

TOWN OF PROVINCETOWN - BOARD OF SELECTMEN

SPECIAL MEETING - MONDAY, MARCH 19, 2007

JUDGE WELSH HEARING ROOM

Chairman Cheryl Andrews convened the meeting at 6:00 PM noting the following Board of Selectmen attending:
Cheryl Andrews, Michele Couture, Richard Olson

Excused Absence: David Nicolau, Sarah Peake

Other attendees: Town Manager Keith Bergman

Recorder: Vernon G. Porter

The following are meeting minutes, in brief.

1A **JOINT MEETING WITH FINANCE COMMITTEE [Charter §9-1-6]**

Public Hearing on FY 2008 Budget Request

The Finance Committee was called to order by Chairman Gary Delius with the following members present: Chairman Gary Delius, Virginia Ross, Walt Winnowski, Robert Vetrick, Ruth Gilbert, Tom Cohen and David Bedard

Chairman Andrews read the Public Hearing Notice.

Chairman Andrews announced the good news that FinCom and Board of Selectmen agree 100% on the Operating Budget this year that will be taken to Town Meeting. There were no comments from the Public and/or the Board of Selectmen on this.

Chairman Andrews closed this Public Hearing at 6:12 pm.

1B **JOINT MEETING WITH FINANCE COMMITTEE**

FY 2007 Reserve Fund Transfer Request – Town Manager Transition Expenses

MOTION: Move that the Board of Selectmen vote to submit a request to the Finance Committee for a Reserve Fund transfer pursuant to MGL C.40, §6 in the amount of \$10,076 to be transferred to the 123-A Town Manager-personal expenses line item for extraordinary and unforeseen expenses related to the Town Manager transition in Fiscal Year 2007; and to further request that the Finance Committee act upon this matter at this joint meeting.

Motion by: Richard Olson Seconded by: Michele Couture Yea 3 Nay 0

Open discussion ensued.

Fin Com vote to approve as written above:

Motion by: Robert Vetrick Second by: Thomas Cohen Yea 7 Nay 0

MOTION: Move that the Board of Selectmen vote to take Agenda Item #4 out of order.

Motion by: Michele Couture Seconded by: Richard Olson Yea 3 Nay 0

4. **APRIL 4, 2007 ANNUAL & SPECIAL TOWN MEETINGS**

Adoption of Board of Selectmen's Recommendation on Articles

APRIL 4, 2007 SPECIAL TOWN MEETING ARTICLES

MOTION: Move that the Board of Selectmen vote to recommend Article STM-2 Community Preservation Funds for Community Housing Phase II Sewer Cost. \$100,000 CPA.

Motion by: Michele Couture Seconded by: Richard Olson Yea 3 Nay 0

MOTION: Move that the Board of Selectmen vote to recommend STM-3 Establishment of Provincetown Community Housing Council. *as amended by PHA

Motion by: Michele Couture Seconded by: Richard Olson Yea 3 Nay 0

MOTION: Move that the Board of Selectmen vote to recommend STM-4 Zoning Amendment – Provincetown Community Housing Council.

Motion by: Michele Couture Seconded by: Richard Olson Yea 3 Nay 0

MOTION: Move that the Board of Selectmen vote to recommend STM-6 Route 6 Layout Alteration and Perfecting Title to 90 Shankpainter Road.

Motion by: Michele Couture Seconded by: Richard Olson Yea 3 Nay 0

MOTION: Move that the Board of Selectmen vote to recommend STM-7 Zoning By-Law Amendment: Growth Management Affordable Housing and Community Housing.

