

TOWN OF PROVINCETOWN - BOARD OF SELECTMEN

REGULAR MEETING – MONDAY, MAY 23, 2005

JUDGE WELSH HEARING ROOM

Chairman Cheryl Andrews opened the meeting at 6:00 PM noting the following attendees:

Board of Selectmen members: Cheryl Andrews, Michele Couture, Sarah Peake Richard Olson, David Nicolau

Other attendees: Town Manager Keith Bergman

Recorder: Vernon G. Porter

The following are meeting minutes, in brief.

MOTION: *Move that the Board of Selectmen vote to take Agenda Item 1A out of order and have it follow Agenda Item 5H.*

Motion by: Sarah Peake **Seconded by:** Michele Couture **Yea 5 Nay 0**

2. **PUBLIC STATEMENTS**

Charles Silva – Issue of Laundromat. He offered to build a laundromat and a holding tank that could be used in an emergency to help the system if it needed more water pressure. Also Grand Union offered to assist with the sewer system. I agree with Ms. Peake that 3 phase electricity is the responsibility of the business developer and not that of the town's. If you're going to invest my taxpayer dollars, I would like you to invest it in installing the sewer system on Shankpainter Road which will happen sometime in the future anyway.

3. **SELECTMEN'S STATEMENTS**

Richard Olson - None at this time.

David Nicolau

MOTION: *Move that the Board of Selectmen vote to send a letter of thanks to Brenda Haywood for serving on the John Francis Scholarship Committee.*

Motion by: David Nicolau **Seconded by:** Sarah Peake **Yea 5 Nay 0**

MOTION: *Move that the Board of Selectmen vote to send a letter of thanks to Roxanne Layne for serving on the John Francis Scholarship Committee.*

Motion by: David Nicolau **Seconded by:** Sarah Peake **Yea 5 Nay 0**

Check out why we got an Abutter Notice for 10 Washington Street.

Sarah Peake

MOTION: *Move that the Board of Selectmen vote to send a letter of thanks to Teri Nezbeth for serving on the Provincetown Housing Authority.*

Motion by: Sarah Peake **Seconded by:** Michele Couture **Yea 5 Nay 0**

MOTION: *Move that the Board of Selectmen vote to send a letter to Representative Gomes and Senator O'Leary supporting legislation for taxation of seasonal short-term rentals of condominiums and other residential units. (cc: Brewster Board of Selectmen)*

Motion by: Sarah Peake **Seconded by:** Michele Couture

Yea 4 Nay 0 Abstain 1 (David Nicolau)

Follow-up from traffic hearing to Chief of Police – Howland Street traffic study – what is status of this? Keith has talked with Clay Schofield and an answer should be coming soon.

MOTION: *Move that the Board of Selectmen vote to have a Howland Street Intersection as an Agenda Item in June or soon thereafter.*

Motion by: Sarah Peake **Seconded by:** Michele Couture **Yea 5 Nay 0**

MOTION: *Move that the Board of Selectmen vote to send a letter to the Speaker of the Assembly of Delegates and to the County of Commissioners supporting the original budget as submitted by the County Commissioner.*

Motion by: Sarah Peake **Seconded by:** Michele Couture
Yea 3 Nay 2 (Cheryl Andrews / Richard Olson)

Michele Couture

Thanks to all involved with construction going on at 27 Commercial Street project. Abutters are satisfied with what is going on.

MOTION: *Move that the Board of Selectmen vote to send a letter to Sheriff Cummings thanking him for arranging for his crew to do the beach clean-up.*

Motion by: Michele Couture **Seconded by:** Sarah Peake **Yea 5 Nay 0**

Re: Police trainees – want to go on record that I am definitely against Tasers.

Health Care Forum – went very well. Want to thank Town Manager Keith Bergman, Henry Tuttle, PTV, Steve Roderick, Bubula’s and Farland.

Report from Town Manager on Plymouth & Brockton Bus Lines.

Mr. Silva’s comments on the laundromat. Important that we partner with whomever could help provide us with a laundromat without taxpayers dollars being used.

Cheryl Andrews

Spirit of Massachusetts Day at the end of the Pier – is here on educational business. Encourage you to go down to the Pier and visit it.

4. BOARD OF SELECTMEN - APPOINTMENTS

None

5A TREASURER

Revenue Anticipation Note #1050

MOTION: *Move that the Board of Selectmen vote to issue a Revenue Anticipation Note #1050 in the amount of \$1,000,000.00 dated May 25, 2005 at 2.75% interest payable at maturity to Cape Cod Five Cents Savings Bank on June 30, 2005.*

Motion by: Michele Couture **Seconded by:** Richard Olson **Yea 5 Nay 0**

5B PROVINCETOWN BUSINESS DEVELOPMENT CENTER

Lower Cape CDC

Discussion ensued. No motions made.

