

TOWN OF PROVINCETOWN - BOARD OF SELECTMEN

REGULAR MEETING – JULY 23, 2001

JUDGE WELSH HEARING ROOM

Chairman, Betty Steele-Jeffers opened the meeting 6:00 PM noting the following attendees:

Board of Selectmen members: Elizabeth Steele-Jeffers, Cheryl Andrews, David Atkinson, Michele Couture. Mary-Jo Avellar arrived at 7:15 PM

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

Recorder: Vernon Porter - Secretary to Board of Selectmen

The following are meeting minutes, in brief.

1A CAPE LIGHT COMPACT

Energy Efficiency Plan

MOTION: *Move that the Board of Selectmen vote, pursuant to Article 24 of the April 2, 2001 Special Town Meeting, to approve this Energy Efficiency Resolution proposed by the Cape Light Compact.*

Motion by: Michelle Couture Seconded by: Cheryl Andrews Yea 4 Nay 0

1B WASTEWATER: METCALF & EDDY

Update: Review of Major Project Design Elements

MOTION: *Move that the Board of Selectmen vote to approve the Wastewater Implementation Citizen Advisory Committee's July 19, 2001 recommendation that the central vacuum station (CVS) be located on the Town-owned Comfort Station property, to the west of the Comfort Station; and further that Metcalf & Eddy be directed to prepare preliminary design plans for this site suitable for review with the abutters and other interested parties.*

Motion by: Michelle Couture Seconded by: David Atkinson Yea 4 Nay 0

Mary-Jo Avellar joined the meeting at 7:15 PM

1C WATER UPDATE

Review of Department Projects, New Source Acquisition, Water Quality

MOTION: *Move that the Board of Selectmen vote to schedule a workshop with the Provincetown Water Department and Water & Sewer Board for Monday, September 17, 2001 to review the New Source Application for the Spaghetti Strip and a more detailed presentation of the Desalinization Program.*

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

2. PUBLIC STATEMENTS

Peter Sousa – Sewer plan is flawed.

3. SELECTMEN'S STATEMENTS

David Atkinson - None

Michele Couture

MOTION: *Move that the Board of Selectmen refer the letter received from Custodio and Gladys Silva Sr. to the Police Chief and Parking Administrator for review and report back to the Board.*

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

Cheryl Andrews

Report to the Board: Protocol attended in the past few days: inauguration of new shuttle buses Friday night; Nancy Wharf's presentation of her Proclamation – David and I did that at the gallery Friday night; four of us were at the ribbon cutting of the new Marine Sanctuary Visitors Center across the street Saturday and I represented you at the official welcoming of Ralph LaPera who bicycled here from California and presented him with the key to the Town.

MOTION: *Move that the Board of Selectmen ask administration to schedule seminars as outlined in the letter to the Board dated June 26, 2001.*

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

Want to mention about our volunteers working extra hard and long hours – that extra mile.

MOTION: *Move that the Board of Selectmen ask staff to remove the painting from the wall and do minor repairs so that it may be used for visual aid.*

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

Thanks to Mark Latour for chauffeuring us during the 4th of July parade.

Fire station next to town hall used by certain groups. Who makes the decision on gets to use it? Answer: Applications are submitted to police department. Police Chief does not ask if it is for profit or non-profit use. Suggestion: May want to take a look at the way this is handled in the future. Complaints are getting worse. May want to formalize it a little more.

Response to speaker at public statements. I feel comfortable saying to you that a lot of things that bother you right now are not because town bylaws are being broken or town regulations but because of superseding state interventions.

Health Department opening- if you're thinking of re-advertising you may have to redefine job description – I will be glad to help.

Betty Steele-Jeffers

MOTION: *Move that the Board of Selectmen request that the RTA indicate in some manor on the back of the shuttles that they are vehicles that make frequent stops*

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

Department heads – think about next summer and how it will be handled – such as staffing needs, traffic control, comfort station personnel, etc.

Shuttle – Don Richards said he thinks he's starting to notice a decline in MPL at night because people are coming in from Beach Point – families are coming in just for the night – having dinner and going out. I

think the shuttle is doing something we hoped it would do and that is to cut down on traffic and cars in our town. These shuttles are more environmental friendly – we are moving in the right direction and part of our goal is to keep cars from the downtown area, if we have to suffer with fact that we are getting a little less in parking funds, I think we are starting to meet our goals and that is to get people here in a way that they can enjoy it and not clog up the roads and the atmosphere.

