



# Meeting Agenda - Revised

The Provincetown Board of Selectmen will hold a public meeting on Thursday, December 29, 2016, at 5:30 p.m. in Judge Welsh Room, Town Hall, 260 Commercial Street, Provincetown, MA 02657.

1. Discussion on Community Outreach for February Special Town Meeting – Chairman Raphael Richter. Votes may be taken.
2. Minutes – Approve minutes of previous meetings. Votes may be taken.
3. **The Board of Selectmen will vote to go into a Joint Executive Session with the Year-Round Rental Trust Board of Trustees pursuant to MGL c30A, Section 21(a), Clause 6 for the purpose of:**  
**Clause 6** – To consider the purchase, exchange, lease or value of real estate, if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body. (Real Estate-Harbor Hill in Provincetown) Votes may be taken.  
**Clauses 1, 2, 3, 4, 5, 6, 7, & 8** – To consider the approval and/or release of Executive Session Minutes for December 12, 2016 and December 15, 2016. Votes may be taken.
4. ~~Minutes – Approve minutes of previous meetings. Votes may be taken.~~
5. Others – Other matters that may legally come before the Board not reasonably anticipated by the Chair 48 hours before the meeting. Votes may be taken.



Provincetown Board of Selectmen  
**AGENDA ACTION REQUEST**

Thursday, December 29, 2016

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## FEBRUARY SPECIAL TOWN MEETING

### Discussion on Community Outreach

Requested by: Chairman Raphael Richter

Action Sought: Discussion/Approval

#### Proposed Motion(s)

**Move that the Board of Selectmen vote to direct the Town Manager to prepare all necessary paperwork including the warrant, forms of vote, and other required documents in anticipation of a Special Town Meeting to be held on Monday, February 6, 2017 and an Election to be held on Tuesday, February 7, 2017.**

#### Additional Information

See attached draft timeline.

#### Board Action

<i>Motion</i>	<i>Second</i>	<i>Yea</i>	<i>Nay</i>	<i>Abstain</i>	<i>Disposition</i>

February 6, 2017 Special Town Meeting and February 7, 2017 Election Timetable

Activity	Date	Charter Reference
The Board of Selectmen shall prepare the Special Town Meeting warrant. Staff gives warrant to BOS Secretary for inclusion in packet.	December 19-28, 2016	§2-1-1 to §2-1-6
Board Public Hearing Notices submitted to the Banner: Finance Committee	Wednesday, December 28, 2016	N/A
Conservation Commission Charter Enforcement	Wednesday, December 28, 2017	N/A
Selectmen open the election warrant and submit ballot questions to the Town Clerk.	Tuesday, January 3, 2017 @5pm	N/A
Selectmen vote to open the Special Town Meeting warrant, approve articles and vote to insert them forthwith at a Special Meeting.		
Board Public Hearing Notices submitted to the Banner: Board of Health Planning Board	Thursday, January 5, 2017	N/A
Notice is published of Finance Committee, Charter Enforcement Commission, and Conservation Commission Public Hearings on petitioned articles	Thursday, January 5, 2017	Charter §§2-2-1 to §2-2-4 and §2-3-10 and Bylaw §5-2-1
Special Town Meeting Warrant closes	Friday, January 6, 2017 @10am	30 days prior to date of town meeting, per Charter §2-1-7
Selectmen approve the Warrant for publication at a Special Meeting	January 6, 2017	N/A
Staff submits the warrant to the Banner	Thursday, January 12, 2017	N/A
Notice is published of Planning Board and Board of Health Public Hearings on petitioned articles	Thursday, January 12, 2017	Charter §§2-2-1 to §2-2-4
Special Town Meeting warrant is posted and published in the newspaper and posted in at least 10 public places in Town	Thursday, January 19, 2017	at least 14 days prior to town meeting, per

