

TOWN OF PROVINCETOWN - BOARD OF SELECTMEN

REGULAR MEETING - MONDAY, APRIL 24, 2006

JUDGE WELSH HEARING ROOM

Chairman Cheryl Andrews opened the meeting at 6:02 PM noting the following attendees:

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

Sarah Peake arrived at 7:41 pm.

Other attendees: Town Manager Keith Bergman

Recorder: Vernon Porter

The following are meeting minutes, in brief.

1. FISCAL PLANNING & OPTIONS

FY 2006 and FY 2007

I did speak with the Chairman of School Committee Terese Nelson and she is aware.

Keith Bergman – General consensus that Budget target was in line but we need to find cuts if the override fails. Identifying where cut will come. Represent reduction in work force by 10 positions.

David Nicolau - What is the cost to the taxpayer? \$79.00 for medium condo and \$100 for \$400K homeowner.

Michele Couture – do you endorse these cuts. Keith – Yes.

David Nicolau - have as a goal for FY 2008 bring in Budget -\$350K less. Keith – ways to achieve this is to look at “overall spending and non-property tax spending”

MOTION: Move that the Board of Selectmen vote to set a goal to craft the FY 2008 Budget in such a way that there is \$350,000 in unused levy capacity in FY 2008.

Motion by: David Nicolau

Seconded by: Richard Olson

Yea 4 Nay 0

2. PUBLIC STATEMENTS

Keith Bergman – Read letter into record stating that he will not seek renewal of his contract when it expires next year. (See attachment #1)

Bonnie Campbell - What will happen if override passes? Gave some recommendations. Urges support and passing of override on the ballot.

Vaughn Cabral – Volunteer Fire Captain Ronnie White will be celebrating 50 years of Service to the Fire Department – May 9, 2006 and a celebration will be held in his honor at the Top of the Pot – and the Board is not invited. Requesting some type of letter of appreciation on Ronnie’s behalf from the Board.

Peter Souza - Management Plan for Clapps Pond – still waiting for it to be implemented – it is important we get this off the ground.

3. SELECTMEN’S STATEMENTS

Richard Olson

First thing I want to say is what I’ve said to Keith this afternoon and that is – that he has my utmost admiration. We owe him such thanks for his service to this town.

MOTION: *Move that the Board of Selectmen vote to declare May 9, 2006 as Ronnie White Day in Provincetown and issue a Proclamation in honor of his 50 years of service on the Provincetown Volunteer Fire Department.*

Motion by: Richard Olson

Seconded by: David Nicolau

Yea 4 Nay 0

Glad to read in the newspaper, when I got home, about the new plans to rebuild St. Peter's The Apostle Church.

David Nicolau

Regarding Peter Souza's questions on the ten-year Management Plan – why is that? What do we have to do to get that going? Keith - There is two issues. 1) The settlement that Peter talked about which called for a Wetlands Master Plan and a Drainage Master Plan. Both of those documents are being produced. We are now circulating a copy of the Wetland Master Plan document that Sandy Turner has procured, which are going around to Conservation Commission and various other groups. We can get a copy for Peter. The other is with respect to the 40 or 47 acres itself - it is open space – that is property which is controlled by the Conservation Commission and it is subject to rules and regulations that the Conservation Commission would adopt. It is non-the-less open space property, it's passive property now. I would disagree with the statement that anyone, including the Town, could get issued a permit to construct anything on that property. It's protected under Article 97 of the Massachusetts Constitution as Open Space Property and that is its purpose. I know the Wetlands Master Plan issues is in hand and I would need to have a talk with the Conservation Commission to see where the matter of management of that 40 acres is at.

MOTION: *Move that the Board of Selectmen vote to direct the Town Manager to secure the Management plan information from the Conservation Commission for the 40 acres and update the Board of Selectmen as soon as possible thereafter.*

Motion by: David Nicolau

Seconded by: Richard Olson

Yea 4 Nay 0

Michele Couture

Thanks to Keith for a very thoughtful presentation to everyone and to thank him for his years of service. I agree with Richard Olson, the town has certainly benefited under your stewardship. You have accomplished a great many things under a great many Selectmen, past and present and you really have a lot to be proud of. Selectmen have benefited from your knowledge .. your knowledge of the regulatory system in Provincetown and State wide is just really admirable. Provincetown has really benefited from you being the Town Manager.

Would like to suggest to my fellow Board members tonight --- more meetings with boards. Lack of having meetings with boards on a regular business. Zoning Board, Board of Health – any boards ... it's really important not to lose touch with people .. and to have meetings with them even if it is for fifteen minutes.

MOTION: *Move that the Board of Selectmen vote to schedule an Agenda Item to discuss having Boards and Committees attend Board of Selectmen's meetings.*

Motion by: Michele Couture

Seconded by: David Nicolau

Yea 4 Nay 0

Cheryl Andrews

Spoke on the tremendous knowledge that Keith Bergman has brought to the job. How he has taught us not to always have all the answers or always how to give the public what they want, because that's impossible, but at least how to move the discussion, how to find the right answer for the town, whether it was the Pier – again, you won't make everybody happy – but you get the job done, the sewer – same thing – you know it's built and I don't know how many people told me years ago right to my face, 'it ain't going to happen Cheryl Andrews' – well it did! And you have to have someone at the top who understand a little bit about people and how we work issues out and help us get through that process of organizing. The Manor, the Pier, the Library – all of them. We've been through some tough times and it looks like the Town is going to go through some different types of challenges in the next few years and I think we're in better shape than a lot of people realize. It's been a privilege for me to work with you.

