

TOWN OF PROVINCETOWN - BOARD OF SELECTMEN

REGULAR MEETING – NOVEMBER 13, 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 7 PM noting the following attendees:

Board of Selectmen members: Elizabeth Steele-Jeffers, Cheryl Andrews, Mary-Jo Avellar, David Atkinson, and Richard Prowell

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.

Note: Some agenda items taken out of order and some votes will reflect a 4 / 0 as Richard Prowell left the meeting at 10 PM.

1A **PUBLIC HEARING: CURB CUT**

10 Johnson Street (Assessor's Map P-00-1706)

Pro's & Con's – See attachments #1 through 5.

MOTION: *Move that the Board of Selectmen vote, pursuant to General By-laws Section 11-6-2, to approve the application of Jane Alexander Notaro, represented by Duane Gregory, to establish a curb cut at 10 Johnson Street (Assessor's Map P-00-1706).*

Motion by: Mary-Jo Avellar **Seconded by:** David Atkinson

Yea 2 Nay 3 (Betty Steele-Jeffers/Richard Prowell/Cheryl Andrews)

- **MOTION DOES NOT CARRY** -

1B **PUBLIC NOTICE: MacMillan FLOAT SPACE 4W, 6W**

Transfer of Stock in Licensees.

MOTION: *Move that the Board of Selectmen vote in accordance with Special Condition No. 7 of the Chapter 91 License for MacMillan Pier issued October 23, 1995, to approve the following proposed transfers of stock in MacMillan Pier Float Space Licensees to James M. Craig, 6 Foley Beach Road, Hingham, MA 02043: (1) 20% of stock in Float Space 4W licensee 4W Portuguese Princess Excursions Inc.; and (2) Float Space 6W licensee Ranger V Corporation, Dana Goddell, Boston, MA and George Hilton, Newburyport, MA.*

Motion by: Cheryl Andrews **Seconded by:** Richard Prowell Yea 5 Nay 0

2. **PUBLIC STATEMENTS**

Barbara Rushmore – Re: Cape End Manor – purpose of Manor is to take care of the people who live here and we have to come up with the best possible ways to do this. Sorry she was not able to speak at the meeting last week but found out it was not a public meeting.

Peter Sousa – Statement read into record by Mary-Jo Avellar for Peter Sousa. (See attachment #6)

3. SELECTMEN'S STATEMENTS

Betty Steele-Jeffers

Thank you to election volunteers.

WW II High School Diplomas Recognition – excellently done and emotional.

Tour Guide Day – really well received

Veterans Day Ceremonies - were very nice and meaningful.

Theatre Group – visited the site of their new home on Bradford Street Sunday.

East End Playground – combine signs – distributed pictures.

Mary-Jo Avellar

Thrilled with report from Mark Latour re: Cape Cod Seasonal Workforce Housing. This should be schedule for future agenda item.

MOTION: *Move that the Board of Selectmen send a letter and a pin to Earl Chaddock and Patricia Sawyer in recognition for their participation and organizing the “Operating Recognition” of the WW II Veterans at the Provincetown High School.*

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

Glad to see Town Hall clock working again.

David Atkinson

Thanks to all the people who sent cards during my recent absence.

Richard Prowell - Nothing at this time.

Cheryl Andrews – Read from John Adams book on elections.

4A1 VISITOR SERVICES BOARD

Recommended Five Year Financial Plan for Tourism Fund Expenditures

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

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

4A2 VISITOR SERVICES BOARD

Use of Tourism Fund for Holiday Lighting: \$2,000

MOTION: *MOVE that the Board of Selectmen vote to approve the Visitor Services Board's October 31, 2000 recommendation to use \$2,000 from the FY 2001 Tourism Budget to help fund the Pilgrim Monument and Provincetown Museum's holiday lighting of the Pilgrim Monument.*

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

4B AIRPORT COMMISSION

Design Contract for Runway Improvements

MOTION: *Move that the Board of Selectmen vote to approve the execution of a contract with Edwards & Kelsey, Inc. of Boston, Massachusetts in the amount of \$351,000 for design services for the project to reconstruct, mark and light Runway 7-25 at the Provincetown Municipal Airport.*

