

TOWN OF PROVINCETOWN - BOARD OF SELECTMEN

REGULAR MEETING – MONDAY, JULY 11, 2005

JUDGE WELSH HEARING ROOM

Chairman Cheryl Andrews opened the meeting at 6:18 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.

David Nicolau recused himself and left the room.

1A PUBLIC HEARING

Curb Cut Request 463 Commercial Street

Mr. Peter J. Petas & Ted Jones, 463 Commercial Street (Assessor's Map 12-4-008)

No members of he public spoke on this matter.

Mr. Ted Jones appeared to present the application. Fire Chief had modified the plan since applicant had seen it. Applicant was not prepared to agree with the changes.

MOTION: *Move that the Board of Selectmen vote to table this matter until a meeting date of the applicant's choosing.*

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

David Nicolau returned.

1B OPEN SPACE COMMITTEE

Shankpainter Pond Uplands Property – Update

Celine Gandolfo and Ron Robillard made the presentation for the Committee.

Open discussion ensued. No motions made. Schedule site visit/inspection. Dedication upon completion of project.

2. PUBLIC STATEMENTS

Carol McDonald – Lack of 'poop bags and stations to put them on' around town and especially at beach areas.

3. SELECTMEN'S STATEMENTS

Michele Couture

July 4th – Special thanks to all Departments for making July 4th such a success. DPW did an excellent job – as always.

MOTION: *Move that the Board of Selectmen vote to send a letter of thanks to the Chief of Police, State Police and Barnstable County Sheriff for their assistance on the 4th of July.*

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

Thanks to Chief Meyer for initiating the Interagency Review Board re: 4th July issues.

Thanks to Chief Meyer for meeting of Street Performers

Ask for clarity on preparation of agenda – consistency and guidance for Selectmen to include an item on the agenda.

MOTION: *Move that the Board of Selectmen vote to include “Street Performers” as an agenda item at the Board of Selectmen’s regular scheduled meeting on Monday, August 8, 2005.*

Motion by: Michele Couture **Seconded by:** David Nicolau Yea 5 Nay 0

Richard Olson

MOTION: *Move that the Board of Selectmen vote to send a letter of thanks to Eileen Thomas upon her retirement and to Dennis Anderson for all they have done for the Manor and for putting together the transition of Management of the Cape End Manor to the New England Deaconess.*

Motion by: Richard Olson **Seconded by:** Michele Couture
Yea 4 Nay 0 Abstain 1 (Cheryl Andrews)

David Nicolau

MOTION: *Move that the Board of Selectmen vote to include an agenda item for a joint meeting with the Water & Sewer Board, Council on Economic Development, Planning Board, Board of Health and the Board of Selectmen to discuss reallocation of gallons – Growth Management. (July 25, 2005)*

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

Set aside gallons for affordable housing for middle-income people.

MOTION: *Move that the Board of Selectmen vote to send the Health Agent a memo to refill the Doggie Bags on a regular basis.*

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 Carl Dietz for the use of his car during the 4th of July Parade.*

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

Sarah Peake

Poop bags – hope that this issue will be part of the Animal Welfare Committee and that the right bags and dispensers will be secured and that they can work with the DPW and the Health Agent to get them installed.

July 4th issues – Board of Selectmen need to take a leadership role in this matter.

MOTION: *Move that the Board of Selectmen vote to receive a bi-weekly update on the New England Deaconess marketing efforts and the count on the presale units.*

Motion by: Sarah Peake **Seconded by:** David Nicolau
Yea 4 Nay 0 Abstain 1 (Cheryl Andrews)

Cheryl Andrews

Monday, July 4, 2005, was a truly super day The weather was good, the parade was fun, the fireworks were the best I have seen in Town. But later that night, a badly behaved crowd in the center of town ruined the day for themselves, for the police, and for the rest of us. Many of us agree that the 4th of July is the only night of the year when we don’t feel safe in our own town.

People set off illegal fireworks next to 300 year old wooden buildings. Right in the center of town groups of badly behaved young people attack each other. Other young people choose to get right into the middle of itrefusing to understand that now they have become part of the problem.

And the true meaning of the 4th of July is dishonored and lost.

Provincetown MUST make every effort to celebrate the 4th of July, differently and safely next year.

To that end I would propose the following:

No fireworks for Independence Day. When I told my sister, I planned to vote against having fireworks next year

she said But doesn't that mean they win???? I thought about it, and the answer is no. If public decency, respect and safety for all is re established in Provincetown on the 4th of July, than everyone wins. I propose that we,

Refocus the celebration from a one-day to a multiple day event, similar to the Portuguese Festival and Carnival.

Eliminate the fireworks, at least for the first couple of years.

Crack down on illegal firework possession and displays.

