

TOWN OF PROVINCETOWN - BOARD OF SELECTMEN

REGULAR MEETING – JANUARY 14, 2002

JUDGE WELSH HEARING ROOM

Betty Steele-Jeffers, Chairman opened the meeting 6:00 PM noting the following attendees: Board of Selectmen members: Betty Steele-Jeffers, Cheryl Andrews, Mary-Jo Avellar, David Atkinson and Michele Couture.

Other attendees: Keith Bergman – Town Manager, Mark Latour – Assistant Town Manager

Recorder: Vernon Porter - Secretary to Board of Selectmen

The following are meeting minutes, in brief.

1A PUBLIC HEARING: AMEND REGULATIONS

Public Use of Town Hall – Police Detail Officer

MOTION: Move that the Board of Selectmen waive the reading of the Public Notice.

Motion by: Mary-Jo Avellar Seconded by: Cheryl Andrews Yea 5 Nay 0

MOTION: Move that the Board of Selectmen vote to amend the Regulations For Public Use Of Town Hall by amending item #13 to read as follows:

“13. All public use of Town Hall Auditorium requires a special duty police detail. This detail must be scheduled the entire time the event is open to the public. Arrangements should be made directly with Police Headquarters and confirmed to the Custodian in charge. All details must be scheduled prior to approval of application for Town Hall use, with payment therefore to be made upon approval of rental in advance of the event. Payment for Police details is made directly to the Police Department, and is not covered by the rental fees.”

Motion by: Mary-Jo Avellar Seconded by: Cheryl Andrews Yea 5 Nay 0

1B BUILDING COMMITTEE:

MacMillan Pier Construction Contract: Change Orders

MOTION: Move that the Board of Selectmen vote to approve the recommendation of the Building Committee to approve the following change orders for the MacMillan Pier Construction contract with AGM Marine: (1) Change Order #5 in the additive amount of \$188,012; and (2) Change Order #6 for a deduction of \$36,650.53.

Motion by: Cheryl Andrews Seconded by: Michele Couture Yea 5 Nay 0

1C1 BOARD OF LIBRARY TRUSTEES

Capital Fund-raising/MBLC Building Grant Update

Discussion Dependent. Marsha Fair, Debra DeJonker-Berry and James Cole discussed with the Board the progress made towards the PPL Building Project Campaign. They have raised \$175,597 as of this date and the balance of \$896,403 is to be raised by June 1, 2002.

1C2 BOARD OF LIBRARY TRUSTEES

MassCultural Council Grant Application

MOTION: Move that the Board of Selectmen vote to execute a grant agreement with the Massachusetts

Cultural Council for an operational support grant for the Provincetown Public Library in the amount of \$9,070.

Motion by: David Atkinson Seconded by: Cheryl Andrews Yea 5 Nay 0

2. PUBLIC STATEMENTS

Jim Buckingham – Issue on Dump Road / Race Point Road wants direction on where to go. Possibly an agenda item so that the Board of Selectmen can give him some direction.

Dan Petrucci - concerned over airport closing - will it occur this spring? If it does what will the alternatives be for transportation? Shuttle bus to Hyannis? Commutes every day from Provincetown to Boston.

Paul Tasha – read in the paper that we are going to use mahogany doors for this building? We should be using materials like oak or pine that can be found in New England.

3. SELECTMEN’S STATEMENTS

Michele Couture

Repaving of airport runway - when will it happen? Keith – We are actively looking at whether the closure will take place this spring or in the fall. Where we only have the one runway there will be a period of 60 days when the airport will be closed in order to construct the new runway. As time goes on we have to monitor whether the decision of spring or fall gets made for us by default. If we do not have all our permits lined up in time for us to have it proceed for the Spring, then we have no alternative but to have it done in the Fall. One last permit that is needed is the Cape Cod National Seashore ‘Special Use Permit’ which is not in hand and which Congressman Delahunt’s office is trying to help track document down. We don’t want to jeopardize our grants. 90% FAA, 7% State. Contractor is Lawrence Lynch of Falmouth. We hope there will be another Airport Commission meeting within a week or so on these topics.

Mary-Jo Avellar left the room at 6:47 pm as her husband works for the Harbormaster.