5C ART COMMISSION

Loan Agreement with Cahoon Museum

MOTION: *Move that the Board of Selectmen vote to authorize execution of a loan agreement with the Cahoon Museum of American Art in Cotuit for loan of Town-owned art to said organization, as approved by the Art Commission.*

Motion by: Sarah Peake

Seconded by: Michele Couture

Yea 5 Nay 0

5D REQUEST: FINE ARTS WORK CENTER

Cultural Traffic Sign on Route 6

MOTION: *Move that the Board of Selectmen vote to authorize the installation of a cultural traffic sign on Route 6 listing cultural attractions, with said sign to be located on the right side of the inbound lane (northern barrel) prior to the Conwell Street exit, just west of wastewater disposal area "I."*

Motion by: Michele Couture

Seconded by: Sarah Peake

Yea 3 Nay 2 (Cheryl Andrews/David Nicolau)

5E VISITOR SERVICES BOARD – FY 2—5 TOURISM FUND

Chamber, PBG Grants – Co-op Advertising (\$10,000), Survey (\$7,500)

MOTION: *Move that the Board of Selectmen vote to approve the recommendations of the Visitor Services Board and award grant agreements to the Provincetown Business Guild and the Provincetown Chamber of Commerce, as follows: (1) \$10,000 for each organization for FY 2005 cooperative advertising, and (2) \$7,500 for each organization for surveys.*

Motion by: Michele Couture

Seconded by: Sarah Peake

Yea 5 Nay 0

5F1 PARADE PERMIT: BLESSING OF THE FLEET

Blessing of the Fleet: Sunday, June 26, 2005

MOTION: *Move that the Board of Selectmen vote to approve the Parade Permit Application submitted by Susan Avellar on behalf of Blessing Of The Fleet, Inc., for their annual celebration of "The Blessing of the Fleet" to be held on Sunday, June 26, 2005 from 11:30 am to 12:30 p.m., with an amended parade route as follows: commencing at Fishermen's Wharf north down Ryder to Bradford. East on Bradford to Johnson. South on Johnson to Commercial. West on Commercial to Lopes Square. South down MacMillan Wharf.*

Motion by: Michele Couture

Seconded by: Richard Olson

Yea 5 Nay 0

5F2 PARADE PERMIT: PROVINCETOWN BUSINESS GUILD

Provincetown Business Guild Annual Carnival Parade

MOTION: *Move that the Board of Selectmen vote to approve Parade application submitted by Gabby Hanna on behalf of the Provincetown Business Guild for the purpose of holding their Annual Carnival Parade to be held on Thursday, August 18, 2005 from 3:00 pm to 6:00 pm.*

Motion by: Sarah Peake

Seconded by: David Nicolau

Yea 5 Nay 0

5G PROCLAMATION

Eugene O'Neill Commemoration Day – Sunday, June 18, 2005

MOTION: *Move that the Board of Selectmen vote to approve the request of Selectman Richard B. Olson on behalf of the Eugene O'Neill Society's Sixth International Conference being held in Provincetown, June 15 through the 20th, 2005 to proclaim Saturday, June 18, 2005 as "Eugene O'Neill Commemoration Day" in the Town of Provincetown.*

Motion by: Sarah Peake

Seconded by: Michele Couture

Yea 5 Nay 0

5H **LAUNDROMAT UPDATE**
Requirement For Three-Phase Power

Open discussion. No motions made.

Cheryl Andrews recused herself. Her father is a resident of the Cape End Manor.

1A **CAPE END MANOR**
Agreement with New England Deaconess Association

MOTION: *Move that the Board of Selectmen vote, pursuant to Articles 1 and 2 of the April 4, 2005 Special Town Meeting, to execute the following agreements with the New England Deaconess Association of Concord, Massachusetts or its affiliate relative to the Cape End Manor Care Campus, subject to approval as to form by Town Counsel and with such changes as to form as are approved by Town Counsel: (1) Interim Management Agreement, and (2) Purchase and Sale Agreement.*

Motion by: Michele Couture **Seconded by:** Richard Olson Yea 4 Nay 0

Cheryl Andrews returned.

6A **USE OF CHAPTER 90 FUNDS**
Paving Projects

MOTION: *Move that the Board of Selectmen vote to approve the use of \$95,990 in Chapter 90 Massachusetts Highway Funds for paving projects, as recommended by the Deputy Director of Public Works.*

Motion by: Michele Couture **Seconded by:** Richard Olson Yea 5 Nay 0

MOTION: *Move that the Board of Selectmen vote to take Agenda Item #8 Minutes of Board of Selectmen out of order.*

Motion by: Michele Couture **Seconded by:** Sarah Peake Yea 5 Nay 0

8. **MINUTES OF BOARD OF SELECTMEN MEETING**

MOTION: *Move that the Board of Selectmen vote to approve the minutes of May 9, 2005 (Spsl Mtg. – 5 pm) with changes so noted. (All Present)*

Motion by: Michele Couture **Seconded by:** Richard Olson Yea 5 Nay 0

MOTION: *Move that the Board of Selectmen vote to table the minutes of May 9, 2005 (Reg. Mtg.).*

Motion by: Michele Couture **Seconded by:** Sarah Peake Yea 5 Nay 0

MOTION: *Move that the Board of Selectmen vote to take Agenda Item #10 Closing Statements out of order.*

Motion by: Sarah Peake **Seconded by:** Michele Couture Yea 5 Nay 0

10. **CLOSING STATEMENTS**

Richard Olson - None

David Nicolau

CPC has to spend \$25,000 before July 1, 2005 for housing plan.

