

# TOWN OF PROVINCETOWN - BOARD OF SELECTMEN

OPEN FORUM –TUESDAY, MAY 23, 2006

## JUDGE WELSH HEARING ROOM

Chairman Cheryl Andrews convened the special meeting at 6:00 PM noting the following attendees: Board of Selectmen members: Cheryl Andrews, Sarah Peake, Michele Couture, Richard Olson, David Nicolau

Recorder: Vernon Porter

The following are meeting minutes, in brief.

### 1. PUBLIC FORUM TO HEAR THE CONCERNS OF THE CITIZENS

Chairman Andrews explained that the purpose of this meeting is to hear the concerns of the citizens and that they have as much time as they would like to speak and that the Board of Selectmen would respond if they would like them to.

Ryk Tyszka

Explained in chronological order an on going situation since April of 2005 over the issuance of a \$50 parking sticker that was ultimately revoked and the circumstance of securing a 50 page copy of the parking regulations since then. Feels that he has been wronged and wants his money back.

Cheryl Andrews - I have no problem send a note into the Town Manager and asking if they can help us understand what is going on and get a little bit of a bigger picture of what is going on.

Sarah Peake - Mr. Tyszka and I discussed this a couple of months ago at some length and I think it's appropriate for the Board to have a conversation and make an inquiry of the Town Manager. It is clear from the documentation that Mr. Tyszka gave to me that has thoroughly researched this, exhausted all avenues through the Police and Parking Departments to see the relief that he is seeking. This is one instance where, one of many, this citizen has tried to pursue and has pursued all of the appropriate avenues to get the information to speak to the right people and still has not gotten a satisfactory answer.

Michele Couture – Mr. Tyszka mentioned about getting the Parking Regulations and this was one of the things I was thinking that we need to look into as well. (Mr. Tyszka – I have then now, I had to pay \$49 to get a copy, and I was charged a \$1 per page when I demanded them under Chapter 66. Cheryl Andrews – Do you have receipt for that \$49? Answer: I can dig up the check. Cheryl Andrews – They should be on the website. Mr. Tyszka – The Town Clerk told me that he requested it multiple times and it was never forthcoming. It is there now. And the section dealing with Town Boards has been omitted entirely in this new version. The caption is there but the language that was referring to it is just gone.

David Nicolau - It's one thing to ask for information and find the right way to do things. It amazes me that it has even gotten to this point. I'm sorry about that and I am sure we will figure this one out quickly. Thank you for coming in.

Barbara Rushmore

Number of issues to speak about ..

- 1) One of the things you face is more money for the town. I suggest buying our own streetlights .. And we've saved \$10,000 every year since 2002. I think that you should use this as an example .. in your mind in that that the people of this Town could help you if you ask them for a chance to speak at a time definite. Let the town come to you with their statements or suggestions and I think you will get some very interesting way that the Town could save money. [Boat passenger tax (50 cents on boat passenger tax), Whale Watch tax, look at option of a local food tax - one cent meal tax, 1% Real Estate transfer tax paid by the sellers, - can

go into general treasury or affordable housing-.

- 2) Need a town energy committee to make recommendations to you about ... gas, gasoline, hot water, solar light, wind power.
- 3) Moral – is the most important thing that the Selectmen can do for this community. I think that people don't understand the complete sharp break in trust that happened when it came out that the School might be closed. The community needs a good feeling that we're getting along well.
- 4) Room tax – on the fact that it goes to the Visitors Service Board and that you are in charge of looking over it and I've had experience with it for many years, may I point out to you, that although the law that set it up said it was for marketing, beautifying and enhancing Provincetown ... usually beautification and enhancing tourism were put together and had equal amounts of money with marketing. You will have approved a budget of over \$300K for marketing and promotion and \$35K for beautification and enhancing tourism. I have to tell you that is way out of line, because one of the reasons it was passed – it was felt that if Provincetown was more beautiful it would be nicer for us that were here too. I think that you have to understand that this is unacceptable the way that money is being put. It is out of balance. Benches, toilets, clean-ups – these are the things that enhance tourism and that #2 pumper could be, I think, could be financed from the VSB regardless whether they think it doesn't enhance tourism and they only want to hire out of Towner's for ads.

### Bonnie Campbell

Glad to hear about Proposition 2 ½. How is the Laundromat progressing? How are our housing projects progressing? I'm counting the days down on the Manor. Shankpainter sewer – how is it going?

Cheryl Andrews – Answers are easy – we're making significant progress on all of them. In the end, I think we've all been government long enough to know that you don't throw the party until the ribbon is on the front door. The Laundromat is looking good but as long as the State is involved in permitting and all of that – until you get the notice that we're having a ribbon cutting, you just don't know the date.

