

Board of Selectmen Meeting February 8, 1999 Minutes

Convene: 7:00 P.M. Adjourn: 11:45 P.M.

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

REGULAR MEETING AGENDA

1. FY 2000 Budgets: A. Capital Improvements Program—Complete Action.

B. Operating Budget Issues.

A. Motion made by David Atkinson: Move to approve budget on repair of stairs and doors of Town Hall.

MOTION seconded by Jane Antolini with Amendment: Try to engage local contractors for work on replacing side stairs of Town Hall & make sure budget include proper closures for weight of doors. Yea 5 Nea 0.

Airport expenditure of \$52,000 on Capital Improvement Budget:

Motion made by David Atkinson: Move BOS approve. MOTION seconded by Mary-Jo. Yea 5 Nea 0.

Wastewater: No project for wastewater for CIP but 2 articles in Warrant.

An Enterprise Article for Wastewater will be on Warrant.

CAPE END MANOR CIP was never approved and still is not by any official Vote by Board of Selectmen.

B. NO MOTIONS MADE. (See Insert #1)

Jane Antolini—Likes Option 2 best—Wait to see final figures.

Finance Committee would like to review their recommendations with the Board of Selectmen—Want to appear on February 22, 1999.

Jane Antolini—Wants update on Manor and how much will remain after \$98,000 comes out and what its purposes will be and will it be used for Peter/Paul type of thing? Wants some information. How much left in there? Betty Steele-Jeffers: Wants to hear from Consultant says.

1. Public Statements:

Joy McNulty—Talked about affordable housing, tax collection and reclassifying

for those people providing housing to workers in Provincetown—it is a different group. Also talked on affordable housing on agenda 7B4. Have people come from Cape Cod Commission to talk on affordable housing.

Berta Romano—Parking permits and senior citizens—feel vulnerable when

seniors go out of town. Why do we have to put Senior on parking permit?

Should it go to traffic hearing?

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Public Statements Continued:

Alix Ritchie—Talked on affordable housing—would like to see Ed Allard of CCEDC before Board of Selectmen. Talked also on Cape Cod Econ. Dev. Council. Talked on study of Campus Provincetown. Still no official advisory comments on N. Truro Air Force Base.

David Davis—Gave letter to Board on Heritage Museum project.

Barbara Rushmore—Talked on Wastewater Fund and room excise tax. How much does it cost to test the water? Wants Reclassification of the ground water. Should be explored.

2. Selectmen's Statements:

David Atkinson—(1) Requested moment of silence for Randy Godfrey, Chairman of Licensing Board who passed away. (2) Wants year round housing for residents—explore with Senator Rauschenbach. (3) Open space meeting at

Wellfleet Library—will we be sending someone? (4) Binder/Boland and exploring all three options. (5) MOTION made by David Atkinson: MOVE four parking spaces for Lobstermen to unload boats April 1 to Thursday prior to Memorial Day Weekend. MOTION seconded by Mary-Jo Avellar. Jane: Wants figures from Parking Administrator—Is this all we are dealing with (report from Staff)?

Yea 3 Nea 2 (Dr. Cheryl Andrews & Jane Antolini). (6) MOTION made by David Atkinson: MOVE the word designation "senior" not be used on Provincetown parking stickers. MOTION seconded by Jane Antolini.

Yea 5 Nea 0. (7) MOTION failed on radar. (8) MOTION made by David Atkinson. MOVE gate be removed in front of Doughboy Statue on Town Hall MOTION seconded by Mary-Jo Avellar. Yea 5 Nea 0.

Mary-Jo Avellar: (1) MOTION made by Mary-Jo Avellar: MOVE BOS

Get a report from Chief re: radar due in one week. MOTION seconded by

David Atkinson. Yea 5 Nea 0. (2) MOTION made by Mary-Jo Avellar:

MOVE letter from Ron Singer concerning Roger Dias be placed in

Roger Dias's personnel file. MOTION seconded by David Atkinson.

