

**TOWN OF PROVINCETOWN - BOARD OF SELECTMEN**  
**REGULAR MEETING – MONDAY, SEPTEMBER 12, 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: Vernon G. Porter

The following are meeting minutes, in brief.

**MOTION:** *Move that the Board of Selectmen vote to take Agenda Item 5C out of order.*

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

**5C      COUNCIL ON AGING**

Accept Executive Office of Elder Affairs FY 2006 Formula Grant

**MOTION:** *Move that the Board of Selectmen vote to accept a grant in the amount of \$4,438 from the Executive Office of Elder Affairs for the FY 2006 Formula Grant for staff education and training, and outreach services.*

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

**1.      JOINT MEETING – ECONOMIC DEVELOPMENT COUNCIL**

Reallocating Gallons – Growth Management Category 5 – Economic Development

Economic Development Council Members present: Steven Melamed, Bill Dougal, Paul DeRuyter, Alix Ritchie, Hunter O’Hanian, Town Counsel Jean McKnight

Open discussion ensued.

Consensus is that the Economic Development Council will be advisory not regulatory to the Board of Selectmen on adoption of guidelines and review of particular applications and then the Board of Selectmen will make the final decision.

**2.      PUBLIC STATEMENTS**

None

**3.      SELECTMEN’S STATEMENTS**

**Michele Couture**

**MOTION:** *Move that the Board of Selectmen vote to receive the letter of resignation from Irene Rabinowitz and to send her a letter of heartfelt thanks for her service on the Licensing Board.*

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

Thanks to Chief Meyer for his tenacity in the last couple of weeks with his COP meetings on Street Performers and on the 4<sup>th</sup> of July.

Also, special thanks to the Summer Police Officers for a job well done.

**MOTION:** *Move that the Board of Selectmen vote to send a letter to our State Representatives and the Secretary of Transportation expressing our concerns about lane closure on the Sagamore Bridge and asking them to do whatever they can to possibly either extend the time that the bridge is going to have four lanes open or to do the work at night.*

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

**MOTION:** *Move that the Board of Selectmen vote to send a letter of heartfelt thanks and congratulations to all those who worked on Provincetown's request for Massport Peak Period Pricing exemption. (Mr. Bergman will inform the Board of everyone involved).*

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

Shuttle Route – during the summer schedule - would be nice if the shuttle could go down Harry Kemp Way. There are two medical facilities that people frequent and need assistance getting to.

H2B Visa Insurance Program – starting the end of October. Chip & Jane Bishop are going to be speaking at PBG on the September 14, 2005 and at the Chamber of Commerce later. We need to get the word out. Encourage businesses to sign up and they can contact Outer Cape Health or PBG if they have any questions.

In light of Hurricane Katrina – we need to think of a solution that provides a shelter that will accept pets. Some elders will not leave their homes without their pets. Invite CASAS to help us find a solution to emergency pet-sitting services.

Soccer Field – is it able to be used, etc? Sandy Turner – Should be ready in about a month.

**Richard Olson**

**MOTION:** *Move that the Board of Selectmen to send a letter to Governor Romney congratulating him and thanking him for his positive, affirmative, decisive response to the Hurricane Katrina crisis.*

**Motion by:** Richard Olson      **Seconded by:** Cheryl Andrews      **Yea 5 Nay 0**

**MOTION:** *Move that the Board of Selectmen to send a letter of thanks to the Schooner Regatta organizer Don Murphy and his Committee for an excellent event this year.*

**Motion by:** Richard Olson      **Seconded by:** Cheryl Andrews      **Yea 5 Nay 0**

**David Nicolau**

Separate Retirees from Collective Bargaining. Keith Bergman will get a definitive ruling as to whether changes can apply separately to retirees.

According to Local Housing Partnership minutes – the two new amnesty units are not going to be counted towards Chapter 40B. Why? Can we get some clarity on this?

Complaint on the \$50 fee for Zoning Opinion.

Letter from Art Commission relative to using the Freeman Street building to promote Economic Development and having Art Cultural events during the winter. We might want to look at this when we start looking at the use of town own buildings.

