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Board of Selectmen Meeting Minutes December 14, 1998

Convene: 7:00 P.M. Adjourn: 10:55 P.M.

Present: Elizabeth Steele-Jeffers, Chair; Mary-Jo Avellar, Clerk; David Atkinson; Dr. Cheryl Andrews; Keith Bergman, Town Manager; E. Winn Davis, Asst. Town Manager; and, Richard Prowell, Secretary to the Board of Selectmen.

Absent: Selectman Jane Antolini.

REGULAR MEETING AGENDA MINUTES

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1. Project Updates:

A. Wastewater: Update

DPW Director and John Goodrich gave update on wastewater project.

Conversation centered around the Draft Survey Letters submitted to the Board of Selectmen for review. The four letters will come back on December 21, 1998 at 8:00 A.M.

The following MOTIONS were made:

MOTION made by Dr. Cheryl Andrews: MOVE Board of Selectmen accept Wastewater CAC & Staff's recommendation to reduce the "Area of Critical Concern" by eliminating the area from Snail Road east to the Truro line. MOTION seconded by David Atkinson. Yea 4 Nea 0.

Mary-Jo Avellar: Wants to see where 1939 mean High Water Mark

is at on a map. Winn: Cape Cod Commission does have a map.

It is relatively accurate. Will bring it back to Selectmen.

Selectmen: Wants clarification of 1939 mean High Water Mark.

Cheryl: Wants staff's recommendation on 1939 mean High Water Mark.

MOTION made by Dr. Cheryl Andrews: MOVE Board of Selectmen

accept the recommendation of Wastewater CAC & Staff to allow

properties outside the "designated buffer" but within the configured

Area of Critical Concern, to use alternative technologies (e.g., biocleres)

on-site with the remedial credits of either a 50% reduction in the leaching

area or a two-foot reduction in the distance to groundwater. Yea 3 Nea 1

(Mary-Jo Avellar).

B. Heritage Museum: Feasibility Study, Building Repairs

MOTION made by David Atkinson: MOVE that the Board of Selectmen

vote to authorize the execution of a consulting agreement with the

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Agenda 1B: MOTION continued.

Binder Boland & Associates of Provincetown in the amount of \$23,700

for a feasibility study/business plan for the Provincetown Heritage

Museum; and to fund said contract to expend \$5,000 from the Preservation

Gift Fund, \$5,000 from the FY1999 Tourism Fund appropriations under

Article 20 and 21 of the April 6, 1998 Annual Town Meeting; and to accept

a grant of \$2,000 from the Massachusetts Cultural Council. MOTION

seconded by Mary-Jo Avellar. Yea 4 Nea 0.

1. Public Statements:

1. Sue Leven—Thanked Board for giving her the opportunity to serve on Planning Board. Wanted Selectmen to assist Planning Board in recruiting members.
 2. Barbara Rushmore—Talked about Cable TV and the reception being terrible.
 3. Rick Murray—Apologized for his inappropriate behavior to E. James Veara as Chairman of the Zoning Board of Appeals.
- (4) Celine Gandolfo—Talked about land bank and Conservation Trust.

1. Selectmen's Statements:

David Atkinson: (1) Public Apology for "doing something."

1. MOTION made by David Atkinson: MOVE Board of Selectmen

have staff report from Town Manager on land known as "spaghetti strip" including funding source for survey and report back to Board of Selectmen on December 28, 1998. MOTION seconded by Mary-Jo Avellar.

Yea 4 Nea 0.

Betty Steele Jeffers: (1) Goals Update on January 11, 1999 BOS meeting.

1. Joint Meeting with School Committee on Joint Appointment.

Advertise for applications for School Committee. 6:30 Mtg.—1-11-99.

2. Joint Meeting with Board of Health—February 1, 1999.

3. MOTION made by Mary-Jo Avellar: MOVE we send letter to

Marine Superintendent and ask for his opinion on Ranger V Float

remaining at MacMillan Pier for the Winter and we take it up at

December 28, 1998 Board of Selectmen meeting. MOTION seconded by

Dr. Cheryl Andrews. Yea 4 Nea 0.

4. Board of Health computer downstairs—MEMO from Board of Health.

Would like report back from Winn Davis by December 28, 1998 BOS

Meeting. Richard will send letter saying we are looking for an answer

by 28th of December and we will update Board of Health at that time.

5. Pump out boat & Court Order. Wants Status from Winn.

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Selectmen's Statements Continued: Betty Steele-Jeffers.

Winn will bring report back by 21st on pump out boat and will provide Board of Selectmen with copy of court order concerning notification to the Court on condition of Pier.