Bonnie – if you know something that is important to Provincetown – let the residents know. Cheryl Andrews – One of the things we try to do, and it is not perfect, is to put things on the web site. Do you use the web site? Answer – Yes, actually I got a lot of information from it including the 2007 Budget that shocked me. Some people have the web but some people don't, especially the elderly. I think people rely on the Provincetown newspaper more or PTV. I think these would be good avenues to make people wake up.

My questions on the Manor were answered and David answered my questions about the sewer. Thanks; I just wanted to be updated.

Sarah Peake – Maybe as a mix with these quarterly meetings the Board of Selectmen could check with the Council on Aging to see if they would be interested in having us stop by the COA twice a year or once every quarter for a little check in and announce what is going on or to answer any questions they might have, etc.

David Nicolau – When we had the two conferences with the School there were a variety of ideas that came up and one of them is that we now have a link on the Town Web Site that links with the School Committee/System and we're talking about maybe a newsletter and towards an insert for the Banner. We're getting there. All the ideas are good.

Barbara Rushmore – The Inter-Model Transportation center at MacMillan Pier is not popular. I realized what you signed up for and I realize nobody like to hurt a Congressman who is representing us, in many respects, very well. These earmarks are dreadful things and that's why we should get rid of them but since we have them and we have a chance to get some money and I have been thinking about it. No way do we need a waiting room. I will just cost us money to maintain the building and to have it manned so it won't be vandalized. We don't need to provide a home for the national seashore for the national sanctuary or the Center for Coastal Studies – they can rent a storefront and should and then if they don't have the money, we're not stuck with it. We can't have non-profit tenants when you know that the economy might be bad. In fact it is a very difficult thing to own property when you are not in that business and that's one reason why the Town is reluctant to be that business. I have an idea that maybe this earmarked money for the transportation center could be used for a

feasibility study of the fishermen's wharf. The earmarked money for the Transportation Center includes the Fisherman's Wharf in that area. It isn't as if we're saying close the other projects. I suggesting maybe of study of purchasing the Fisherman's Wharf with a marina for the town which would be a Municipal Marina and it would be possible to use this money to do the studies to make sure whether the building was right on the wharf. You have to have an engineering study, etc. When people come to Provincetown from Boston they don't need a waiting room. People that come by bus from up the Cape don't want to go out on the wharf they want to be downtown. I think we're making a big mistake if we don't try to use this money in a more useable way. I honestly think that if the Provincetown's Fishermen's Pier were purchased it might be an advantages thing increasing the space we own. We could extend our parking lot another 20 feet to the West and still have a car access to the wharf and you'd be surprised of the different advantages we would have for the Town.

The question is - Is the Government going to pay for it? That question is up in the air .. but if you're going to ask for a study, I would ask for a study of the Fishermen's Wharf and the Marina as far as income producing property on the waterfront that adds to what Provincetown has to offer.

#### Response from Board of Selectmen

Sarah Peake - On the Intermodal Transportation Center – we haven't signed up for anything. We're not obligated to anything and we also haven't received any money. There has been no government money spent on this. On the same way you were seeing it for the first time, we were seeing those plans for the first time and what we said, I recall that night, was that before we signed up for anything there would have to be more public input, a series of public hearings. We haven't had any of those yet. So, there's not even any ink on a piece of paper to be dry Barbara.

We haven't taken any gift yet. Now, does that mean that all plans and that the Regional Transit Authority has stopped looking at what the bus configuration is going to be now that the Flex Bus is going on line and will be hopefully increased traffic, Yes, all that is moving forward, but we haven't signed up for either Plan A or Plan B. In fact, I think we sent them a message we want to see a Plan C that is not as big and not as intrusive and we certainly did hear what was said at Town Meeting. We're interested in continuing the conversation about what we are going to do with our Bus traffic including the Flex. We don't have any money in our pocket. I wish we had money we could use to study Fishermen's Pier because I think that is very intriguing study.

Cheryl Andrews - You put an Article on the Town Meeting Warrant this year with regards to this Transportation Center and I don't remember how the Board voted but I think more than one of us supported your article and voted for it. I was one of them. I'm pretty sure that most of the comments that you made the night that presentation was made, I made as well. I agree with you. I don't like it. I don't remember how I voted that night. Part of me wants to remember I voted against that letter but I really don't remember. I think in the end the Selectmen have to listen to the Town on this and the Selectmen said that night that so far there hasn't been any public input. And unless that public changes some way so that there is some public acceptance of it, it's not going to happen. If I remember right, the night that that discussion happened two plans were showed to us – none of us got hugely excited about either one and what Mr. Bergman said was they are just looking for enough interest to have a placeholder. And what I recall the sentiment of the Board was, all right, we're not in love with this but let's not shut the door on the whole idea. But I think you should keep an eye on it.

