

TOWN OF PROVINCETOWN - BOARD OF SELECTMEN

REGULAR MEETING - JULY 10, 2000

JUDGE WELSH HEARING ROOM

The following minutes are available on-line as a service and are not the official record due to changes in formatting for the Internet. The minutes may have attachments that are not included here in this format. The official, complete paper copy can be viewed during regular office hours, Monday - Friday: 8 a.m. to 5 p.m. in the Office of the Town Clerk, 260 Commercial St. Provincetown, MA 02657.

Chairman, Betty Steele-Jeffers opened the meeting at 7:00 PM, noting the following attendees: Board of Selectmen: Elizabeth Steele-Jeffers, Cheryl Andrews, Mary-Jo Avellar, David Atkinson, Richard Prowell and Secretary to the Board of Selectmen - Vernon Porter

Other Attendees: Keith Bergman - Town Manager, Mark Latour – Assistant Town Manager and other interested parties.

The following are minutes, in brief

1 UPDATE: 'THE SHUTTLE'

Cape Cod Regional Transit Authority

MOTION: *MOVE that the Board of Selectmen vote to amend its vote of March 13, 2000 to specify that the shuttle route be changed to access the Provincetown Inn from Bradford Street Extension and Province Lands Road, rather than via Commercial Street from Franklin or West Vine and to exclude Commercial Street from West Vine to the end of Commercial Street.*

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

2 PUBLIC STATEMENTS

Sheila LaMontagne - Wants a breakdown of land value and building value of her property. Was told by the Assessors Office that information was not available to her. Was told that it would cost her \$10 per hour to acquire the information from someone on the Board of Assessors. Feels this is a violation of the Freedom of Information Act and a violation of her rights.

Peter Sousa - Disappointing turnout for the Cape Cod Commission hearing re: LCP. Repeated his thought on the Old Burn Dump and other matters over the past few months.

3 SELECTMEN'S STATEMENTS

Cheryl Andrews

MOTION: *Move that the Board of Selectmen request a response from Staff, within 2-3 days as to the issues raised by Sheila Lamontagne and how we can accommodate this request on a timely basis and how we can provided this information to the public at no cost.*

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

LCP - been in progress for over four years and has had many public meetings, etc. and the fact that the Board of Selectmen did not attend a meeting during the day does not seem important to me as it has the stamp of approval from the town meeting.

Fireworks – were great this year.

Shuttle – glad to see representative for the Shuttle service here tonight and able to work with them. Impact of this service is great.

Betty Steele-Jeffers

Shuttle Service - Letter from Lucile Plante re: Shuttle service to Nelson Ave., and Seashore Park. (Start file for future referencing)

- Skateboard Park – benefit concert – July 28th – ask Dennis Clark to let people in town know and support it. Been waiting for this to happen for a long time.

- We were notified of Public Hearing – P-Town Rep. Theatre.

Mary-Jo Avellar

Tires at Clapp’s Pond - At previous Board of Selectmen meeting requested a report. Have had no response as of yet. Would like to have it on our next agenda.

Spoke with John Santos – he questioned the placement of the Tourism Director’s office. Also he was under the impression that the Town Meeting voted to have card racks in the lobby.

- **David Atkinson**

MOTION: Move that the Board of Selectmen send a letter to the State Lottery Commission in support of the Universalist Meeting House request to hold their drag bingo in the parking lot of the Crown and Anchor.

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

MOTION: Move that the Board of Selectmen send a Thank You letter to the Color Guard from the US Coast Guard for participating in the 4th of July parade.

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

MOTION: Move that the Board of Selectmen have staff secure a message board for the Town Clerk’s postings.

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

Thanks to Assistant Town Manager and DPW for repairing the gate at Shankpainter Ponds. Did notice, west of the area, what looked like dirt bike tracks on the side – needs to be monitored. Keith – said it was responsibility of Police and he will pass this info on to the Chief of Police. (Suggested contacting Jim Roach and/or Jamie McNulty).

Good job on the fireworks this year by DPW. Sandy is to be commended.

4. CAPE COD COMMISSION REPRESENTATIVE UPDATE

Gwen Bloomingdale

Open discussion and information session.

Gwen and her partner are planning a trip around the world and she will be resigning as our representative to Cape Cod Commission in September.

