

TOWN OF PROVINCETOWN - BOARD OF SELECTMEN

REGULAR MEETING- JANUARY 10, 2000

JUDGE WELSH HEARING ROOM

The following minutes are available on-line as a service and are not the official record due to changes in formatting for the Internet. The minutes may have attachments that are not included here in this format. The official, complete paper copy can be viewed during regular office hours, Monday - Friday: 8 a.m. to 5 p.m. in the Office of the Town Clerk, 260 Commercial St. Provincetown, MA 02657.

Chairman, Betty Steele-Jeffers opened the meeting at 7 PM, noting the following attendees: Board of Selectmen members: Elizabeth Steele-Jeffers, Cheryl Andrews, Mary-Jo Avellar, Richard Prowell and Vernon Porter, Secretary to the Board of Selectmen. Absent: David Atkinson (Sick) Other attendees: Keith A. Bergman -Town Manager, David Guertin - DPW Director, Mark White, PE and Paul Gabriel, PE from Environmental Partners Group, Inc.

The following are minutes, in brief.

1 OLD BURN DUMP – Update from Environmental Partners Group

Open Discussion

MOTION: Move that the Board of Selectmen ask the DPW to put on as an agenda item that they have a discussion with the Board of Selectmen for direction of secondary uses.

Motion by: Cheryl Andrews **Seconded by:** Mary-Jo Avellar **Yea 4 Nay 0**

2 PUBLIC STATEMENTS

Char Priolo – Submitted letter to Board of Selectmen inviting them to participate in the Yearrounders' Festival – March 11, 2000. (Attachment #1)

William McNulty – spoke in support of the motorcycle track and glad to see that the issue is coming to a conclusion for everyone involved. Complimented the Board of Selectmen in the course they are proceeding with.

Peter Sousa – Brought photos of the Burn Dump and Clapps Pond. Area is extremely sensitive and needs to be protected until capped and that we must protect the wildlife, topsoil, and water. Back fill not done, test holes still not filled in – town could be liable.

Rick Murray – Read into the record some observations and comments concerning Growth Management. (Attachment #2)

James Roach -Re: Motor Cross Club – prefers to be called riders not dirt bikers. Would like to see signs and continued cooperation in maintenance, of the track, between riders and the Town. Asking for the Board of Selectmen help in this matter.

James McNulty – Vice-President of Cape Tip Motor Cross Association. When is the town going to step up and maintain the track-When is the Town going to do as the DEP told them to do-We've been waiting five years. We are willing to work with the Town and if there is anything we can do to facilitate the Boards feelings in this matter, we would appreciate the Board calling us.

Sheila Benzer – Personally witness riders on areas where they are not supposed to be, as recently as this weekend. Four wheel dirt bikes have been there as well. Ground is destroyed – you walk along and stumble, as the area is torn up. Secondary use as a dog run would be nice. Area is also a Watershed area.

SELECTMEN STATEMENTS

Richard Prowell

Clapps Pond area – would like to ask James McNulty a few questions on the legality of riders using Clapps Pond. **Richard** – Understand the article at town meeting was to have the bike trail in the old burn dump area. **James** – it is. **Richard** – has there ever been signs or anything posted as to the exact trail for the riders? **James** – NO. We asked for that the day after town meeting. **Richard** – I would like to have more information about your club. And were you at town meeting when this vote was taken? **James** – I was in front of town meeting when this vote was taken. **Richard** – Thank you very much.

In the motion I made – Cheryl Andrews and I talked about at our last meeting. I don't feel we've had the Clapps Pond area addressed as to whether we can put any kind of barriers up their for vehicles or anything going in there – whether we can actually do that, so I would like to have that report. I have a concern about that area and I did see dumping out there and I think the town needs to maintain this property. We just spent \$1.6M on Shankpainter Pond area and I really don't want to see this area destroyed anymore. It's just not right for the preservation of this property. Town meeting did vote for a bike trail and I respect the town meeting vote for that and I want to see a good maintained area since town meeting vote for this. That is my position on it right now. I do have concerns about it being near wetlands too.

Garbage cans on Pearl Street – direct this to DPW - there's always been a garbage can at the corner of Pearl and Commercial Street and is used a great deal. Every year for the last three years, in the wintertime, they take this garbage can up. I've received complaints every year. Can we please have a garbage can at this location? (Betty Steele-Jeffers – we've had this discussion before.) Same constituent asked if we would please do something about the restrooms on the East End and West End of town during the summertime. I told him we're working on that right now as we really need them badly.

May 10, 1999 – minutes. I made a motion when I first became Selectmen that I would like to see some attractive trash barrels on the sidewalk across the street from the Post Office. These beer barrels were put out there but I haven't seen those attractive trash barrels – and I really hope we can get them in there by April of this year. We asked that they be like the ones in front of Spiritus Pizza. I was assured they were ordered, so this is just a reminder.