Have we vacated the building in Truro that the Police Officers were using?

**MOTION:** *Move that the Board of Selectmen vote to add the disposition of the Truro house to the October 11, 2005 agenda item on the use/reuse of Town owned property.*

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

**Sarah Peake**

Metropolitan Planning Organization (MPO is a policy-making organization for a region responsible for prioritizing transportation initiatives.) We have to elect a representative that will represent the towns of

Orleans, Eastham, Wellfleet, Truro and Provincetown. Will bring this up at our next meeting after the Board has had a chance to review the information recently received. (Would like to have Provincetown host a meeting to elect this representative.)

***MOTION: Move that the Board of Selectmen vote to send a letter of thanks to Swim for Life organizer Jay Critchley and iamprovincetown.com Harbor Lights organizer Ewa Nogiec for organizing these events.***

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

Capital projects involving lumber – since Hurricane Katrina lumber has increased 100% we ought to take a look at putting any capital projects involving lumber on hold for a while.

Cost cutting and savings? Keith Bergman – this was in my August 22, 2005 memo and this will be on the next Board of Selectmen’s meeting.

**Cheryl Andrews**

Hurricane Katrina – makes you realize, in an obvious way, how important government is. It is on all our minds. A real tough time for all.

July 4<sup>th</sup> follow-up – would like Chief’s COP report as soon as possible. Schedule discussion.

To Keith Bergman – when the agenda item comes up re: your memo of August 22, 2005 will you be able to give us updates on what FY 2007 is starting to look like at that point. Answer: Yes, a preliminary outline at that point.

Summer Officers – certainly saw more of them this year .. and a lot of energy and attempt to put into practice what they had learned – and that is a good thing.

Schedule conflict of interest training session with Town Counsel, Economic Development Council, Visitor Services Board and Local Housing Partnership – by the end of September.

**4.        BOARD OF SELECTMEN APPOINTMENTS**

***MOTION: Move that the Board of Selectmen vote to reappoint Marcene Marcoux as an Alternate Member to the Historic District Commission Committee with an expiration date of June 30, 2008.***

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

**5A       NEW ENGLAND DEACONESS ASSOCIATION**

*Was taken off the agenda.*

**5B       MEADOW ROAD AT 122 BRADFORD STREET EXTENSION**

Approval of Marketing Plan

***MOTION: Move that the Board of Selectmen vote to approve the Outreach and Affirmative Marketing Plan including local preference for 9 of the 13 affordable ownership units for the housing development known as Meadow Road at 122 Bradford street Extension and sale of 5 units to the Fine Arts Work Center of Provincetown to be occupied by income eligible program participants of FAWC and that the Town of Provincetown will assist with outreach by posting notices at the Town’s website and at appropriate locations in municipal buildings, providing staff assistance in conducting the lottery, and by providing the venue for the lottery at a town building.***

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

David Nicolau out of the room.

**5D       VISITOR SERVICES BOARD**

Relocate Visitor Information Kiosk to Lobby of Town Hall

**MOTION:** *Move that the Board of Selectmen vote to rescind its vote of June 19, 2000 and approve the August 15, 2005 request of the Visitor Services Board to locate the visitor information area and kiosk to the lobby of Town Hall.*

**Motion by:** Sarah Peake                      **Seconded by:** Richard Olson                      Yea 4 Nay 0

David Nicolau returned.

**6A**      **CZM COASTAL POLLUTANT REMEDIATION**

Grant Application - \$116,640 – Harbor Stormwater Project – Phase II

**MOTION:** *Move that the Board of Selectmen vote to authorize the submission of a grant application to the Massachusetts Coastal Zone Management for \$116,640 to be combined with \$38,885 in local match for \$115,525 total project costs under its FY 2006 Coastal Pollutant Remediation Program for a Provincetown Harbor Stormwater Assessment Project for Stormwater Mitigation – Phase II location at P-1 Outfall at the breakwater next to the Provincetown Inn.*

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

**6B**      **FY 2006 COMMONWEALTH CAPITAL APPLICATION**

Compliance with Sustainable Development Principles

**MOTION:** *Move that the Board of Selectmen vote to authorize submission of the Town of Provincetown's FY 2006 Commonwealth Capital application.*

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

David Nicolau recused himself and left the room due to conflict of interest.

