

## **Board of Selectmen Meeting Minutes November 9, 1998**

**Convene: 7:00 P.M. Adjourn: 12:30 A.M., 11/10/98**

Present: Elizabeth Steele-Jeffers, Chair; Mary-Jo Avellar, Clerk; Jane Antolini; Dr. Cheryl L. Andrews; David Atkinson; Keith Bergman, Town Manager; E. Winn Davis,

Asst. Town Mgr.; and, Richard Prowell, Secretary to the

Board of Selectmen.

### **1. Project Updates:**

#### **A. Cape End Manor: Demographic Study & Marketing Plan; Quarterly Budget Status.**

Jim DesRosiers, Cape End Manor Administrator;

Dennis Anderson, Director of Clinical Services, Cape End Manor; and, Marilyn Downing, Chair, Cape End Manor Board of Directors addressed the Board of Selectmen.

Demographic Study results given by Dennis Anderson:

Market Segment:

1. Area (Black & White—Provincetown & Truro);
2. No Business from Wellfleet/Eastham;
3. Customer Base—Females over 85 & Females 65-84.
4. 40% of Provincetown Residents go Up Cape to other health facilities when needed.
5. Residents of Manor are Non Native.

There needs to be telephones in each room at Manor—

This is a basic essential to attract new business.

## **Cape End Manor Continued:**

**The following MOTION was made:**

**MOTION made by David Atkinson: MOVE part of the**

**Agenda item on the Cape End Manor for November 23, 1998 be a report on Medicaid Reimbursement. MOTION seconded by Dr. Cheryl Andrews. Yea 5 Nea 0.**

**The Board of Selectmen also requested a Pro Forma for a Rehabilitation Facility at Cape End Manor to be heard on November 23, 1998.**

**Phase 3 of the Demographic Study will be heard on the 23<sup>rd</sup> of November.**

(See Insert #1—19 pages & Phase I & II of Marketing Plan.)

- 1. B. MacMillan Pier: Final Review of Fisherman's Wharf—Pam McKinney, Byrne McKinney &**

**Associates, Inc. NO MOTIONS MADE.**

(See Insert #2—17 pages)

### **2. Public Statements:**

**(1) Gwen Bloomingdale:** Talked about Local Comprehensive Planning Committee.

- 2. Paul Trainor—**Talked about the Manor/Pier/

Fire House #2.

- 3. Rick Murray—**Talked about continued attacks on

Ken Jansen in the media.

**Page 3—BOS Meeting—November 9, 1998**

### **3. Selectmen's Statements:**

**Dr. Cheryl Andrews:** (A) Enterprise Fund Accounting:

A2's—Copy of Manor's and Water Enterprise Fund to BOS. (B) Annual Goals for Agenda items: (1) User fees—Intent—What do we want to achieve. (2) Heritage Museum—Letter from Board of Trustees. (3) FireHouses—where do we go from here? (4) Volunteer

Appreciation in general—30 minutes of ideas. (5) Growth Mgmt. Bylaw—Process. (6) Manor.

**Mary-Jo Avellar:** (A) Talked about Tisbury Meeting.

Wanted to know what status of survey is for people in area of concern with a letter. (We need to get people more involved). We only need one page survey. We need input from public. Cheryl: We need map. (B) Wants report back

on George's Pizza incident by Health Agent & smoking at bar by next meeting 11/23/98. **Wants Report back.**

**David Atkinson: (1) For record: No interest in buying another Pier. (2) Do we have money to tear down the Firehouse #2?** MOTION made by David Atkinson:

MOVE Board of Selectmen hold a public hearing to hear the merits of tearing down Firehouse #2. MOTION seconded by Jane Antolini. Discussion:

Have building commissioner here for hearing. Wants action on abandoned fire station. Get people out in front on record to see where they are at—Historical, Planning, Staff,

**Page 4—BOS Meeting—November 9, 1998**

Selectmen's Statements Continued:

**David Atkinson:**

Town Counsel, etc. Get it on record and do something about it. Betty: All would be notified. Cheryl: Staff should analyze Pros and Cons on tearing it down. Would you reissue Memo Winn on Firehouse #2? Public Hearing on two or three options for dealing with Firehouse #2.

Our first obligation is public safety. Yea 4 Nea 1 (Mary-Jo Avellar).

MOTION made by David Atkinson: MOVE Board of Selectmen have information back to them on "Homestead"

Residential Abatements & Exemptions from Assessor's office—Seeking relief from property tax. MOTION seconded by Mary-Jo Avellar. Yea 4 Nea 1 (Jane Antolini).

**Betty Steele-Jeffers:** (1) Wellness Law & Legal Expenses—Fire Chief Correspondence. Keith has not responded to Fire Chief. Also reimbursement money from Seashore. Board of Fire Engineers on the 23<sup>rd</sup> of November. (2) Letter from Chris King—Directed to Winn Davis & bring back 11/23/98 BOS Meeting. Wants Board to be continually updated on Pier Tee.

