

**TOWN OF PROVINCETOWN - BOARD OF SELECTMEN**

**REGULAR MEETING - SEPTEMBER 13, 1999**

**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, Mary-Jo Avellar, Dr. Cheryl Andrews, David Atkinson and Vernon Porter, Secretary to BOS. Absent: Richard Prowell Other attendees: Keith Bergman, Town Manager, E.Winn Davis, Assistant Town Manager, David Guertin – DPW Director and other interested parties.

The following are minutes, in brief.

**1 CONWELL STREET CORRIDOR SAFETY STUDY: Cape Cod Commission**

**Short Term Recommendations**

**#3 Cross Walks/Stop Lines & Center Lines**

**Motion**: Move that the Board of Selectmen agree with the recommendation of the Transportation Team to include cross walks and stop line at Bradford Street, Cemetery Road and Harry Kemp Way intersections including access management where it is clearly a Town Road , with the use of paint

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

**#4 Bradford Street Connection**

**Motion**: Move that be Board of Selectmen recommend that the Transportation Team negotiate with the McNulty's.

**Motion by**: David Atkinson      **Seconded by**: Mary-Jo Avellar  
Yea 0 Nay 4 *Does Not Carry*

**#5 Route 6 Pedestrian Button Sign**

**Motion**: Move that the Board of Selectmen agree with the recommendation of the Transportation Team to ask the State to put up a sign to make the pedestrian walk button more visible at the intersection of Route 6. Further that the sign is without words.

**Motion by**: Cheryl Andrews      **Seconded by**: Mary-Jo Avellar    Yea 4 Nay 0

**#6 Pedestrian/bicycle Signs and or #7 Share the Road /Traffic Calming Signs**

**Motion**: Move that the Board of Selectmen request that the Transportation Team come back with photos where sign would come down.

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

**Motion withdrawn.**

**Motion**: Move that the Board of Selectmen request a staff report, with help from the Cape Cod Commission, on an alternative bike path specifically from the center of Town up to the beginning of Race Point Road.

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

### **#10 Traffic Calming Techniques**

**Motion:** Move that the Board of Selectmen support the Team recommendation of using street print (faux brick printed on asphalt) on the crosswalks at Bradford, Harry Kemp and Cemetery.

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

## **LONG TERM RECOMMENDATIONS**

### **#1 Sidewalks and/or #2 Bicycle Accommodations on Conwell Street North**

**Motion:** Move that this matter be recommended for Public Hearing. (Team recommends installing a sidewalk on the West Side of Conwell Street from Route 6 to Cemetery Road.

**Motion by: Cheryl Andrews      Seconded by: Mary-Jo Avellar    Yea 4 Nay 0**

**Motion:** Team recommends creating a pedestrian pathway down Cemetery Road. Board of Selectmen move that this be a Public Hearing.

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

### **#12B & 12C - Ignore at this time. Alternative recommendation is:**

**Motion:** Move that Board of Selectmen recommend the Town Manager initiate a dialogue with the owner of the Duarte's Parking Lot to pursue the option of developing a 4-foot pedestrian sidewalk over private property in this lot to the end of Center Street extension. Town Manager to report back to Board on the first regular scheduled meeting on November 8, 1999.

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

### **#13 Access Management - Public Hearing**

## **2      PUBLIC STATEMENTS**

**Barbara Rushmore.** Thought that this was a public hearing concerning Conwell Street. – Read through the report by the Cape Cod Commission and thinks that it is catastrophic. Library Tree – Plan on planting something in April?

**Dennis Cole** – Owner of Dexter's Inn on Conwell Street. Truck & Bus vehicles, baby carriages and bicycles on the road - accident waiting to happen. Buses and large trucks cannot make the turn on Conwell Street. Recommends Shankpainter Road as a route for Buses and Trucks.

**David Murphy** – read and submitted a letter re: unfair competition resulting from Visitor Services Board grants to Provincetown Business Guild. Would appreciate any assistance the Board of Selectmen can offer.

## **3.      SELECTMEN'S STATEMENTS**

### **Cheryl Andrews**

Submitted letter from Anna Marie Lutz. (152 Bradford St.) re: Conwell Street Survey.

**Condo Tax** – Remember problems with program.. Read portion of PBG minutes with statements by Gary Reinhardt re: passing of article that has no purpose and there is still some confusion about it. Believes that if a

rule is on the books it should be enforced – if not, then let's get it off the books. Would like to see this issue revisited this winter.

- **VSB** - Discussion on giving the group some guidance on what the Board of Selectmen wants them to do. Letter from Chamber of Commerce had two very good points - well made and timely - the lack of enough restrooms and public transportation

- **Motion**: Move that the Board of Selectmen ask the Staff to look into areas outside the Wastewater Management area for possible use for public restroom facilities and report back sometime this winter.

