

TOWN OF PROVINCETOWN - BOARD OF SELECTMEN

REGULAR MEETING - MONDAY, JANUARY 23, 2006

JUDGE WELSH HEARING ROOM

Acting Chairman Sarah Peake opened the meeting at 6 PM noting the following attendees:

Board of Selectmen members: Sarah Peake, Michele Couture, Richard Olson, David Nicolau

Excused Absence: Cheryl Andrews

Other attendees: Town Manager Keith Bergman

Recorder: Vernon Porter

The following are meeting minutes, in brief.

1A ANIMAL WELFARE COMMITTEE

Update – Dog Park, Baggit Stations

Animal Welfare Committee Members present: Chairman Elizabeth G. Brooks, and Elizabeth A. Brooks

The Committee would like to:

- A. To research areas to place waste disposal containers & bags.
- B. To secure supporters to help purchase containers.
- C. Help in placing poles in ground (from DPW)
- D. Who purchases bag? We need funding for purchase of bags on a regular basis. (David Guertin - Last contribution of bags were from Jim McGowan, which is now depleted.)

Michele Couture - we need to do a little more research and look into cost before we make a decision. Responsibility of restocking bags by volunteers. Logistics have to be worked out.

David Nicolau - Cost of bags is incidental. How many locations are there? Need more information on basic information.

Sarah Peake – If you can get private funds to help you with this project that would be the way to go. You also need to get together with DPW and go over locations and logistics, etc. and then come back to the Board and discuss this one more time.

Committee to bring back a final plan to the Board of Selectmen

MOTION: Move that the Board of Selectmen vote to direct DPW to remove the existing pooper stations at the Bas Relieve and replace it with the newly designed receptacles provided by the Animal Welfare Committee.

Motion by: David Nicolau

Seconded by: Michele Couture

Yea 4 Nay 0

Discussion of Dog Park - Board of Selectmen would like to have a Public Hearing before taking a look at the this request ... and therefore the Animal Welfare Committee is requested to develop a more detailed plan on the proposed site at the effluent disposal are D-east of the Skateboard Park.

Richard Olson – In your minutes of November 3, 2005 - you mentioned that kids are there at their own risk and if that is the case, then you will never get my support.

Sarah Peake – What you are hearing from the Board tonight is that there has to be a Public Hearing first and before this public hearing happens the Board needs to see your proposed set of regulations.

1B VISITOR SERVICES BOARD

Proposed Five-Year Financial Plan for Tourism Fund Expenditures

VSB Members Present: Lynn Davies, Peter Bez, Hersh Schwartz, Mick Rudd, Kathleen Fitzgerald, Michael

Peregon, Laurel Guadagno and Administrative Director of Tourism Bill Schneider.

General discussion ensued.

Open discussion on proposed On-Line Survey - Much skepticism by the Board of Selectmen on any further surveys as suggested by the VSB. VSB plans to get their source from Travel Institute of American.

Steve Tait – PBG President - Their survey was sent to approximately 20K people and received 2800 responses. Their survey was geared towards a gay audience.

Sarah Peake - Suggested that the VSB have a conversation with the Beautification Committee and then present a spreadsheet with comparison funding request to the Board of Selectmen with their figures at the next Board of Selectmen's meeting on February 13, 2006.

MOTION: Move that the Board of Selectmen vote to schedule a joint meeting on February 13, 2006 with the VSB and Beautification Committee.

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

Fireworks - Michele Couture – I'm comfortable with the money coming from VSB budget. Sarah Peake – and I'm comfortable with it going before Town Meeting to decide.

2. **PUBLIC STATEMENTS**

Sue Rohrbach from Senator O'Leary's Representative – Senator O'Leary is working on the Ocean's Bill and the Higher Education Bill. Needles Bill - hoping to come to a vote on the House floor on Thursday. Electric rate - he is aggressively pursuing this issue and is working on legislative strategy. Up to \$800 - Broad tax credit passed for heating oil & gas but not for electric for incomes up to \$50K and \$75K.

Response to Sue Rohrbach request for comments.

MOTION: Move that the Board of Selectmen vote to request the Town Manager send a letter to the Attorney General and to the State Energy Commissioner complaining of the high and unfair electrical rates; with a copy to NSTAR and the Cape Light Compact.