Pier Corporation – Do you have any idea when we are going to be appointing the Pier Corporation? David Guertin: There are 16 applicants as of this date and the Pier Nominating Committee will be screening applicants in late January and February. They hope to appear before the Board of Selectmen in April or May or voting in June and the Corporation in place by late summer early Fall. Keith: We are counting on that timetable to have identified the Pier Corporation members.

Mary-Jo Avellar returned at 6:58 PM

Can we schedule a date for our first forum for the Cape End Manor? Date: Tuesday – January 29, 2001 @ 7 PM Town Hall – Judge Welsh Room

Would like to say welcome again to Chief Meyers.

Cheryl Andrews

Echo Michele’s comments to Chief Meyers.

MMA Convention – remind public that we all went. Went to Mass. Selectmen’s Association and the MMA Business meeting. I’m interested in looking at their websites and to see how we are represented in those groups – when they speak for us, how are they deciding how they speak for us and what they think we want and what our interest are.

Want Stephan Nofield to know personally that, once again, a Selectman from the Western part of the State came up to me and said how much they like our website.

Call from a Board of Health member saying that they are putting up a red flag and that they need a new BOH member.

Betty Steele-Jeffers

MacMillan Pier Reconstruction – Resident Engineer memo to Record dated 12-19-01 - states that AGM's critical path is based solely on construction sequencing constraints. There are no user operations constraints, few public access constraints and no weather constraints programmed into the schedule. Results: An unrealistic schedule, which does not address the variable and constant parameters of pier operations and safe public access.

What I would like to know is what are we doing about this? David Guertin: We met twice thereafter and I am pleased to report that the matter has been resolved.

MOTION: Move that the Board of Selectmen vote send a letter of congratulations to the Town of Uxbridge in celebration of their 275th Anniversary on June 27,2002 and to also congratulate the towns of, Hanover, Southboro and Shrewsbury on their 275th Anniversary.

Motion by: Betty Steele-Jeffers Seconded by: Mary-Jo Avellar Yea 5 Nay 0

MOTION: Move that the Board of Selectmen vote to ask that the Chief of Police submit a report as to what may have gone wrong relative to the Lee Robinson letter dated January 7, 2002 concerning an incident that happened New Year's Eve.

Motion by: Betty Steele-Jeffers Seconded by: Michele Couture Yea 5 Nay 0

Mary-Jo Avellar

MOTION: Move that the Board of Selectmen vote to have the Town Manager send a letter to the Cape Cod National Seashore regarding the delay in the paperwork over the airport closing and to report back at our next schedule meeting.

Motion by: Mary-Jo Avellar Seconded by: David Atkinson Yea 5 Nay 0

Want to thank Doug Johnstone for organizing the reception for Chief Meyers this morning and welcome him once again.

MOTION: Move that the Board of Selectmen vote to have Town Counsel look into the procedure of collecting rent on tax title properties.

Motion by: Mary-Jo Avellar Seconded by: Cheryl Andrews Yea 5 Nay 0

MOTION: Move that the Board of Selectmen vote to send a letter to the Massachusetts Municipal Association to propose annual awards be given to municipal websites.

Motion by: Mary-Jo Avellar Seconded by: Betty Steele-Jeffers Yea 5 Nay 0

MOTION: Move that the Board of Selectmen vote to send a letter to Henri Rauschenbach to further support the Town Manager's January 10, 2001 letter relative to the CEM.

Motion by: Mary-Jo Avellar Seconded by: David Atkinson Yea 5 Nay 0

To Mr. Tasha, I don't know why mahogany.

To Mr. Buckingham, we cannot discuss anything that's now become a matter of involving Executive Session.

- Letter from Susan Hoffman re: Cable Studio. Once Timothy McCarthy comes back I'd like to find out what is going on. Keith - This is rescheduled to January 28, 2002.

David Atkinson

- Also went to MMA. Most interesting seminar I attended was on Conflict Resolution and they gave us really detailed example of how it works for the Town of Plymouth defusing the Native American incidents around Thanksgiving and it was really a wonderful presentation.

New toilet seat - for our tourist – you push a button and it replaces a plastic sit down seat. I gave the information to Sandy Turner.

New street sign that 3M is making that tells you how fast you are going. I passed this on to Alan Sousa.

Skate Park information – I passed on to Dennis Clark

Housing – new way to deal with builders/planners etc., before plans are done.

Auditors report – would like report/agenda item for our next meeting.

