

# TOWN OF PROVINCETOWN - BOARD OF SELECTMEN

REGULAR MEETING – MONDAY, AUGUST 22, 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

Recorder: Vernon G. Porter

The following are meeting minutes, in brief.

### 1A VISITOR SERVICES BOARD – LONG RANGE PLAN

Strategic Staffing Discussion

Visitor Services Board Members present: Mick Rudd, Lynne Davies, Kathleen Fitzgerald, Peter Bez, Hersh Schwartz, Michael Peregon

Open discussion ensued.

***MOTION: Move that the Board of Selectmen vote to approve the Visitor Services Board recommendation for a strategic staffing plan to include a full-time Administrative Director of Tourism, a part-time Administrative Assistant, part-time grant assistance, contractual assistance from a public relations firm, and a graphics designer.***

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

### 1B MCC ADAMS GRANT

Economic Development Task Force Update

October 11, 2005 – Selectmen’s agenda to approve draft application for next MCC Adams grant round.

***MOTION: Move that the Board of Selectmen vote to rename the “Economic Development Task Force” as the “MCC Adams Grant Task Force”, which will make its reports through the Economic Development Council to the Board of Selectmen.***

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

### 1C GROWTH MANAGEMENT BY-LAW

Reallocating Unused Gallons – Category 5 – Economic Development

Pursue zoning amendment proposal for November 7, 2005 Special Town Meeting.  
Identify impediments to promoting economic development.

## 2. PUBLIC STATEMENTS

Bobby Cabral – Upset over insults by Harbor Committee Member relating to recent Army Corp of Engineers Pubic Notice – feels it was harassment. They have all the permits required and there are only three areas for comment. (See Attachment #1 – 4 pages).

The following spoke in full support of the Fisherman’s Wharf and of the Cabral’s - Marcie Marcou, Clarence Walker, Alex Brown, Michele Lamie, Marilyn Downey, Kenneth Dutra, Jerry Irmer, Annie Ditacchio, Jim McNulty, Joe Taves and Davie Mulligan.

Alice Brock – said she can only go by the engineer’s study she has and it says the Cabral’s do not have permits.

Believes the Provincia is totally out of character with Provincetown.

### 3. SELECTMEN'S STATEMENTS

Sarah Peake

***MOTION: Move that the Board of Selectmen send a letter of thanks to the Provincetown Business Guild for all of their hard work and congratulating them on a job well done with Carnival 2005.***

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

***MOTION: Move that the Board of Selectmen send a letter of thanks to our Police Department and our Department of Public Works for an excellent job during and after Carnival Parade.***

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

***MOTION: Move that the Board of Selectmen vote to have an agenda item on the plans for the overall use and reuse of town owned buildings, at our October 11, 2005 meeting.***

**Motion by: Sarah Peake .                      Seconded by: Michele Couture  
Yea 4 Nay 1 (David Nicolau)**

***MOTION: Move that the Board of Selectmen vote have an agenda item dealing with working on a town-wide parking strategy that maximizes revenues from the lots while balancing and addressing the needs of residents and people who work in this community to have parking available to them, at our December 12, 2005 meeting***

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

Michele Couture

My congratulations to the Pier Corporation and Rex McKinsey for the Farmer's Market – great idea.

***MOTION: Move that the Board of Selectmen send a letter of thanks to the State Police for an excellent job during and after Carnival Parade.***

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

Welcome David Maloney as the new Administrator for the Cape End Manor.

RE: Email from Elizabeth Hartsgrove and her work on the Red Dot delays – sometimes employees are victims of their own good performance. In the past we have lost valuable employees because we have assigned them too many things because they have done a good job and work keeps getting compounded. This concerns me.

Encroachment on Town Property mentioned in an article in the Banner - concerns by the Zoning Board of Appeals that they are not getting a lot of support in terms of enforcement on their zoning regulations and I echo some of their concerns and would like to see more enforcement on zoning regulations and encroachment on Town Property – and sooner rather than later.

Nice to see the first payment of the Ferry embarkation fee.

Richard Olson

Enjoyed my vacation and sorry to have missed Carnival.

David Nicolau

Increase on Licensing Fees – would like to have an agenda item on the discussion of licensing fees. Year-round business owners are complaining. How can we postpone payment until maybe mid-May?

Middle Income – bringing this up once again – restructuring! Would like some discussion on this and invite Planning Board to attend.

***MOTION: Move that the Board of Selectmen vote to send a letter of thanks to Mr. Carl Dietz for the loan of***

*his car for the Selectmen during the Carnival Parade.*

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

Concerned about the letter sent out by Licensing Department re: Menu Boxes.

**Cheryl Andrews**

Carnival was great and thanks to everybody.