Encourage events that attract an **older**, better behaved group of visitors; barbecues, band concerts, antique car shows.

Enforce the parking laws, and public consumption of liquor laws. Discourage outdoor events after dark. I strongly disagree with the position taken by the Cape Cod Times, that the cause of the problem is alcohol consumption. Their editorial misses the mark. Provincetown provides a safe and respectful venue for all kinds of entertainment, including restaurants and bars. We sell alcoholic beverages to thousands of people, 365 days of the year.

But only one day of the year, do I feel unsafe in Provincetown, Only one day. And that is unacceptable.

So, lets do things differently next year and let's Take Back the 4th of July.

MOTION: Move that the Board of Selectmen vote to schedule a future agenda item for August 8, 2005 to discuss setting out a process for the 4th of July decisions for 2006..

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

4. BOARD OF SELECTMEN – APPOINTMENTS

The Board conducted interviews.

. MOTION: Move that the Board of Selectmen vote to appoint Stephen Milkewicz as a Regular Member to the Open Space Committee with a term expiration date of May 31, 2008.

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

. MOTION: Move that the Board of Selectmen vote to appoint Gabriel Hanna as a Regular Member to the Animal Welfare Committee with a term expiration date of June 30, 2008.

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

. MOTION: Move that the Board of Selectmen vote to appoint Elizabeth Gabriel Brooke as a Regular Member to the Animal Welfare Committee with a term expiration date of June 30, 2008.

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

. MOTION: Move that the Board of Selectmen vote to appoint Stephen Milkewicz as a Regular Member to the Animal Welfare Committee with a term expiration date of June 30, 2007.

Motion by: Sarah Peake Seconded by: Richard Olson Yea 5 Nay 0

5A1 TREASURER'S TRANSFER

Library Building – Furniture Gift Fund

MOTION: Move that the Board of Selectmen vote, as Commissioners of the Gift Funds, to approve the transfer of \$841.50 from the Library Building Furniture Gift Fund for the payment of the attached invoice.

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

5A2 TREASURER'S TRANSFER

John A. Henry Trust Fund

MOTION: Move that the Board of Selectmen vote, as Commissioners of the Trust Funds, to approve the

transfer of \$2,529.50 from the John A. Henry Trust Fund for the payment of the attached invoice.

Motion by: Michele Couture

Seconded by: Richard Olson

Yea 5 Nay 0

5A3 TREASURER'S TRANSFER

Beautification Committee

MOTION: *Move that the Board of Selectmen vote, as Commissioners of the Gift Funds, to approve the transfer of \$1,155.00 from the Beautification Gift Fund for the payment of the attached invoice.*

Motion by: Michele Couture

Seconded by: Sarah Peake

Yea 5 Nay 0

5B1 PARADE PERMIT: PROVINCETOWN REPERTORY THEATRE

High-Heel Foot Race – Wednesday, August 17, 2005

MOTION: *Move that the Board of Selectmen vote to approve the Parade Permit Application submitted by Michelle Haynes & Ron Robin, on behalf of the Provincetown Repertory Theatre to hold a “High-Heel Foot Race” to be held on Wednesday, August 17, 2005 between Noon and 12:30 pm; subject to confirmation that the Police Chief sign off is for the parade to go west to east, against the traffic flow.*

Motion by: Sarah Peake

Seconded by: David Nicolau

Yea 5 Nay 0

5B2 PARADE PERMIT: CARRIE SEAMAN ANIMAL SHELTER

Pet Appreciation Animal Walk – Sunday, September 25, 2005

MOTION: *Move that the Board of Selectmen vote to approve the Parade Permit Application submitted by Carol MacDonald on behalf of the Carrie A. Seaman Animal Shelter, to hold a “Pet Appreciation Animal Walk” on Sunday, September 25, 2005 between the hours of 1:30 PM and 2:00 pm.*

Motion by: Michele Couture

Seconded by: Richard Olson

Yea 5 Nay 0

5B3 PARADE PERMIT: PROVINCETOWN HIGH SCHOOL

Car Rally For Homecoming – Friday, September 30, 2005

MOTION: *Move that the Board of Selectmen vote to approve the Parade Permit Application submitted by Athletic Director Lisa Colley on behalf of the Provincetown High School, to hold a “Car Rally for Homecoming” to be held on Friday, September 30, 2005 from 5:00 pm to 6:00 pm. with a rain date of October 7, 2005.*

Motion by: Michele Couture

Seconded by: Richard Olson

Yea 5 Nay 0

5C PROCLAMATION – GLAD DAY

(GLAD) Gay & Lesbian Advocates & Defenders Day

MOTION: *Move that the Board of Selectmen vote to approve the request of Cheryl L. Andrews of Provincetown, MA to proclaim Saturday, July 30, 2005 as Gay & Lesbian Advocates & Defenders Day in the Town of Provincetown.*