Motion by: Michele Couture Seconded by: Richard Olson Yea 3 Nay 0

MOTION: Move that the Board of Selectmen vote to recommend STM-11 Expand Recycling Committee Scope to Include Renewable Energy

Motion by: Michele Couture Seconded by: Richard Olson Yea 3 Nay 0

MOTION: Move that the Board of Selectmen vote to recommend STM-12 FY 2007 Budget Adjustments

Motion by: Michele Couture Seconded by: Richard Olson Yea 3 Nay 0

MOTION: Move that the Board of Selectmen vote to recommend STM-13 Home Rule Petition - Charter Amendment Residency Requirements for Certain Paid Town Officials

Motion by: Michele Couture Seconded by: Richard Olson Yea 3 Nay 0

MOTION: Move that the Board of Selectmen vote to recommend STM-14 Refile Home Rule Petition: Relocation and Alteration of High Pole Hill Road Layout.

Motion by: Michele Couture Seconded by: Richard Olson Yea 3 Nay 0

MOTION: Move that the Board of Selectmen vote to recommend STM-15 Refile Home Rule Petition: Transfer 0.09 Acres of 100 Alden Street to the School Committee for playground purposes.

Motion by: Michele Couture Seconded by: Richard Olson Yea 3 Nay 0

APRIL 3, 2005 ANNUAL TOWN MEETING ARTICLES

MOTION: Move that the Board of Selectmen vote to recommend ATM-2 FY 2008 Operating Budget \$18,705,911

Motion by: Michele Couture Seconded by: Richard Olson Yea 3 Nay 0

MOTION: Move that the Board of Selectmen vote to recommend ATM-4 FY 2008 Cape Cod Regional Technical High School Assessment

Motion by: Michele Couture Seconded by: Richard Olson Yea 3 Nay 0

MOTION: Move that the Board of Selectmen vote to recommend ATM-5 FY 2008 Enterprise Funds

Motion by: Michele Couture Seconded by: Richard Olson Yea 3 Nay 0

MOTION: Move that the Board of Selectmen vote to recommend ATM-6 FY 2008 Capital Improvements Program

- 1. Police Fleet Replacement Program: \$55,000***
- 2. Parking Department Equipment: \$33,400***

3. *Community Center Alarm: \$9,500*
4. *DPW Fleet Replacement Plan: \$182,500*
5. *DPW Street Sidewalk Maintenance: \$50,000*
6. *DPW Hydraulic Sander: \$18,000*
7. *DPW Sign Machine: ~~\$50,000~~ ** \$20,000*
8. *DPW Transfer Station Equipment: \$60,000*
9. *Stormwater Master Plan Improvements: \$150,000*
10. *Water DEP Water Management Permit/New Source Development: \$250,000*
11. *DPW Water - North Truro Air Force Base Wells Upgrade: \$50,000*

Motion by: Michele Couture **Seconded by:** Richard Olson Yea 3 Nay 0

MOTION: *Move that the Board of Selectmen vote to recommend ATM-7 FY 2008 Revolving Accounts: Town Hall Auditorium, Shellfish Grants – \$22,500*

Motion by: Michele Couture **Seconded by:** Richard Olson Yea 3 Nay 0

MOTION: *Move that the Board of Selectmen vote to recommend ATM-8 Cape Cod Greenhead Fly Control District Assessment - \$938.75*

Motion by: Michele Couture **Seconded by:** Richard Olson Yea 3 Nay 0

MOTION: *Move that the Board of Selectmen vote to recommend ATM-9 Community Preservation Budget for FY 2008 - \$562,488*

- 1A. *Community Housing reserve \$241,437 (CPF community housing)*
- 1B. *Historic Resources reserve \$26,730 (CPF historic resources)*
- 2A. *Open Space debt - \$83,201 (CPF open space)*
- 2B. *Community Housing debt - \$28,000 (CPF community housing)*
- 2C. *Archive storage - \$17,635 (CPF historic resources)*
- 2D. *Town Hall clock - \$20,000 (CPF historic resources)*
- 2E. *Housing office - \$145,485 (CPF community housing)*
- 3A. *6 Sandy Hill Lane - \$732,000 (CPF community housing)*
- 3B. *Reduce borrowing authority – Care Campus (-\$1.0-million)*