## **Page 5—BOS Meeting—November 9, 1998**

### **Selectmen's Statements Continued:**

#### **MOTION made by Mary-Jo Avellar: MOVE Board**

**of Selectmen vote to approve the request for Float Space 3W (Napi Van Dereck for use by Center for Coastal Studies) and Float Space 10W (John Bennett) to stay connected to MacMillan Pier through the winter season. These approvals are subject to condition that liability insurance be maintained. MOTION seconded by David Atkinson. Yea 5 Nea 0.**

**Jane Antolini:** (1) MOTION made by Jane Antolini: MOVE to extend to Don Richards, Parking Administrator, a job well done this year for parking figures to date accountability. MOTION seconded by Dr. Cheryl Andrews. Yea 5 Nea 0. (2) Could we have plain language

in reporting of Medicaid transactions at Manor? (3) MOTION made by Jane Antolini: MOVE we have report from Town Clerk on his conversation with Bob White on Shellfish appointments. MOTION seconded by Mary-Jo Avellar. Yea 5 Nea 0. (4) Where are we on brick sidewalks in West End? Dates. Keith: In the Spring, 1999.

Mary-Jo: Sidewalks are a mess in the East End.

(5) Jane: Concrete walks at side of Town Hall need to be looked at—Should go on someone's report for repair.

6. What bylaws are in effect for gambling boats?

MOTION made by Jane Antolini: MOVE we have information (staff report) on where town is at on gambling

cruises—regulations. MOTION seconded by Dr. Cheryl

Andrews. Yea 4 Nea 1 (David Atkinson).

**Page 6—BOS Meeting—November 9, 1998**

Selectmen's Statements Continued:

**Jane Antolini:**

7. Talked to Mark Forest about DEP regulations—DEP's

word is not the end of it all. Not accept DEP saying what is

best for us. Get everyone involved in Wastewater so we will be ready for Town Meeting.

**3. Grant Administrator:**

**A. Award 1997 MCDBG Construction Contract:**

**Knowles Crossing Corrosion Control Facility—**

**Dankris Builders Corp., \$111,500.**

MOTION made by Mary-Jo Avellar: MOVE that the Board of Selectmen vote to award a construction contract to Dankris Builders Corp. of Plainville, Massachusetts as its low bid of \$111,500 for the Knowles Crossing Corrosion Control Facility as funded by the 1997 Massachusetts Community Development Block Grant program; and, further,

To authorize execution of said contract by the Board upon receipt of all required bonds and insurance.

MOTION seconded by Dr. Cheryl Andrews. Yea 5 Nea 0.

**B. Execute Municipal Incentive Grant Agreement--\$35,000.**

MOTION made by Dr. Cheryl Andrews: MOVE that the Board of Selectmen vote to

authorize the execution of a grant agreement with the Massachusetts Incentive Grant program for \$35,000

**Page 7—BOS Meeting—November 9, 1998**

**Grant Administrator Continued:**

for a project entitled, "Facility Needs and Fiscal Realities: Reaching a Consensus on Provincetown's Financial Future." MOTION Seconded by David Atkinson. Yea 4 Nea 1 (Mary-Jo Avellar).

**3. Town Manager/Asst. Town Manager:**

**A. Adoption of FY 2000 Budget Guidelines**

**MOTION made by Dr. Cheryl Andrews:** MOVE that the Board of Selectmen vote to establish the following policy guidelines for preparation of Fiscal

Year 2000 operating and capital budget requests:

budget requests should be consistent with the Fiscal Policy Plan by assuming that (1) revenue sources do not increase beyond the 1.1% (exclusive of land bank percentage) rise in the Consumer Price Index and (2) the total municipal operating budget for FY 2000 should not increase more than 1.1% from FY 1999.

- no new positions (no net increase in staffing levels)
- no service level increases if funded by general revenues
- any proposed line item increase should be offset by a proposed decrease elsewhere
- any increases in service levels must be funded from outside funding sources, such as grants or the Tourism Fund
- capital budget requests should reflect amounts needed to properly maintain the Town's physical plant, with

**Page 8—BOS Meeting—November 9, 1998**

**5A. Town Manager Continued:**

- priority given to addressing the urgent needed repairs. **MOTION seconded by Jane Antolini. Yea 4 Nea 1 (David Atkinson).**

**MOTION made by Jane Antolini: MOVE to go past 11:00 P.M. MOTION seconded by Mary-Jo Avellar. Yea 4 Nea 1 (Dr. Cheryl Andrews).**

## **A. Cape Cod Land Bank Act Implementation**

Keith: One year from now money will be collected for Land Bank from next fall's tax bills—1999.