Mary-Jo Avellar

I think taking the cars off Commercial Street on Wednesday and Saturday nights is working extremely well.

Are we going to be receiving a report from the Board of Health on their new proposed regulation based on affordable housing? Very disturbed by these regulations.

Item 1A – vacuum system being downtown – disastrous results should this fail. Desalinization of water - taking the Seashore off the hook. Agree with Mr. Sousa’s comments 100%.

Nice to see all the boats in the harbor this weekend. Members of the yachting public are very conscientious.

Sorry I missed all the public events.

4A VISITOR SERVICES BOARD – TOURISM FUND

Pilgrim Monument: Provincetown Ambassadors

Betty Steele-Jeffers left the room

Disclosure statement by Mary-Jo Avellar:

“I am a member of the Association of the Cape Cod Pilgrim Memorial Association. I receive no remuneration. No members of my family work for the CCPMA or do they receive any remuneration. For the privilege of belonging to the CCPMA, I pay \$25 per year. I have never voted on an issue at the CCPMA because I am not a member of the Board.”

MOTION: Move that the Board of Selectmen vote to approve the Visitor Services Board's recommendation to transfer \$8,000 from Article 20 of the April 2, 2001 Special Town Meeting to fund a promotional projects grant to the Pilgrim Monument & Provincetown Museum for the hiring, training, and scheduling of "Provincetown Ambassadors."

Motion by: David Atkinson Seconded by: Mary-Jo Avellar Yea 4 Nay 0

Betty Steele-Jeffers returned.

4B BEAUTIFICATION COMMITTEE

Plan for Bas Relief

MOTION: Move that the Board of Selectmen vote to approve the Beautification Committee's proposed plan for the Bas Relief at a cost of \$20,485, for which \$17,485 would be reprogrammed from the FY 2002 699 Tourism - Municipal Projects budget, in addition to \$3,000 encumbered from FY 2001 and further that 1) no scotch broom be used, 2) pick out trees themselves using some dwarf trees, 3) anything planted should not obstruct any view of the monument.

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

Betty Steele-Jeffers left the room.

Disclosure statement by Mary-Jo Avellar:

“I am a member of the Association of the Cape Cod Pilgrim Memorial Association. I receive no remuneration. No members of my family work for the CCPMA or do they receive any remuneration. For the privilege of belonging to the CCPMA, I pay \$25 per year. I have never voted on an issue at the CCPMA because I am not a member of the Board.”

MOTION: *Move that the Board of Selectmen request permission of the Cape Cod Pilgrim Memorial Association to undertaken that portion of the plan located on their property abutting the Bas Relief.*

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

Betty Steele-Jeffers returned

4C REQUEST: SPRINT/SPECTRUM LEASE AGREEMENT

Mt. Gilboa Water Tank – wireless Telecommunications Repeater

MOTION: *Move that the Board of Selectmen vote, pursuant to Article 29 of the October 28, 1996 Special Town Meeting, to enter into a 20-year lease agreement with Sprint/Spectrum, L.P. d/b/a Sprint PCS, for installation and operation of a repeater wireless telecommunications facility at the Mt. Gilboa Water Tank site, subject to Sprint obtaining all necessary permits.*

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

4D SURPLUS DECLARATION

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: 1989 GMC, \$6000 school bus.*

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

4E PARADE PERMIT: YANKEE LAMBDA CAR CLUB

MOTION: *Move that the Board of Selectmen vote to approve Parade application submitted by George Roberts, 44 Sea Avenue, Quincy, MA., on behalf of the Yankee Lambda Car Club for a Public Showing of Residential Motorcade & Classic Cars on Saturday, September 22, 2001 starting at 2:00 PM and ending by 2:30 PM.*

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

4F PARADE PERMIT: MUSCULAR DYSTROPHY ASSOCIATION

MOTION: *Move that the Board of Selectmen vote to approve Parade application submitted by Jim Sharland c/o MDA, 10 Riverside Dr. Suite 105, Lakeville, MA 02347 to be held Sunday, September 16, 2000 for the purpose of holding their Rock ‘N Ride II Bike-A-Thon.*