**Motion by**: Cheryl Andrews    **Seconded by**: Mary-Jo Avellar    **Yea 4 Nay 0**

**Tree** – Replacement? Administration will advise what the plans are at the September 27, 1999 meeting.

**Mr. Murphy – VSB Grant** – Is what this grant is being used for an appropriate use of tax dollars? Asked Mr. Murphy that if he thought not, would he put in writing what a condition would look like that he would put on that grant. Believe that, as time goes on, this issue is going to come up more and more. Makes sense to start looking into exactly what kinds of things we want to do with these grants. It's inevitable that they impact local businesses periodically – just don't know how and when and what's cool and what's not.

- **Motion**: Move that the Board of Selectmen request a report from the Town Manager, within 30 days, regarding this issue.

**Motion by**: Cheryl Andrews    **Seconded by**: Mary-Jo Avellar    **Yea 4 Nay 0**

### **Betty Steele-Jeffers**

**Letter from Roe Callahan** - Snow plowing policy. Letter refers to 1990 letter from Sandra Turner, which is not a policy that I ever knew.

- **Motion**: Move that the Board of Selectmen request the Town Manager direct the DPW that an answer and a policy come back to the Board by the first regular meeting in November (before the first snow fall) on what our snow plowing policy is on private ways and any recommended changes.

**Motion by**: Betty Steele-Jeffers    **Seconded by**: Cheryl Andrews    **Yea 4 Nay 0**

**Tub at Manor** – Target date has been set by Dennis at the Manor. (Keith)

**Flags** – when flags are put up – do they have a date when they are suppose to come down? Comments about the PBG flag that is still up. Keith – yes there are dates they go up and when they come down. Keith will have DRM follow-up and send out letter that they should come down.

### **Mary-Jo Avellar**

**TREE at Library** - have Mr. Guertin could send us a letter or tell us, at the our next meeting, what he thinks about this matter and the best way to proceed.

- **Confidential Memo from Town Manager to Chief of Police** (dated 9/3/99).

**Motion**: Move that the Town Manager schedule a meeting with the Board of Selectmen to discuss this matter as soon as possible.

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

**Visitor Services Board** – Municipality – The notion of promoting a year round economy to make the Town a more livable place for year round residents is not going to be accomplished through tourism. The problems we have in the summertime which are lack of housing for the workers, housing for resident population or suitable people who want to be here on a year round basis is not going to be solved by packing in more tourist in the winter time. Seriously question putting room tax money into these kinds of schemes and the \$300K I think the

majority of the money should be used to take care of things the Town needs. To make life better for Year Round residents like going towards defraying the cost of the sewer, water and any of the other things that really impact on our tax rate and on the burden of local people with fixed incomes. Can no longer support the Town putting its money into projects that basically promote and continue a situation that is detrimental to year round residents, although I don't think it was intended to be that way.

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**Cheryl Andrews** – I made basically the same comments during my statements i.e., I had that problem when it came to the appointment. Agree with the general direction but my vision is different and don't know whether the next step is a discussion amongst ourselves or discussion with the VSB.

**Betty Steele-Jeffers** - always supported the concept of VSB and the use of the money but always thought, and still think, that the money needed to be used for the basics before it went for other things. i.e., toilets, bicycle rack, etc. What enhances the community. What do you look for when you go on vacation. Think that maybe we spend more money on promotion than what we should.

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**Motion:** Move that the Board of Selectmen have a round table discussion with the Staff (Keith, Michelle, and Tourism Director) at the first Regular meeting in October.

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

**David Atkinson**

**Motion:** Move that the Board of Selectmen send a letter to Adam Erenberg thanking him for serving on the Licensing Board.

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

**Motion:** Move that the Board of Selectmen send a letter to Donna Szeker thanking her for serving on the Planning Board.

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

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**Motion:** Move that the Board of Selectmen vote to change the wording on any Grants that say Drug and Alcohol to Substance Abuse.

**Motion by: David Atkinson    Seconded by: Mary-Jo Avellar**  
**Yea 3    Nay 1 (Betty Steele-Jeffers)**

Passed out video to each selectmen– on the war on drugs.

4. **BINDER BOLAND & ASSOCIATES**  
Commercial Street Economic Opportunity Area/Whalers Wharf TIF  
Tabled until September 27, 1999 Board of Selectmen meeting.

5 **CELLULAR TOWERS AT MPL – STEALTH TOWERS CORP.**

**Motion:** Move to take no action

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

6. **SURPLUS DECLARATION** - Marine Department Boat, Motor and Trailer

**MOTION:** Move that the Board of Selectmen vote pursuant to Provincetown General By-laws §6-4-6, to authorize the Town Manager to dispose, by sealed bid, of the following Town-owned personal property declared surplus by the Marine Superintendent: 1987 Seaway boat, 1986 Johnson 110-horsepower motor,

and EZ Load trailer; with said surplus property to be bid as a package with a minimum bid of \$5,000.

