

# TOWN OF PROVINCETOWN - BOARD OF SELECTMEN

## REGULAR MEETING – MONDAY, JUNE 14, 2004

### 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, Sarah Peake, Richard Olson

Excused Absence: Mary-Jo Avellar

Other attendees: Town Manager Keith Bergman, Acting Assistant Town Manager Michelle Jarusiewicz

Recorder: Vernon G. Porter

The following are meeting minutes, in brief.

#### 1A FILLING VACANCY ON BOARD OF LIBRARY TRUSTEES

Joint Meeting with Remaining Members

Board of Library Trustees present: Carol Noyes, Marcia Fair, Anita Berman, James Cole, Arthur Pike and called to order by Chairman James Cole.

Other Attendee: Applicant Sandy Fay

***MOTION: Move that the Board of Selectmen and the remaining members of the Board of Library Trustees vote, pursuant to MGL C.41,§11, to appoint Sandy Fay to fill the vacancy on the Board of Library Trustees which expires at the May 2005 Annual Town Election.***

**Motion by: Sarah Peake                   .....   Seconded by: Michele Couture   Yea 9   Nay 0**

#### 1B FILLING VACANCY ON HOUSING AUTHORITY

Joint Meeting with Remaining Members

Housing Authority members present: Margaret Carroll-Bergman and Arturo Alon

Other Attendee: Executive Director Patrick Manning

***MOTION: Move that the Board of Selectmen and the remaining members of the Provincetown Housing Authority vote, pursuant to MGL C.41,§11, to appoint Nancy Jacobsen to fill the vacancy on the Provincetown Housing Authority which expires at the May 2005 Annual Town Election.***

**Motion by: Michele Couture                   Seconded by: Sarah Peake       Yea 4   Nay 0**

#### 2. PUBLIC STATEMENTS

Rob Tosner - Director of Provincetown Business Guild - Encourage Board of Selectmen to support Economic Task Force.

Daniel Kells - Executive Director of Provincetown Theatre - Invited Selectmen to attend the opening day - Tuesday, June 22 @ 1 PM.

Chief Meyer - Introduced summer officers - Michael O'Neil, Eric Greener, Jesse Kommel-Bernstein.

#### 3. SELECTMEN STATEMENTS

- **Richard Olson**

CCNS Acting Superintendent is now producing a weekly report to our Town Manager for which I think we should indicate our appreciation.

- **Sarah Peake**

**MOTION:** *Move that the Board of Selectmen vote to give a Proclamation to the Provincetown Repertory Theatre in recognition of the opening of their new theatre and to proclaim Tuesday, June 22, 2004 as Provincetown Theatre Day.*

**Motion by:** Sarah Peake      **Seconded by:** Richard Olson      Yea 4 Nay 0

WIC Program needs representative from Provincetown. Barnstable County & Cape Cod Commission - will talk more about this during Closing Statements.

Cape Cod Selectmen & Councillors Association - experts in certain areas that could be of help to us. Would encourage us to think that way as well.

**Michele Couture**

Group Health Insurance savings - agenda item for July 12, 2004 with Treasurer John Fitzgerald.

Letter from George Heufelder, Chief County Health Officer asking us to appoint two response personnel; a Local Infection Disease Coordinator, and a Public Information Officer. (Keith Bergman will talk with our Health Agent and Health Inspector on this matter.)

Legal Services Outreach will be here at Town Hall on Wednesday, June 16<sup>th</sup> from 11 am to 2 pm for anyone needing assistance.

Special kudos to Officer John Lind for a great job done with the DEA Task Force.

July 4<sup>th</sup> - Conwell Street will be closed off to vehicle traffic - foot traffic only.

**Cheryl Andrews**

Letter from Richard Bennett re: Float Space 120W - Schooner Hindu - refer to Pier Corporation for disposition.