Motion by: Michele Couture **Seconded by:** Richard Olson Yea 3 Nay 0

MOTION: *Move that the Board of Selectmen vote to recommend ATM-10 Amendments to Personnel By-law Law/Classification & Compensation Plan – A \$76,841, C \$39,708*

Motion by: Michele Couture **Seconded by:** Richard Olson Yea 3 Nay 0

MOTION: *Move that the Board of Selectmen vote to NOT recommend ATM-11 Repairs to Former Fire House No. 2, 189 Commercial Street. \$500,000 debt exclusion.*

Motion by: Michele Couture **Seconded by:** Richard Olson Yea 3 Nay 0

MOTION: *Move that the Board of Selectmen vote to recommend ATM-12 Disposition of Former Fire House No. 2 - Fourth Town Landing ***if STM-11 does not pass*

Motion by: Richard Olson **Seconded by:** Cheryl Andrews
Yea 2 Nay 1 (Michele Couture)

MOTION: *Move that the Board of Selectmen vote to recommend ATM-13 Grant of Easements in Town Lands on South Hollow Road in Truro*

Motion by: Michele Couture **Seconded by:** Richard Olson Yea 3 Nay 0

MOTION: *Move that the Board of Selectmen vote to recommend ATM-14 Rename Abandoned Railroad Right-of-Way as “Old Colony Nature Pathway.”*

Motion by: Michele Couture **Seconded by:** Richard Olson Yea 3 Nay 0

MOTION: *Move that the Board of Selectmen vote to recommend ATM-17 General By-law Amendment: Historic District By-law. Fines*

Motion by: Michele Couture **Seconded by:** Richard Olson Yea 3 Nay 0

MOTION: *Move that the Board of Selectmen vote to recommend ATM-18 General By-law Amendment: Non-Criminal Disposition of Pier Corporation Regulations*

Motion by: Michele Couture **Seconded by:** Richard Olson Yea 3 Nay 0

MOTION: *Move that the Board of Selectmen vote to recommend ATM-19 Expenditures from the Tourism Fund. - \$421,680 (Tourism Fund)*

Motion by: Michele Couture **Seconded by:** Richard Olson Yea 3 Nay 0

MOTION: *Move that the Board of Selectmen vote to not recommend ATM-20. FY 2008 Human Services Grant Program. \$53,799*

Motion by: Michele Couture **Seconded by:** Richard Olson Yea 3 Nay 0

MOTION: *Move that the Board of Selectmen vote to recommend ATM-21. Appropriation into the Stabilization Fund.*

Motion by: Michele Couture **Seconded by:** Richard Olson Yea 3 Nay 0

MOTION: *Move that the Board of Selectmen vote to Not Recommend ATM-22. Row of Trees along the MPL - \$6,000.*

Motion by: Richard Olson **Seconded by:** Michele Couture Yea 3 Nay 0

MOTION: *Move that the Board of Selectmen vote to Not Recommend on ATM-23. Town Buildings to be Self-Insured -\$100,000.*

Motion by: Michele Couture **Seconded by:** Richard Olson Yea 3 Nay 0

MOTION: *Move that the Board of Selectmen vote to Reserve Recommendation - ATM-24 Resolution: Should We Bury Wires Underground.*

Motion by: Michele Couture **Seconded by:** Richard Olson Yea 3 Nay 0

MOTION: *Move that the Board of Selectmen vote to Reserve Recommendation - ATM-25 Resolution: No War in Iran.*

Motion by: Richard Olson **Seconded by:** Michele Couture Yea 3 Nay 0

MOTION: *Move that the Board of Selectmen vote to take Agenda Item #3 out of order at 6:40 pm.*

Motion by: Michele Couture **Seconded by:** Richard Olson Yea 3 Nay 0

3. HOUSING AUTHORITY

Affordable Housing Articles in the April 4, 2007 Town Meeting Warrants

Housing Authority Members present: Harry Opshal-Gee, Pam Parmakian, George Bryant, Molly Purdue.