**Motion by: Cheryl Andrews      Seconded by: Mary-Jo Avellar    Yea 4 Nay 0**

**6B      CAPE COD NATIONAL SEASHORE – Issues Update from Town Manager**

**MOTION:** Move that the Board of Selectmen vote to execute a reaffirmation memorandum to extend the Law Enforcement Mutual Aid Memorandum of Understanding with Cape Cod National Seashore for an additional five years, from October 12, 1999 through October 11, 2004.

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

**6C      WATER UPDATE: TRURO, TESTING**

Truro Defers FY 2000 PILOT for One-Year: Site “Y” to be tested

**MOTION:** Move that the Board of Selectmen vote to accept the Truro Board of Selectmen’s proposal to defer until FY 2001 the Town of Provincetown’s FY 2000 payment in lieu of taxes to the Town of Truro.

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

**6C2      WASTEWATER BORROWING – Water Pollution Abatement Trust \$392,821**

**MOTION:** Move that the Board of Selectmen vote to adopt the vote prescribed by Bond Counsel Ropes & Gray for borrowing of \$392,821 under the Massachusetts Water Pollution Abatement Trust, the complete text of which shall appear in the minutes of the Board of Selectmen.

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

**7A      PERMIT REQUEST – Carrie A. Seaman Animal Shelter**

**MOTION:** Move that the Board of Selectmen vote to approve the Parade Application submitted by Jack Longo of Provincetown, MA for the Carrie A. Seaman Animal Shelter Parade to be held on Saturday, October 2, 1999 from 4:00 p.m. to 5:30 p.m. (Rain date: Sunday, October 3, 1999 from 12 Noon to 2:00 p.m.)

**Motion by: Mary-Jo Avellar      Seconded by: Cheryl Andrews    Yea 4 Nay 0**

**Revamping Parade Permits** – schedule meeting for the 2<sup>nd</sup> regular scheduled Board of Selectmen meeting in November (Nov., 1999) with input from Chief Anthony.

**7B      PROCLAMATION – VFW – 100<sup>th</sup> ANNIVERSARY**

**MOTION:** Move that the Board of Selectmen vote to approve the request by Earle Chaddock of Provincetown, MA to recognize and proclaim the week of October 3, 1999 through October 9, 1999 as the Veterans of Foreign Wars 100<sup>th</sup> Anniversary –“ Commemorative Year” week using the original application with the changes noted.

**Motion by: Cheryl Andrews      Seconded by: Mary-Jo Avellar    Yea 4 Nay 0**

**8A      APPOINTMENTS – TOWN BOARDS**

**Motion:** Move that the Board of Selectmen appoint William Andrew Brisebois as a Regular Member of the Cable Advisory Committee with a term expiration date of May 31, 2000.

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

**Motion:** Move that the Board of Selectmen appoint Betty Villari as a Regular Member of the John Anderson Family Scholarship Fund with a term expiration date of December 31, 2001

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

**8B      SELECTMEN'S SECRETARY SIX-MONTH REVIEW**

**9      MINUTES OF BOARD OF SELECTMEN MEETING**

**MOTION:** Move that the Board of Selectmen vote to approve the minutes of the August 23, 1999 meeting with the following correction: Page 3 Nataro should be Notaro.

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

**10      SUMMER: Past and Future – Discussion**

Police - More visible foot patrols – Higher rate of pay - Private sector for certain jobs.  
Modes of transportation - No transfer of funds – Trolley car.  
Keith – it a matter of money and subsidy and there will be money next year to provide quality services and amenities.  
Noise pollution. Office Golden's report – saw long line of people waiting to get into establishments.

**11      SELECTMEN'S STATEMENTS**

**Cheryl Andrews**

Structural load on Town Auditorium.  
Banners on front of Town Hall – treat everyone the same. (Keith will handle.)  
Route 6 – Sign in front of ours. (Keith will check this out.)

**Betty Steele-Jeffers**

Would like to see Management plan for Foxwoods.  
VFW 100<sup>th</sup> Anniversary Dinner on October 9<sup>th</sup>.

**Mary-Jo Avellar**

American Stage Company letter – mess after they left. Will we get money?  
Cable – good to see list of channels – October 12.

**David Atkinson**

Think that Barbara Rushmore has a good idea on the Tree. Will give all the information I have to David Guertin.  
Service pin – collected information and will pass it along to Debra DeJonker  
David Murphy – PBG should not be in competition with local businessmen.  
Boston Common – 10<sup>th</sup> Annual Freedom Rally – Saturday 18<sup>th</sup>.

**Cheryl Andrews**

Pin – for Employees.  
Town Flag – include in Budget for next year.  
Lights to be raised so we can see the Town trees.

Meeting adjourned 11:00 PM

Minutes transcribed by: Vernon Porter, Secretary BOS  
September 16, 1999