

# TOWN OF PROVINCETOWN - BOARD OF SELECTMEN

## REGULAR MEETING – MONDAY, NOVEMBER 22, 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, Mary-Jo Avellar, Sarah Peake, Michele Couture, Richard Olson

Other attendees: Acting Assistant Town Manager Michelle Jarusiewicz

Recorder: Vernon G. Porter

The following are meeting minutes, in brief.

#### 1 VISITOR SERVICES BOARD

Recommended Five-Year Financial Plan for Tourism Fund Expenditures

Discussion ensued. No motions made. Agenda item to be discussed at a joint meet meeting on Monday, November 29, 2004.

#### 2. PUBLIC STATEMENTS

Brunetta Wolfman - Read statement into record re: Flexible bus system and conditions of buildings & grounds at Grace Gouveia Building and lack of response from DPW Director. (See attachment #1).

Stan Klein - Read statement into record re: VSB recommendations for their 5-year financial plan for tourism fund expenditures. (See attachment #2).

Patrick Patrick - Representing Chamber of Commerce - re: Marketing dollars - Provincetown is far out-spending other destinations based upon our population. Chamber members and the board felt that the infrastructure for long-term maintenance and growth of tourism - especially shuttles and bathrooms. Applaud the reforms in the grants process. Not in favor of removing the funding for municipal items. Sounds like we are underutilizing the Tourism Director and concerned that a volunteer board is going to make the decisions instead of a paid professional, who is qualified to do so.

Rick Murray - Thanked the VSB for their presentation and the Board of Selectmen for their positive feedback. Need to look at the big picture. How do we bring back the market we lost over the past 3 or 4 years? Marketing is vital. VSB should have their own website. Market Provincetown "like no where else!" Market areas like - Toronto, Montreal, Chicago, Philadelphia. Need money for trade show booth setups, etc. Get back to basics - and market more. We are all in this together.

Peter Sousa - Why do we need more people and advertising people to come here when we are destroying our surroundings. We're very vulnerable here. Clapps Pond and the Wetlands Management Plan that was vote on at the 2001 Town Meeting - is still not done. Thoroughly disgusted. .

#### 3. SELECTMEN STATEMENTS

##### Michele Couture

Wetlands Management Plan - (David Guertin) - A component of that settlement and the other component is the DRI compliance measures with Wastewater - Cape Cod Commission. Those two are folded together into one master plan. In terms of that Master Plan we have fulfilled the DRI compliance. As far as the town-wide part we have not fully committed the resources to complete that aspect of it. We are not far away from that. There have been positive steps. It is a question of resources.

To Mr. Guertin - what is your response re: Ms. Wolfman's comments? David Guertin - I would hope that the Director of the COA would come forthwith and speak to me directly. I received one or two letters and walked downstairs to see what the issues are and quite frankly got no response. Michele - I guess we have to have a conversation with our COA Director to find out what the lack of communication is in terms of getting things

fixed. To Michelle Jarusiewicz - Can we see what is going on with the COA.

Letter from David Guertin dated 11/16/04 - to Town of Truro - Did we get the extension? Answer: No. We have taken the next appropriate steps.

Laundromat - Water & Sewer Board quarterly update? Answer - due in December

Re: Metcalf & Eddy - pumps vs. gravity - this constant holding pattern is not working for me and is certainly not working for homeowners who are in limbo. We need to get a response from M & E.

Conservation Agent - Can we contract through Barnstable County - we have not had any discussion on this lately and budget time is coming up soon. Michelle - make a note to touch basis with Keith on this as to whether they have these types of services to offer them to us.

### **Richard Olson**

Getting later and later and would like to revisit the subject of having Pubic Statements come first.

### **Sarah Peake**

On subject of Conservation Agent - sometime last year during the budget agent we talked about contracting for services with the County. Sometime over the last 10 months, I believe that we made the request of the Town Manager, and if we didn't, I would like to make that request tonight - that we take a look at the overall staffing plan.

***MOTION: Move that the Board of Selectmen vote to request that the Town Manager present to the Board of Selectmen, at our first meeting on January 10, 2005, his staffing plan and who will be performing what functions and what functions he considers to be essential and that we have a total to vote on.***

***Motion by: Sarah Peake      Seconded by: Mary-Jo Avellar      Yea 5    Nay 0***

I feel this is important and until we get that I'm not going to vote no on any individual change or addition to what or how our personnel is set up. I think we have really taken a scatter gun approach and it's not fair to the people within the organization and it's not fair to the taxpayers to do that.

In advance of the meeting for next Monday (November 29, 2004) to get something in writing from the Town Manager or the Chief of Police what the status is with the Harbormaster. When and where and if we are going to hire one? Cheryl Andrews - that should come directly from Keith.

### **Mary-Jo Avellar**

Was surprised to hear of the hiring of a Building Commissioner.