Dr. Cheryl Andrews: Protocol for Board of Selectmen.

MOTION made by Dr. Cheryl Andrews:

MOVE that responses to correspondence addressed to the entire Board are handled by the office of the Board of Selectmen. That is the Board's Secretary and not by individual Board members unless authorized by a vote of the Board. MOTION seconded by Betty Steele-Jeffers.

Yea 4 Nea 0.

MOTION made by Dr. Cheryl Andrews: MOVE that Press Releases concerning Board Business are handled by the office of the Board of Selectmen. That is our Board's Secretary and not by individual Board Members unless authorized by a vote of the Board. MOTION seconded by Mary-Jo Avellar. Yea 4 Nea 0.

Regarding Chairman's memo on changing meeting time—Cheryl would like To go on record for starting as early as 5:30 p.m. Mary-Jo—Goes on record—She has hard enough time getting to meetings that start early as 6:30 p.m.

Mary-Jo Avellar: MOTION made by Mary-Jo Avellar: MOVE that when time comes to reinstall the "Abigail Nickerson" slate head stone that the Board be notified so if it is possible for the BOS to attend reinstallation we will be able to go. MOTION seconded by Dr. Cheryl Andrews. Discussion:

Cheryl: David's good work of clearing the site in cemetery is acknowledged as well as all the good works done by people to return the stone—especially the Nickerson Association. David: Ceremony should take place before ground Freezes. Yea 4 Nea 0.

Mary-Jo Avellar: Thanked Sue Levin for service to Planning Board.

Would like to talk about crisis on Planning Board for future agenda item.

Would like report from Greta Holman from Cable Committee & Peter Epstein on reception on lower channels. Winn Davis: Thursday, 12-17-98 meeting on cable. Will have report back on next Monday's meeting.

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1. Historical Commission: Creation of Local Historic District

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Rex Peterson, Permit Coordinator; Roger Keene, Chair, Historical Commission and Robert Valois of the Historical Commission were present to discuss the agenda item.

Keith Bergman: There is a Board of Selectmen vote two years ago which establishes a Historic District Study Committee in Provincetown.

MOTION made by Dr. Cheryl Andrews: MOVE Board of Selectmen and/or Historical Commission issue a press release announcing once

again that we are looking for local citizens to serve on a Historic District Study Committee and let Historical Commission flush out the details for the Press Release. This will serve to restate our intention and perhaps drum up some business. MOTION seconded by Mary-Jo Avellar. Yea 3 Nea 1 (David Atkinson).

Break at 9:05 P.M. Reconvene: 9:15 P.M.

2. Cape Cod Commission Representative Update: Gwen Bloomingdale

Cape Cod Representative, Gwen Bloomingdale, and Winn Davis discussed status of Local Comprehensive Plan for Provincetown.

Mary-Jo Avellar reminded the group that Selectmen had not received background material on LCP before Selectmen's meeting for reviewing.

MOTION made by Mary-Jo Avellar: MOVE by 28th of December, 1998, a letter be drafted to have committee meeting immediately to discuss Local Comprehensive Plan under direction of Asst. Town Manager.

MOTION seconded by Dr. Cheryl Andrews. Yea 4 Nea 0.

3. Town Manager/Assistant Town Manager:

A. High Pole Hill Road

Betty Steele-Jeffers & Mary-Jo Avellar disclosed they were members of Pilgrim Monument Association. Pilgrim Association President Ernie Carreiro joined the Selectmen for the discussion. The Association has been looking at the idea of the town road being laid out north of the parking lot. A definite break of the road is needed from parking lot at monument. The road would be separated with lighting and plantings.

MOTION made by David Atkinson: MOVE that the Board of Selectmen

vote to authorize the administration to take steps necessary to present a relocation proposal to the April 5, 1999 Annual Town Meeting to relocate High Pole Hill Road, from Winslow Street to Bradford Street, as a public way and report back to the Board of Selectmen on January 25, 1999. MOTION seconded by Mary-Jo Avellar. Yea 4 Nea 0.

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Agenda 6: Town Manager/Asst. Town Manager Continued:

B. Assistant Town Manager: Updates—(See Insert #1—11 pages).

Winn Davis & Rex Peterson discussed the information compiled.

The goal was to identify general bylaws that were inconsistent, difficult to enforce, redundant, or lacking in any sort of streamlining.

Dr. Andrews talked about "standing occupancy" in entertainment establishments. Winn Davis: Occupancy posting has been dealt with on several different levels. Dr. Andrews: Occupancy changes

according to the activity. Winn Davis: The number of people relate to septic flow. Dr. Andrews: If you fill the room with table and

chairs and post occupancy for those table and chairs then that is occupancy unless you tell me different—Is double posting necessary?