Gave all of you a page from a reference book that Tom Boland supplied to me showing what color the doors would be – unpainted. Doors have already been made.

Cheryl Andrews – if you convince the Historic Commission, with new information to change their vote, I will certainly consider changing mine.

Swap Shop – Hours of taking stuff away should not be limited. Will bring this back to Sandy for discussion.

MOTION: Move that the Board of Selectmen send a letter of thanks to Greg Smith of the Cape Cod Commission for undertaking a cost analysis on whether or not Provincetown's Solid Waste and Recycling Facility would better serve the community if it were self-supporting versus contract hauling.

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

John Bennett's report on 'The Great Provincetown Schooner Race for September 8, 2002' – do we meter water at the pier? David Guertin – yes, everything is metered.

4A REQUEST: ROTARY CLUB

Lopes Square Park Area

MOTION: Move that the Board of Selectmen vote to approve the offer from the Rotary Club to take on the financial responsibility for the refurbishing of Lopes Square, subject to coordination through the Department of Public Works; and to express the Board's thanks to the Rotary Club for this offer.

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

4B POLICE: GRANT APPLICATION

FY 2002 EOPS Community Oriented Policing/\$10,000

MOTION: Move that the Board of Selectmen vote to authorize the submission of a grant application to the Executive Office of Public Safety under its FY 2002 Community-Oriented Policing grant program in the amount of \$10,000 to fund the following initiatives for the Provincetown Police Department: Cultural Diversity Training, Critical Incident Plan Development, Alcohol Server Training, and general administration.

Motion by: Cheryl Andrews Seconded by: Michele Couture Yea 5 Nay 0

4C **TOWN CLERK**

2001 Town Report Dedication

MOTION: *Move that the Board of Selectmen vote to dedicate the 2001 Annual Town Report to those current and former Town board members and employees who died during calendar year 2001, as contained in the list of names submitted by Town Clerk Stephan J. Nofield and with revisions.*

Motion by: Cheryl Andrews Seconded by: Betty Steele-Jeffers Yea 5 Nay 0

4D **COUNCIL ON AGING – GRANT AWARDS**

Executive Office of Elder Affairs

MOTION: *Move that the Board of Selectmen vote to accept a grant award in the amount of \$4,165 from the Executive Office of Elder Affairs (EOEA) for the FY 2002 Formula Grant and vote to accept an EOEA grant award in the amount of \$4,200 for the Service Incentive Grant.*

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

5A **TOWN MANAGER’S FY 2003 BUDGET MESSAGE**

FY 2002-FY 2003 Fiscal Overview

Discussion dependent.

MOTION: *Move that the Board of Selectmen vote to have the Town Manager prepare a warrant article such that when he divides up the \$500,000 between Stabilization Fund and reducing the tax rate that the numbers crunch so that FY 2002 levy rises 2.5% over the previous year maximum.*

Motion by: Cheryl Andrews Seconded by: Mary-Jo Avellar Yea 5 Nay 0

5B **TOWN MANAGER APPOINTMENTS**

Conservation Commission, Disability Commission

MOTION: *Move that the Board of Selectmen vote to approve the following appointments by the Town Manager: (1) pursuant to Charter §6-6-1, to reappoint John Bennett as full members, and to appoint Peter Souza as an alternate member of the Conservation Commission, all for terms expiring December 31, 2004; and (2) pursuant to MGL C.40,s.8J, to reappoint Toni Schiff as a full member on the Disability Commission, for a term expiring December 31, 2004.*

Motion by: David Atkinson Seconded by: Michele Couture Yea 5 Nay 0

MOTION: *Move that the Board of Selectmen vote to approve the following appointment by the Town Manager pursuant to Charter §6-6-1, to reappoint Susan Avellar as full members Conservation Commission with a term to expiring December 31, 2004.*

Motion by: David Atkinson Seconded by: Michele Couture
Yea 4 Nay 0 Abstain 1 (Mary-Jo Avellar)

6A **TRANSPORTATION PLAN – COMMENTS**

MOTION: *Move that the Board of Selectmen vote to submit the following comments on the Executive*

Summary - Draft Five-Year Public Transportation Plan for Cape Cod - Years 2002-2006:

MOTION: *Move that the Board of Selectmen vote to add air service to Provincetown from TF Green Airport in Providence.*