Again, I raise the issue that unlike my colleagues on the Board of Selectmen, that I am unable to receive town email because of my choice of home computer. I find that totally unacceptable. There should be a program so that I can receive town email at home.

Disturbed over the leak of the confidential memo in the Banner of the DPW memo. Would like the Town Manager to look into it.

***MOTION: Move that the Board of Selectmen vote to send a letter to the School Committee whether or not they plan to place their minutes of their meeting on line.***

***Motion by: Mary-Jo Avellar      Seconded by: Michele Couture      Yea 5    Nay 0***

(Cheryl Andrews will write letter.)

December 10<sup>th</sup> @ 10 am is the Barnstable County Wastewater Collaborative meeting to be held at the delegates chamber at the Assembly of Delegates. (Sarah Peake will attend.)

On Friday - took tour of the site of the new library - what a site. It is beautiful and you owe it to yourself to go. I highly recommend it. The town has a lot to be proud of.

**MOTION:** *Move that the Board of Selectmen vote to send a letter of thanks to Julian Popko for creating the “Lobster Pot Tree” at Lopes Square.*

**Motion by:** *Mary-Jo Avellar*      **Seconded by:** *Richard Olson*      **Yea 5 Nay 0**

**Cheryl Andrews** - None

Michele Couture left the room.

**4A      CAPE COD MUNICIPAL HEALTH GROUP**

Appointments to CCMHG Board of Directors

**MOTION:** *Move that the Board of Selectmen vote to appoint the Treasurer of the Town of Provincetown as a Primary voting member and the Town Accountant of the Town of Provincetown as an Alternate voting member to the Cape Cod Municipal Health Group Board of Directors.*

**Motion by:** *Mary-Jo Avellar*      **Seconded by:** *Sarah Peake*      **Yea 4 Nay 0**

**MOTION:** *Move that the Board of Selectmen vote to execute the Cape Cod Municipal Health Group Agreement for Joint Negotiation and Purchase of Health Coverage, as amended through November 29, 2001.*

**Motion by:** *Sarah Peake*      **Seconded by:** *Richard Olson*  
**Yea 3 Nay 0 Abstain 1 (Mary-Jo Avellar)**

Michele Couture returned.

**4B      APPOINTMENT: TOWN BOARDS**

Reappointments for terms expiring December 31, 2004

**MOTION:** *Move that the Board of Selectmen vote to make the following reappointments to terms on Town boards expiring December 31, 2007, as follows:*

Airport Commission	Full Member	Steve Page
Art Commission	Full Member	Georgia Coxe
Art Commission	Full Member	Peggy Prichett
Art Commission	Full Member	Stephen Borkowski
Assessors	Full Member	Pam Parmakian
Assessors	Full Member	Patricia DeLuca
Council On Aging	Full Member	Gregory Howe
Council On Aging	Full Member	Geraldine Brennan
Cultural Council	Full Member	Greg Anton
Cultural Council	Full Member	Maryalice Johnson
Cultural Council	Full Member	Natale Pasquale
Licensing Board	Full Member	Nick Robertson
Licensing Board	Full Member	Irene Rabinowitz
Personnel Board	Full Member	Lisa Westervelt
Planning Board	Full Member	Howard Burchman
Planning Board	Full Member	Annie Howard
Recreation Commission	Full Member	Jill Macara
Recreation Commission	Full Member	Susan Cook

Registrars	Democrat	Bob McCandless
Shellfish	Regular	John Baldwin
ZBA	Full Member	Peter Page

**Motion by:** Mary-Jo Avellar      **Seconded by:** Sarah Peake      **Yea 5 Nay 0**

**MOTION:** *Move that the Board of Selectmen vote to make the following reappointments to terms on Town boards expiring December 31, 2007; except Marilyn Downey's term will expire on June 30, 2007.*

CEM BOD	Full Member	Rev. Henry J. Dahl
CEM BOD	Full Member	Katherine Margie Perry
CEM BOD	Full Member	Marilyn Downey (6/30/07)

**Motion by:** Mary-Jo Avellar      **Seconded by:** Michele Couture  
**Yea 4 Nay 0 Abstain 1**

**4C      TOWN BOARD APPOINTMENT: DISABILITY COMMISSION**

Selectmen's Approval of Town Manager's Appointments

**MOTION:** *Move that the Board of Selectmen vote, pursuant to MGL C.40,§8J, to approve the Town Manager's reappointment of Toni Schiff and Town Clerk Douglas Johnstone as regular members of the Disability Commission, for terms expiring December 31, 2007.*

**Motion by:** Mary-Jo Avellar      **Seconded by:** Michele Couture      **Yea 5 Nay 0**

**5A      VISITOR SERVICES BOARD - FY 2005 TOURISM FUND**

Approval of Certain Expenditures

**MOTION:** *Move that the Board of Selectmen vote to approve funding from the Tourism Fund of the following expenditures from the FY 2005 Tourism budget, as recommended by the Visitor Services Board: (1) \$5,000 from Municipal Projects for the Town's Skate Park ; and (2) \$27,564.50 from the Marketing Budget for various expenses.*

