

TOWN OF PROVINCETOWN - BOARD OF SELECTMEN

REGULAR MEETING JOINT MEETING WITH FINANCE COMMITTEE MONDAY- MARCH 17, 2014 5 PM

TOWN HALL – JUDGE WELSH ROOM

Chairman Elaine Anderson convened the meeting at 5:00 PM noting the following:

Board of Selectmen attending: Austin Knight, Elaine Anderson, Tom Donegan, David McChesney, Erik Yingling

Other attendees: Acting Town Manager David Gardner and Finance Director Dan Hoort.

Recorder: Mary Timmons

The following are meeting minutes, in brief:

1A PUBLIC HEARING: JOINT MEETING WITH FINANCE COMMITTEE

Proposed FY 2014 Operating Budget

Finance Board Attendees: Michael Canizales, Catherine Russo, Duane Steele, Clarence Walker, Raphael Richter, Stanley Sikorski.

MOVE that the Board of Selectmen waive the reading of the public hearing notice

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

This meeting is in accordance with §9-1-6 of the Provincetown Charter in that the Board of Selectmen and the Finance Committee conduct a joint Public Hearing on FY 2015 Operating Budget. A copy of the budget is attached to the agenda item.

Public Comments

Richard Wood. Over the last three years, the Pier Corp has exceeded what they should be charged in charter boat. They had an 80% increase over a two year period. In 2011, there were seven charter boats, today there are only four. The Town lost three tenants last year. The slips were not filled which means this was \$12,000 that the Town did not receive. The proposed excursion rate will give the Town \$1,500 in additional revenue. This means that if a charter boat leaves we lose \$4,000 and gain \$1,500. He asked the Board if that is a good business decision. He suggested that maybe there are other ways the Pier can get money. The Town has a slip they charge \$8,000 to rent and it hasn't been rented in two years. Additionally, we have not done a good job collecting accounts receivable. Maybe the Pier Corp can focus on slips and debts they have instead of administering something that gives us only \$1,500

Mary-Jo Avellar. Stated when she was a Selectman, the east side of the pier was for fishing vessels; the west side of the pier was for commercial business. Now, commercial vessels can conduct business on the east side of the pier. This means we don't collect the same kinds of rents as if they were on the west side of the pier. She does not know how this changed but believes commercial vessels should be on the west side of the pier where

they would pay a higher rent.

Rick Murray. The lack of revenue potential could be \$15,000 to \$20,000 if the slips are not rented. In addition to the lack of slips not being rented at the pier, he is also concerned about businesses not being licensed but being open for business. Those fees are a revenue loss. He believes the Town needs to look at rules and regulations and what we should be maximizing now rather than continuing future increases. There needs to be a concerted effort regarding oversights making sure each department is doing their due diligence. When 3 years go by and people are not licensed that is not acceptable, and it is also not acceptable for the Board to say they are aware of the problems.

Michael Canizales. Stated he wanted to comment on Mr. Murray's statement. We have not focused on identifying gaps. We need to change policy and shed light on departments where revenue is not being collected. He asked how we know the Town Manager makes sure every dollar is collected, and stated this should also be a question for Town Manager candidates.

Public statements were then closed

Elaine Anderson stated that it is an ongoing challenge. Do we bring the Pier Corp back into the Town or can we have a new licensing person who will do a better job collecting fees. She thinks it will make a difference.

Mr. Canizales said the Town should consider connecting the collection of excise taxes with parking stickers. He asked about cross-referencing and desegregating departments which might help.

Tom Donegan began discussion of the FY2015 operating budget. He asked about the budget gap in legal services fees on line item 151. He reminded the Finance Committee that there was another open meeting law complaint against them. Selectman Donegan proposed the Finance Committee increase the number so it matches the Selectmen's 151 line item.

Mr. Canizales said the committee met regarding these complaints and their sense is that they need to shine bright lights on these complaints. He also stated the Finance Committee welcomes this going to the Attorney General. Mr. Canizales is willing to put the Acting Town Manager on notice regarding the culture of staff bringing up these types of complaints they need to learn they are costing the taxpayer's money and need to be held accountable and acknowledge it is detrimental to the town. He stated the Acting Town Manager needs to keep his staff in check regarding these complaints. He is advocating the Finance Committee increase the amount by \$2,500 but stated the Town Manager has to step up.

Mary-Jo Avellar made a point of information. This is an unfounded complaint, no budget books were open on the table. These are frivolous complaints. You can increase the legal budget but somewhere, someone has to draw a line.

Clarence Walker said the Finance Committee should raise the amount to be in concert with the selectmen. This is not because the Committee is ineffective but they will be faced with

more complaints in the future. We can ask the Acting Town Manager or future the Town Manager to speak to staff but there is no way that authority can prohibit staff from making those claims. The Finance Committee made a motion and voted five yes, one no (Mike Canizales) to raise the their legal budget to match that of the Selectmen's legal budget.

Austin Knight stated a larger percentage of the public, not Town staff, are the ones complaining and we have to respond. Elaine Anderson stated it was always common to get together after meetings but due to the appearance of conflict, we just stopped doing this. The Board has the same restrictive issues making it difficult to communicate.

CURRENT POLICY QUESTION: A subcommittee consisting of Elaine Anderson, Tom Donegan, and Doug Cliggott reviewed the current policy and have written up modifications. The committee measured debt against the operating fund as it is a more sensitive ratio. There is a 10% limit on the operating fund against operating revenues.

Elaine Anderson read the changes in the languages from the handout, stating the language keeps us all with a policy target.

MOVE that the Board of Selectmen accept the recommendations as presented changing the current policy version to the edited version.

Motion by: Austin Knight Seconded By: Erik Yingling Yea 5 Nay 0

2A OTHER – None

Motion to adjourn: Austin Knight Seconded by Erik Yingling at 8:56 PM.

Minutes transcribed by: Mary Timmons March 24, 2014