None at this time.

5A **CAPE LIGHT COMPACT UPDATE**

Cape Light Compact Administrator Maggie Downey and Provincetown’s Representative to the Cape Light Compact JoLynne Holt gave a update power point presentation on the happenings at the Cape Light Compact. See contents in Agenda Item 5A. For additional information go to their home page at: www.capelightcompact.org

Sarah Peake arrived at 7:41 pm.

5B **CABLE ADVISORY COMMISSION**

Lower Cape Public Access Regionalization Group – County Funding

MOTION: *Move that the Board of Selectmen vote to execute an agreement with the Barnstable County Commissioners and the Lower Cape Public Access Regionalization Group in the amount of up to \$16,000 for the use of County funds to be used by said group for the purpose of negotiating with the cable service provider on the Lower Cape for the provision of public access channel service and management, with the Town of Provincetown as fiscal agent for this contract.*

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

5C **TREASURER’S TRANSFER**

Revenue Anticipation Note #1060

MOTION: *Move that the Board of Selectmen vote to issue a Revenue Anticipation Note #1060 in the amount of \$2,000,000.00 dated April 27, 2006 at 3.85% interest payable at maturity to Cape Cod Five Cents Savings Bank on June 30, 2006.*

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

5D **POLICE, DPW**

Former Peters Property, Truro – Leases for Summer Police Officers

MOTION: *Move that the Board of Selectmen vote to authorize execution of leases for the residence on the former Peters property in Truro to seasonal employees of the Provincetown Police Department.*

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

5E **POLICE, PUBLIC WORKS**

Emergency Crossovers on Route 6

This item tabled until future Board of Selectmen meeting.

6A **DPW: WATER – NORTH UNION FIELD, TRURO**

Contract – Environmental Partners Group, Inc. - \$418,300

MOTION: *Move that the Board of Selectmen vote to authorize execution of an engineering contract amendment in the amount of \$418,300 with Environmental Partners Group, Inc. of Hingham, Massachusetts, for long-term pump tests for North Union Field in Truro.*

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

Cheryl Andrews - Reminder - negotiating points with Truro.

6B **WASTEWATER ENGINEERING SERVICES**

Metcalf & Eddy – Change Order - \$300,000

MOTION: *Move that the Board of Selectmen vote to authorize execution of change order #3-7 with Metcalf & Eddy in the amount of \$300,000 for continued wastewater engineering services, as set forth in Metcalf & Eddy's cost proposal dated April 20, 2006.*

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

7. **BOARD OF SELECTMEN**

Annual Evaluations

MOTION: *Move that the Board of Selectmen vote to establish the Town Manager's annual performance appraisal score at 74.4%.*

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

MOTION: *Move that the Board of Selectmen vote to establish the Secretary to the Board of Selectmen's annual performance appraisal score at 14.4.*

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

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

MOTION: *Move that the Board of Selectmen vote to approve the minutes of April 10, 2006 as printed.*

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

MOTION: *Move that the Board of Selectmen vote to approve the minutes of April 11, 2006 as printed.*

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

MOTION: *Move that the Board of Selectmen vote to approve the minutes of April 18, 2006 as printed.*

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

9. **CLOSING STATEMENTS**

Richard Olson - None at this time.

Sarah Peake – Special thanks to Keith for his dedication to the community for his years of service to the Town. Your dedication and hard work will be missed.

David Nicolau - This is the end of the year for me and it has been one incredible year. I have to say, Keith, I'm amazed at how you can multi-task. It certainly has been a good lesson working with Keith and the Board and I've learned so much and I look forward to next year and building on the future. And Keith you will go out in glory .. and my thanks to all the Board.

Michele Couture - Wastewater meeting next Monday @ 5 PM.

Cheryl Andrews – I love you all dearly and you're all hard workers and it's been a pleasure being your Chair this year and we've gotten an awful lot done. It's been a tough year. I think the board has risen to the challenges and its been a very productive year. We've all worked well together.

MOTION: *Move that the Board of Selectmen vote to accept the Chairman's draft of the letter dated April 24, 2006 from the Outgoing Board to the Incoming Board for FY 2006.*

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

10. **EXECUTIVE SESSION MINUTES**

Release of Minutes from Closed Subject Matters

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

Motion by: Michele Couture **Seconded by:** David Nicolau

Michele Couture – Yea Sarah Peake – Yea Richard Olson - Yea

David Nicolau – Yea Cheryl Andrews - Yea

Yea 5 Nay 0 **Motion Passes**

The Board went into executive session at 8:30 pm.

Minutes transcribed by: Vernon Porter, Secretary
April 25, 2006