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

**5B1      LAND BANK ACQUISITION - 290F BRADFORD STREET**

Conservation Restriction - Aaron Curtis Property

**MOTION:** *Move that the Board of Selectmen vote, pursuant to Article 19 of the April 7, 2004 Special Town Meeting, to approve conveyance by the Conservation Commission to the Trustees of the Provincetown Conservation Trust, for no consideration, a perpetual conservation restriction as required by the Cape Cod Open Space Land Acquisition Act on a certain parcel of real estate at 290F Bradford Street to be acquired from Aaron L. Curtis, containing 1.5-acres, more or less, shown as Assessors Map 15-3-105 as authorized by Massachusetts General Laws, Chapter 184, Sections 31-33, allowing conservation and passive recreation uses described in Massachusetts General Laws, Chapter 40, Section 8C.*

**Motion by:** Sarah Peake      **Seconded by:** Mary-Jo Avellar  
**Yea 4 Nay 1 (Michele Couture)**

Cheryl Andrews left the room as she is an abutter.

**5B2      LAND BANK ACQUISITION - 82 HARRY KEMP WAY**

Conservation Restriction - Ray Wells Property

**MOTION:** *Move that the Board of Selectmen vote, pursuant to Article 18 of the April 7, 2004 Special own*

*Meeting, to approve conveyance by the Conservation Commission to the Trustees of the Provincetown Conservation Trust, for no consideration, a perpetual conservation restriction as required by the Cape Cod Open Space Land Acquisition Act on a certain parcel of real estate at 82 Harry Kemp Way to be acquired from Ray M. Wells, containing 2.09-acres, more or less, shown as Assessors Map 13-2-034-A as authorized by Massachusetts General Laws, Chapter 184, Sections 31-33, Chapter 40, Section 8C.*

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

**5C                      SURPLUS DECLARATION**

School Bus

**MOTION: *Move that the Board of Selectmen vote, pursuant to Provincetown General By-laws §6-4-6, to authorize the Town Manager to dispose, by sealed bid, of the following Town-owned vehicle declared surplus by the Town Manager and the School Committee: 1996 Thomas School bus VIN# 1T88P4B19T1141996.***

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

**6A                      GRANT APPLICATION**

Massachusetts Cultural Council - Cultural Tourism - \$30,000

**MOTION: *Move that the Board of Selectmen vote to approve funding from the Tourism Fund of the following expenditures from the FY 2005 Tourism budget, as recommended by the Visitor Services Board: (1) \$5,000 from Municipal Projects for the Town's Skate Park ; and (2) \$27,564.50 from the Marketing Budget for various expenses.***

**Motion by: Richard Olson                      Seconded by: Sarah Peake                      Yea 5    Nay 0**

Mary-Jo Avellar left the room.

**6B1                      CZM COASTAL POLLUTANT REMEDIATION: DESIGN**

Stearns & Wheeler - \$33,200 - Atlantic Avenue Town Landing

**MOTION: *Move that the Board of Selectmen vote to authorize execution of a contract with Stearns & Wheler of Hyannis, Massachusetts in the amount of \$33,200 for design, bidding, and construction administration services for stormwater mitigation measures at the Atlantic Avenue Town landing, which project is partially funded by a grant from the Massachusetts Coastal Zone Management under its FY 2005 Coastal Pollutant Remediation Program.***

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

**6B2                      DPW: DRAINAGE IMPROVEMENTS**

Stearns & Wheler - \$5,400 - Bradford Street Extension

**MOTION: *Move that the Board of Selectmen vote to authorize execution of a contract with Stearns & Wheler of Hyannis, Massachusetts in the amount of \$5,400 for topographical survey, soil evaluator services for drainage improvements to Bradford Street Extension.***

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

Mary-Jo Avellar returned.

**6C                      POLICE: GRANT AWARD**

2005 Governor's Highway Safety Grant

**MOTION: *Move that the Board of Selectmen vote to accept the FY 2005 Traffic Enforcement Grant for \$8400 from the Governor's Highway Safety Bureau grant program for "Click It or Ticket" and "You Drink, Your Drive, You Lose" program.***

**Motion by: Mary-Jo Avellar                      Seconded by: Richard Olson                      Yea 5    Nay 0**

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

Tabled to December 13, 2004.

8. **CLOSING STATEMENTS**

**Richard Olson** - None      **Mary-Jo Avellar** - None

**Michele Couture** - None      **Sarah Peake** - None

Cheryl Andrews - read article from Boston Globe on gay wedding.

Motion to adjourn by Michele Couture at 9:12 pm.

Minutes transcribed by: Vernon Porter, Secretary  
November 29, 2004