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

4C **REQUEST: SPRINT/SPECTRUM**

Mt. Gilboa Water Tank Lease

(Richard Prowell left room at 8:51 PM)

MOTION: *Move that the Board of Selectmen vote to approve Sprint/Spectrum's request to enter into negotiations with Town Counsel regarding a wireless telecommunications facility lease for the Mt. Gilboa Water Tank, and to accept Sprint/Spectrum's offer to pay up to \$3,000 for the Town's reasonable legal costs in negotiating a final agreement.*

Motion by: David Atkinson **Seconded by:** Cheryl Andrews

Yea 3 Nay 1 (Mary-Jo Avellar) (Richard Prowell returned at 8: 53 PM)

5A **FY 2001 TOWN-WIDE POLICY GOALS**

The following goals were discussed.

Cheryl Andrews left the room at 9:25 PM

1.5 – Cape End Manor – pursue further legislative efforts for additional funding.

- *Cheryl Andrews and returned at 9:28 PM -*

2.2 – schedule as agenda item for Wastewater.

7.5 - Compliance measures?

8.2 – Wetlands protection by-law – focus on Orleans buffer zone. Cheryl Andrews will assist Judith if needed.

8.6 – Scale by-law presentation for 11-27-00 Board of Selectmen agenda.

10.4 – Ask VSB for Grant Request to cover \$3,137 for cost of signs.

10.5 – Undergrounding of overhead wires – schedule for 110-27-00 agenda.

10.6 - South Side of Town Hall needs touch-up painting

10.7 – New table for Judge Welsh Room . Keith will request Cape Cod Regional Tech High

School takes this project on for cost of materials. Have DPW submit request.

10.14 – Explore contracting out for certain Town services if DPW unable to do it.

11.4 – Schedule Board of Selectmen presentation from CCC's Paul Tilton.

11.6 – Have questions for Town Counsel condensed and put in writing.

5B **LIBRARY/HERITAGE FOLLOW-UP**

Use of County Surplus Funds for Museum Merger Feasibility Study

MOTION: *Move that the Board of Selectmen vote to submit a request to the Barnstable County Commissioners for use of the remaining \$13,753 in Provincetown's allotment of county surplus funds to fund a study of the feasibility of the Pilgrim Monument and Provincetown Museum merging the Heritage Museum collection with theirs.*

Motion by: Mary-Jo Avellar **Seconded by:** David Atkinson

Yea 4 Nay 0 (1 Abstain – Richard Prowell)

5C **CONTRACT AWARD: WINTHROP STREET CEMETERY**

Historic Landscape Preservation: Winthrop Street Cemetery \$15,000

MOTION: *Move that the Board of Selectmen vote to award a contract in the amount of \$15,000 for the restoration of the Winthrop Street cemetery to Paysage of Northampton, Massachusetts.*

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

5D **WASTEWATER/GROUNDWATER DISCHARGE PERMIT**

Environmental Partners Group \$31,000

MOTION: *Move that the Board of Selectmen vote to authorize execution of the following contracts totaling \$31,000 for engineering work in support of the Groundwater Discharge Permit for the proposed wastewater system: (1) Environmental Partners Group, Inc. in the amount of \$23,000; and (2) Stearns & Wheler in the*

amount of \$8,000.

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

5E WATER: INTERMUNICIPAL AGREEMENT

Schedule Joint Meeting with Truro Board of Selectmen

MOTION: *Move that the Board of Selectmen vote to schedule a joint meeting with the Truro Board of Selectmen for Monday, December 4, 2000 at 7 p.m. in Provincetown for the purpose of amending and extending the intermunicipal water agreement which is otherwise set to expire on December 31, 2000.*

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

Note: This item taken out of order. Richard Prowell left meeting @ 10 PM

5F MacMillan PIER REHABILITATION

Apply for \$300,000 from Federal Highway Administration Appropriation

MOTION: *Move that the Board of Selectmen vote to authorize submission of a grant application to the Federal Highway Administration for \$300,000 in funding its Ferries and Terminal Improvements Program in P.L. 106-346, the FY 2001 budget for the U.S. Department of Transportation, for the MacMillan Pier Rehabilitation project.*

