

TOWN OF PROVINCETOWN - BOARD OF SELECTMEN

SPECIAL MEETING - WEDNESDAY, MARCH 5, 2008 4 PM

JUDGE WELSH HEARING ROOM

Chairman Mary-Jo Avellar convened the meeting at 4 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

Recorder: David Gardner

The following are meeting minutes, in brief:

1. APRIL 5, 2008 ANNUAL & SPECIAL TOWN MEETINGS

Adoption of Board of Selectmen's to insert / not insert insertion of Article in Town Warrant.

APRIL 5, 2008 SPECIAL TOWN MEETING ARTICLES FOR INSERT

Article STM-1 FY 2008 Budget Adjustments. No discussion. Figures not ready.

MOTION: *Move that the Board of Selectmen vote to insert STM-2 Wastewater Optimization.*

Motion by: Michele Couture Seconded by: Pam Parmakian
Yea 3 Nay 2 (Mary-Jo Avellar / Lynne Davies)

MOTION: *Move that the Board of Selectmen vote to insert STM-3 Water Department Block Grant.*

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

MOTION: *Move that the Board of Selectmen vote to insert STM-4 Fund Collective Bargaining Agreements*

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

MOTION: *Move that the Board of Selectmen vote to insert STM-5 Aerial Photographs to Aid in Correcting Assessor's Map/GIS Flyover.*

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

MOTION: *Move that the Board of Selectmen vote to Indefinitely Postpone STM-6 Noise By-Law.*

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

STM-7 Prior Year Bills. No discussion. Figures not ready yet.

APRIL 5, 2008 ANNUAL TOWN MEETING ARTICLES

MOTION: *Move that the Board of Selectmen vote to insert ATM-2A Residential curbside collection of solid waste and recyclable materials.*

Motion by: Michele Couture Seconded by: Austin Knight
Yea 4 Nay 0 Abstain 1 (Mary-Jo Avellar)

MOTION: *Move that the Board of Selectmen vote to insert ATM-2B Public Safety and Services Positions.*

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

MOTION: *Move that the Board of Selectmen vote to insert ATM-3 3% Merit Increase for Town Employees.*

**Motion by: Michele Couture Seconded by: Lynne Davies
Yea 4 Nay 0 Abstain 1 (Mary-Jo Avellar)**

MOTION: Move that the Board of Selectmen vote to insert ATM-4 FY 2009 Cape Cod Regional Technical High School Assessment

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

MOTION: Move that the Board of Selectmen vote to insert ATM-5 FY 2009 Enterprise Funds (\$1,764,401)

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

MOTION: Move that the Board of Selectmen vote to insert ATM-7 FY 2009 Capital Improvements Program (DPW Drainage Maintenance - \$50,000)

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

MOTION: Move that the Board of Selectmen vote to insert ATM-8 FY 2009 Revolving Accounts: (1) Preservation of Town Hall Auditorium - \$20,000; (2) Shellfish Grants – \$2,500

Motion by: Austin Knight Seconded by: Lynne Davies Yea 5 Nay 0

MOTION: Move that the Board of Selectmen vote to insert ATM-9 Cape Cod Greenhead Fly Control District Assessment - \$938.75

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

MOTION: Move that the Board of Selectmen vote to insert ATM-10 Software Licenses. (\$75,000)

Motion by: Mary-Jo Avellar Seconded by: Austin Knight Yea 5 Nay 0

MOTION: Move that the Board of Selectmen vote to insert ATM-11 Community Preservation Budget for FY 2009. (\$652,191)

Motion by: Michele Couture Seconded by: Michele Couture Yea 5 Nay 0

MOTION: Move that the Board of Selectmen vote to insert ATM-12 Amendments to Personnel By-law Law/Classification & Compensation Plan – Schedule A, B & C.

**Motion by: Michele Couture Seconded by: Austin Knight
Yea 4 Nay 0 Abstain 1 (Mary-Jo Avellar)**

MOTION: Move that the Board of Selectmen vote to insert ATM-13 General By-law Amendment: Non-Criminal Disposition of Pier Corporation Regulations.

**Motion by: Michele Couture Seconded by: Austin Knight
Yea 4 Nay 0 Abstain 1 (Mary-Jo Avellar)**

MOTION: Move that the Board of Selectmen vote to insert ATM-14 Expenditures from the Tourism Fund. (\$423,136)

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

MOTION: Move that the Board of Selectmen vote to insert ATM-15 FY 2009 Human Services Grant Program. (\$53,799)

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

MOTION: Move that the Board of Selectmen vote to insert ATM-16 Imposition of Liens Upon Town of Provincetown Truro Properties.

