

# TOWN OF PROVINCETOWN - BOARD OF SELECTMEN

## REGULAR MEETING - MONDAY, FEBRUARY 11,, 2008

### JUDGE WELSH HEARING ROOM

Chairman Mary-Jo Avellar convened the meeting at 6 PM noting the following Board of Selectmen attending: Mary-Jo Avellar, Michele Couture, Austin Knight, Pam Parmakian, Lynne Davies

Other attendees: Town Manager Sharon Lynn, Asst. Town Manager David Gardner, Municipal Finance Director Alix Heilala

The following are meeting minutes, in brief.

#### 1A PUBLIC HEARING – COMMERCIAL STREET RE-PAVING

Move this item to Annual Traffic Hearing in March.

#### 1A2 PUBLIC HEARING - TAX RECLASSIFICATION

FY 2008 Property Tax Rate

**MOTION:** *Move that the Board of Selectmen vote, pursuant to MGL C.40,§56, as follows relative to the FY 2008 property tax:*

*1) To establish a residential factor of "1" [a residential factor of "1" establishes a single tax rate for all classes of property; any other factor splits the tax rate between residential/open space and commercial/industrial/personal*

**Motion by:** Michele Couture                      **Seconded by:** Austin Knight                      Yea 5    Nay 0

*2) to identify \$15,648 in unused property tax levy capacity.*

**Motion by:** Michele Couture                      **Seconded by:** Austin Knight                      Yea 5    Nay 0

*3) not to adopt a "residential exemption"*

**Motion by:** Michele Couture                      **Seconded by:** Austin Knight                      Yea 5    Nay 0

*4) not to adopt a "small business exemption".*

**Motion by:** Michele Couture                      **Seconded by:** Austin Knight                      Yea 5    Nay 0

#### 2. PUBLIC STATEMENTS

Craig Martin – Town employees. Opposed to elimination of curb side trash pick-up. Present a petition signed by 300 residents of Provincetown.

Peter Cook – Town Employee – We need to keep the trash pick-up. We need to go forwards and not backwards. Simply would not be good for the town.

Kerry Adams - Definitely opposed to the removal of trash pick-up.

Barbara Rushmore – There must be some other way to handle our obligation to our citizen. Our taxes are not way out of line. Suggest ways people pay \$2 a piece for garbage bags. Also suggest article be put on warrant for paving of Commercial Street. Will leave information to Town Manager.

Chris Roderick – Works for town. As a taxpayer – definitely opposed to the elimination of curbside pick-up.

Clarence Walker - Speaking on behalf of the 4<sup>th</sup> of July Fireworks Task Force. Task force is very unhappy that the Board has decided to put the fireworks as an override, and does not support this at all, and considers this a political issue.

Doug Walker - As a follow-up for a request about six months ago for chairs in the Wired-Puppy – where does that stand? Also Provincetown needs a movie theatre? Supposedly there was a contract with the current movie theatre owner? Town needs a revamping – like an ice skating ring, roller skating rink, bowling alley or whatever. That’s just a few ideas.

Mrs. Rachel White - The Board voted not to have as many Police Officers this year, so there are going to be problems if you decide not to have trash pick-up.

Larry Smith – Foreman of the rubbish pick-up. We’re there all the time no matter what the weather is all year long. It is essential that we be there.

George Bryant - In two years Route 6 will be owned by the town, major repairs are going to be required and we are going to have to do something about this as soon as possible. I suggest that the town put aside \$500K for the next 20 years to take care of this. You have to think about this and it is going to be a huge burden for the Town.

Marcene Marcoux - Pick-up of trash and recycling – I commend these people. Issue of Fireworks – I speak as a member – I, too, am against overrides and totally against it. You haven’t looked at the consequences. I sat in on some of the budget issues – we’ve given Seashore Point everything. Also relative to the agreement with the town and the Bishop of Fall River, the amount agreed upon was \$35K per year or 11.11% of revenues – which ever was greater. I don’t think the Bishop should be short changed.

### 3. SELECTMEN STATEMENTS

#### Michele Couture

To respond to Ms. Marcoux comments: At first I didn’t think what Ms. Benatti had said was what we had agreed to, but after review I find that it was. Also I don’t think that we gave Seashore Point everything but the kitchen sink, I think what we got was an awful lot. We have receipts for everything. There were concessions that were made. The town has done extremely well with the Manor.

