

# TOWN OF PROVINCETOWN - BOARD OF SELECTMEN

## REGULAR MEETING – OCTOBER 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 PM, noting the following attendees: Board of Selectmen members: Elizabeth Steele-Jeffers, Cheryl Andrews, Richard Prowell. Excused Absence: Mary-Jo Avellar and David Atkinson.

Other attendees, Keith Bergman – Town Manager, ; Vernon Porter - Secretary to Board of Selectmen, Mark Latour – Assistant Manager, David Guertin – DPW Director, Craig Weigand – Water Superintendent, Debbie DeJonker-Berry – Library Director, Stephan Nofield – Town Clerk, Dale Fanning – Director, Heritage Museum and other interested parties.

The following are meeting minutes, in brief.

#### 1A PRESENTATION OF FISCAL POLICY PLAN II

The Next Iteration: FY 2002 – FY 2011 [Goal 6.1]

Keith Bergman gave a PowerPoint presentation. No motions made, no action taken.

Adoption of Budget Guidelines – October 23, 2000 and Fiscal Policy Plan – November 13, 2000

#### 1B TAPPE' ASSOCIATES LIBRARY/HERITAGE SWAP

Board of Selectmen's Discussion with Staff

***MOTION: Move that the Board of Selectmen authorize the Town Manager to initiate exploratory discussions with the Pilgrim Monument and Provincetown Museum regarding the feasibility of a merger of the Heritage Museum collection with theirs.***

**Motion by: Cheryl Andrews    Seconded by: Betty Steele-Jeffers  
Yea 2    Nay 0    Abstain 1 (Richard Prowell)**

#### 2. PUBLIC STATEMENTS

Joel Ouelette - Feels he has not been treated fairly by Police Chief, Library Trustees and the Municipal Inspections Department and, as the governing board, he wants the Board of Selectmen to know this.

Celine Gandolfo - Feels that Land Bank Funds should not be used for Affordable Housing.

#### 3. SELECTMEN'S STATEMENTS

##### Richard Prowell

Delta Queen Coastal Cruises – wants to come to Provincetown. [ To Mr. Guertin – have you seen this memo? Answer: No, but I am aware of its contents. Until a contractor is on board, whose obligation is to provide us with a schedule that we can comment on, it is premature.]

- Letter from Jacob Atwood (Vernon's date: 9/28/00) re: Gravestone found at Heritage Museum. I cannot approve this. Are we lining up a date to send it to Wellfleet? Cheryl Andrews: Yes.

Joe Ouelette's comments – Gave a copy of response letter from Kopelman & Paige dated 9/26/00 re: Regulating Street Performers and Street Artists.

- Question for our Secretary – Do you have us all lined up for the MMA Convention in January? Vernon Porter – Yes, checks are to be cut by this Friday and letters are all prepared and waiting to insert check numbers and amounts. Richard – thank you, that's excellent.

- Would like to thank the public for the stipend check recently received. (\$1,000)  
Smoothly run by our Town Manager and received in record time.

### Cheryl Andrews

***MOTION: Move that Board of Selectmen authorize the Assistant Town Manager to draft a letter in response to Mr. Jacob M. Atwood, Orchardside Farm, 405 Route 6, East Sandwich, Massachusetts thanking him for his letter and advising him of our intentions relative to the gravestone of Isaiah Atwood.***

***Motion by: Cheryl Andrews    Seconded by: Richard Prowell    Yea 3    Nay 0***

Letter to Town Manager from DPW dated 10/05/00 re: Police Station Septic System – will bring this up later.

***MOTION: Move that the Board of Selectmen authorize the Chief of Police to respond to letter received on September 27, 2000 from Mr. Jesse Vieira's, 8 Mount Hope Avenue, Fall Rive, MA. 02724.***

***Motion by: Cheryl Andrews    Seconded by: Richard Prowell    Yea 3    Nay 0***

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With regards to Celine Gandolfo's comments on Land Bank Funds – I remember vividly, on Town Meeting floor, proponents of staying in the Land Bank specifically said some of this money is going to be used for Affordable Housing - that's what we what we want to do with it. I remember thinking – do they really mean it because they did not have a percentage on it at the time. I never thought that the State would approve using it for Affordable Housing. I agree with what you are saying – they are two separate issues, however, but reality is that Town Meeting was told that, Town Meeting personally said they did want some it used for Affordable Housing and wanted to pursue that.

### Betty Steele-Jeffers

Nothing at this time.

#### **4A    ACCEPT GIFT OF BOAT**

Boat for Shellfish Constable

***MOTION: Move that the Board of Selectmen vote to accept the donation of a boat from Joyce Guide, Mary Ellen Henry and Lynne Wood for use by the Shellfish Constable.***

***Motion by: Cheryl Andrews    Seconded by: Richard Prowell    Yea 3    Nay 0***

#### **4B    EXPANDING THE SHELLFISH SEASON**

Opening up the East Side of the breakwater during the winter.

- ***MOTION: Move that the Board of Selectmen vote to expand the shellfish season, and open up the east side of the Breakwater from October 29, 2000 through the end of March, 2001.***

**Motion by: Cheryl Andrews    Seconded by: Richard Prowell    Yea 3    Nay 0**

**4C    REQUEST: SPRINT/SPECTRUM**

Mt. Gilboa Water Tank Lease

Selectman Prowell stepped down therefore no quorum. Reschedule to 10/23/00 meeting.

