



Finance Committee

Meeting Minutes

PROVINCETOWN FINANCE COMMITTEE
Judge Welsh Meeting Room – 1:02 p.m.
October 4, 2013
Ad Hoc Meeting

Members Present: Mike Canizales, Doug Cliggott, Stan Sikorski, Duane Steele, Clarence Walker, and alternate Sean Patrick Harrington

Others Present: Austin Knight, Board of Selectmen

Public Comments:

Harriet Gordon asked for the Chair of the Finance Committee, and the Town Moderator's resignations. She feels that the Finance Committee Chair has created a hateful and hostile environment for the town manager, and finance person. She feels the Town Moderator needs to step down because she has separated this town rather than brought it together.

Austin Knight stated that he finds it insulting that public comments are being limited, that it's a personal decision, and shows that the Finance Committee doesn't want to hear what others have to say, and that they should responsibly follow their agenda.

Andy [redacted], Commander of the VFW, stated that a purchase and sale agreement has been signed with the Town to purchase the VFW property. Also speaking was Paul Mendes, another VFW member who spoke in favor of the town purchasing the property and its use as a possible police station. Duane stated that money for the purchase was not approved as yet. Clarence questions the legality of the purchase and sale agreement being signed before the Town Meeting vote. Austin stated that the contract is contingent on the approval of a funding source which comes from the Town Meeting, and the funding source will be identified. Clarence stated that this is a flagrant act that violates the process of listening to the people.

Mike stated that he would like to comment under public comments on the alleged theft of private e-mail from several Finance Committee Members. 600 posts have been on Facebook. Mike feels this discourages people from being Board members. He also stated that this seems to be politically motivated. Duane commented that the idea that there was an illegal secret meeting has been proved to be groundless. He feels violated by being

hacked in personal e-mail. He stated that at least three committee member's e-mail accounts were hacked. He is hopeful that there will be a formal complaint to law enforcement. He asked for a motion to report the alleged hacking to the State Police or the FBI for investigation to determine how this was obtained and by whom, and that this needs to be pursued to the fullest extent of the law. Duane made a motion which was seconded by Clarence.

Mike asked that the motion be brought up at another meeting. Duane made a motion, and Clarence seconded, and a vote was taken. The results of the vote were 2-1-3, Stan, Doug, and Mike abstained, and Sean opposed.

Duane stated that Town Moderator Mary Jo Avellar was at another engagement but would be at the meeting and would like the opportunity to comment.

Review of Cross Complaint to Charter Review Committee – Town Manager:

Mike handed out a document of 84 pages to be reviewed by committee members and stated it was a walk thru to clarify for the Charter Review Committee. Mike suggested another meeting to review the content after committee members had a chance to read the document (possibly after the Town Meeting). Mike stated he has been trying to get information on the debt limit so that he and Doug could include the issue in the 5 year plan. Mike said the document includes mark up of scope of work, the debt limit discussion, communication issues, and personnel rules. He expressed concerns about employees involved with political activities. Regarding the scope of works, Mike is requesting more information on financial and contractual expenses, funding, and he also requested to review the Marcum Contract (pp. 48-55). Mike's concern is that there is no cap on the contract with a \$5,000 retainer and x number of dollars per hour, and no scope of the job to be performed is included. Mike sees this as a probable cause for a law suit. He states that we have no funding source for the contract, and that his repeated request for information has not been answered. He states there are four different versions of what Marcum is expected to investigate.

Town Moderator, Mary Jo Avellar, entered the meeting and was given the opportunity to comment. She stated she felt the committee should focus on the presentation to the Town Meeting including the debt limits, and possible purchases by the town. She suggests that the Finance Committee concern themselves with the citizen's "pocketbooks".

Reserve Fund Transfer for Police Scope Study:

Austin Knight states that Marcum Associates has performed this type of investigation with other Massachusetts and Cape towns, and he feels they will offer us fact-based information. Duane questioned the number and categories of service calls, calling the Chief's input into this report questionable. He also expressed dismay that the Chief would have input into

much of the report, to which Austin replied that someone in the Police Department would have input, but not necessarily or totally the Chief. Mike requests that the draft report be delivered to the Finance Committee as well as the BOS. Doug questions when we can expect the final report, and how the \$9,450 awarded will be paid, to which Austin stated that he will have answers at the next BOS meeting. Mike asked for a vote to fund the \$9,450 Marcum Study from the reserve fund, and the vote was 5-1-0 with Duane voting against. Mike and Clarence both expressed concern that there is no cap on the contract because the scope is not clearly delineated. Dan states that the money will be coming from the Town Manager's budget. Duane states that as long as the Town Manager and the Chair of the Board of Selectmen are involved in this study, and paying for it, that it will be tainted because they have not recused themselves. Mike suggested that a document signed by Town Manager that is investigating her is not going to be objective.

Debt Limit Discussion:

As discussed at prior meetings, we are operating at a debt limit paradigm that was approved in 2009. We have borrowed a debt limit study from the Town of Natick. The suggestions are that our debt limit should be 2 ½ % of the total property values in town. That equals about 65 million dollars. And our debt service limit should not exceed 10% of our total revenues. We are much over this percentage. We need to review this problem with a working group suggested as possibly Doug Cliggott, Dan Hoort, David McChesney, Elaine Anderson, or Austin Knight. Doug Cliggott also suggested possibly Tom Coen. Mike gives kudos to Dan Hoort for his reporting and presentation on the debt limit.

Doug presented the attached handout of the 5 Year Plan.

Challenge Grant for Jail Cell Study and DPW Facilities:

There is new legislation which will make it much easier to get grant funding for regionalization studies. We will be able to work with the DOR and ask for grant money. A motion was made by Sean and seconded by Doug Cliggott, and passed at 5-1-0. The motion was to ask the Selectmen to have our town grant writer work on a grant so that we can implement some of the studies.

Police Station Discussion and Shank Painter Road Schematic:

Rick Murray provided the Board with a comparison study of the Shank Painter vs. the VFW site using new flood plain information, current construction amounts per square foot, and

more

information of necessities in the police department including leaving vs. moving the animal control officer and the parking department. It is very apparent that Rick Murray has, as a member of the building committee, used his knowledge and many hours of hard work to provide our Board with this information. He is genuinely thanked by Mike and all Board members, and Clarence Walker, who is our liaison to a working group, expresses his sincere gratitude for this information. Duane Steele expressed his own personal thanks for the wonderful job done by Rick Murray.

Meeting adjourned at 2:45 p.m.

Respectfully submitted,

Maghi Geary