

TOWN OF PROVINCETOWN - BOARD OF SELECTMEN

SPECIAL MEETING – WEDNESDAY, MARCH 3, 2004

JUDGE WELSH HEARING ROOM

Acting Chairman Cheryl Andrews opened the meeting at 7:00 PM noting the following attendees:

Board of Selectmen members: Cheryl Andrews, Michele Couture, Sarah Peake, Richard Olson (Mary-Jo Avellar joined the meeting at 7:30 pm.)

Other attendees: Town Manager Keith Bergman, Town Counsel John Giorgio

Recorder: Vernon G. Porter

The following are meeting minutes, in brief.

1A TOWN COUNSEL: LITIGATION STRATEGY

MacMillan Pier Floating Dock System: December 2003 Storm Damage

MOTION: Move that the Board of Selectmen vote, pursuant to MGL C. 39, §23B, clause 3, to go into executive session for the purpose of discussing strategy with respect to litigation;

And

1B MacMILLAN PIER: PROFISH SUB-LEASE

Land Negotiations [MGL C.29, §23B cl.6]

MOTION: Move that the Board of Selectmen vote, pursuant to MGL C. 39, §23B, clause 6, to go into executive session to consider the purchase, exchange, lease or value of real property; and to convene in open session thereafter [roll call vote]

Richard Olson - Yea

Michele Couture - Yea

Sarah Peake - Yea

Cheryl Andrews - Yea

Motion by: Michele Couture

Seconded by: Sarah Peake

Yea 4 Nay 0

Board went into executive session at 7:03 pm.

Mary-Jo Avellar arrived at 7:30 pm and joined into executive session.

Board reconvened in open session at 8:06 pm

Mary-Jo Avellar requested that Cheryl Andrews continue to be Acting Chair for Pier and Pier related issues. (Mary-Jo Avellar read her letter from the ethics committee.)

2. PROFISH

Profish members present: Luis Ribas, David Young, Phillip Michaud, Joe Francis Jr., Jean Frottier, Stephen Weber, Beau Gribbin

Open discussion ensued. No motions made.

Mary-Jo Avellar left the room when the Board talked about enforcement.

Town Manager - Selectmen sub-committee & Profish sub-committee to meet with PPPC. Cheryl Andrews asked the Town Manager to provide one-page report on outstanding enforcement issues with PPPC & Profish.

3A MacMILLAN PIER FLOATING DOCK

Cheryl Andrews returned.

Insert Article 8: Capital Improvements.

Motion by: Michele Couture Seconded by: Richard Olson Yea 5 Nay 0

Insert Article 9: Acceptance of MGL c.90,§20: Increase Parking Fine.

Motion by: Michele Couture Seconded by: Richard Olson Yea 5 Nay 0

Insert Article 10: Acceptance of MGL c.40,§42J: Deferral of Water charges for Low Income Elderly Taxpayers.

Motion by: Michele Couture Seconded by: Richard Olson Yea 5 Nay 0

Insert Article 13. Massachusetts Highway Department Chapter 90 Funds for Road and Sidewalk Construction and Repairs.

Motion by: Michele Couture Seconded by: Sarah Peake Yea 5 Nay 0

Insert Article 15: Fund Collective Bargaining Agreements..

Motion by: Michele Couture Seconded by: Richard Olson Yea 5 Nay 0

Insert Article 16: Use of Parking Funds to Reduce the FY 2004 Tax Levy

Motion by: Michele Couture Seconded by: Richard Olson Yea 5 Nay 0

Insert Article 17: use of Free Cash to Reduce FY 2004 Property Tax.

Motion by: Michele Couture Seconded by: Richard Olson Yea 5 Nay 0

Insert Article 18: Home Rule Petition: Local Option Meals Tax

Motion by: Michele Couture Seconded by: Richard Olson Yea 5 Nay 0

Insert Article 19: Home Rule Petition: Expanding Local Room Occupancy Tax Base.

Motion by: Michele Couture Seconded by: Richard Olson Yea 5 Nay 0

Insert Article 20: Home Rule Petition/Charter Amendment/Historic District Commission as Regulatory Board..

Motion by: Michele Couture Seconded by: Richard Olson Yea 5 Nay 0

Insert Article 21: Home Rule Petition/Charter Amendment / Board of Assessors

Motion by: Michele Couture Seconded by: Richard Olson Yea 5 Nay 0

ANNUAL TOWN MEETING ARTICLES

Insert Article 1: To Hear Town Reports

Motion by: Michele Couture Seconded by: Richard Olson Yea 5 Nay 0

Insert Article 2: FY 2005 Operating Budget.

Motion by: Michele Couture Seconded by: Richard Olson

Yea 4 Nay 1 (Cheryl Andrews)

Insert Article 3: FY 2005 Enterprise Funds

Motion by: Michele Couture Seconded by: Richard Olson Yea 5 Nay 0

Insert Article 4: FY 2005 Capital Improvements Program

Motion by: Michele Couture Seconded by: Richard Olson Yea 5 Nay 0

Insert Article 5: FY 2005 Revolving Accounts

Motion by: Michele Couture Seconded by: Richard Olson Yea 5 Nay 0

Insert Article 19: Zoning Amendment: Adult Entertainment

Motion by: Michele Couture Seconded by: Richard Olson Yea 5 Nay 0

Insert Article 20: Zoning Amendment: Definition of Theater.

Motion by: Michele Couture Seconded by: Richard Olson Yea 5 Nay 0

Insert Article 28: FY 22005 Human Services Grant Program.

Motion by: Michele Couture Seconded by: Sarah Peake Yea 5 Nay 0

Insert Article 29: Expenditures from the Tourism Fund

Motion by: Sarah Peake Seconded by: Michele Couture Yea 5 Nay 0

Insert Article 30: Replenishment of Tourism Fund

Motion by: Sarah Peake Seconded by: Michele Couture Yea 5 Nay 0

Insert Article 32: Use of Free Cash to Reduce FY 2005 Property Tax

Motion by: Michele Couture Seconded by: Sarah Peake .. Yea 5 Nay 0

Insert Article 33: Use of Parking funds to reduce the FY 2005 Tax Levy

Motion by: Sarah Peake .. Seconded by: Michele Couture Yea 5 Nay 0

Motion to adjourn by Michele Couture at 10:40 p.m.

Minutes transcribed by: Vernon Porter, Secretary
March 8, 2004