There have been a couple of comments from the Fireworks Task Force, and I am sorry you feel the way you do, however, I feel that we have no choice. Things are tight and we are left no choice. If we have to choose between cutting positions and presenting an override, then we are left no choice but to bring this before town meeting and let the voter decide, I am hoping that at town meeting this April people will overwhelmingly vote to have them as well.

As for eliminating trash from the Budget – we already passed Budget 421 – so at this time Trash is in.

Approached by someone who has a business near Firehouse #2 – hopes that work on this would not happen during the businesses season.

Before town meeting we need to have meetings with CPC and Housing regarding some articles.

To Doug Walker – Answer to your questions on chairs in Coffee Shops should come this week. On movies, I can’t help you on that one. I agree there are things and great ideas that can be done, and funds that can be raised

#### Pam Parmakian

Gave an explanation on the confusion around trash pick-up.

***MOTION: Move that the Board of Selectmen vote to instruct the Town Manager to look into the elimination of Land Bank Funds for the Town of Provincetown.***

***Motion by: Pam Parmakian    Seconded by: Michele Couture                      Yea 5    Nay 0***

#### Lynne Davies

Public Forum process – Would like to have another one before Town Meeting so people can ask questions at the time. Schedule: ***March 31, 2008 – Monday @ 6 PM. Public Form to discuss Town Meeting Articles.***

Fireworks. I appreciate the Fireworks Task Force and would hope that they would continue their fundraising. D

we cut services and jobs. I just can't see myself telling a town employee that they will not have a job because we need the money for fireworks.

**Austin Knight**

To DPW – What is the agreement when we take over Route 6? The agreement is that the State is responsible for maintenance, and we do not change the use of the highway. How do we find out about the repairs of the guardrails? Answer: I was only aware of a recent accident that caused damage. That is our responsibility and we will take care of it.

Send a note of congratulations to Bobbie & Yvonne Cabral on their 50<sup>th</sup> Wedding Anniversary.

Our Secretary Vernon Porter is out with a gallbladder attack and is going to have surgery. We can get you an address if you would like to send him a card.

I've worked very hard on the Fireworks Task Force, and I'm hoping that we can continue.

**Mary-Jo Avellar**

If you add all the cost together for the fireworks – this represents 2 to 2 ½ jobs, and I'm not going to jeopardize these jobs. It was not an easy decision on my part, but it had to be done.

If we are going to be putting articles in the warrant, I think we should put one in rescinding term limits. Give it some thought.

***MOTION: Move that the Board of Selectmen vote to put an article in the Warrant to eliminate the by-law which pertains to 'term limits'.***

**Motion by: Mary-Jo Avellar      Seconded by: Michele Couture      Yea 5    Nay 0**

***MOTION: Move that the Board of Selectmen vote to send a letter of thanks to the Crown and Anchor, and to Ginny Bender and Robert Hughes for the wonderful job they did in the Celebration of the 10<sup>th</sup> Anniversary of the Crown & Anchor Fire.***

**Motion by: Mary-Jo Avellar      Seconded by: Michele Couture      Yea 5    Nay 0**

***MOTION: Move that the Board of Selectmen vote to send a letter of congratulations to Frances Raymond upon her 103<sup>rd</sup> Birthday.***

**Motion by: Mary-Jo Avellar      Seconded by: Michele Couture      Yea 5    Nay 0**

**4A    APPOINTMENTS**

Open discussion ensued. Postpone to February 25, 2007 meeting.

**5A    OFF CEMETERY ROAD ONE-WAY**

Put on spring Traffic Hearing.

*Mary-Jo Avellar and Pam Parmakian recused themselves.*

**5B    SANDY HILL LANE**

Deed Restrictions #1 & 2

***MOTION: Move that the Board of Selectmen vote to approve the affordable housing restrictions for median income ownership for 6 Sandy Hill Lane, Units #1 and #2.***

**Motion by: Austin Knight      Seconded by: Lynn Davies      Yea 3    Nay 0**

**5C    ECONOMIC DEVELOPMENT PERMITS**

Application Process and Procedures for Growth Management Category 5 Allocation

Open discussion ensued. No motions made.