MOTION made by Dr. Cheryl Andrews: MOVE

Board of Selectmen go ahead and pursue putting home rule legislation on for April, 1999 Town Meeting to get ourselves out of this simply for the purpose of polling

Town Meeting voters to see how they feel and if it is the will of Town Meeting to take it to a binding referendum

then take it to that step. MOTION seconded by Jane

Antolini. Yea 4 Nea 1 (Mary-Jo Avellar).

MOTION made by Mary-Jo Avellar: MOVE we get

Clarification from Town Counsel on last paragraph in

Section 9 of handout which states:

**"After the first two years following the effective date of this act and every two years thereafter, a town may, by a majority vote of those voting in the annual town election choose to participate in the Cape Cod Open**

**Page 9—BOS Meeting—November 9, 1998**

**Land Bank Continued:**

**Space Land Acquisition Program. Said program shall be effective at the beginning of the next fiscal year in any town which so chooses to participate pursuant to this section."**

MOTION seconded by David Atkinson. Yea 4 Nea 1.

(Dr. Cheryl Andrews)

## **B. Asst. Town Manager: (1) Consent Enf. Order**

**Review; (2) Local Comp. Plan Update; (3) Storm**

**Drain Update; (4) Request Direction on Bay State**

## **Lease Renewal.**

Questions raised by Selectmen on Updates: (1) Jane: We need to be recruiting people for Conservation Commission—this is under Town Mgr. Phone calls need to be made.

(2) Cheryl: Invite Planning Board in—Planning

for a town is good government. MOTION made by

Dr. Cheryl Andrews: MOVE we meet with Planning Board and discuss status of LCP and also

recommendations regarding thereto. MOTION

Seconded by Mary-Jo Avellar. Discussion:

Jane: Sometime in December, 1998. Yea 5

Nea 0. Winn will take care of this.

(3) Cheryl: CC memo to Conservation Commission.

Winn will take care of sending memo to Conservation.

2. Winn: Right of dockage is non-exclusive for

Boston Ferry to dock at MacMillan Pier. Mary-Jo: This

**Page 10—BOS Meeting—November 9, 1998**

### **Asst. Town Manager Updates Continued:**

high speed ferry service is unrealistic to Provincetown.

She would like to hear a presentation on this subject.

Winn: Lease should be left open to take advantage of

all options in the future. This lease would go to Spring, 2001. Cheryl: Wants to hear recommendations from

Administration regarding fee charged. Winn: Make

it clear that if we rebuild, we have right to move them.

**3. Request:**



**A. Provincetown's Long Range Water Goals—(See Insert #3--1 Page). NO MOTIONS MADE.**

Jane: Would be concerned if Whaler's Wharf

rebuilding did not occur timely because of

Water permit problems. Would not like to see water

allocation system. Wants to see Conservation move forward—we have a long way to go to see conservation of water in Provincetown and municipal buildings.

Cheryl: Our Water & Sewer Board need direction from Board of Selectmen. Does not want to continue to keep giving water away.

Keith: With the new Land Bank Bill we could purchase property in Truro for sinking a water well.

**We still need more water.**

**Cheryl: Truro needs more water than we do.**

**Page 11—BOS Meeting—November 9, 1998**

**6. B. Senior Citizen Day Proclamation: December 13, 1998.**

MOTION made by Mary-Jo Avellar: MOVE that the Board of Selectmen Proclaim Sunday, December 13, 1998 as Senior Citizen Day. MOTION seconded by David Atkinson. Yea 5 Nea 0.

**3. Treasurer's Transfers:**

MOTION made by Mary-Jo Avellar: MOVE that the Board of Selectmen, as Commissioners of Trust Funds, vote to approve the transfer of \$375.00 from the Beautification Gift Fund; \$8,900.00 from the Captain Joseph F. Oliver Scholarship Fund; and,

\$23,100.00 from the John Anderson Francis Scholarship Fund. MOTION seconded by Dr. Cheryl Andrews. Yea 5 Nea 0.

**4. Appointments:**

MOTION made by Dr. Cheryl Andrews: MOVE that the Board of Selectmen vote to schedule an

interview meeting for Monday, November 23, 1998

At 6:15 P.M. for the purpose of interviewing applicants for Town Boards. MOTION seconded by Mary-Jo Avellar. Yea 5 Nea 0.

**Page 12—BOS Meeting—November 9, 1998**

**5. Minutes:**

MOTION made by David Atkinson: MOVE that the Board of Selectmen vote to approve the minutes for the October 13, 1998 and October 26, 1998 Board of Selectmen meetings as corrected. MOTION seconded by Dr. Cheryl Andrews. Yea 5 Nea 0.

**6. Closing Statements:**

**No closing statements from Selectmen.**

**MOTION made by Mary-Jo Avellar: MOVE we adjourn. MOTION seconded by Jane Antolini. Yea 5 Nea 0. Adjourn at 12:30 A.M.—November 10, 1998.**