**4.      BOARD OF SELECTMEN APPOINTMENTS**

**MOTION:** *Move that the Board of Selectmen vote to appoint David Nicolau as a Regular Member of the Board of Assessors with a term expiration date of December 31, 2005.*

**Motion by:** Michele Couture      .....      **Seconded by:** Sarah Peake      Yea 4 Nay 0

**MOTION:** *Move that the Board of Selectmen vote to reappoint Ted Malone as a Regular Member of the Local Comprehensive Plan Implementing Committee with a term expiration date of June 30, 2007.*

**Motion by:** Michele Couture      .....      **Seconded by:** Sarah Peake  
Yea 3 Nay 0 Abstain 1 (Cheryl Andrews)

**5A1      TREASURER'S TRANSFERS**

John Anderson Francis Scholarship Fund

**MOTION:** *Move that the Board of Selectmen vote, as Commissioners of the Scholarship Funds, to approve the transfer of \$320.60 from the John Anderson Francis Scholarship Fund for the payment of awarded scholarships and invoices.*

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

**5A2      REVENUE ANTICIPATION NOTE #1039**

**MOTION:** *Move that the Board of Selectmen vote to issue a Revenue Anticipation Note #1039 in the amount of \$1,000,000.00 dated June 7, 2004 at 1.40% interest payable at maturity to Banknorth NA on July 28, 2004.*

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

5A3 **REVENUE ANTICIPATION NOTE #1040**

***MOTION:*** *Move that the Board of Selectmen vote to issue a Revenue Anticipation Note #1040 in the amount of \$1,000,000.00 dated June 21, 2004 at 1.40% interest payable at maturity to Banknorth NA on July 28, 2004.*

**Motion by:** Michele Couture      **Seconded by:** Sarah Peake      **Yea 4 Nay 0**

5A4 **REVENUE ANTICIPATION NOTE #1041**

***MOTION:*** *Move that the Board of Selectmen vote to issue a Bond Anticipation Note #1041 in the amount of \$686,161.00 dated June 18, 2004 at 1.40% interest payable at maturity to Banknorth N.A. on January 14, 2005.*

**Motion by:** Michele Couture      **Seconded by:** Sarah Peake      **Yea 4 Nay 0**

5B **WASTEWATER PHASE II PLANNING, LAUNDROMAT**

Meeting with DEP's Brian Dudley, Water & Sewer Board

***MOTION:*** *Move that the Board of Selectmen vote to approve the issuance of a Request for Proposals for an Interim Laundromat Facility to serve the Town of Provincetown, as drafted by the Department of Public Works and as amended (Under Facility Specifications - delete "Access to facility from MPL side of property").*

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

5C **ECONOMIC DEVELOPMENT TASK FORCE**

Proposed Mission Statement

***MOTION:*** *Move that the Board of Selectmen vote to approve the following mission statement for the Economic Development Task Force: "to advise the Board of Selectmen on the development of strategies which will foster the survival of Provincetown through a sustainable year-round economy".*

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

5D **HARBOR COMMITTEE**

Proposed Revision to Mission Statement

***MOTION:*** *Move that the Board of Selectmen vote to table this agenda item to a time uncertain.*

**Motion by:** Michele Couture      **Seconded by:** Sarah Peake      **Yea 4 Nay 0**

5E **SCHOOL COMMITTEE**

Amend Request to Lease Surplus Portions of PHS Annex

Burt Wolfman represented the School Committee. No other School Committee members present. Open discussion ensued. No motions made.

5F **CAPE COD NATIONAL SEASHORE GROUP MANAGEMENT PLANNING IMPLEMENTATION ADVISORY COMMITTEE (CCNS GMP IAC)**

Comments on Hunting Environment Impact Statement

*This agenda item postponed until June 28, 2004.*

**5G**      **CONFLICT OF INTEREST LAW DETERMINATION**

Planning Board [MGL C.268A,§19]

**MOTION:** *Move that the Board of Selectmen vote, pursuant to MGL C.268A,§19, and as appointing authority for the Planning Board, to make the determination that the financial interest of appointee Anne Howard relative to an application for 14 Bradford Acres Road is not so substantial as to be deemed likely to affect the integrity of the services which the municipality may expect from the appointee.*

**Motion by:** Sarah Peake      **Seconded by:** Richard Olson  
Yea 3    Nay 1 (Michele Couture)

**5H**      **PARADE PERMIT REQUEST**

Independence Day Celebration: Sunday, July 4, 2004

**MOTION:** *Move that the Board of Selectmen vote to approve the Parade Application Permit submitted by the Recreation Director Dennis Clark for the Town to hold an Independence Day Parade on Sunday, July 4, 2004 from 11 am 12:30 PM.*

