

# TOWN OF PROVINCETOWN - BOARD OF SELECTMEN

SPECIAL MEETING – THURSDAY, NOVEMBER 5, 2009 4:30 PM

## TOWN MANAGER'S CONFERENCE ROOM 16 JEROME SMITH ROAD

Chairman Michele Couture convened the meeting at 5:00 PM noting the following Board of Selectmen attending: Michele Couture, Austin Knight, Mary-Jo Avellar, David Bedard

Excused Absence: Elaine Anderson

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

Police Department: N.E.B.P.A Local 67 Union President Michael J. Carr, Officer Tom Koumanelis, Sgt. Tom Stele, Staff Lt. Jim Golden, Officer Lawrence Silva and Sgt. Carrie Lopes.

Cemetery Commission: Richard Olson

Recorder: Vernon G. Porter

The following are meeting minutes, in brief:

### 1. INSERT WARRANT ARTICLES FOR TOWN MEETING

The main purpose of this meeting was to vote on the insertion of Article for the upcoming Special Town Meeting on Monday, December 7, 2009.

Open discussion ensued.

Officer Michael J. Carr, President of the New England Police Benevolent Association Locals 67,68, presented a letter to the Board requesting that the Special Town Meeting be postponed as the union met and voted that they are not prepared to move forward “in this short a time period”. (See attachment ‘A’).

The following articles were vote upon to be inserted onto the warrant:

#### Article 1. Home Rule Petition/Exempting New Police Department Members from Civil Service

*To see if the Town will vote to instruct its representative in the General Court to file a home rule petition for a special act to read as follows:*

*"An Act Exempting All Positions in the Provincetown Police Department from the Civil Service Law.*

*SECTION 1. Notwithstanding any general or special law to the contrary, the members of the police department of the Town of Provincetown shall be exempt from the provisions of chapter thirty-one of the General Laws.*

*SECTION 2. The provisions of section one shall not impair the civil service status of any member of the police department of the town of Provincetown on the effective date of this act.*

*SECTION 3. This act shall take effect upon its passage.*

*SECTION 4: This shall be contingent upon acceptance of a collective bargaining agreement."*

*The General Court may only make clerical or editorial changes of form to the bill, unless the board of selectmen approve amendments to the bill before enactment by the general court. The Board of Selectmen is hereby authorized to approve amendments which shall be within the scope of the general public objectives of the petition; or to take any other action relative thereto.*

*[Requested by the Board of Selectmen and the Town Manager]*

*Motion by: Mary-Jo Avellar    Seconded by: David Bedard*

*Yea 3 Nay 1 (Michele Couture)*

***Article 2: FY 2010 Budget Adjustments***

*To see what amendments the Town will vote to make to the Fiscal Year 2010 operating budgets established under Article 2 of the April 6, 2009 Annual Town Meeting and what sums the Town will vote to raise and appropriate or transfer from available funds therefor; or to take any other action relative thereto.*

*[Requested by the Town Manager]*

***Motion by: Austin Knight    Seconded by: David Bedard    Yea 4    Nay 0***

***Article 3: Cemetery Improvements***

*To see if the Town will vote to appropriate and transfer from available funds a sum of money for services related to expansion of the Provincetown Cemetery and purchase of equipment; or to take any other action relative thereto.*

*[Requested by the Board of Selectmen and the Cemetery Commission]*

***Motion by: Mary-Jo Avellar    Seconded by: David Bedard    Yea 4    Nay 0***

Motion to adjourn by Mary-Jo Avellar at 5:22 PM.

Minutes transcribed by: Vernon Porter, Secretary to Board of Selectmen  
November 9, 2009