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

Sarah Peake – 1) Senator O'Leary's help with our cost to per student to Cape Cod Tech is prohibitive. Whatever creative thinking can be done to help us with this would be extremely helpful. 2) Untapped market for Condo use - another area that can use his help.

Keith Bergman – School funding – at \$30K per pupil – we are the highest in the State. It would be helpful to have the Senator get us a meeting with the School Department and Department of Education.

Other Public Statements

Lynn Davies - Wondering if any discussion has been entertained in combining both school systems together.

Peter Bez - Need your help with the Zoning Board of Appeals. With term limits you're going to lose 3 people and we need members.

Rick Murray – Wanted to find out about fireworks and where the money is going to come from. Also agrees with VSB that Beautification Committee should report where they are spending their money. Any extra monies should go back to VSB and not to the general fund.

3. **SELECTMEN'S STATEMENTS**

Richard Olson

MOTION: Move that the Board of Selectmen vote to send a letter to Dr. Cheryl Andrews expressing our sympathies and condolences upon the passing of her father Dr. Gary Wm. Andrews.

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

In reference to Mr. Bez comments on term limits. If I had my way I would do away with term limits. Would like to have this as a future agenda item.

Communication with non-resident taxpayers of this town to make them feel more part of the life of this town so that they hear from not just when they get their tax bills or water bills but in terms of things that we want to include them in and make them feel a part of our family.

I was so touched by the photo on the front cover of the Banner this week that Maryann Bragg took at the meeting of the Cape Cod Commission where Roslyn Garfield, our Delegate and Herb Taylor of the New England Deaconess Association. The photo just caught a spirit that they both just had and it was just heart warming.

Our sister city in Portugal. (Richard has the blessing of the Board to continue to pursue this.)

Enjoyed the MMA Convention and being with my colleagues.

I will be on vacation the next two weeks in Puerto Rico.

David Nicolau

MOTION: *Move that the Board of Selectmen vote to have "term limits" as a future agenda item.*

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

In answer to Lynn Davies on the consolidation of the school – we have had two summit meetings with the Finance Committee and the School Committee and I think they have been great meetings – which in past years have been war – and I see things changing and I hope were are on the edge and people realize that we do have to work together.

I've been a Selectman for nine months now .. and I think we've got a lot done and there is still a lot more to do - and I feel good about it and I will be running again in May to fill this seat again for the next three years.

Michele Couture

To Rick Murray – I was in the minority in wanting to take the \$15,000 out for fireworks for this year. I think with the budget crunch that we have we will be hard put to get the money out of the general fund.

Reference the Beautification Committee – they are accountable to Town Meeting for their funds and not the VSB.

Request update on the damage to the floating dock system.

MOTION: *Move that the Board of Selectmen vote to proclaim April 17, 2006 as James F. Meads Day in the Town of Provincetown, in honor of the late Fire Chief on the anniversary of his birth.*

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

Sarah Peake

To Rick Murray - In answer to VSB Grants – I don't believe that there was any discussion of diminishing the amount to less than \$100 K for the grants.

Re: Fireworks budget – It will be important to see a presentation regarding what the costs are over and above those that have always been paid for by the town.

ZBA – put out the call to everyone for people to come and join.

Larry Mahan re: County Human Rights Commission recently formed is seeking representative from Provincetown. We will advertise for applicants.

MOTION: *Move that the Board of Selectmen vote to seek applicants on the County Human Rights Commission and to place an advertisement in the local Banner Newspaper.*

Motion by: Sarah Peake

Seconded by: Michele Couture

Yea 4 Nay 0

4. BOARD OF SELECTMEN APPOINTMENTS

None

5A TOWN CLERK

2005 Town Report Dedication

MOTION: Move that the Board of Selectmen vote to dedicate the 2005 Annual Town Report to those current and former Town board members and employees who died during calendar year 2005, as contained in the list of names submitted by Town Clerk Douglas Johnstone.

Motion by: David Nicolau

Seconded by: Michele Couture

Yea 4 Nay 0

5B LIBRARY DIRECTOR

Exhibit Contract – “Out at the Library”

MOTION: Move that the Board of Selectmen vote to authorize execution of a Traveling Exhibition Contract for the exhibit “Out at the Library: Celebrating the James C. Hormel Gay and Lesbian Center” to be held at the Provincetown Public Library from May 10 to June 8, 2005.