Motion by: Austin Knight Seconded by: Lynne Davies Yea 5 Nay 0

MOTION: Move that the Board of Selectmen vote to insert ATM-17 Replacement of Land Bank.

**Motion by: Mary-Jo Avellar Seconded by: Lynne Davies
Yea 4 Nay 0 Abstain 1 (Pam Parmakian)**

MOTION: *Move that the Board of Selectmen vote to insert ATM-18 Amendment of Community Preservation By-Law.*

**Motion by: Mary-Jo Avellar Seconded by: Lynne Davies
Yea 4 Nay 0 Abstain 1 (Pam Parmakian)**

MOTION: *Move that the Board of Selectmen vote to insert ATM-19 Home Rule Petition/Charter Amendment/Eliminate Term Limits.*

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

MOTION: *Move that the Board of Selectmen vote to insert ATM-20 Payment of funeral and burial expenses of firefighters and police officers killed in performance of duties.*

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

MOTION: *Move that the Board of Selectmen vote to insert ATM-21 Energy Cooperative.*

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

MOTION: *Move that the Board of Selectmen vote to not insert ATM-22 July 4th Celebration.*

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

MOTION: *Move that the Board of Selectmen vote to insert ATM-23 Fund Collective Bargaining Agreements.*

**Motion by: Michele Couture Seconded by: Austin Knight
Yea 4 Nay 0 Abstain 1 (Mary-Jo Avellar)**

MOTION: *Move that the Board of Selectmen vote to insert ATM-24 General By-law Amendments: Chapter 12: Provincetown Wetlands Protection By-law.*

Motion by: Lynne Davies Seconded by: Austin Knight Yea 5 Nay 0

MOTION: *Move that the Board of Selectmen vote to insert ATM-25 Rescind Unused Borrowing Authority.*

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

MOTION: *Move that the Board of Selectmen vote to insert ATM-26 Paving Commercial Street.*

Motion by: Austin Knight Seconded by: Lynne Davies Yea 5 Nay 0

MOTION: *Move that the Board of Selectmen vote to insert ATM-27 Bring the Troops Home.*

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

MOTION: *Move that the Board of Selectmen vote to insert ATM-28 Home Rule Petition – Real Estate Transfer Fee.*

Motion by: Austin Knight Seconded by: Pam Parmakian Yea 5 Nay 0

MOTION: *Move that the Board of Selectmen vote to insert ATM-29 General By-Law Amendment: Community Preservation Committee By-law. (Section 5-14-2-4)*

**Motion by: Mary-Jo Avellar Seconded by: Austin Knight
Yea 4 Nay 0 Abstain 1 (Pam Parmakian)**

MOTION: *Move that the Board of Selectmen vote to insert ATM-30 General By-law Amendment: Community Preservation Committee By-law. (Section 5-14)*

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

MOTION: *Move that the Board of Selectmen vote to insert ATM-31 Home Rule Petition/Charter Amendment/Change in Term Limits for Appointed Board Members.*

Motion by: Mary-Jo Avellar **Seconded by:** Austin Knight **Yea 5 Nay 0**

MOTION: *Move that the Board of Selectmen vote to insert ATM-32 Projects on Town-owned Conservation Lands.*

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

MOTION: *Move that the Board of Selectmen vote to insert ATM-33 One year Moratorium on 90 Shank Painter Housing.*

Motion by: Mary-Jo Avellar **Seconded by:** Austin Knight **Yea 5 Nay 0**

MOTION: *Move that the Board of Selectmen vote to insert ATM-34 Provincetown Public Pier Corporation.*

Motion by: Lynne Davies **Seconded by:** Austin Knight
Yea 4 Nay 0 Abstain 1 (Mary-Jo Avellar)

1A CAPITAL IMPROVEMENTS PROGRAM FY 2009 – FY 2013

April 7, 2009 Annual & Special Town Meeting

Open discussion ensued. No motions made.

2. EXECUTIVE SESSION

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 litigation strategy; and not to convene in open session thereafter. [Roll Call Vote]*

Motion by: Michele Couture **Seconded by:** Austin Knight

Lynne Davies – Yes Austin Knight – Yes

Mary-Jo Avellar - Yes Michele Couture – Yes

Yea 5 Nay 0 - Motion passed. -

The board went into executive session at 5:20 PM.

Minutes transcribed by: Vernon G. Porter, Secretary to Board of Selectmen
April 28, 2008