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

Note: This item taken out of order. Richard Prowell left meeting @ 10 PM

5G CAPE COD NATIONAL SEASHORE

Monthly Issues Update

MOTION: *Move that the Provincetown Board of Selectmen vote to support the efforts of the Outer Cape Boards of Selectmen to work with the Commonwealth of Massachusetts to achieve a uniform set of rules regarding personal water craft in waters contiguous to Cape Cod National Seashore.*

Motion by: Cheryl Andrews Seconded by: Richard Prowell
Yea 4 Nay 1 (David Atkinson)

6. BOARD OF SELECTMEN

FY 2002 Operating Budget Request

MOTION: *Move that the Board of Selectmen vote to submit the following budget request for the Board of Selectmen's operating budget for FY 2002: Expenses in the amount of \$7400.00*

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

Note: This item taken out of order. Richard Prowell left meeting @ 10 PM

7. TREASURER'S TRANSFERS

J.A. Francis Fund & Capt. J. Oliver fund

MOTION: *MOVE that the Board of Selectmen vote, as Commissioners of Gift Funds, to approve the transfer of:*

a) \$26,900.00 from the John Anderson Francis Family Scholarship Fund, and

b) \$21,000.00 from the Captain Joseph F. Oliver Scholarship Fund

for the payment of outstanding invoices.

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

Note: This item taken out of order. Richard Prowell left meeting @ 10 PM

8. PROCLAMATION SENIOR CITIZEN DAY

MOTION: *Move that the Board of Selectmen approve the request of Tom Graham of 15 Cottage Street, Provincetown, MA to proclaim Sunday, December 10, 2000 as Senior Citizen Day in the Town of Provincetown.*

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

Note: This item taken out of order. Richard Prowell left meeting @ 10 PM

9. BOARD OF SELECTMEN APPOINTMENTS

MOTIONS: 1) *Move that the Board of Selectmen approve the application of Leonard Stuart to be appointed Provincetown's Representative to the Cape Cod Commission.*

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

2) *Move that the Board of Selectmen approve the application of Gary Reinhardt for reappointment to another term on the Zoning Board of Appeals with a term commencing January 1, 2001 expiring December 31, 2003.*

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

10. MINUTES OF BOARD OF SELECTMEN MEETINGS

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

October 16, 2000 (Public Hearing Tappé Study) with changes so noted.

Motion by: Cheryl Andrews Seconded by: Mary-Jo Avellar
Yea 3 Nay 0 (1 Abstain – David Atkinson)

Note: This item taken out of order. Richard Prowell left meeting @ 10 PM

October 20, 2000 with changes so noted

Motion by: Cheryl Andrews Seconded by: Mary-Jo Avellar
Yea 3 Nay 0 (1 Abstain – David Atkinson)

Note: This item taken out of order. Richard Prowell left meeting @ 10 PM

11. CLOSING STATEMENTS

Mary-Jo Avellar – We are back from our vacation and my husband is doing fine.

David Atkinson – None

Richard Prowell - None

Cheryl Andrews – What is situation with Conservation Committee – Burn Dump application? **Keith** – We have scheduled a special work session this Thursday at 3:30 with ConCom and DEP. **Cheryl** – Is it going to be a legal meeting with ConCom where they can vote to accept our plan? **Keith** – No. Because it has not been posted. They had a public hearing and they disapproved the application. They did not continue the public hearing to another date. My proposal was, before we resubmit since we do not know what we need to do to make it better, is let's have a work session, let's have DEP come and try to answer some questions and then submit an application.

Keith - Motor Cross – Filed for a preliminary injunction and it was denied. The case still exists.

Betty Steele-Jeffers - Nice to have everybody here back again.

– Motion to adjourn by: Mary-Jo Avellar at 10:38 PM

– Minutes transcribed by: Vernon Porter, Secretary November 17,2000