CHERYL ANDREWS

Personal congratulations – I said it privately but I will say it publically, I want to offer my personal congratulations to Staff for a well run Special Town Meeting. The Staff – Mr. Guertin, particularly Mr. Guertin, Mr. Bergman and Mr. Ditacchio. Nice to see the town running the project professionally and hope the construction project goes half as well.

Report from Fire Chief - possible unsafe structure on Commercial Street. Can we have a report from Town Manager by our next meeting on the status of that inspection.

Article in Cape Cod Times - Article: 'Trash cops' enforced recycling very interesting. (Copy of this article passed on to David Guertin, DPW)

BETTY STEELE-JEFFERS

Letter dated Jan. 6th – from Barnstable County Dept. of Health & The Environment re: **Community Septic Management Program** – we are pursuing that right? – **Keith** – yes we are and we post that as an article for insertion.

Rick Murray letter present to us – 2nd paragraph re: 91 units set-aside for Affordable Housing. Could we have a report on that?

Dan Towler – resignation from the Heritage Museum Board of Trustees. We will be sending him a letter thanking him for being on the Board of Trustees. I would like to say publically that Dan has done absolutely enormous amounts of work and has been a dedicated work for the Heritage Museum and I am sorry that he is leaving.

Special Town Meeting – Thank you again, a job well done.

MARY-JO AVELLAR

Special Town Meeting – even though I wasn't happy with the outcome, I do have to join the others and say that it was extremely well run. Well-prepared Town Meeting – good job to everyone.

GAS DOCK - I am still concerned about the removal of the Gas Dock underground tank. Cost of removal estimated by Mr. Guertin to be \$25K.

MOTION: Move that the Board of Selectmen place an article in the warrant to remove the underground fuel storage tank at the municipal parking lot; irregardless of the law suit.

Motion by: Mary-Jo Avellar Seconded by: Cheryl Andrews Yea 4 Nay 0

4A1GRANT ADMINISTRATOR – VISITOR SERVICES BOARD RECOMMENDATIONS / FY 2000 TOURISM FUND

MOTION: Move that the Board of Selectmen vote to approve the Visitor Services Board's recommendation for \$1,500 for a Spring Cabaret Weekend event through John O'Neil.

Motion by: Mary-Jo Avellar Seconded by: Cheryl Andrews Yea 3 Nay 1 (Betty Steele-Jeffers)

4A2GRANT ADMINISTRATOR – VISITOR SERVICES BOARD RECOMMENDATIONS / FY 2000 TOURISM FUND

MOTION: Move that the Board of Selectmen vote to reduce by \$3,500 the amount approved on 6/14/99 for the Fall Arts Festival and to approve the Visitor Services Board's recommendation for the following allocations totaling \$3,500 for Winter and Spring events: Provincetown Theater Co, \$500; Provincetown Arts Press, \$500; Provincetown Art Association & Museum, \$500; Pilgrim Monument & Provincetown Museum, \$500; Provincetown Community Compact, \$500; Fine Arts Work Center, \$500; WOMR, \$500.

Motion by: Cheryl Andrews Seconded by: Richard Prowell Yea 4 Nay 0

4BOPEN SPACE COMMITTEE: LOCKE PROPERTY APPRAISAL

Open discussion.

MOTION: Move that the Board of Selectmen request a transfer of funds from the Reserve Fund for

appraisals of the Locke Property; subject to recorded vote of the Open Space Committee minutes.

Motion by: Cheryl AndrewsSeconded by: Richard ProwellYea 4Nay 0

4CFILMING IN PUBLIC AREAS

Motion:Move that the Board of Selectmen vote to approve the request of Regina Binder and John Sunderland of 523 Commercial St., Provincetown, MA to film in the Town of Provincetown from January 24th to February 13, 2000 for the production of a documentary film on the fire at Whaler's Wharf titled "... There that Night" subject to approval of Town Manager.

Motion by: Cheryl AndrewsSeconded by: Mary-Jo AvellarYea 4Nay 0

5ASALE OF SURPLUS EQUIPMENT

MOTION:Move that the Board of Selectmen vote to award the sale of a surplus 1987 Seaway boat, 1986 Johnson 110-horsepower motor, and EZ Load trailer to high bidder Michael Ergo at the bid price of \$5,100.

Motion by: Mary-Jo AvellarSeconded by: Cheryl AndrewsYea 4Nay 0

5BDEM COASTAL ACCESS GRANT AWARD

\$3,300 FOR ACCESS Signs for Town Landings, etc.

MOTION: Move that the Board of Selectmen vote to accept a grant award in the amount of \$3,300 from the Department of Environmental Management under its Coastal Access Grant program for access signs for Town landings and other points of public access. Further this motion is granted with the understanding that not all twenty signs are put up at once.

Motion by: Betty Steele-JeffersSeconded by: Cheryl Andrews

Yea 3Nay 1 (Mary-Jo Avellar)

5CFISCAL POLICY PLAN PRESENTATION

Visual presentation and discussion with Town Manager.