Purpose of calling this joint meeting was to ask the Board of Selectmen to consider having a member from the Housing Authority on the new proposed Provincetown Community Housing Council.

Open discussion ensued.

MOTION: *Move that the Board of Selectmen vote to recommend STM Article 3, Establishment of Provincetown Community Housing Council, so that the first sentence of said article reads as follows: “to vote to establish the Provincetown Community Housing Council, to be comprised of four regular and two alternate members appointed by the Board of Selectmen, and one regular member appointed by the Housing Authority, all for staggered three-year terms.”*

Motion by: Michele Couture **Seconded by:** Richard Olson Yea 3 Nay 0

MOTION: *Move that the Board of Selectmen vote to recess until 7 PM.*

Motion by: Michele Couture **Seconded by:** Richard Olson Yea 3 Nay 0

Board reconvened at 7 PM.

2. **PUBLIC HEARING**

Affordable Housing Articles in the April 4, 2007 Town Meeting Warrants

Chairman Andrews explained that the purpose of this public hearing is to give more information to the public on articles before they go upstairs to town meeting.

Open discussion ensued on the following articles.

STM 2 Community Preservation Funds for Community Housing Phase II Sewer Cost - Elaine Anderson – the Community Preservation Committee supported this with the understanding that the contractor repays the funds.

STM 3 – Establishment of Provincetown Community Housing Council – Once this passed you will know where to send all your information.

STM-4 Zoning Amendment – Provincetown Community Housing Council – No comments from the public.

STM-5 Home Rule Petition Provincetown Community Housing Bank – Real Estate Transfer Fee.

Estelle Goldberg – On behalf of the Sr. Citizens... they feel they should not be burdened with this tax. Michele Couture - Gave it great thought and consideration and feels comfortable in voting for this tax. This is only going to be for 10 years. And then there’s the Sunset Clause.. Cheryl Andrews - It’s time for us to have a transfer tax. We could write this tax with a factor number - 1.5 times the medium price of Barnstable County home sold – raising it to \$540K which would be applied to all Provincetown residents, not just seniors. We’re trying to find a compromise .. and a compromise would be to increase the exemption. It would hit everybody equally. “I think it would be the last piece we could put in this to walk in April 9th and really get the support we want.” Richard Olson – I’m more interested in what Dr. Andrews had to say and I believe in the idea of raising the exemption as the transfer tax would still raise a significant amount of money while the increase exemption would make it less onerous. Michele Couture – After much discussion Michele strongly encouraged the Board to vote for this proposed article.

STM-6 Route 6 Layout Alteration and Perfecting Title to 90 Shankpainter Road.

No public comments received.

STM-7 Zoning By-Law Amendment: Growth Management Affordable Housing and Community Housing

No public comments received.

STM-8 Zoning By-law Amendment – Section 4170 – Proposal I.

No public comments received.

ATM-9 Zoning By-law Amendment – Section 4170 – Proposal II.

No public comments received.

STM-10 Zoning By-law Amendment: Section 4800 Affordable Housing By-Law.

No public comments received.

Annual Town Meeting

ATM-9 Community Preservation Budget for FY 2008

1A. Community Housing reserve \$241,437 (CPF community housing)

2B. Community Housing debt - \$28,000 (CPF community housing)

2E Housing office - \$245,485 (CFP community housing)

3A. 6 Sandy Hill Lane - \$732,000 (CPF community housing)

Chairman closed the hearing at 7:48 PM

5. NON-UNION CONTRACT STRATEGY

Severance Agreement – Town Manager Keith A. Bergman

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 contract negotiations with nonunion personnel; and not to convene in open session thereafter [Roll Call Vote]*

Motion by: Michele Couture **Seconded by:** Richard Olson

Richard Olson – Yea Michele Couture – Yea Cheryl Andrews - Yea

Yea 3 Nay 0 - Motion Passes -

The Board went into executive session at 7:52 PM.

Minutes transcribed by: Vernon G. Porter, Secretary

March 19, 2007