**5A    GRANT ADMINISTRATOR**

FY 2000 Local Law Enforcement Block Grant Award

***MOTION:*** *Move that the Board of Selectmen vote to accept a grant award from the U.S. Department of Justice under its FY 2000 Local Law Enforcement Block Grant Program for \$13,139 for various equipment including radios, computers, software, binoculars, and handgun cleaner for the Provincetown Police Department.*

**Motion by: Cheryl Andrews    Seconded by: Richard Prowell    Yea 3    Nay 0**

**5B    GRANT APPLICATION – LOWER CAPE CDC**

Housing Development Support Program – 27 Nelson Avenue

***MOTION:*** *Move that the Board of Selectmen vote to authorize the submission of a grant application to the Department of Housing and Community Development, under its Housing Development Support Program, in the amount of \$190,000 for acquisition by the Lower Cape Cod Community Development Corporation of a two-unit property at 27 Nelson Avenue for affordable housing.*

**Motion by: Cheryl Andrews    Seconded by: Richard Prowell    Yea 3    Nay 0**

**5C    COURT STREET/SHANKPAINTER ROAD DRAINAGE**

Construction Contract

Tabled to 10/23/00 meeting.

**5D    WATER COOLERS IN TOWN BUILDINGS**

Discuss timing, Cost, Location, and Style of Proposed New Water Coolers

Discussion Followed.

**5E    TOWN CLERK: STATUS OF TOWN BOARDS**

Eliminate Two Committees; and Recruit and Promote to fill vacancies.

***MOTION:*** *Move that the Board of Selectmen vote to propose an article to the April 2001 Annual Town Meeting to: eliminate the Community Policing Steering Committee established by vote under Article 1 of the April 7, 1993 Special Town Meeting, and to eliminate the Parking Needs Study Committee established by vote under Article 6 of the November 1978 Special Town Meeting.*

**Motion by: Cheryl Andrews    Seconded by: Richard Prowell    Yea 3    Nay 0**

**5F    SCHEDULE SPECIAL BOARD MEETING**

Award of Construction Contract for MacMillan Pier

MOTION: *Move that the Board of Selectmen vote to schedule a special board meeting for 5 p.m. on Monday, October 16, 2000 to award the construction contract for the MacMillan Pier rehabilitation project.*

Motion by: Cheryl Andrews    Seconded by: Richard Prowell

Discussion: *Motion withdrawn.*

MOTION: *Move that the Board of Selectmen vote to schedule a special board meeting for 6 p.m. on Monday, October 16, 2000 to award the construction contract for the MacMillan Pier rehabilitation project.*

Motion by: Cheryl Andrews    Seconded by: Richard Prowell    Yea 3    Nay 0

Schedule meeting for Thursday, October 19, 2000 7 PM re: Cape End Manor. Facilitated by: Dennis Anderson former CEO of Cape End Manor.

6. TREASURER'S TRANSFERS

Cape End Manor Gift Fund

Cheryl Andrews stepped down. No Quorum. Rescheduled to 10/23/00.

7. MINUTES OF BOARD OF SELECTMEN MEETINGS

MOTION: *Move that the Board of Selectmen approve the minutes of:*

*September 07, 2000 with changes so noted.*

*September 14, 2000 with changes so noted*

8. CLOSING STATEMENTS

Richard Prowell - None

Cheryl Andrews

MOTION: *Move that the Board of Selectmen in response to David Guertin's memo to the Keith Bergman dated October 5, 2000 regarding Police Station septic system, that the Board of Selectmen accept suggestions but with the following noted:*

1. *A private septic engineer designs the plan.*
2. *that if any variances are needed it will have to go to the Board of Health for approval.*
3. *that the private Septic Engineer will inspect the system prior to backfill and have to certify it prior to it being put into service.*

Motion by: Cheryl Andrews    Seconded by: Richard Prowell    Yea 3    Nay 0

Tappe' Study - we have to find out what people are thinking. There are plenty of options on the floor to take a look at.

Elizabeth Steele-Jeffers

Scott Penn letter- Vernon's date October 6<sup>th</sup> - re: Shuttle buses for Harry Kemp Way. Put letter in file for discussion in spring.

Town of Orleans – Personal Watercraft; Regional Options – (Vernon , contact Mary-Jo Avellar to see if she can go to the meeting.)

9. **STRATEGY WITH RESPECT TO LAND NEGOTIATIONS**

Locke Property [4/3/00 ATM Art. 19]

**MOTION:** *Move that the Board of Selectmen go into executive session, pursuant to MGL Chapter 39, section 23B, clause 6, for the purpose of considering the purchase, exchange, lease or value of real property; and not to convene in open session thereafter.*

**Motion by:** Cheryl Andrews    **Seconded by:** Richard Prowell

**Roll call vote:** Richard Prowell - Yes    Cheryl Andrews - Yes  
Betty Steele-Jeffers - Yes

Board went into executive session at 9:25 PM

Minutes transcribed by: Vernon Porter, Secretary  
October 13, 2000