Barbara Rushmore – Be careful of the Cape Cod Commission. Don't think the State has best interest of Provincetown on their transportation. We're the end of the line.

Michele Couture - I like the Cape Cod Commission. I think they go a great deal to preserve the Cape's resources. Their account resources, I can't speak to. I think that you have been responsible for a lot of real interesting and novel idea in Provincetown. You have the interest of Provincetown at heart. [Cheryl Andrews - I know you did a lot of work when you're the VSB on the issue of the shuttle and shuttle money and we should thank you for that as well. You spent a lot of time studying the finance and helped straighten it out.] I do have one thing that you mentioned regarding moral and the school closing and I just have to tell you I think you are incorrect on that one. No one on the Board of Selectmen ever talked about closing the School. We didn't in a backhanded way go and visit Nauset School with the ideal of plotting to close the schools down. At every step of the way I have emails, because I never clean everything off of my computer, from Mr. Bergman to the Schools. And it was only because some folks in the Schools did not properly communicate with the Town

Manager or didn't communicate in answer to some of his emails seeking information that there was a direct communication to Nauset School. I think that we couldn't have had a larger lack of communication when it came to perhaps two to three weeks between budget talks and putting something on the warrant where there was complete miscommunication so that by the time we got to Town Meeting there was this festering bad feeling about how horrible we were because we were going to close the schools. Well, nothing could be further from the truth and unfortunately, we were unable to dispel that before Town Meeting and as a result we really had an ugly first two days of Town Meeting ... I certainly agree with you there. I have to tell you that at no time did we every talk about closing the schools. One of the things that was on my mind is that we have to have a full and frank discussion with the Schools about the viability of the schools and just as with the Manor at one point I certainly never in a million years ever envisioned closing the Manor. It was nothing I would ever vote for. But in order to have a full and frank discussion about the Manor, at some point it had to be put on the table as a possibility. So, do I think we need to close the schools? No, I don't but do I think it has to be part of the discussion – yes it does. Because in order to have a complete discussion you have to put that on the table.

Cheryl Andrews - Let's at least get a few facts on the table. The School Committee had a Public Hearing up at the Elementary School and were told at the beginning of the Public Hearing that the Board of Selectmen were not allowed to speak. Now, I've never attended a Public Hearing run like that but that's the way it happened. And I don't like looking at someone and saying, "that's not true."

David Nicolau – I think that what is really important in any given situation is that if people think that it is safe for them to express themselves in a forum where they can speak freely without retribution, those are the types of things we need to work. Having compassion for each other. Allowing people to speak Allowing people to be heard. I think we're moving in the right direction.

Cheryl Andrews - You may have read in the Banner this year that there was an offer made for Fisherman's Wharf. We did make an offer – you can read about it in the Banner.

Barbara Rushmore - Some communication to the voters be sent out that gives not only what the Articles are but a finance sheet. How much money comes to us for Schools and how much money do we spend. What is our basis? How much property and what is its value and how do we set the tax rate. A bunch of very interesting facts for people. Let's get ourselves no more projects and keep the tax rate as low as you can for the sake of the people. And make it a successful summer for everyone.

Matthew Drouin – 14A Old Colony Way - Frustration in not being able to get a Parking Sticker even though he lives in and his car is registered in Provincetown. Parking Dept personnel will not give him his sticker because his license does not have sticker on back indicating that his address is now Provincetown. So he had his partner try and his partner was told, "to go back where he came from."

David Nicolau - Obviously we've had a couple of complaints tonight. A simple reminder to get the point across that you have to be more user friendly with the taxpayers.

Cheryl Andrews - I was there, I don't know who said what but if an employee of the town was offensive; you have an apology from me. There's absolutely no need for it. Everybody tries to do their best. We all have our bad days. We'll be certainly be glad to look into this and make sure we're all starting the summer season in the right way.

Sarah Peake - This obviously involves a personnel matter. Just as you absolutely deserve respect and to be treated in a certain way, we have a certain responsibility to our employees but I can assure that what you have said this evening has heard loud and clear by the Board. Thank you for taking the time out of your day to come here and help us to help make the Town a better place.

Bonnie Campbell - Why do we have two Historical Committees?

Sarah Peake - They each have different roles. The Historical Commission is basically in charge of making sure our Historic House or Historic District is appropriately certified. It is more of a planning committee. Do we have the appropriate properties indicated and marked as historic, is it zone big enough, do we have it mapped, is that mapping accurate.

The Historic District Commission is a regulatory board. It acts as a review committee and is house specific.

The Board went into executive session at 7:11 pm.

Minutes transcribed by: Vernon G. Porter

June 25, 2006