Motion by: Michele Couture

Seconded by: Richard Olson

Yea 4 Nay 0

5C COUNCIL ON AGING

Elder Services of Cape Cod & Islands Grant

MOTION: Move that the Board of Selectmen vote to accept a grant from Elder Services of Cape Cod and the Islands, Inc., under the Older Americans Act Title III in the amount of \$7,250.00. This grant is used to provide personal services and transportation for seniors 60 years and older.

Motion by: Michele Couture

Seconded by: David Nicolau

Yea 4 Nay 0

5D TREASURER’S TRANSFERS

Library Building Furniture Gift Fund

MOTION: Move that the Board of Selectmen vote as Commissioners of the Gift Funds, to approve the transfer of \$743.69 from the Library Building Furniture Gift Fund for the payment of invoices.

Motion by: Michele Couture

Seconded by: Richard Olson

Yea 4 Nay 0

5E LICENSING BOARD

Approval of License Fee Increases – MGL C.40,§22F

MOTION: Move that the Board of Selectmen vote pursuant to MGL C.40,§22F to approve increases to license fees adopted by the Licensing Board on January 10, 2006 as set forth in its public hearing notice.

Motion by: Michele Couture

Seconded by: Richard Olson

Yea 4 Nay 0

5E PARADE PERMIT REQUEST

Helping Our Women

MOTION: Move that the Board of Selectmen vote to approve the Parade Application Permit submitted by Irene Rabinowitz and Beth O’Rourke on behalf of Helping Our Women, 336 Commercial Street #9, Provincetown, MA to hold their 6th Annual By the Sea Bike Trek scheduled to take place on Saturday, June

10, 2006 from 8 AM to 4 PM with a rain date of Sunday, June 11, 2006.

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

6A SEWER CONNECTION DESIGN

Metcalf & Eddy – Change Order - \$75,000

MOTION: *Move that the Board of Selectmen vote to authorize execution of a change order with Metcalf & Eddy for sewer connection design services for \$75,000, as set forth in Metcalf & Eddy's cost proposal dated January 20, 2006.*

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

David Nicolau recused himself and left the room due to a conflict of interest

6B CENTER FOR COASTAL STUDIES

PHS Annex – Extend Lease and Closing Date to February 13, 2006

MOTION: *Move that the Board of Selectmen vote pursuant to Article 6 of the April 4, 2005 Special Town Meeting and Article 2 of the November 7, 2005 Special Town Meeting to extend the date of closing for the PHS Annex property with the Provincetown Center for Coastal Studies until February 13, 2006; and further to vote, pursuant to MGL C.30B, §16, to extend to February 13, 2006 the lease with the Provincetown Center for Coastal Studies for the PHS Annex property.*

Motion by: Richard Olson Seconded by: Michele Couture Yea 3 Nay 0

David Nicolau returned.

7. MINUTES OF BOARD OF SELECTMEN'S MEETINGS

MOTION: *Move that the Board of Selectmen vote to approve the minutes of January 9, 2005- Special meeting @ 4:30 pm as printed.*

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

MOTION: *Move that the Board of Selectmen vote to approve the minutes of January 9, 2006 – Special meeting @ 5 pm with changes so noted.*

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

MOTION: *Move that the Board of Selectmen vote to approve the minutes of January 18, 2006 – Special meeting at 4:30 pm 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 January 19, 2006 as printed.*

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

9. CLOSING STATEMENTS

Richard Olson - None David Nicolau - None Sarah Peake - None

Michele Couture

January 20, 2006 letter from Disability Chair re: Shankpainter Uplands Site – indicating that after a site visit that they can no longer support the project and that it should not be advertised as “handicapped accessible” Would like staff to keep me informed on the progress of what is happening on this matter.

MOTION: *Move that the Board of Selectmen vote to ask staff to keep the Board of Selectmen informed on all the minutes of the Conservation Commission and the Open Space Committee or whatever boards that are*

dealing with the Shankpainter Uplands Site project on an ongoing basis.

Motion by: Michele Couture

Seconded by: Sarah Peake

Yea 4 Nay 0

– Motion to adjourn by Michele Couture at 9:13 pm.

Minutes transcribed by: Vernon Porter, Secretary
January 27, 2006