Yea 5 Nea 0. (3) MOTION made by Mary-Jo Avellar: MOVE we send

Letter thanking him for his many years (26) of service to Town. MOTION

Seconded by Dr. Cheryl Andrews. Yea 5 Nea 0. (4) MOTION made by

Jane Antolini: MOVE staff come back with a report in one week to enforce

Parking regulation—stop parking in front of post office. MOTION with-

Drawn after hearing from DPW Director and new signs.

MOTION made by Jane Antolini: MOVE matter

icw Post Office be referred to Chief of Police to respond within an

Appropriate amount of time. MOTION seconded by Betty Steele-Jeffers.

Discussion: Betty: Letter needs to go to Postal Service man who wrote.

Jane: Wants enforcement of violators in front of Post Office. Yea 5 Nea 0.

1. MOTION made by Mary-Jo Avellar: MOVE letter to family of Randy Godfrey. MOTION seconded by Jane Antolini. Yea 5 Nea 0.

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Selectmen's Statements Continued:

2. MOTION made by Mary-Jo Avellar: MOVE BOS send letters to Our Congressional delegation Rep. Delahunt, Senators Kerry and Kennedy And ask them what aid is in place for fishermen in Provincetown. MOTION Seconded by Dr. Cheryl Andrews. Discussion: Jane: We need direct in Town Assistance for those involved and no more federal programs. Get someone Down here who can offer common sense advice. Jane will look at letter. Yea 5 Nea 0.

Dr. Cheryl Andrews: (1) Wants to discuss Heritage Museum Study.

Betty: Want information on boat removal from Heritage Museum.

Discussion: Keith: Binder-Boland coming back on February 22, 1999.

MOTION made by Dr. Cheryl Andrews: MOVE BOS send letter to Binder-Boland ask for them to pursue investigating options with Rose-Dorothea And not to pursue spending more time on the three options until they meet With us again for direction. MOTION seconded by Mary-Jo Avellar.

Discussion: Betty: We need the word on the boat. Jane: Does not support the Motion. Get whatever information we can get now to go to Town Meeting.

Mary-Jo: There is no need to rush into this. Explore every option.

Withdrew MOTION—Dr. Andrews. MOTION made by Dr. Andrews: MOVE

Send letter on information on Rose-Dorothea to Binder-Boland.

With CC to Heritage Museum Board of Trustees. (BOS has not supported one option over another.) MOTION seconded by Jane Antolini. Yea 5 Nea 0.

1. Talked about Michael Hattersley's letter. (3) MOTION made by Dr. Cheryl Andrews: MOVE update from DPW every two weeks on water

Update on chlorine in water supply. MOTION seconded by Jane Antolini.

Yea 5 Nea 0.

2. Legality on Political Signs—Asked Town Clerk specifically about issue.

Keith will issue directive to Town Clerk.

3. Talked about enterprise funds—no to enterprise fund at Manor.
4. Year round occupants—We have a hard time figuring out who lives in our

Town. No to idea of tax break for annual occupied homes.

RULES SUSPENDED—WENT OVER AN HOUR.

Jane Antolini—(1) Wants to explore possibility of ANNEX on Prince Street

As a dormitory for workers. (2) Talked on Oil Spills on Private property—

From oil tanks. Wants an awareness program—Winn talk over with

Regulatory Department. Talking about Home Owners.

Betty Steele-Jeffers—(1) Pleased sidewalks are being swept and streets cleaned.

Saw sweeping last week and today. (2) Work Schedule for Custodian at

Library—concern. Wants a report back on this. (3) Zoning notifications.

1. Meeting at Pilgrim Monument & Museum. Comments from Board?????

Board should give directive to Town Manager.

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1. Private Citizen Request: (1) Auditorium Rental—Matthew Lombardo;

1. Rental Licenses & Room Excise Tax Collection—Barbara Rushmore.

1. Matthew Lombardo was present to discuss his project.

Mary-Jo Avellar: There is to be no rehearsal during the day.