Mary-Jo Avellar: We need to look at this as to what activity is going on in these entertainment establishments. We do not want a Coconut Grove fire here in Provincetown. How do table and chairs placed inside reduce the number of people for occupancy posted? This is what we are looking at. **NO MOTIONS MADE.**

1. Treasurer: Bond Anticipation Notes

MOTION made by Dr. Cheryl Andrews: MOVE that the Board of Selectmen vote to issue: 1) Bond Anticipation Note #975 at 3.32% Interest payable at maturity to Cape Cod Bank & Trust Co. on December 15, 1999; and 2) vote to issue Bond Anticipation Note #976 At 3.32% interest payable at maturity to Cape Cod Bank & Trust Co. on December 15, 1999. MOTION seconded by Mary-Jo Avellar. Yea 4 Nea 0.

8. Selectmen Request:

A. Volunteer Appreciation

Dr. Cheryl Andrews: Discussed possibility of giving a gift of appreciation to volunteers when leaving town boards. The Town Seal should be affixed to item.

MOTION made by David Atkinson:

MOVE the Board of Selectmen's Secretary look into items with the Town Seal affixed that could be given to volunteers when leaving office. Example of items: Lapel Pins, mugs, plaques, caps, etc.

MOTION seconded by Mary-Jo Avellar. Yea 4 Nea 0.

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8. Appointments: MOTIONS made by Mary-Jo Avellar: Move that the Board of Selectmen vote to move **Robert White to a Regular Position on the Shellfish Committee with a term to expire on December 13, 2001. Move that the Board of Selectmen vote to Reappoint **Jonathan Sinaiko, John J. Ciluzzi** and **Park Davis** to Regular positions on the Wastewater Management Planning Citizen Advisory Committ terms to expire on December 31, 2001. Move that the Board of Selectmen vote to Reappoint **Jack Kosko** to a Regular Position on the Board of Assessors with a term to expire on December 31, 2001. Move that the Board of Selectmen vote to Reappoint **Anita R. Berman and Raymond Sparks** to Regular positions on the Council on Aging with a terms**

to expire on December 31, 2001. Move that the Board of Selectmen vote to Reappoint **Marie Pace** to a Regular position on the Cultural Council with a term to expire on December 31, 2001. Move that the Board of Selectmen vote to reappoint **Candyce Rusk** to a Regular position on the Heritage Museum Board of Trustees with a term to expire on December 31, 2001. Move that the Board of Selectmen vote to reappoint **Barbara Gard** to a Regular Position on the Zoning Board of Appeals with a term to expire on December 31, 2001. Move that the Board of Selectmen vote to reappoint **Louis A. Cervantes** to an Alternate Position on the Board of Assessors with a term to expire on December 31, 2001. Move that the Board of Selectmen vote to reappoint **Adam Erenberg** to a Regular Position on the Licensing Board with a term to expire on December 31, 2001. Move that the Board of Selectmen vote to reappoint Steven Page to a Regular Position on the Airport Commission with a term to expire on December 31, 2001. **MOTIONS seconded by Dr. Cheryl Andrews. Yea 4 Nea 0.**

9. Minutes: MOTION made by David Atkinson: MOVE that the Board of

Selectmen vote to approve the minutes for November 23, 1998. MOTION

Seconded by Dr. Cheryl Andrews. Yea 4 Nea 0. MOTION made by

Dr. Cheryl Andrews: MOVE that the Board of Selectmen vote to approve

The minutes for December 7, 1998. MOTION seconded by David Atkinson.

Yea 3 Nea 0 Abstain: 1—Betty Steele-Jeffers (Not present at 12/7/98 Meeting).

Closing Statements:

David Atkinson: Talked about Town Boards & recruiting members to Planning Board.

Betty Steele-Jeffers: Scheduled Budget Meetings & Facilitated Meetings—Wastewater. Also scheduled 8:00 a.m. meeting on 12/21/98 to review survey

letters. Talked about Parking & Consolidation of facilities—needs looking at.

Dr. Cheryl Andrews: Handed over cemetery documentation given to her at Nickerson Association ceremony on Saturday. Copies to Gus Martin.

Mary-Jo Avellar: Talked about Nickerson Association & volunteering services to work on cemetery records. The jury is still out on school plan.

MOTION made by Mary-Jo Avellar: MOVE to adjourn. MOTION

seconded by Dr. Cheryl Andrews. Yea 4 Nea 0. Adjourn: 10:55 P.M.