mourners' to deliver the ashes of "Howling" Jack McDonough o be held on Friday, August 18, 2006 from Noon to 12:30 PM.

Motion by: Michele Couture Seconded by: Richard Olson Yea 4 Nay 0

5C3 PARADE PERMIT REQUEST

American Lung Association

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 a their Annual Autumn Escape Bike Trek on Sunday, September 17, 2006 from 10 AM to 3 PM. No rain date.*

Motion by: Michele Couture **Seconded by:** Richard Olson Yea 4 Nay 0

6. **HOUSING CRISIS**

Rental Subsidies

MOTION: *Move that the Board of Selectmen vote to request that the Provincetown Housing Authority transfer \$20,000 from the Affordable Housing Trust Fund to fund an emergency rental assistance program for Provincetown*

Motion by: Michele Couture **Seconded by:** Cheryl Andrews Yea 4 Nay 0

MOTION: *Move that the Board of Selectmen vote to support staff recommendations to continue to pursue and investigate the following:*

- *Establishment of a housing resource information points including the Town's website, a flyer, a box ad/column in the local papers.*
- *Continued dialogue with the owners to forestall eviction and facilitate discussions with agencies regarding resources and options.*
- *Identification of other temporary housing including hotels and guesthouses.*
- *Evaluation of a town voucher program modeled after Chatham's Housing Voucher Program.*

Motion by: Michele Couture **Seconded by:** Richard Olson Yea 4 Nay 0

7A **GRANT AWARD: FY 2006 MCDBG PROGRAM**

Water System Improvements: \$800,000

MOTION: *Move that the Board of Selectmen vote to accept a grant award in the amount of \$800,000 from Massachusetts Department of Housing and Community Development under its FY 2006 Massachusetts Community Development Block Grant Community Development Fund program for water system improvements and general administration.*

Motion by: David Nicolau **Seconded by:** Richard Olson Yea 4 Nay 0

7B **REGIONAL READY RESOURCE GRANT APPLICATION**

Micro-enterprises: Harnessing Technology

MOTION: *Move that the Board of Selectmen vote to approve the Economic Development Council 's July 26, 2006 recommendation to participate in a regional Ready Resource Economic Development Fund grant application for approximately \$220,000 through the Town of Eastham from the Massachusetts Department of Housing and Community Development for Harnessing Technology to expand Lower Cape Micro-enterprises.*

Motion by: Michele Couture **Seconded by:** Richard Olson Yea 4 Nay 0

7C **BARNSTABLE COUNTY**

Community Septic Management Program

MOTION: *Move that the Board of Selectmen vote, pursuant to Chapter 391 of the Acts of 2004, to request that the Barnstable County Commissioners take over the community septic management program for the Town of Provincetown.*

Motion by: David Nicolau **Seconded by:** Michele Couture Yea 4 Nay 0

7D **TOWN HALL DOORS**

DPW, Historical Commission Recommendation To Paint

MOTION: *Move that the Board of Selectmen vote to affirm the February 25, 2002 vote of the Board of Selectmen to treat the Town Hall mahogany doors with a clear weather sealer.*

Motion by: David Nicolau **Seconded by:** Cheryl Andrews Yea 4 Nay 0

8. MINUTES OF BOARD OF SELECTMEN'S MEETINGS

MOTION: *Move that the Board of Selectmen vote to approve the minutes of May 23, 2006 (Open Forum) with changes so noted.*

Motion by: Michele Couture **Seconded by:** David Nicolau Yea 4 Nay 0

MOTION: *Move that the Board of Selectmen vote to approve the minutes of June 5, 2006 (Wastewater) as printed.*

Motion by: Michele Couture **Seconded by:** David Nicolau Yea 4 Nay 0

MOTION: *Move that the Board of Selectmen vote to approve the minutes of June 5, 2006 (Town Owned Surplus Properties) as printed.*

Motion by: Michele Couture **Seconded by:** David Nicolau Yea 4 Nay 0

MOTION: *Move that the Board of Selectmen vote to approve the minutes of June 26, 2006 (Regular Mtg.) with change so noted.*

Motion by: Michele Couture **Seconded by:** David Nicolau Yea 4 Nay 0

MOTION: *Move that the Board of Selectmen vote to approve the minutes of July 10, 2006 (Wastewater) as printed.*

Motion by: Michele Couture **Seconded by:** David Nicolau Yea 4 Nay 0

MOTION: *Move that the Board of Selectmen vote to approve the minutes of July 10, 2006 (Regular Mtg.) as printed.*

Motion by: Michele Couture **Seconded by:** David Nicolau Yea 4 Nay 0

MOTION: *Move that the Board of Selectmen vote to approve the minutes of July 17, 2006 (Joint Mtg. CCNS & GMPIAC) as printed.*

Motion by: Michele Couture **Seconded by:** David Nicolau Yea 4 Nay 0

MOTION: *Move that the Board of Selectmen vote to approve the minutes of July 19, 2006 (Special Mtg.) as printed.*

Motion by: Michele Couture **Seconded by:** David Nicolau Yea 4 Nay 0

MOTION: *Move that the Board of Selectmen vote to approve the minutes of July 24, 2006 (Interview Consultants) as printed.*

Motion by: Michele Couture **Seconded by:** David Nicolau Yea 4 Nay 0

MOTION: *Move that the Board of Selectmen vote to approve the minutes of July 24,, 2006 (Regular Mtg.) as printed.*

Motion by: Michele Couture **Seconded by:** David Nicolau Yea 4 Nay 0

MOTION: *Move that the Board of Selectmen vote to approve the minutes of August 1, 2006 (Public Hearing-Housing) as printed.*

Motion by: Michele Couture **Seconded by:** David Nicolau Yea 4 Nay 0

9. CLOSING STATEMENTS

Michele Couture

Re: visit from Mark Forest and email regarding “Renewable Fuels Partnership”. Looking forward to working with Mark Forest on renewable fuels resolution for future meeting.

Richard Olson

Keith Bergman memo re: Chapter 79 of the Acts of 2006 – Municipal Boards. When a board member misses one meeting. Keith will put an article on the Warrant for the next town meeting.

Carnival Parade this week .. are all set with costumes and the car?

David Nicolau

Susan Kadar (Housing Funds) - would like a follow-up meeting with her to discuss middle income housing and funding for it. (Regional housing initiatives.)

Cheryl Andrews - None

10A EXECUTIVE SESSION

MGL C.39,§23B cl.6 and cl 3

MOTION: Move that the Board of Selectmen vote to go into executive session, pursuant to MGL C.39,§23B, clause 3 and clause 6 for the purpose of discussing land negotiations and the value of land; and for the purpose of conducting strategy sessions in preparation for negotiations with nonunion personnel and not to convene in open session thereafter. [Roll Call Vote]

Motion by: Michele Couture Seconded by: Richard Olson

Michele Couture – Yea Richard Olson – Yea

David Nicolau – Yea Cheryl Andrews - Yea

Yea 4 Nay 0 Motion Passes

The board went into executive session at 8:18 pm.

Minutes transcribed by: Vernon Porter, Secretary
August 21, 2006