MOTION:Move that the Board of Selectmen direct the Town Manager to meet with the Library Director and Heritage Museum Director to reiterate the conditions of the Board of Selectmen's Town-wide policy goal on the Library/Heritage Swap project; followed by a joint meeting with both boards and the Board of Selectmen.

Motion by: Betty Steele-JeffersSeconded by: Cheryl AndrewsYea 4Nay 0

6AREVIEW/UPDATES OF GOALS/CHARTER REVISION

Open Discussion

6BBOSTON POST CANE

MOTION:Move that the Board of Selectmen vote to present and honor Hazel H. Werner of 100 Alden St., Provincetown, MA with the Boston Post Cane. Ceremony to take place in conjunction with Dennis Anderson, CEO of the Cape End Manor, as soon as possible.

Motion by: Cheryl AndrewsSeconded by: Mary-Jo AvellarYea 4Nay 0

6CDEPARTMENT OF REGULATORY MANAGEMENT

Tabled to next Regular meeting – January 24, 2000.

7APPOINTMENTS

MOTION:Move that the Board of Selectmen appoint Constance J. Black as a Regular Member of the Art Commission with an expiration date of December 31, 2002.

Motion by: Cheryl AndrewsSeconded by: Mary-Jo AvellarYea 4Nay 0

MOTION:Move that the Board of Selectmen appoint Michael Carroll as a Regular Member of the Art Commission with an expiration date of December 31, 2002.

Motion by: Cheryl AndrewsSeconded by: Mary-Jo AvellarYea 4Nay 0

MOTION:Move that the Board of Selectmen appoint Brunetta Reid Wolfman as a Member of the Council On Aging with an expiration date of December 31, 2002.

Motion by: Cheryl AndrewsSeconded by: Mary-Jo AvellarYea 4Nay 0

MOTION:Move that the Board of Selectmen appoint Celine Gandolfo as a Regular Member of the Open Space Committee, with an expiration date of May 31, 2002.

Motion by: Cheryl AndrewsSeconded by: Richard ProwellYea 4Nay 0

8MINUTES OF BOARD OF SELECTMEN MEETINGS

Motion:Move that the Board of Selectmen vote to approve the minutes of:
December 27, 1999 as submitted

Motion by: Cheryl AndrewsSecoded by: Richard Prowell

Yea3Nay 0Abstain 1 (Mary-Jo Avellar)

Motion:Move that the Board of Selectmen vote to approve the minutes of: January 4, 2000 as submitted.

Motion by: Cheryl AndrewsSecoded by: Mary-Jo Avellar

Yea 3Nay 0Abstain 1 (Richard Prowell)

Motion:Move that the Board of Selectmen vote to approve the minutes of: December 27, 1999 as submitted.

Motion by: Mary-Jo Avellar Secoded by: Cheryl AndrewsYea 4Nay 0

9CLOSING STATEMENTS

Richard Prowell – none

Cheryl Andrews

Town lapel pins – need a plan for dispersal. Debra DeJonkers said she would do up a plan for dispersal – can we have her appraise us of this plan by next meeting.

Town Planner - as we don't have one – I agree that it is a weakness and a void within the Town.**To Keith** – I would like to hear from you as to how you would like us to deal with that void.

Open Space Committee – Needs a liaison. Who would you suggest that liaison be (on staff)? (**Keith** – would want to talk to Ken Learned about it. He would be my first inclination of who I would want to assign) Whoever it is, it would be nice if they got a little guidance in terms of filing minutes.

Beautification Committee -how do we get that committee under the umbrellas of Buildings & Grounds, so that we don't have money being spent to cross-purposes? Voucher system – would like to see more coordination on this matter. Take up again at another time.

Betty Steele-Jeffers

Open Space Committee – Michelle would be an excellent liaison. Ask Town Manager to write a letter to the Open Space Committee saying what we said before, explaining that there is a finite amount of money in the Land Bank that has to last for 20 years and ask what their plan is. When the money is gone, it is gone. Maybe, this point needs to be made in writing. (**Keith** - use the money sooner than later Smart thing to do is buy now as land is only going to go up.)

Library/Heritage Museum- Keith, would like to have the joint meeting the first regular Board of Selectmen meeting in February. You need to discuss with those people, prior to that and then come back and tell us what they have done for the goal we asked for.

Mary-Jo Avellar

School Committee – has the School Committee and the Superintendent of Schools seen the report we got tonight. (Keith – Susan saw the text but not the figures I crunched. I told her I was crunching them. A copy was given to the Superintendent of Schools.)

10ACCOLLECTIVE BARGAINING STRATEGY

MOTION:Move that the Board of Selectmen vote, pursuant to MGL Chapter 30, section 23B, clause 3, to go into executive session for the purpose of discussing strategy with respect to collective bargaining; and not to convene in open session thereafter.(roll call vote)

Betty Steele-Jeffers- YeaCheryl Andrews-Yea

Mary-Jo Avellar-YeaRichard Prowell-Yea

Motion to go into executive session by Mary-Jo Avellar at 10:50 PM.

Minutes transcribed by: Vernon Porter, Secretary

January 12, 2000