**5D** TREASURER'S TRANSFERS

John A. Henry Trust Fund

**MOTION:** *Move that the Board of Selectmen vote, as Commissioners of the Trust Funds, to approve the transfer of \$3,960.52 from the John A. Henry Trust Fund for the payment of the attached invoice(s)*

**Motion by:** Michele Couture      **Seconded by:** Lynne Davies      Yea 5 Nay 0

**5E** PARADE PERMIT – HELPING OUR WOMEN

8<sup>TH</sup> Annual By the Sea Bike Trek

**MOTION:** *Move that the Board of Selectmen vote to approve the Parade Application Permit submitted by Irene Rabinowitz and Teri Nezbeth on behalf of Helping Our Women, 336 Commercial Street #9, Provincetown, MA to hold their 8<sup>th</sup> Annual By The Sea Bike Trek to be held on Saturday, June 7, 2007 starting at 8:00 AM with a rain date of Sunday, June 8, 2008.*

**Motion by:** Lynne Davies      **Seconded by:** Michele Couture      Yea 5 Nay 0

**5F** ATTORNEY GENERAL'S COMPACT DISC LITIGATION SETTLEMENT

**MOTION:** *Move that the Board of Selectmen vote to accept the cash distribution in connection with the Attorney General's Compact Disc Litigation Settlement under the terms approved by the court. These funds and any earned interest shall be used exclusively by the library for music related programs and funds must supplement existing funding for music related programs at the Provincetown Public Library*

**Motion by:** Austin Knight      **Seconded by:** Michele Couture      Yea 5 Nay 0

**5G** MASSACHUSETTS HISTORICAL COMMISSION PRESERVATION PROJECTS FUND GRANT APPLICATION

**MOTION:** *Move that the Board of Selectmen vote to authorize the submission of a grant application in the amount of \$100,000 to the Massachusetts Historical Commission Preservation Projects Fund, 220 Morrissey Blvd, Boston, MA for the purpose of restoration of the lantern and main gable to the Provincetown Public Library, 356 Commercial Street, Provincetown, MA.*

**Motion by:** Lynne Davies      **Seconded by:** Michele Couture      Yea 5 Nay 0

**5H** AIRPORT COMMISSION

Independent Fee Estimate for Terminal Ramp Apron Reconstruction

**MOTION:** *Move that the Board of Selectmen vote to execute a work order in the amount of \$2800.00 with URS Corporation, 26 Corporate Drive, Clifton Park, New York for the Independent Fee Estimate of the Reconstruction of the Terminal Apron Project for the Provincetown Municipal Airport.*

**Motion by:** Michele Couture      **Seconded by:** Pam Parmakian      Yea 5 Nay 0

**6A** PARKING PERMITS INCREASE

Open discussion ensued. Schedule for Annual Traffic Hearing in March.

**6B** CONTINUATION OF FY '09 BUDGET REQUEST

Recycling Renewable Energy line item #439 – Now #431 would like to reinstate their budget.

**6C** PAMET LENS OVERSIGHT GROUP - UPDATE

Meeting with Truro tomorrow night. Next PLOG meeting in Provincetown on the 21<sup>st</sup>.

**6D** BUSINESS SUMMIT – MARCH 18, 2008 PREPARATION

Staff realizes that there is very little time during the day to work on this, and they are asking for permission to solicit some help from the EDC on this. Answer: Absolutely, this is all inclusive, and you can ask all the groups for assistance.

**6E TOWN MANAGER FOLLOW-UP/OTHER**

No other comments at this time.

**6E1 WELLFLEET REGIONAL HOUSING REHAB – LETTER OF SUPPORT**

***MOTION: Move that the Board of Selectmen vote, at the request of Elizabeth Bridgewater of the Lower Cape Cod CDC, to send a letter of support to Ms. Tina Brooks, Undersecretary of the Massachusetts Department of Housing and Community Development, 100 Cambridge Street, Suite 300, Boston, MA, expressing our strong support for the Town of Wellfleet’s Community Development Block Grant (CDBG) application for FY 2008 funding, which would continue the excellent housing rehabilitation program for income-eligible homeowners in place for FY 2007.***

**Motion by: Michele Couture                      Seconded by: Austin Knight                      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 January 14, 2008 as printed.***

**Motion by: Michele Couture    Seconded by: Austin Knight                      Yea 5    Nay 0**

**8. CLOSING STATEMENTS**

**Lynne Davies**

***MOTION: Move that the Board of Selectmen vote to have the Town Assessor investigate programs which may be available to us to help provide some relief to property taxpayers; especially low/ medium income homeowners.***

**Motion by: Lynne Davies    Seconded by: Pam Parmakian                      Yea 5    Nay 0**

**Austin Knight - None                      Pam Parmakian - None**

**Mary-Jo Avellar - None                      Michele Couture – None**

Motion to adjourn by Michele Couture at 10:31 PM.

**Minutes transcribed by: Vernon G. Porter, Secretary to Board of Selectmen  
March 2, 2008**