

TOWN OF PROVINCETOWN - BOARD OF SELECTMEN

REGULAR MEETING – NOVEMBER 13, 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, David Atkinson and Michele Couture.
Excused Absence: Cheryl Andrews and Mary-Jo Avellar

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

Recorder: Vernon Porter - Secretary to Board of Selectmen

The following are meeting minutes, in brief.

1A COUNTY COMMISSIONERS PRESENTATIONS

Donations to Elders at Risk Program; Present County Surplus check

In attendance: George Bryant from the Barnstable Assembly of Delegates, County Commissioner Lance Lambros and Council on Aging Outreach Coordinator Chris Hottle.

George Bryant introduced Lance Lambros who explained why the Elders at Risk Program decided to donate a computer and printer to all the local Council of Aging groups on the Cape with the help of the Assembly of Delegates.

Mr. Lambros made the presentation to Chris Hottle and she thanked the County Commissioner and the Assembly of Delegates for their timely contribution and said it would be put to good use in a great time of need.

MOTION: *Move that the Board of Selectmen vote to accept a donation of a computer and printer on behalf of the Elders At Risk program.*

Motion by: David Atkinson **Seconded by:** Michele Couture **Yea 3 Nay 0**

Mr. Bryant presented Keith Bergman a check for the \$24,328.20 county surplus which the Board of Selectmen voted on October 9, 2001 to use towards the local match for the construction phase of the project to reconstruct, mark and light Runway 7-25 at Provincetown Municipal Airport.

1B PRESENTATION: NSTAR

Vegetation Management Program

This item to be scheduled at date to be determined.

1C PRESENTATION: DPW

Old Burn Dump Closure Update

Discussion dependent. See attached agenda material

1D PRESENTATION: DPW

Water Quality Update, Flushing Program

Discussion dependent. See attached agenda material

2. PUBLIC STATEMENTS

Barbara Rushmore - Glad to hear that there will be not more use of asbestos pipes.

Tree Warden – would like the Board of Selectmen to introduce an Article in the April Town Meeting asking for a Tree Warden. If the Board of Selectmen does not ask for one then she will do it on her own. NSTAR – Request that the Board of Selectmen not give NSTAR approval to cut down trees 8 feet from any wires, etc.

Sheila Benzer - Reiterate what Barbara Rushmore has said. Keep our trees and character of our town. Walked Route 6 from Snail Road to Shank Painter Road and the trees that NSTAR marked with blue X for removal totaled 607. Even along Bradford Street - if they remove the trees all you will see is wires. This will ruin the beauty and the character of the town. I would ask them for a 4 foot pruning rather than clearing 607 trees.

Peter Sousa - Walked with Sheila and would say there are smaller trees that will be lost as well and you can add another 200 or 300 trees to that count. Also Race Point Road is marked for removal as far as the transfer station of approximately 100 trees. This should not be allowed. We hope the Selectmen will not permit NSTAR to carry out this plan.

3. SELECTMEN'S STATEMENTS

Michele Couture

Thank the previous speakers and agree with them on this issue.

MOTION: Move that the Board of Selectmen ask the Town Manager to instruct the Grant Administration to apply for the Heritage Tree Care grant for Winter 2001-2001 through the Executive Office of Environmental Affairs – Department of Environmental Management, Boston, MA.

Motion by: Michele Couture Seconded by: David Atkinson Yea 3 Nay 0

MOTION: Move that the Board of Selectmen ask the Town Manager to instruct the Shellfish Constable to and assist the Executive Office of Environmental Affairs regarding recording and mapping shellfish aquaculture sites.

Motion by: Michele Couture Seconded by: David Atkinson Yea 3 Nay 0

MOTION: Move that the Board of Selectmen direct the Town Manager to write an open letter to the town regarding the new Police Chief's position and why we paying this person such a large sum of money.