Best wishes were expressed by all Board members.

5. APPROVAL OF FEES

Licensing Board: Taxi Surcharge for Transport of Bicycle

MOTION: *Move that the Board of Selectmen vote, pursuant to MGL C.40,§22F, to approve the imposition of a \$5.00 surcharge for the transportation of a bicycle in a taxi, as approved by the Licensing Board at a public hearing be held on May 23, 2000.*

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

MOTION: *Move that Board of Selectmen withdraw their previous vote and bring this matter back at the next regular scheduled meeting.*

Motion by: Betty Steele-Jeffers **Seconded by:** David Atkinson
Yea 2 Nay 3 (Cheryl Andrews/Mary-Jo Avellar/Richard Prowell)
Motion does not carry.

MOTION: *Move that the Board of Selectmen vote, pursuant to MGL C.40,§22F, to approve the imposition of a \$5.00 surcharge for the transportation of a bicycle in a taxi, as discussed by the Licensing Board at a public hearing held on May 23, 2000 and approved on June 13, 2000.*

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

6. **FINANCE COMMITTEE - FY 2001 Financial Issues**

Members of Finance Committee present: Bill Dougal, Richard Holland, Gordon Siegel, Sue Buerkel, Gail Enos and Jennifer Bedard

Open discussion. Topics discussed: MacMillan Pier, Wastewater, Heritage Museum/Library, Cape End Manor, Schools, and Operating Budget/Capital Plan.

Cheryl Andrews left the room during the time of Cape End Manor discussion.
(9:06 PM to 9:15 PM)

MOTION: *Move that the Board of Selectmen vote to have Town Manager draft a letter to the Governor requesting his appointment of seats on the Public Pier Nominating Committee.*

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

MOTION: *Move that the Board of Selectmen agree with policy to transfer any additional borrowing COST TO THE Public Pier Corporation as opposed to the taxpayers that are incurred because of the Special Town Meeting.*

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

7A **TOWN NURSE SERVICES**

Agreement with VNA of Cape Cod, Inc.

MOTION: *Move that the Board of Selectmen vote to execute a contract with VNA of Cape Cod, Inc. for the provision of Town nurse services for the fiscal year ending June 30, 2001, in an amount not to exceed \$25,000.*

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

7B1 **MDPH HOME HEALTH GRANT**

Amend FY 2000 Subcontracts

MOTION: *Move that the Board of Selectmen vote to authorize amendments to the following subcontracts for the provision of services as outlined in the Town's grant agreement with the Massachusetts Department of Public Health for the period July 1, 1999 through June 30, 2000: (1) Provincetown AIDS Support Group, from \$7,042.50 to \$9,148.50 (+\$2,106); and (2) Cape AIDS Ministry, from \$2,347.50 to \$3,011.50 (+\$664).*

Motion by: Mary-Jo Avellar **Seconded by:** Cheryl Andrews
Yea 1 Nay 0 Abstain 1 (David Atkinson)

7B2 **MDPH HOME HEALTH GRANT**

FY 2001 Subcontracts

MOTION: *Move that the Board of Selectmen vote to authorize the execution of the following subcontracts for the provision of services as outlined in the Town's grant agreement with the Massachusetts Department of Public Health for the period July 1, 2000 through June 30, 2001: (1) Visiting Nurse Association of Cape Cod, Inc. \$108,000; (2) Hospice of Cape Cod, \$14,000; (3) Cape AIDS Ministry, \$4,303.75; and (4) Provincetown AIDS Support Group, \$10,172.50.*

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

7C **CHANGE ORDER: WATER ENGINEERING**

Environmental Partners Group

MOTION: *Move that the Board of Selectmen vote to approve a Change Order in the amount of \$12,500 to the contract with Environmental Partners Group, Inc. for engineering services in connection with South Hollow replacement well installation and construction services.*

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

7D **CAPE COD NATIONAL SEASHORE**

Monthly Issues Update

General discussion.