Motion by: Sarah Peake

..... Seconded by: David Nicolau

Yea 5 Nay 0

6A GRANT AWARD: MCDBG 2005 Program

\$800,000 for Water Tank Rehabilitation

MOTION: *Move that the Board of Selectmen vote to accept a grant award in the amount of \$800,000 from the Massachusetts Department of Housing and Community Development under its FY 2005 Massachusetts Community Development Block Grant program for the rehabilitation of Winslow Street Water Tank No. 2 and general administration.*

Motion by: Michele Couture

Seconded by: Sarah Peake

Yea 5 Nay 0

6B **GRANT AWARD: EOT WATER TRANSPORTATION**

\$375,000 for MacMillan Pier Improvements

MOTION: *Move that the Board of Selectmen vote to accept a grant award in the amount of \$375,000 from the Massachusetts Executive Office of Transportation under its Water Transportation Capital Funding Program for ferry terminal improvements to MacMillan Pier, including handicapped accessible public restrooms and sheltered waiting areas for passengers.*

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

6C **MAINTENANCE OF STREETLIGHTS**

Extension of Maintenance Agreement – Republic Electric

MOTION: *Move that the Board of Selectmen vote to approve Amendment No. 1 to the contract between Republic Electric and the Town of Provincetown for maintenance of all Town-owned street lights, to extend said contract through July 1, 2007; at a cost of \$1.16 per streetlight in FY 2006 and \$1.22 per streetlight in FY 2007.*

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

6D **FY 2006 HUMAN SERVICE GRANT AWARDS**

Administrative services by Barnstable County

MOTION: *Move that the Board of Selectmen that the Board of Selectmen vote to authorize execution of FY 2006 Human Service Grant agreements funded by Article 28 of the April 4, 2005 Annual Town Meeting as follows:*

- AIDS Support Group of Cape Cod \$7,000
- Cape Cod Children's Place 3,375
- Consumer Assistance Council 250
- Gosnold 13,000
- Helping Our Women 6,000
- Independence House. 3,800
- Interfaith Council for the Homeless 2,649
- Legal Services for Cod Cape & Islands 4,300
- Lower Cape Outreach Council, Inc. 4,000
- Mass Appeal 400
- Outer Cape Health Services 5,500
- Sight Loss Services, Inc. 400
- Soup Kitchen in Provincetown 3,000

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

6E **WASTEWATER UPDATE**

Schedule for Facilitated Meeting Process

MOTION: *Move that the Board of Selectmen vote to adopt the following schedule for facilitated meetings of the Board of Selectmen regarding Wastewater, and to authorize execution of a contract for facilitation services with Mr. John Goodrich in an amount not to exceed \$5,000:*

Proposed Schedule: *Monday, July 18, 2005; Monday, August 1, 2005; and Monday, August 15, 2005 from 6 to 8 p.m.*

Motion by: Sarah Peake **Seconded by:** Richard Olson Yea 5 Nay 0

7. **MINUTES OF BOARD OF SELECTMEN MEETING**

MOTION: *Move that the Board of Selectmen vote to approve the minutes of June 27, 2005 (Special Mtg. 5 PM.) with change so noted.*

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

MOTION: *Move that the Board of Selectmen vote to approve the minutes of June 27, 2005 (Reg. Mtg.) with changes so noted.*

Motion by: Michele Couture

Seconded by: Richard Olson

Yea 5 Nay 0

8. CLOSING STATEMENTS

Michele Couture - None

Richard Olson - None

David Nicolau

Time management during Selectmen's meetings.

Sarah Peake

Closing of Commercial Street to vehicular traffic Thursday thru Saturday from 9 PM to 1 or 2 AM . Are we doing this? Check with Chief Meyer to see if this is happening.

Cheryl Andrews - None

Last meeting we had with VSB – list of topics to review. We need to schedule some meetings with the Board of Selectmen and VSB. Board of Selectmen suggested Chair meet with Lynn Davies and craft a schedule.

9. COLLECTIVE BARGAINING STRATEGY

MGL C.39 § 23B CL.3 – Group Health Bargaining

MOTION: *Move that the Board of Selectmen vote to go into executive session, pursuant to MGL C.39§23B, clause 3, for the purpose of discussing strategy with respect to collective bargaining; and not to convene in open session thereafter.*

Motion by: David Nicolau

Seconded by: Sarah Peake

Yea 5 Nay 0

[Roll Call]

Sarah Peake – Yes

Michel Couture – Yes

David Nicolau – Yes

Richard Olson – Yes

Cheryl Andrews - Yes

The Board went into executive session at 9:00 pm.

Minutes transcribed by: Vernon Porter, Secretary
July 17, 2005