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

4G REQUEST: PROVINCETOWN ART ASSOCIATION MUSEUM

MOTION: *Move that the Board of Selectmen vote to authorize execution of a loan agreement with the Provincetown Art Association and Museum for the loan of Town-owned art to said organization during the Fall Arts Festival, as approved by the Art Commission on July 17, 2001.*

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

MOTION: *Move that the Board of Selectmen ask staff to check to see if our insurance covers our town-owned art when it is loaned out?*

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

5A GRANT APPLICATION: BETTER MANAGING OPEN SPACE

DEM Recreational Trails Grant Program: \$50,000

MOTION: *Move that the Board of Selectmen vote to authorize submission of grant application for \$50,000 to the Department of Environmental Management under its Recreation Trails Grant Program for signage for a “greenway” bicycle and walking trail system that links the Town’s Open Space properties, provides access to them, and connects these properties to those owned by the partner organizations; and the design and construction of a bike path from Conwell Street to Alden Street.*

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

5B LOCAL LAW ENFORCEMENT BLOCK GRANT PROGRAM

MOTION: *Move that the Board of Selectmen vote to authorize the submission of a grant application to the U.S. Department of Justice under its FY 2001 Local Law Enforcement Block Grant Program for \$13,656 for radio and computer equipment for the Provincetown Police Department.*

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

5C BEACH MANAGEMENT PLAN

Including Routine Cleaning and Maintenance

MOTION: *Move that the Board of Selectmen vote to support the twelve consensus points reached by the Ad Hoc Beach Management and Clean-up Group, as expressed in the July 20,2001 memo from the Assistant Town Manager.*

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

5D LOCAL COMPREHENSIVE PLAN IMPLEMENTATION

Execute MOA with Cape Cod Commission c/o Barnstable County

MOTION: *Move that the Board of Selectmen vote, pursuant to Article 19 of the April 2, 2001 Annual Town Meeting, to execute a memorandum of agreement with the Barnstable County Commissioners in the amount of \$20,000 for the Cape Cod Commission to assist the Town in performing a comprehensive update of the Town's Zoning By-laws, Subdivision Regulations, and Sign Code in a manner consistent with the Local Comprehensive Plan.*

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

5E **FY 2002 TOWN-WIDE POLICY GOALS**

Town Manager's Performance Objectives

MOTION: *Move that the Board of Selectmen vote to adopt the following as "major projects" on the Town Manager's FY 2002 performance appraisal instrument: (1) Wastewater, (12) Cape End Manor, (3) MacMillan Pier, (4) Water, (5) Future of Library, Museum & Collections, and (6) Affordable Housing and Open Space.*

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

6. **BOARD OF SELECTMEN APPOINTMENTS**

MOTION: *Move that the Board of Selectmen appoint Anne Lord as a Regular Member to the Water & Sewer Board with a term expiration date of December 31, 2003.*

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

7. **CLOSING STATEMENTS**

David Atkinson

MOTION: *Move that the Board of Selectmen send a letter of thanks to the owner of the car for the two parades that we were in. (Cheryl Andrews volunteered to write the letter.)*

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

Michele Couture - None

Cheryl Andrews

New entering Provincetown Sign - redundancy of green signs – would like to see them taken off - they will free up the visual line to our painting.

Town vehicles all have different seals.

MOTION: *Move that the Board of Selectmen ask the Town Clerk for a brief report with graphics on each town symbol that is current used*

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

Betty Steele-Jeffers

Presentations – set up in different manner than what is currently done. Use sidewall for screen – remove painting.

Wonderful how clean and shiny this building is. Excellent job! Makes the Town Hall just look like it should.

Mary-Jo Avellar - None

8A

LITIGATION STRATEGY

Beede Waste Oil Superfund Site – Large De Minimis Contributor

MOTION: Move that the Board of Selectmen vote, pursuant to MGL Chapter 39, section 23B, clause 3, to go into executive session for the purpose of discussing strategy with respect to litigation; and not to convene in open session thereafter

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

[Roll call vote]

Cheryl Andrews - Yes

Michele Couture – Yes

David Atkinson – Yes

Mary-Jo Avellar - Yes

Betty Steele-Jeffers - Yes

Minutes transcribed by: Vernon Porter, Secretary
July 26, 2001