This is in the Rules and Regulations. Lombardo: Building and setup of

Lighting will be done on weekends and not during town business hours.

Jane: There is to be no alcohol served. This is a great idea.

Lombardo: Only one conflict—Boston Gay Men’s Chorus. Will work it out
With them.

Betty: Curtains cannot be taken down in auditorium—also need police detail.
No storage. Custodians during local work week—needing them. Problem
Up front with money???

Lombardo: Will be non-profit organization. Now applying for application.
\$615. For custodian fees. Signing of lease—Security deposit of \$1000.
First day of July—\$2850. First day of August--\$1950. Sept. First—
Reimbursed for any custodial fees not used from \$1000.

Jane: Contract to be paid up front—Has to be guaranteed. Police Detail/
Custodial fees done by Union Contract. We can’t agree to their fees.

Cheryl: Who in staff charged if there is noise?

Winn: Town Manager would be in charge.

David: Good Idea—Can’t make noise during business hours.

Lombardo—Panels could stay on the stage.

Jane: Should be built in fees one pumping of septic tank.

Betty: Will not support renting Auditorium to one group.

Lombardo—Will be using hall for 32 days. Non-profit status.

Mary-Jo: We need to see paperwork for non-profit.

David: \$10,000 up front.

Mary-Jo: We have responsibility for Town Hall.

Jane: We cannot negotiate a rate—We can negotiate the regular rate.

MOTION made by David Atkinson: MOVE we accept the offer for 32

Day rental of Town Hall Auditorium for 1999 summer season for \$4,800.

MOTION seconded by Jane Antolini. Discussion: Add exclusive of

Custodial and police fees and additional amendment of pumping of one

Time of septic system. David: Must be quiet during town business hours.

Yea 4 Nea 1 (Betty Steele-Jeffers).

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2. Barbara Rushmore—Talked on Room Excise Tax Collection.

This is three years down the road. Why isn't system in place by Administration? Selectmen need to instruct what to do.

Real Estate agents need to be involved. Let them know they have

To collect tax. Winn: Letters went out in November—they received

45 responses. Betty: What is the follow-up? Winn: Conduct all inspections

in the Spring. Betty: Who got this assignment downstairs? Winn: Team

effort downstairs—Winn is responsible. Barbara Rushmore: What

kind of response? Winn: Responses mixed. Have not issued many licenses.

Mary-Jo: What was the deadline? People are tripping over each other

Downstairs in Town Hall. We have lost a lot of money because no implementation has taken place—the permitting process downstairs does

Not work. Town meeting vote has not been implemented.

Cheryl: This should be on inspections department. Jane: Thank God May

Can't come soon enough. We have repeated this issue over and over again.

Get the damn project done. This is in never, never land.

Barbara Rushmore: Owners have legal obligation to pay it. Register your

Rentals and collect excise tax—Selectmen should say this in a news release.

MOTION made by Jane Antolini: MOVE BOS get a report back from Town Manager about what plan is by March 15, 1999. MOTION seconded by Dr. Cheryl Andrews??Yea 5 Nea 0.

5. Grant Administrator: Grant Application—Heritage Museum \$800.

MOTION made by Jane Antolini: MOVE to authorize the Chairman To execute a grant application with the Arts Foundation of Cape Cod for\$800 for support of the 1999 Summer Lecture Series for the Heritage Museum. MOTION seconded by Dr. Cheryl Andrews. Yea 5 Nea 0.

6. Town Clerk: Dedication of 1998 Annual Town Report

MOTION made by Mary-Jo Avellar: MOVE that the Board of Selectmen Vote to dedicate the 1998 Annual Town Report as presented by the Town Clerk. MOTION seconded by Dr. Cheryl Andrews. Yea 5 Nea 0.

7. Town Manager/Assistant Town Manager Updates:

A. Town Manager: (1) Proposed Revised Water Hook-Up Regulations;

1. CCNS Update; (3) Heritage Museum Repairs/Award Repair Contract

(4) Open Warrants for April 5, 1999 Annual and Special Town Meetings.