**6C**      **DISPOSITION OF PROPERTY ADJACENT TO PHS ANNEX**

Purchase – Provincetown Center for Coastal Studies - \$50,000

**MOTION:** *Move that the Board of Selectmen vote, pursuant to MGL C.30B,§16 to accept the proposal of the Provincetown Center for Coastal Studies for the purchase of Lots B, C, and D adjacent to the PHS Annex property for \$50,000, subject to authorization by the November 7, 2005 Special Town Meeting.*

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

David Nicolau returned.

**6D**      **FY 2006 FOUNDATION RESERVE PROGRAM**

Submit Grant Application – Categories E and F

**MOTION:** *Move that the Board of Selectmen vote to authorize submission of a funding request to the Massachusetts Department of Education under its FY 2006 Foundation Reserve Program under the following categories: Category E, Relief for municipalities affected by stresses in the commercial fishing industry; and Category F, Relief for municipalities with high property values in comparison to income.*

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

**6E**      **OPEN SPACE COMMITTEE**

Submit Barnstable County Land Management Grant

**MOTION:** *Move that the Board of Selectmen vote to submit a grant application in the amount of \$10,000 to the Cape Cod Cooperative Extension under its Land Management Grant program for pathway improvements along the railroad bed near Howland Street.*

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

**6F** POLICE: GRANT APPLICATION

FY 2006 Local Preparedness Grant

**MOTION:** *Move that the Board of Selectmen vote to approve to approve the application and acceptance of \$12,000 for the Executive Office of Public Safety Local Preparedness Grant for homeland security equipment and expenses for 5 portable radios and batteries.*

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

**6G** MASS. ECONOMIC DEVELOPMENT COUNCIL

Establish Gift Fund to Receive MEDC Funds (MGL C.44,§53A]

**MOTION:** *Move that the Board of Selectmen vote, pursuant to MGL Chapter 44, section 53A, to establish a special gift fund to receive a donation of up to \$500.00 from the Massachusetts Economic Development Council, with the balance in said fund to be expended without further appropriation to reimburse the Acting Assistant Town Manager for expenses in attending the MEDC quarterly meeting," to be held on September 30, 2005 in North Adams, Mass.*

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

**6H** HURRICANE KATRINA UPDATE

Coordination of Local Efforts

Open discussion ensued.

**MOTION:** *Move that the Board of Selectmen vote that, as a matter of Policy, the Town of Provincetown is willing to accept evacuees displaced by Hurricane Katrina.*

**Motion by:** Richard Olson      **Seconded by:** Sarah Peake      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 22, 2005 – 5 pm meeting, as printed.*

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

**MOTION:** *Move that the Board of Selectmen vote to approve the minutes of August 22, 2005 (Regular Meeting) as amended. (Change the word re-opened to opened.)*

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

**8.** CLOSING STATEMENTS

**Richard Olson**

Discussion on signage at 'Freeman' Building on Commercial Street.

**MOTION:** *Move that the Board of Selectmen vote to remove the 'free-standing' sign located at the Freeman Building, 330 Commercial Street.*

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

**Cheryl Andrews**

- Reminder that we have three good applicants we should look at for other boards.

Reminder to keep in mind – Duarte’s parking lot for long term town interest – collect your thoughts and speak to me or Keith Bergman.

**Michele Couture** – None

**David Nicolau** - None

**Sarah Peake** – None

- ***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. {Roll Call Vote}***

***Richard Olson – Yes Michele Couture – Yes David Nicolau – Yes***

***Sarah Peake – Yes Cheryl Andrews – Yes***

***Motion Passes 5 - 0***

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The Board went into executive session at 9:17 pm.

**Minutes transcribed by: Vernon Porter, Secretary  
September 14, 2005**