MOTION: *Move that the Board of Selectmen send a letter to the Superintendent of Cape Cod National Seashore reiterating the town's meeting position on clothing optional beaches and ask her what it is she can do for us given the fact that clothing optional beaches are permitted in other National Parks.*

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

7E **COUNCIL ON AGING**

Elder Services on Cape Cod & Island Grant

MOTION: *Move that the Board of Selectmen vote to authorize submission of a grant application to Elder Services of Cape Cod and the Islands under the Older Americans Act Title III grant for \$8,000 to continue providing personal services and medical transportation for seniors 60 years old and older.*

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

8. **TREASURER'S TRANSFERS**

None at this time.

9. **BOARD OF SELECTMEN**

Parking for September Lower Cape Selectmen's Meeting

MOTION: *Move that the Board of Selectmen vote to request, through the Town Manager, that the Parking Administrator make arrangements for free parking in the MPL lot for attendees at the September 28, 2000 meeting of the Lower Cape Boards of Selectmen in Provincetown; and that attendees be given prior written notice of those arrangements.*

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

Mary-Jo Avellar - Facilitated forum on beach – have list of seashore things we want to address.

10. **BOARD OF SELECTMEN APPOINTMENTS**

Board requested an interview with Sally Brophy at next regular scheduled meeting, July 24, 2000 at 6:45 PM

MOTION: *Move that the Board of Selectmen re-appoint Al Davis, 2 Dagget Court., Provincetown, MA as a regular member of the Harbor Committee with an expiration date of June 30, 2003.*

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

11. **MINUTES OF BOARD OF SELECTMEN MEETINGS**

MOTION: *Move that the Board of Selectmen approve the minutes of June 5, 2000 as printed.*

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

MOTION: *Move that the Board of Selectmen approve the minutes of June 9, 2000 as printed.*

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

MOTION: *Move that the Board of Selectmen approve the minutes of June 12, 2000 as printed.*

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

MOTION: *Move that the Board of Selectmen approve the minutes of June 19, 2000 with changes so noted.*

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

MOTION: *Move that the Board of Selectmen approve the minutes of June 26, 2000 as printed.*

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

12. **CLOSING STATEMENTS**

Cheryl Andrews

Development agreements and modeled by-law mentioned by Gwen Bloomingdale during her presentation - LCP Implementation Committee. Keith – sending it to LCPIC is more than enough for now. Judith Oset is our contact person. Cheryl Andrews – can we make sure she specifically presents this to the LCPIC – Gwen was specifically talking about the pier.

Betty Steele-Jeffers

Curious to know where we are in interviewing for Finance Director.

Licensing Agent may need a little help from DRM Director.

Removal of old Provincetown Magazines – Maybe they have a rack to put their material in.

Sign – put outside in lobby. “This area for Town Hall information.”

Park land that Mary-Jo Avellar was talking about – dip in the road - we referred to it as the rotary. What we mean is to develop a better traffic plan. Question to Keith: How much involvement does the State have in some of these things if State land is involved?

Does State work with us on changing traffic patterns or questions we may have? Do we get anywhere with the State – or do we ever ask them? Keith – Yes, the list is so long for the things we are asking from the State, curb cuts, Shankpainter, etc. On the traffic issues we get much better response from the Cape Cod Commission. Mass Highway is not in the business of helping us with traffic problems but the Cape Cod Commission is.

Mary-Jo Avellar

Nothing.

David Atkinson

Front door of Town Hall – has sign – our new logo saying Tourist Information is here. Now there is white paper stuck over it saying now at Chamber of Commerce. Paper stuck all over everywhere – looks terrible.

Parking Committee – does not have quorum to fill four positions. Let’s get rid of the committee.

Richard Prowell

Property Taxes – a lot of people spoke to me and are not happy. Information from Town Counsel re: Home Rule Petition and deed restrictions attaching it to – generous people who are renting these properties to good citizens of our community, then they have to put a deed restriction as affordable housing so they can get a tax break. – This is one of the scenarios. I have a problem with that as I do not think a person’s property should be designated affordable housing if they are giving a friend a break on an apartment.

(Cheryl Andrews – it is not a question if they are giving a friend a break – it is a question as to whether they want their assessment lowered.) A lot of these people are doing it for people who have been in this community for many years. I really have a problem with these deed restrictions.

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Motion to adjourn by David Atkinson at 9:55 PM

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Minutes transcribed by: Vernon Porter, Secretary - July 10, 2000