Sewer hook-up – why we think it is important to have everybody hooked up to Phase I – other than just money ... the streets need to be paved. What we need to do is get everybody hooked up to the sewer, see if there is room for any additional hook-ups, get them done and close the streets and be done with it. We need to get the folks that this sewer was designed for to hook up to it.

Staff assignments within DRM – I second Ms. Couture’s comments. Past employees left because they were so good that they were constantly tasked with new chores and we exhausted them and we lost them. We all talked about the retention of personnel and that’s a key issue and a valid concern.

Re: Letter to business during summer on zoning compliances. We have to communicate with people .. if the by-law is dumb then let’s throw it out, if the law is there then we ought to enforce it.

Sarah Peake – What I find objectionable to the mailing out of this letter is that it was a blanket mailing to every restaurant license holder whether they were in violation or not. And we spent over \$4 for each one of these letters to go certified mail. If there are people in violation, it is up to us to determine, let’s go knock on their door and say your menu box is too big or it encroaches on town property – but sending a blanket mailing out so everybody scurries around in a panic – does this mean that only I get this? Cheryl Andrews – then this sounds like over-kill.

**4.        BOARD OF SELECTMEN APPOINTMENTS**

***MOTION: Move that the Board of Selectmen vote to appoint Dr. Richard Ferri as a Regular Member to the Animal Welfare Committee with an expiration date of June 30, 2007.***

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

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

**5A       NEW ENGLAND DEACONESS ASSOCIATION**

Request to Use Freeman Street Library Office Space for Marketing

***MOTION: Move that the Board of Selectmen vote, pursuant to MGL C.30B,§16, to accept the New England Deaconess Association’s August 17, 2005 proposal to lease a portion of the first floor of the Town-owned property at 330 Commercial Street for the period September 2005 through June 2006 in return for \$10,000 in leasehold improvements to said property.***

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

Cheryl Andrews returned.

**5B       FISHERMEN’S WHARF**

Comments on License Application to Army Corps of Engineers

***MOTION: Move that the Board of Selectmen vote to submit the following comments on the application of Robert Cabral of Cabral Enterprises, Inc., and Vaughn Cabral, of RVC Corporation, Inc., to the U.S. Army Corps of Engineers for a permit to retain and maintain approximately 17,000 square feet of Fishermen’s Wharf that was constructed after the previous permit expired, and to authorize a change in use of the previously authorized open wharf to include vehicle parking on the wharf.***

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

***MOTION: Move that the Board of Selectmen vote to submit comments to authorize the vessel Provincia to be permanently moored at its current location on Fishermen’s Wharf.***

**Motion by: Michele Couture      Seconded by: Richard Olson**  
**Yea 3 Nay 1 (Cheryl Andrews) Abstain 1 (David Nicolau)**

**5C      PARADE PERMIT: AIDS SUPPORT GROUP OF CAPE COD**

Celebrate Boston to Provincetown Bike Ride – September 17, 2005

**MOTION:** *Move that the Board of Selectmen vote to approve the Parade Permit Application submitted by Beth O'Rourke, on behalf of the AIDS Support Group of Cape Cod to hold a parade to celebrate the "End of the Boston to Provincetown Bike Ride" to be held on Saturday, September 17, 2005 between 6:00 pm and 7:00 pm.*

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

**6A      POLICE: GRANT APPROVAL REQUEST**

Request to Approve FY 2005 Community Oriented Policing Grant

**MOTION:** *Move that the Board of Selectmen vote to approve the application and acceptance of \$11,299 from the Executive Office of Public Safety Community Oriented Policing Grant to cover \$1000 for Alcohol Server Training, \$7799 for Bike Patrol and PDA equipment and \$2500 for a portable radio.*

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

**7.      MINUTES OF BOARD OF SELECTMEN'S MEETINGS**

**MOTION:** *Move that the Board of Selectmen vote to approve the minutes of August 8, 2005 (Reg. Mtg.) as printed.*

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

**MOTION:** *Move that the Board of Selectmen vote to approve the minutes of August 15, 2005 (Wastewater) with changes so noted..*

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

**8. CLOSING STATEMENTS**

**Sarah Peake**

When will we have data from Water Dept on peak flows? Answer – In about a week.

Bring back up for us to talk about what our priorities are with the banking and how we want to precede going into Special Town meeting.

*Schedule Meeting – one agenda item – and invite Planning Board – for Wednesday, September 7, 2005 @ 6 PM – Category 5 Reuse.*

**Cheryl Andrews** – None      **Michele Couture** - None

**Richard Olson** - None      **David Nicolau** - None

Motion to adjourn by Michele Couture at 10:15 pm

Minutes transcribed by: Vernon Porter, Secretary  
August 26, 2005