Motion by: Mary-Jo Avellar **Seconded by:** Cheryl Andrews Yea 5 Nay 0

MOTION: *Move that the Board of Selectmen vote to give highest priority a Provincetown to Orleans shuttle year round.*

Motion by: David Atkinson **Seconded by:** Michele Couture Yea 5 Nay 0

MOTION: *Move that the Board of Selectmen vote to advise the Transit Task Force that we do not support their proposed shuttle for the whale watch departures. Reasons: 1) Focused on one business, 2) everyone uses Burger King as its transit stop, 3) if we did have a shuttle from Hyannis to Provincetown it should coordinate time wise with the P & B /Logan bus not the Whale Watch industry.*

Motion by: Cheryl Andrews **Seconded by:** Mary-Jo Avellar Yea 5 Nay 0

MOTION: *Move that the Board of Selectmen vote to give high priority to the possibility of the Cape Cod Regional Transit Authority buying out the Barnstable to Provincetown Route or any portion of it.*

Motion by: Mary-Jo Avellar **Seconded by:** Cheryl Andrews Yea 5 Nay 0

MOTION: *Move that the Board of Selectmen vote to ask Plymouth and Brockton for a copy of their license.*

Motion by: Michele Couture **Seconded by:** Cheryl Andrews Yea 5 Nay 0

MOTION: *Move that the Board of Selectmen vote to extend the bicycle route to Provincetown.*

Motion by: Mary-Jo Avellar **Seconded by:** Cheryl Andrews Yea 5 Nay 0

6B **MID-YEAR REVIEWS**

Town Manager, Secretary to the Board of Selectmen

MOTION: *Move that the Board of Selectmen vote to establish January 18, 2002 at 5 PM as the deadline for submission to the Chairman of members' mid-year reviews of the Town Manager and the Selectmen's Secretary.*

Motion by: Michele Couture **Seconded by:** Cheryl Andrews Yea 5 Nay 0

7. **BOARD OF SELECTMEN APPOINTMENTS**

MOTION: *Move that the Board of Selectmen appoint Steven Roderick as a Regular Member of the Board of Assessors with an expiration date of December 31, 2002.*

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

MOTION: *Move that the Board of Selectmen appoint Minerva Newman as an Alternate Member of the Board of Assessors with an expiration date of December 31, 2004.*

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

MOTION: *Move that the Board of Selectmen appoint Thomas Boland as a Regular Member of the Historic District Study Commission with an expiration date of December 31, 2004.*

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

MOTION: *Move that the Board of Selectmen appoint Eric Dray as a Regular Member of the Historic District Study Commission with an expiration date of December 31, 2004.*

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

MOTION: *Move that the Board of Selectmen appoint Gino Verzzone as a Regular Member of the Historic District Study Commission with an expiration date of December 31, 2004.*

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

MOTION: *Move that the Board of Selectmen appoint Betty Krier as a Regular Member of the Human Services Committee with an expiration date of December 31, 2004.*

Motion by: Mary-Jo Avellar **Seconded by:** Cheryl Andrews
Yea 4 Nay 1 (David Atkinson)

MOTION: *Move that the Board of Selectmen appoint Robert Jackson as a Regular Member of the Human Services Committee with an expiration date of December 31, 2004.*

Motion by: Mary-Jo Avellar **Seconded by:** Cheryl Andrews
Yea 3 Nay 1 (David Atkinson) Abstain 1 (Michele Couture)

Set up an interview with Carl A. Wallace for an alternate position on the Water & Sewer Board at next meeting.

8 **MINUTES OF BOARD OF SELECTMEN MEETINGS**

MOTION: *Move that the Board of Selectmen approve the minutes of: December 17, 2001 (Regular Mtg.) as printed.*

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

9. **CLOSING STATEMENTS**

- **Michele Couture** - None

- **Cheryl Andrews** - None

Betty Steele-Jeffers - None

Mary-Jo Avellar - None

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- **David Atkinson**

MOTION: *Move that the Board of Selectmen make as one of their goals for next year to investigate the possibility of making a parking lot on the closed Provincetown Landfill.*

Motion by: David Atkinson Seconded by: Mary-Jo Avellar
Yea 3 Nay 2 (Cheryl Andrews/ Michele Couture)

Motion to adjourn by Michele Couture at 9:13 PM

Minutes transcribed by: Vernon Porter, Secretary
January 16, 2002