

DRAFT
PROVINCETOWN VISITOR SERVICES BOARD
PUBLIC HEARING
September 25, 2002

Location: Judge Welsh Room - Town Hall

Present: Steve Melamed, Chairman, Barbara Rushmore, Vice-Chairman, Rob Tosner,
Steve Roderick, Rose Basile

Others Present: Patricia Fitzpatrick, Tourism Director members of the general public

Absent: Pasquale Natali, new member, Arts Committee Rep

CALL TO ORDER: 7:00 p.m.

AGENDA

Steve Melamed announced to the Board and general public that this was a meeting to go over recommendations pertinent to the five-year plan.

He next passed out a memorandum from Keith Bergman, Town Manager, re: conflict of interest policy. It is noted for the record that it took 35 days to receive a response from the Town Manager's office pertinent to this issue. Discussion ensued. A copy of this memorandum is on file with the Town Clerk's office as a matter of public record.

Steve also told the Board and the general public that a public meeting pertinent to the \$351,000 adjustment in budget would take place directly after the public hearing.

He then told the Board and general public that a new member had been assigned to the Board, Pasquale Natali, Arts Committee Rep. He also mentioned that the at-large position is still open.

He then asked with the Board's permission if they would waive speaking until the public had an opportunity to speak first.

He then recognized Diane Fisher, Director of the Provincetown Chamber Orchestra who was applying for funding. He reminded her that one of the orchestra members had applied at the last meeting and referred her back to the VSB grant process for arts type groups, which is held in December. Discussion between Diane and the Board ensued. It was decided that she would confer with Patricia Fitzpatrick who would guide to creating the appropriate proposal for a grant application. A copy of Diane's request for funding is on file with the Town Clerk's office as a matter of public record.

Steve then recognized Don Richards, Parking Administrator, who presented a study on the proposed bike path. Don gave an overview of a study done by the Cape Cod Commission. Discussion ensued. It was suggested that the plan needed to be more comprehensive and in its present form contained many issues pertinent to public safety.

Steve Roderick moved and Rob Toner seconded that the VSB recommend up to \$100,000 creating a path from Shank painter to Howland Streets, with access at various point along the way. Steve Melamed recommended that the DPW do the proposal. He also suggested that this could be funded in part now and the rest later and asked Steve Roderick to modify his motion, saying that I/Yd of the \$351,000 would be recommended for this issue, otherwise. Discussion ensued. The final motion was to develop a plan from Shankpainter to Howland Street, recommending up to \$100,000 for this project, subject to review by the Board. All in favor, 5-0-0. A copy of the bike path study is on file with the Town Clerk's office and is a matter of public record.

This ended the public hearing portion of the meeting. Steve Melamed then asked Patricia Fitzpatrick to discuss her vision on the Yellow Brick Road Walking Tour. She discussed what the proposal entails and how it would benefit the town as a tourist destination similar to that of the Freedom Trail in Boston. She also suggested that this could be a combination trail consisting of an historic, artistic and cultural tour. Discussion ensued. Rob Tosner moved, and Steve Roderick seconded, to grant \$67,500 for the creation of a Walking Tour, which would encompass the arts, literature and culture. All in favor 5-0-0.

This brought the total left for disbursement to \$45,000, out of the \$351,000. Steve Roderick brought up the issue of the Tourism Fund reserve and pointed out that per the five-year plan, \$50,000 was already built in. HE made a motion to not recommend an additional \$50,000 for this item since it was already incorporated into the plan, Barbara Rushmore seconded, the vote was 5-0-0.

Rob Tosner requested \$10,000 to create an Aids Memorial, to be commissioned by local artists. He also requested \$10,000 to acquire the VSB logo. Discussion ensued on this issue pertinent to the logo already being a part of eminent domain and the request was dropped. Rob Tosner moved and Barbara Rushmore seconded to allocate \$5,000 for an Aids Memorial Plaque, to be located at the Memorial Waterfront Park. Discussion ensued. All in favor 5-0-0.

Rose Basile made a motion to put the remaining \$40,000 in a reserve to support the arts. Steve Roderick brought up the issue of artwork presently being stored and on display in town buildings, which needed further display and preservation. He suggested cataloging this work and displaying it on a rotating basis. Discussion ensued. Steve Roderick made a motion, seconded by Rob Tosner, to commit \$40,000 to the preservation, display and promotion of Provincetown artwork located in town buildings, under the direction of the VSB, Tourism Director and Town Clerk, in consultation with the Art Commission and any other group deemed necessary, with a more detailed plan and budget in place prior to November 1". Discussion ensued. The vote was 5-0-0.

The next regular meeting of the VSB is scheduled for October 8, 2002 at 11:00 a.m. in the Judge Welsh Room at Town Hall.

Steve Roderick adjourned the meeting at 8:40 p.m.

Respectfully submitted,

Stefanie Sanev
Recording Secretary



PROPOSAL FOR PARTIAL USE OF TOURISM FUND BALANCE

REQUESTED BY: The Provincetown Chamber Orchestra

EMPLOYER IDENTIFICATION NUMBER: 010-55-9051

DESCRIPTION OF GROUP: The Chamber is a core group of seven (7) local musicians who regularly perform outdoors, mostly at the entranceway to the East End gallery section of Commercial St. The orchestra generally plays classical and jazz music as street performers and not-for-pay on Friday evenings. Instrument combinations can vary but are usually composed of; oboe, classical guitar, bass guitar, clarinet, flute and cello.

