

TOWN OF PROVINCETOWN - BOARD OF SELECTMEN

REGULAR MEETING -TUESDAY, OCTOBER 11, 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, Sarah Peake, Michele Couture, Richard Olson, David Nicolau

Other attendees: Town Manager Keith Bergman, Acting Assistant Town Manager Michelle Jarusiewicz

Recorder: Cheryl Andrews

The following are meeting minutes, in brief.

1A CAPE COD NATIONAL SEASHORE

Joint Meeting with Superintendent George Price: CCNS GMP IAC

Cape Cod National Seashore attendees: Superintendent George Price and Natural Resources Director Nancy Finley

CCNS GMP IAC Members Present: John Thomas, Kerry Adams, Barbara Prato and Provincetown's Alternate Rep. to CCNS Advisory Committee Alix Ritchie

Keith Bergman gave a briefing of the relationship between the Town of Provincetown and the CCNS and what is unique about our situation and our concerns. Preserving our way of life for our community. Alternate/redundant water supply - well source. Wind energy- how it can work for this area. Opposition to Wilderness Area designation. Enjoying an excellent staff level working relationship with the CCNS especially on water.

Sarah Peake – Highland Center property – let's look at it for affordable housing/workforce housing. Status of Dune Shacks. Issue of Hunting. Quality time on wind issues. .

John Thomas – Change in energy in the way CCNS works with the town and the issues we all share. We are doing the CCNS staffs work. There is this undertow of a feeling in town, in the last five years, that you are not actively trying to hurt us but you are not doing anything to help us – and we have to work way too much and should not really have to do it at all as volunteer citizens. We would like to see the Seashore more proactive.

Kerry Adams - I can trace my family back seven generations. And I am unhappy with the way people are being treated by CCNS personnel. We especially find that it is not that you cannot do the things you use to do – it is that there is no longer access to the areas you use to access in order to do the things you used to do or enjoy doing. Hunting is just one example. Enforcement issues by personnel need to be addressed. “Our way of life and cultural ways of life that we've enjoyed our whole life are eroding and being taken away by the CCNS.”

Alix Ritchie – A lot of positive changes have happened over the years. At the same time, there are really serious new issues that keep coming up. This town is held hostage by the Seashore in many ways. You surround us. You control our resources. You're a big Federal entity and that's a little scary. Sometimes you are not as benign as you should be and that gets even scarier. I'm very sensitive to the issues that John raised that we can't count on the Seashore to look out for our rights – we're left to try and scabble and do it ourselves.

Superintendent Price - Spoke on cultural issues and how the Park Services changed when the Seashore was established. When the Seashore was established it focused on the natural resources and not the cultural resources. Only recently has the Seashore done a better job. They finally have a Cultural Resources Division. The good and the bad that you get with us is that we are a National Organization. I'm interested in working with all six towns on the Cape. You are not going to be let off the hook ... we need you to continue to be involved.

There are recognitions of those things changed and we all have to deal with and react to. My hope is, especially with your goal of keeping better and more open communications that at least we will all be able to dialogue about it.

Cheryl Andrews – For me, just listening to Kerry’s story, I think the message should be ... display a little bit of sensitivity. When the Seashore treats someone who has lived here all their lives or generationally exactly the same way that they may treat someone say from Europe who is here just for the day – it hurts. If you, as the Superintendent, when you are bringing new folks in or are even now and then are talking to folks who have been here awhile – if they could learn just a little sensitivity, I think that would go a long way.

Michele Couture – I am also concerned over the way the CCNS personnel address enforcement issues and the way they treat people. With your new stewardship I think we do need to have a few changes and some better training and little less heavy handiness. There have been some missteps along the way but certainly there are always opportunities to correct them and to work towards bettering relationships with the town.

Cheryl Andrews - Superintendent Price – we will keep the emails flowing. Next meeting will be scheduled for March of 2006.