(1) MOTION made by Jane Antolini: MOVE that the Board of Selectmen

vote to authorize Selectman Cheryl Andrews and Town Manager Keith Bergman to meet with Truro Selectman Robert Martin and Town Administrator Bud Breault regarding proposed water regulations and the Preamble and to report back to the full Board of Selectmen at its meeting on February 22, 1999. MOTION seconded by David Atkinson. Yea 5 Nea 0.

2. MOTION made by Mary-Jo Avellar: MOVE BOS not approve

Intermunicipal agreement with the Seashore and that somebody go back to table with Superintendent of National Seashore and renegotiate the Cooperative Fire Protection and Emergency Medical

Services Agreement for an acceptable amount in the year 2000. MOTION seconded by David Atkinson. Discussion: Keith: We

Need data from Fire Department first. MOTION withdrew by MJA.

MOTION made by Mary-Jo Avellar: MOVE to table until March 8, 1999. MOTION seconded by David Atkinson. Yea 5 Nea 0.

Mary-Jo Avellar: All expenses have gone up in last 23 years.

Alix Ritchie and the Board talked about the Dog Run. Jane Antolini:

Section of Bike Trail out at Beach Forrest Park near parking lot is

unsafe for Bikers and should be closed to bikers and become part of dog run.

Mary-Jo Avellar: Wanted more force in hazardous waste letter to

National Seashore. Wanted Town Manager to pursue followup on

hazardous waste letter.

David Atkinson: Talked about John Thomas's letter. MOTION made

David Atkinson: MOVE we make our individual comments to Keith on

John Thomas's letter by end of week. MOTION seconded by Mary-Jo

Avellar. Yea 5 Nea 0. Keith will send letter.

Mary-Jo Avellar: Wants another letter to Seashore on ORV's.

MOTION made by Mary-Jo Avellar: MOVE we write Superintendent of

Seashore and ask her what new regulations are on ORV's and what does

Board of Selectmen think. Yea 5 Nea 0.

MOTION made by Jane Antolini: MOVE EMAIL to Governor asking

Him to make his nomination to Secretary of the Interior for Governor's

Appointee to Seashore Advisory Committee. MOTION seconded by

Mary-Jo Avellar. Yea 5 Nea 0.

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7A3: MOTION made by David Atkinson: MOVE that the Board of Selectmen

vote to award a construction contract to low bidder Bay State Contracting

Co., Inc. of North Pembroke, Massachusetts, in the amount of \$197,370 for

the base bid and alternates 1, 2, and 3 for construction of repairs to the

Heritage Museum; 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. Discussion: Notify neighbors of what is

going on. Yea 5 Nea 0.

7A4: Monday, March 1—Meeting BOS to go over Articles. MOTION made by David Atkinson: MOVE that the Board of Selectmen vote to open the April 5, 1999

Annual and Special Town Meeting warrants on Monday, February 22, 1999 and to close them on Friday, March 5, 1999 at 5:00 p.m. in accordance with Charter Section 2-1-7. MOTION seconded by Jane Antolini. Yea 5 Nea 0.

Jane Antolini—Wants list of committees from Town Clerk that should be abolished since they are not active—nonexistence—for article to be placed on the warrant.

7A5: MOTION made by Jane Antolini: MOVE that the Board of Selectmen vote to award a construction contract to F.G. Sullivan Drilling Co., Inc. of Lancaster, Massachusetts, at its low bid amount of \$82,209.34 for replacement of wells and appurtenant work at the South Hollow Wellfields; and, further, to authorize execution of said contract by the Board upon receipt of all required bonds and insurance. MOTION seconded by David Atkinson. Yea 5 Nea 0.

A. Assistant Town Manager: (1) DRM deregulations proposal (2) Year Round Licensing of Float Spaces; (3) High Pole Hill Rd; (4) Affordable Housing Project for Community Center.

1. Winn Davis & Rick Murray talked on the agenda item.

Jane: Citizens can submit these articles. ZBA can submit articles.