In addition, the group has performed without compensation at many charitable events, to be described later.

HOW WE SUPPORT TOURISM: The orchestra has been a very popular diversion for tourists and residents strolling along Commercial St. We have been the subject of many tourists, photographs and videotapes. We have also been used by local artists as "moving models". We add value to the community by providing uplifting, enjoyable music and enhancing the Provincetown experience for visitors.

Our orchestra always looks extremely professional, all of us dressed in black. We receive many compliments from tourists walking the streets, who make such comments as "thank you for entertaining us", or "it's such a pleasure to hear your music".

In addition to our regular street performances, we have given our time graciously and often to support local charities for the past sixteen years. During 2002, we have performed or will perform for the following charities:

March 9th	Year-rounders festival at Town Hall
May 26h	Unitarian Universalist Elevator Project - outside lawn
June 2d	Fine Arts Work Center Fund Raiser at the Lands End Inn
Aug 31"	AIDS Support Group Auction at Town Hall
Sept W'	Fall Arts Festival Opening Party at the Boatslip

In 2001, charitable support was given to Helping Our Women at their annual meeting and at the Provincetown Chamber of Commerce dinner at Michael Shays.

FUNDING REQUEST: We request funding of \$10,500, \$1500 for each musician. Since we perform at so many events for free, this will enable us to offset costs of instruments, equipment, repairs, sheet music, and other related expenses. As free-lance musicians in this very expensive town, it is becoming increasingly difficult for us to perform for free as often as we **would like**. A grant of \$10,500 would enable us to continue to attract tourists, support charities and recognize our valuable, year-round role in the community.

At this time, our orchestra does not make sufficient income to qualify as a non-profit organization.

SUBMITTED BY: Diane Fisher,
Director of Provincetown Chamber Orchestra Tel. 508-487-2977



Memo

To: Visitor Services Board members

From Keith A. Bergman, Town Manager

CC: Board of Selectmen, Assistant Tow manager Mark L. Latour, Tourism Director

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Patricia Fitzpatrick, Town Clerk Step an J. Nofield, Town Counsel John W. Giorgio

Date- September 25, 2002

Re: Conflict of Interest Law - MGL C.268A

In response to your inquiry about the Conflict of Interest Law (MGL C.268A), enclosed please find information from Town Counsel Kopelman & Paige. The subject is also discussed in the Town *Board Handbook* issued by the Town Clerk to all appointed board members.

If there are specific questions that an individual member of your board has, those questions can be reduced to writing and submitted to Town Counsel for an opinion through my office. That is the procedure then-VSB member Joan Lenane followed in seeking her opinion letter.

If your board wishes a general briefing on the topic, then perhaps the Town could arrange perhaps another training workshop for all Town boards this Fall. The Town Clerk's office has organized one each year for the past several years. The last one was November 2001. We could invite attorneys from Kopelman & Paige and from the State Ethics Commission, whose Communications and Public Education Division is currently scheduling free seminars (see attached).

If you are interested in this, please let me or the Town Clerk know. **Thanks very much.**

Enclosures

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townmanager@provincetowngov.org

www.Provincetowngov.org

Public Sector

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your official actions are tainted with bias or favoritism. You may *not* use your official position to obtain unwarranted privileges, or any type of special treatment, for yourself or anyone else. For instance: you may not approach your subordinates, vendors whose contracts you oversee, or people who are subject to your official authority to propose private business dealings. You may *not* use public resources for political or private purposes. Examples of "public resources" include: office computers, phones, fax machines, postage machines, copiers, official cars, staff time, sick time, uniforms, and official seals. You may *not*, after leaving public service, take a

job involving public contracts or any other particular matter in which you participated as a public employee.

Home

DISCLOSURE AS REQUIRED BY G. L.C.268A - 23(b)
(3)

- 1. Name:
- 2. Title or Position:
- 3. Agency :
- 4. Agency Address:
- 5. Address where employee regularly works (if applicable):
- 6. Daytime Phone Number:

I publicly disclose the following facts pursuant to G.L.c.268A, 23(b)(3):

I make this disclosure pursuant to G.L.c.268 A, - 23 (b)(3) in order to dispel any appearance of potential conflict of interest occasioned by the facts set out above, that I may be improperly or unduly influenced in the performance of my official duties, or that I would be likely to act or fail to act as a result of kinship, rank, position or the undue influence of any part or person with regard to the above circumstances.

G.L.c.268 A, - 23 (b)(3): No current officer or employee of a state, county or municipal agency shall knowingly, or with reason to know... act in a manner which would cause a reasonable person, having knowledge of the relevant circumstances, to conclude that any person can improperly influence or unduly enjoy his favor in the performance of his official duties, or that he is likely to act or fail to act as a result of kinship, rank, position or undue influence of any party or person. It shall be unreasonable to so conclude if such officer or employee has disclosed in writing to his appointing authority or, if no appointing authority exists: discloses in a manner which is public in nature, the facts which would otherwise lead to such a conclusion.

Signature

Date

Appointed officials and employees (state, county and municipal) should file with their appointing authority. Elected state officials should file with the appropriate House or Senate Clerk or the Ethics Commission. Elected county officials should rite with the county clerk. Elected municipal officials should file with the city or town clerk.