1B ECONOMIC DEVELOPMENT COUNCIL

Grant Applications: MCC Adams Arts, Cape & Island License Plate

MOTION: Move that the Board of Selectmen vote to authorize the submission of a grant application in the amount of \$50,000 to the Massachusetts Cultural Council under its Adams Arts Program and an application for \$25,000 under the Cape & Islands License Plate Small Grant Program for a project to stimulate cultural tourism in Provincetown through the development and implementation of a strategic long-range plan.

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

2. PUBLIC STATEMENTS

Steve Roderick – Concerned over reduction of Health Agents hours. Urge Board of Selectmen to find resources to keep Health Agent on a full time basis.

Pier Manager Rex McKinsey – Re: Update on Sunken vessels in harbor.

Board of Selectmen - schedule an emergency meeting for Wednesday, October 12, 2005 at 4 pm regarding sunken vessels at MacMillan Pier.

3. SELECTMEN’S STATEMENTS

David Nicolau

Health Insurance re: Retirees - Keith Bergman – will be meeting with Labor Council Terri Dowdy and Treasurer John Fitzgerald on this matter. Question is simple but the answer is very complicated.

Chipper at the Transfer Station that was broken. I saw them using one after their request for a new one. Was the broken one fixed or did they rent one or what?

I will be away October 26, 2005 until November 2, 2005

Sarah Peake

Re: Health Agent – Mr. Roderick’s concerns. There seems to be an overload of work for the Health Inspector (134%) – curious as to why we can’t shift the 34% of that over to the Health Agents line so that she can continue to work 3/5^{ths} as a Health Agent and 2/5^{ths} as an Inspector. Before we hire someone to come in from the county for inspections, I hope we would use in-house resources

Thanks to Richard Olson for his detailed report on November 6, 2005 “Johnstone et al vs. Reilly”

MOTION: Move that the Board of Selectmen vote to send a letter of thanks to Henryk Tyszka for his service while serving on the Charter Commission.

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

MOTION: *Move that the Board of Selectmen vote to send a letter of thanks to Dan Brown for his service while serving on the Board of Health.*

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

Michele Couture

Re: Health Agent – satisfied to leave it up to Management to handle.

Letter from James Tasha who works for Residential Development asking for guidelines and booklets from Historic Commission as to what is required of them. He is getting nowhere, and is extremely frustrated and seeking guidance from the Board of Selectmen.

Invite Historic Commission to Board of Selectmen's October 24, 2005 meeting

Representative Delahunt will hold office hours here on Friday the 14th from 10 am to 11 am.

Congratulations to everyone who worked towards putting together the marketing of the old library office for the Seashore Point.

Minutes for Economic Development Council – seven meetings and no minutes!

Schedule discussion on Laundromat? Answer: It's going back to the Water & Sewer Board at their next meeting on October 20th – after that it comes back to you.

Richard Olson - None

Cheryl Andrews

Accident at Pier - My condolences to the families and the owners of the vessels. My concern is also public safety and public health. Those concerns are active and will be addressed tomorrow at 4 pm.

Long-term vision – That we alter the structure of our Tourism Department so that we have a Department Economic Development and Tourism. When do we talk about it?

Board consensus was that it was premature by at least one year.

Police investigation report.

MOTION: *Move that the Board of Selectmen vote, through the Town Manager, to direct Staff to provide a finished report that was requested for the investigation of the events of July 4, 2005 no later than October 14, 2005 at 5 p.m.*

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

This report to be added to the Board's agenda on October 24, 2005.

4. BOARD OF SELECTMEN APPOINTMENTS

None

5A LIBRARY GRANT

Massachusetts Cultural Council Operating Grant Award.