DRMCC could act as staff advisory. ZBA or 10 private citizens could

submit the articles. **March 8, 1999—Policy based on articles—ZBA Chairman. MOTION made by David Atkinson: MOVE to suspend**

rules and go past 11:00 p.m. MOTION seconded by Mary-Jo Avellar.

Yea 5 Nea 0.

2. April 1 to November 30 of each year is when license for float spaces good. Request came from Mr. Costa, Ranger V. MOTION made by Jane Antolini: MOVE BOS request a change of Chapter 91 Licenses from DEP. MOTION seconded by Betty Steele-Jeffers for discussion.

How long to take to get letter out?—Winn—2 days. Yea 5 Nea 0.

3. High Pole Rd.--\$5000 and \$7000 costs involved. Plan would have to be

when Warrant goes out. BOS would hold public hearing. Two weeks of work for engineering survey. Jane: We need resolution of where

money coming from. MOTION made by Mary-Jo Avellar:

MOVE we put on Special Town Meeting Warrant to ask for money

For survey to lay out road. MOTION seconded by Jane Antolini.

Discussion: Betty: Also approach monument to see if they want to split

Costs. Yea 5 Nea 0.

4. Working on Community Center as affordable housing site.

Annex lies in power of School Committee. Wants discussion with

School Committee about BOS taking over Prince Street Annex.

MOTION made by Jane Antolini: MOVE to write School Committee

and see if their Consolidation Study is done and when they can meet with

us and also to discuss Annex as a surplus building. MOTION seconded

by Mary-Jo Avellar. Yea 5 Nea 0.

8. Selectmen's Request: Selectmen's Individual Article Request for April 5, 1999 Town Meeting.

David Atkinson presented his four request to Selectmen.

1. Endorse Medical Marijuana

MOTION made by David Atkinson: MOVE BOS put article on warrant

to send letter to legislature to act on Endorsement of Medical Marijuana.

MOTION seconded by Mary-Jo Avellar. Yea 3 Nea 2 (Jane Antolini and

Betty Steele-Jeffers).

2. Recycle Cigarette Butts

MOTION made by David Atkinson: MOVE BOS put rewritten article on warrant on recycling cigarette butts.
MOTION seconded by Jane Antolini.

Yea 3 Nea 2 (Betty Steele-Jeffers & Mary-Jo Avellar).

3. Survey Spaghetti Strip

MOTION made by David Atkinson: MOVE BOS put article on warrant

for Spaghetti Strip survey. MOTION seconded by Mary-Jo Avellar.

Yea 5 Nea 0.

(4) David dropped his request for Dual Property Tax Rate Article.

MOTION made by Dr. Cheryl Andrews: MOVE article on warrant

for Charter revision and to eliminate non-functioning committees and boards because of lack of interest. MOTION seconded by Mary-Jo Avellar. Yea 5 Nea 0.

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8. Treasurer's Transfers: John Anderson Francis Family Scholarship &

John Van Arsdale Memorial Fund.

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

Vote to approve the transfer of funds from the John Anderson Francis

Scholarship Fund for the payment of an invoice and scholarships. MOTION

Seconded by Mary-Jo Avellar. Yea 5 Nea 0.

10. Appointments:

No Appointments

11. Minutes:

No Minutes for approval.

12. Closing Statements:

David Atkinson: No Statements.

Mary-Jo Avellar: No Statements

Dr. Cheryl Andrews: (1) Board of Health \$45 fee—Not approved by BOS.

1. DPW Director—DPW Garage—What's going on with tree cutting?

Answer from Keith: Collinson Property.

Jane Antolini—Jerome Street Parking—MOTION made by Jane Antolini:

MOVE we find out from Staff as to who is responsible for non-registered

Vehicles being allowed to park there. MOTION seconded by David Atkinson.

Yea 5 Nea 0.

Betty Steele-Jeffers: No statements.

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

By Jane Antolini. Yea 5 Nea 0. Adjourn: 11:45 P.M.