***Motion by: Michele Couture Seconded by: Betty Steele-Jeffers
Yea 1 Nay 2 (Betty Steele-Jeffers / David Atkinson)***

-- MOTION DOES NOT CARRY --

Betty Steele-Jeffers

NSTAR – was on the agenda for this evening but we postponed it until all board members could be present. We have a list of what they say they were cutting but it does not include Route 6. I do not want them to take any trees from Race Point Road.

Cape Light Compact – may I have an update by November 26th.

Meeting new employees – would like to meet them – cup of coffee or something.

Employee appreciation – Is this being worked on? Update by November 26th.

Jean Finch - Put the skateboard park together in Upper Orleans and is willing to help us in any way. Passing on this information to you.

David Atkinson

NSTAR - the only purpose they have in cutting down the trees is to save money. They have three options: 1) removal – which is out of the question 2) pruning them 3) transplanting them 4) burying the wire. Removal of any live trees is totally inappropriate.

Betty Steele-Jeffers – do we have a right to say they cannot cut them? Answer: David Guertin – they cannot commence this program without your approval – it is on your property. Betty– what about Route 6? - Answer: It is soon to be your property.

WATER – Is the new Stop & Shop in Truro going to take our water or are they going to supply their own water? Answer: David Guertin - Engineering analysis should be available in several days and I can talk intelligent with you.

MOTION: Move that the Board of Selectmen ask the Board’s secretary to check the motion in the minutes of the meetings as to acquisition of Art for the Town Collection by the Art Commission.

Motion by: David Atkinson Seconded by: Betty Steele-Jeffers Yea 3 Nay 0

Management of our Water System – Look into possibility of management people to handle our water system.

Swap Shop – looks like a trailer.

4. VISITOR SERVICES BOARD

Recommended Five-Year Financial Plan for Tourism Fund Expenditures

Disclosure Statements

Michele Couture - My partner works for Helping Our Women who has received grant money from the VSB.

Betty Steele-Jeffers – I work part-time for the Chamber of Commerce who receives co-op money for advertising from the VSB.

MOTION: Move that the Board of Selectmen vote to approve the Visitor Services Board's recommended five-year financial plan for Tourism Fund expenditures as specified.

Motion by: Michele Couture Seconded by: David Atkinson Yea 3 Nay 0

5A ROUTE 6A WATER MAIN REPLACEMENT PROJECT

MCDBG Grant – Change Order No. 1 - \$76,155.88 – Silva Construction Co.

MOTION: Move that the Board of Selectmen vote to approve Change Order No.1 in the amount of \$76,155.88 to the contract with Silva Construction Co., Inc. of Assonet, MA for Route 6A water main improvements, funded by the 2000 Massachusetts Community Development Block Grant award.

Motion by : David Atkinson Seconded by: Michele Couture Yea 3 Nay 0

5B MDPH HIV/AIDS HOME HEALTH GRANT

Two-Year Extension fro \$433,340

MOTION: *Move that the Board of Selectmen vote to approve execution of a contract amendment with the Massachusetts Department of Public Health to extend June 30, 2002 to June 30, 2004 the October 1, 1997 grant agreement for a comprehensive HIV/AIDS home health program; and to increase the funding thereunder by \$433,340, from \$993,432.50 to \$1,426,772.50*

Motion by: Michele Couture **Seconded by:** David Atkinson Yea 3 Nay 0

5C CAPE END MANOR CARE CAMPUS

Declaration Under MGL C.30B, § 16 (a); Sewer Hook-Up

Keith Bergman recused himself, as he is an abutter.