MOTION: *Move that the Board of Selectmen vote to accept a grant award for \$3,020 under the Massachusetts Cultural Council grant program for an operating support grant for cultural programming.*

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

5B PROVINCETOWN CULTURAL COUNCIL

Massachusetts Cultural Council Local Allocation Grant Award

MOTION: *Move that the Board of Selectmen vote to accept a grant award for \$2,500 under the Massachusetts Cultural Council grant program for the Local Cultural Allocation for the Provincetown Cultural Council.*

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

5C ART COMMISSION

Art Loan Agreement

MOTION: *Move that the Board of Selectmen vote to authorize the Town Manager to execute on behalf of the Town of Provincetown repetitive art loan agreements approved by vote of the Art Commission and signed by its chairman on the commission's behalf.*

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

5D1 PARADE PERMIT: PROVINCETOWN FIRE DEPARTMENT

Fire Muster Parade

MOTION: *Move that the Board of Selectmen vote to approve the Parade Permit Application submitted by Fire Chief Michael Trovato, on behalf of the Provincetown Fire Department to hold a "Fire Muster Parade" on Sunday, October 30, 2005 from 10:00 am to 11:00 am with a rain date of Sunday, November 5, 2005.*

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

5D2 PARADE PERMIT: HALLOWEEN PARADE

Annual Recreational Department Halloween Parade

MOTION: *Move that the Board of Selectmen vote to approve Parade application submitted by Recreation Director Dennis Clark, on behalf of the Provincetown Recreation Department to hold their Annual Kids Halloween Parade on Monday, October 31, 2005 starting at 3:30 PM and ending by 4:30 PM.*

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

MOTION: *Move to take Agenda Item 6D out of order.*

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

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

6D NEW ENGLAND DEACONESS ASSOCIATION

Amendments to Interim Management Agreement – Cape End Manor

MOTION: *Move that the Board of Selectmen vote to approve amendments to the June 17, 2005 Interim Management Agreement for Cape End Manor as proposed by the New England Deaconess Association of Concord, Massachusetts on October 7, 2005, subject to approval as to form by Town Counsel and with such changes as to form as are approved by Town Counsel.*

Motion by: David Nicolau **Seconded by:** Michele Couture Yea 4 Nay 0

Cheryl Andrews returned.

6A FACILITIES REUSE PLAN

Proposed Process

Open discussion ensued. No motions made.

6B1 NOVEMBER 7, 2005 SPECIAL TOWN MEETING

Determine Order In Which Articles Appear On The Warrants

MOTION: *Move that the Board of Selectmen vote to accept the ordering of the articles in the warrants for*

the November 7, 2005 Special Town Meeting, as presented by the Town Manager [as amended].

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

6B2 REFER ZONING AMENDMENT TO PLANNING BOARD

Proposed Amendment for November 7, 2005 Special Town Meeting

MOTION: Move that the Board of Selectmen vote, pursuant to MGL C. 40A, §5, to refer to the Planning Board the following proposed zoning amendment received by the close of the November 7, 2005 Special Town Meeting warrant:

B. Zoning By-law Amendment: Outside Display [requested by the Planning Board]

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

6C FISCAL UPDATE

FY 2006 Revisited, FY 2007 Prognosis

Open discussion ensued. No motions made.

6D2 OPEN SPACE COMMITTEE

Accept Barnstable County Land Management Grant - \$9,000

MOTION: Move that the Board of Selectmen vote to accept a grant award in the amount of \$9,000 from the Cape Cod Cooperative Extension under its Land Management Grant program for pathway improvements along the railroad bed near Howland Street

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

7. MINUTES OF BOARD OF SELECTMEN'S MEETINGS

MOTION: Move that the Board of Selectmen vote to table this agenda item until our next regular scheduled meeting on Monday, October 24, 2005.

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

8. CLOSING STATEMENTS

David Nicolau

Want to thank all my colleagues on how well we all work together.

Sarah Peake – None Michele Couture - None Richard Olson - None

Cheryl Andrews

I echo David's comments on how well we all work together.

Cleaning solution used by custodian tonight in the Judge Welsh hearing room was too strong. It smelled and made my eyes water.

Open discussion re: Personnel issues and how management handles other Departments and how they get staffed.

Motion to adjourn by Michele Couture at 11:00 p.m.

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