**Motion by:** Sarah Peake      **Seconded by:** Michele Couture .....      Yea 4    Nay 0

**6A**      **COMMUNITY DEVELOPMENT STAFFING PLAN**

Use of Surplus County Funds

**MOTION:** *Move that the Board of Selectmen vote to approve the use of \$14,880 in surplus funds from Barnstable County as a credit towards the purchase of county services for the Community Development staffing plan, subject to the negotiation of the scope of services with the affected boards and approval by the Board of Selectmen.*

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

**6B**      **LIBRARY**

Massachusetts Historical Commission Grant Application

Sarah Peake left the room due to conflict. She is an abutter to an abutter.

**MOTION:** *Move that the Board of Selectmen vote to authorize the submission of a grant application for approximately \$86,890 from the Massachusetts Historical Commission under the Massachusetts Preservation Projects Fund grant program for Phase III Repair and Restoration of the Exterior to be matched by \$86,892 in additional fundraising by the Library Trustees.*

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

Sarah Peake returned.

**6C**      **USE OF CHAPTER 90 FUNDS**

Drainage - Bradford Street Extension

**MOTION:** *Move that the Board of Selectmen vote to table this agenda item until our June 28, 2004 meeting.*

**Motion by:** Sarah Peake .....      **Seconded by:** Michele Couture  
Yea 3    Nay 1 (Cheryl Andrews)

**6D**      **SEMASS AGREEMENT - FIFTH AMENDMENT**

Mass. Technology Collaborative Grant - \$17,594.63

**MOTION:** *Move that the Board of Selectmen vote to authorize execution of the Fifth Amendment to the waste acquisition agreement with SEMASS dated January 1, 1985, providing for the disbursement of a \$17,594.63 grant from the Massachusetts Technology Collaborative Waste to Energy Grant Program.*

**Motion by:** Sarah Peake      **Seconded by:** Richard Olson      **Yea 4 Nay 0**

7.      **MINUTES OF BOARD OF SELECTMEN MEETING**

**MOTION:** *Move that the Board of Selectmen vote to approve the minutes of May 10, 2004 (Same Sex Marriage) as printed. (All Present)*

**Motion by:** Michele Couture      .....      **Seconded by:** Sarah Peake      **Yea 4 Nay 0**

**MOTION:** *Move that the Board of Selectmen vote to approve the minutes of May 24, 2004 (Reg. Mtg.) as printed. (All Present)*

**Motion by:** Michele Couture      .....      **Seconded by:** Sarah Peake      **Yea 4 Nay 0**

**MOTION:** *Move that the Board of Selectmen vote to approve the minutes of May 27, 2004 (Profish) as printed. (All Present)*

**Motion by:** Michele Couture      .....      **Seconded by:** Sarah Peake      **Yea 4 Nay 0**

**MOTION:** *Move that the Board of Selectmen vote to approve the minutes of June 7, 2004 (PPPC/FY 2005 Goals) as printed. (All Present)*

**Motion by:** Michele Couture      .....      **Seconded by:** Sarah Peake      **Yea 4 Nay 0**

10.      **CLOSING STATEMENTS**

**Richard Olson** - None

**Michele Couture** -

DOR ruling. Director of Finance should have known this. I'm displeased.

Dedication of the new playground to the memory of Florence R. Bent to be held at the Veterans Memorial Elementary School on Friday, June 18<sup>th</sup> @ 1:30 PM. (Chair & Richard will go.)

**Sarah Peake**

Further discussion on having a rep from Provincetown on the County Wastewater Committee.

**Cheryl Andrews**

Will send letter from the Board to the Bent family.

I will be out of town - so, we need someone to be in charge of finding a car to ride in for the Portuguese Parade? Michele Couture volunteered.

Would like a report on 26 Alden Septic System.

I will call Emily Beebe.

Motion to adjourn by Michele Couture at 10:30 PM

Minutes transcribed by: Vernon Porter, Secretary  
June 17, 2004