MOTION: *Move that the Board of Selectmen vote to ask the Community Preservation Committee to send the Board of Selectmen a memo relative to the status of their plan.*

Motion by: David Nicolau

Seconded by: Michele Couture

Yea 5 Nay 0

Sarah Peake – None

Michele Couture – None

Cheryl Andrews - None

7. BOARD OF SELECTMEN’S RULES OF PROCEDURE

Adoption, Consideration of Amendments

Cheryl Andrews

Section 1.a. change the word: Clerk to **Vice-Chairman**

Section 1.b change the word: Clerk to **Vice-Chairman**

Motion by: Cheryl Andrews

Seconded by: Michele Couture

Yea 5 Nay 0

Section 1c.

Now reads:

The Clerk shall monitor the clerical work of the Board including correspondence and preparation of the Selectmen's Annual Report.

Change to read:

c. In the absence of the chairman, the duties of the chair shall be performed by the Vice-Chairman. The typical duties and responsibilities of the vice-chairman will then fall to the selectman with the most seniority.

Motion by: Sarah Peake

Seconded by: David Nicolau

Yea 5 Nay 0

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2e. Eliminate this section

~~e. Agenda Work Sessions. The Selectmen will reserve the option of scheduling an agenda work session on the Friday preceding any regular meeting. This work session will be open to the public and to the press.~~

Motion by: Sarah Peake

Seconded by: Michele Couture

Yea 5 Nay 0

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2h. (3)

(3) Now reads: Any Board Member who expects to be absent from a scheduled Board Meeting, or delayed for more than one hour shall notify the Chairman or Clerk in advance of the scheduled meeting.

Change to read:

(3) Any Board Member who expects to be absent from a scheduled Board Meeting, or delayed for more than one hour shall notify the Chairman in advance of the scheduled meeting.

Motion by: Cheryl Andrews

Seconded by: Michele Couture

Yea 5 Nay 0

2h. (4)

Eliminate this

~~(4) A recess in Board proceedings shall be called at approximately 9:00 P.M. and shall not last more than ten minutes.[2]~~

Motion by: Sarah Peake

Seconded by: Michele Couture

Yea 5 Nay 0

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Section 3. Agenda for Regular Meetings:

Note: Board discussed desire that Chair be allowed to order the "requested Agenda Items" such that ideally, public requests will precede the staff requests. But if we have requests that seem to require very short amounts of time, put those first e.g. treasurers' transfers. Board also stated its desire not to have the category 'preliminary matters'.

Replace this section with :

The Board grants discretion to the Chair in setting the order of the "requested Agenda Items", such that public requests always precede staff requests, but exceptions may be made when the staff requests require very short amounts of time. The Board also requests we avoid using the category.....'preliminary matters'.

Motion by: Cheryl Andrews Seconded by: Michele Couture Yea 5 Nay 0

Section 4. Procedures during Meetings:

~~h. On Monday meetings, other than the Regular scheduled 2nd and 4th Monday meetings, there will be an agenda item designated Selectmen's Statements. Each Selectmen will be allowed five (5) minutes. Total for all Selectmen attending not to exceed twenty five (25) minutes.~~

Eliminate this. We don't do it now.

Motion by: Cheryl Andrews Seconded by: Michele Couture Yea 5 Nay 0

Section 6. Minutes of Meetings:
e. Change Clerk: to *Vice-chairman*

Motion by: Cheryl Andrews Seconded by: Michele Couture Yea 5 Nay 0

Sarah Peake

Section 2

f. **Executive Session.** (4) **Change the time:** 6 p.m. to 5 p.m. and 7 pm to 6 pm.

Motion by: Cheryl Andrews Seconded by: Michele Couture Yea 5 Nay 0

g. Regular Work Session

Eliminate this section. Unnecessary – we can call special meetings as needed.

Motion by: Sarah Peake Seconded by: Michele Couture Yea 5 Nay 0

h. Time of Meetings

(4) Delete this section.

Motion by: Sarah Peake Seconded by: Cheryl Andrews Yea 5 Nay 0

Section 4. Procedures During Meetings

g. Eliminate: ~~Selectmen's statements should be limited to 5 minutes per Selectmen.~~

Motion by: Sarah Peake Seconded by: Michele Couture Yea 5 Nay 0

h. Eliminate this section completely – we do not do this now.

Motion by: Cheryl Andrews Seconded by: Michele Couture Yea 5 Nay 0

Section 6. Minutes of Meetings:

Add the words: "and Video" after the word "Tape" wherever it appears in this section.

Motion by: Cheryl Andrews Seconded by: Sarah Peake Yea 5 Nay 0

b2 *change the work 'clerk' to "Vice-Chair"*

Motion by: Cheryl Andrews

Seconded by: Sarah Peake

Yea 5 Nay 0

Motion to adjourn by Michele Couture at 9:32 pm.

Minutes transcribed by: Vernon Porter, Secretary
May 25, 2005