MOTION: *Move that the Board of Selectmen vote, pursuant to MGL C.30B, §16, clause (a), to declare that Site Y, so-called, as shown on the attached plan, which the Town of Provincetown is about to acquire from the Massachusetts Highway Department, and subject to the approval of town meeting, is available for disposition pursuant to the terms of a Request for Proposals in which the Town is seeking offers from qualified Health Care Providers to acquire title to the parcel and construct thereon a new health care complex consisting of a nursing home, outpatient rehab services, and affordable assisted senior living, and to transfer the Cape End Manor nursing home license for operation thereof, such conveyance to be conditioned upon the successful Health Care Provider assuming operation and management of the Town's existing Cape End Manor nursing home on or about July 1, 2002 and to continue such operation and management until the new facility is opened.*

Motion by: Michele Couture **Seconded by:** David Atkinson Yea 3 Nay 0

MOTION: *Move that the Board of Selectmen vote to provide a Phase I sewer hook-up for the proposed Cape End Manor Care Campus property at Site Y.*

Motion by: Michele Couture **Seconded by:** David Atkinson Yea 3 Nay 0

MOTION: *Move to take Agenda Item 5D out of order.*

Motion by: David Atkinson **Seconded by:** Michele Couture Yea 3 Nay 0

6A 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 \$11,500.00 from the John Anderson Francis Scholarship Fund for the payment of awarded scholarships.*

Motion by: David Atkinson **Seconded by:** Michele Couture Yea 3 Nay 0

6B TREASURER'S TRANSFERS

Joseph F. Oliver Scholarship Fund Scholarship fund

MOTION: *Move that the Board of Selectmen vote, as Commissioners of the Scholarship Funds, to approve the transfer of \$26,100.00 from the Joseph F. Oliver Scholarship Fund for the payment of awarded scholarships.*

Motion by: David Atkinson **Seconded by:** Michele Couture Yea 3 Nay 0

7A BOARD OF SELECTMEN APPOINTMENTS

Reschedule this item to November 26, 2001

7B BAYS LEGAL FUND BOARD OF TRUSTEES

Nominate Representative

MOTION: *Move that the Board of Selectmen vote to nominate Cape Cod Commission representative Leonard C. Stewart as the Town of Provincetown's representative to the Bays Legal Fund Board of Trustees; and to so notify the Barnstable County Commissioners of this nomination.*

Motion by: Michele Couture **Seconded by:** David Atkinson Yea 3 Nay 0

8. MINUTES OF BOARD OF SELECTMEN MEETINGS

MOTION: *Move that the minutes of October 22, 2001 (Regular Mtg.) as printed.*

Motion by: Michele Couture **Seconded by:** David Atkinson Yea 3 Nay 0

MOTION: *Move that the minutes of October 29, 2001 (Open Forum) as printed.*

Motion by: Michele Couture **Seconded by:** Mary-Jo Avellar Yea 3 Nay 0

9. CLOSING STATEMENTS

Michele Couture

MOTION: *Move that the Board of Selectmen request an update report from the Parking Administration on the Lower Cape Regional Transportation Committee*

Motion by: Michele Couture **Seconded by:** David Atkinson Yea 3 Nay 0

Betty Steele-Jeffers

Reschedule second regular meeting in December (December 24th – Christmas Eve). Vernon will email Board members.

Library report sent to Boston – very interesting and well written. Did not mention money being raised. Would like an update by January on this.

I will be giving a speech on Friday at the Jailhouse in Orleans for the Lower/Outer Cape Community Coalition.

David Atkinson

Tree Warden - asked State Ethics Committee about this.

Flags at Bas Relief – when are they going to be taken down or replaced.

Flag in front of town hall needs to be replaced.

Beach Forest incident – we've had no report on it. (*Suggested he talk to Police Chief himself.*)

Waste options – feasibility study.

Greenway Committee – Richard Allee letter – do we need to respond? Answer: No

5D **MGL C.39. §23B (6)**

Transfer Station Access Road Intersection

MOTION: *(1) Move that the Board of Selectmen vote to go into executive session pursuant to MGL C.39, §23 clause 6, and not to convene in open session thereafter.*

Motion by: David Atkinson **Seconded by:** Michele Couture Yea 3 Nay 0

[Roll call]

David Atkinson – Yes

Michele Couture – Yes

Betty Steele-Jeffers - Yes

Motion to adjourn by David Atkinson at 8:05 P.M.

Minutes transcribed by: Vernon Porter, Secretary
November 15, 2001