Board of Selectmen mail copies of the warrant to Town Moderator, Town Counsel, and Town boards	Friday, January 20, 2017	Charter §2-1-7 at least 14 days prior to town meeting, per Charter §2-1-8
Selectmen vote their recommendations at a Regular Meeting	Monday, January 23, 2017	Charter §2-3-11
Finance Committee Public Hearing- vote their recommendations	Week of January 23, 2017- proposed date of Tuesday, January 24, 2017	Charter §§2-3-10 and Bylaw §5-2-1
Conservation Commission must vote if there is an article concerning the natural environment	Week of January 23, 2017- proposed date of Tuesday, January 24, 2017 for a Special Meeting	Charter §§2-2-1
Board of Health must vote if there is an article concerning public health	Week of January 23, 2017- -- proposed date of Thursday, January 26, 2017 for a Special Meeting	Charter §§2-2-2
Planning Board must vote if there is an article concerning land use or development	Week of January 23, 2017- proposed date of Thursday, January 26, 2017	Charter §§2-2-3
Charter Enforcement Commission must vote if there is an article concerning the charter	Week of January 23, 2017- proposed date of Tuesday, January 24, 2017	Charter §2-2-4
Planning Board Report Submitted	Friday, January 27, 2017	
Staff makes books	Beginning of week of January 30, 2017	
Copies of Finance Committee report made available at Town Hall	January 30, 2017 or earlier	at least 7 days prior to town meeting, per Charter §2-1-9
Moderators Meeting	End of week of January 30, 2017	
Last day to publish election warrant.	January 31, 2017	
Special Town Meeting at Town Hall	February 6, 2017	Charter §2-3-2
Ballot Question Election at Town Hall	February 6, 2017	



Provincetown Board of Selectmen

**AGENDA ACTION REQUEST**

Thursday, December 29, 2016

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## MINUTES OF BOARD OF SELECTMEN'S MEETINGS

Requested by: BOS Secretary

Action Sought: Approval

### Proposed Motion(s)

**Move that the Board of Selectmen approve the minutes of:**

- |                             |                                     |  |
|-----------------------------|-------------------------------------|--|
| October 18, 2016 (Special)  | <input type="checkbox"/> as printed | <input type="checkbox"/> with changes so noted |
| December 12, 2016 (Regular) | <input type="checkbox"/> as printed | <input type="checkbox"/> with changes so noted |
| December 15, 2016 (Special) | <input type="checkbox"/> as printed | <input type="checkbox"/> with changes so noted |
| December 19, 2016 (Special) | <input type="checkbox"/> as printed | <input type="checkbox"/> with changes so noted |
| December 21, 2016 (Special) | <input type="checkbox"/> as printed | <input type="checkbox"/> with changes so noted |
| December 27, 2016 (Special) | <input type="checkbox"/> as printed | <input type="checkbox"/> with changes so noted |

### Additional Information

See attached minutes.

### Board Action

<i>Motion</i>	<i>Second</i>	<i>Yea</i>	<i>Nay</i>	<i>Abstain</i>	<i>Disposition</i>

**TOWN OF PROVINCETOWN - BOARD OF SELECTMEN  
MEETING MINUTES - SPECIAL MEETING  
TUESDAY – OCTOBER 18, 2016 – 6:00 p.m.  
JUDGE WELSH ROOM - 260 COMMERCIAL STREET  
**DRAFT****

Vice-Chairman Yingling convened the open meeting at 6:00 p.m. noting the following attendees:  
Board of Selectmen members: Eric Yingling, Tom Donegan, Cheryl Andrews, and Robert Anthony.

Excused: Raphael Richter

Other attendees: Town Manager David Panagore; Asst. Town Manager David Gardner, Finance Committee members: Mark Hatch, Chairman, Louise Venden, Vice-Chair, Duane Steele, Mark Bjorstrom, Mark Del Franco, Scott Valentino, and Chris Mathieson.

Recorder: Loretta Dougherty

**1. Joint Meeting with the Finance Committee: Review and Discussion of the Financial Forecast and CIP:**

FinCom called to order at 6:01 p.m.

David P. gave a PowerPoint presentation on the Financial Forecast FY2017-FY2027. (See Addendum 1 with new documents). Key points discussed focused on the Financial Forecast and a preview of the Capital Improvement Plan. New growth went up by \$170,000 with valuation by \$87,000. On a percentage basis, our numbers have not changed. Revenues shift a little from FY2017 to FY2018 as reflected on the graphs e.g., in FY2017 Tax Levy Limit is 71% and Cherry Sheets at 3%; in FY2018 Tax Levy Limit is 72% and Cherry Sheets is 2%. The expense side also shifted a little. In the expenses: Health Insurance (910 Employee Benefits) is the largest driver with a projection of 10%+/- year over year being the estimated inflator. Health insurance has to be looked at structurally, what the risk is and how it is allocated. We have time to think about this. Debt of \$163,725 increased for this year and he is investigating where it is coming from. Sources of capital will be better defined when the budget is brought back in December. He is concerned about the way the number estimating has happened at the county level regarding how they are handling their reserves. He will pull the claims run and start looking at it with Jody in our Payroll/Employee Benefits Department.

Tom D. believes that is a lot of opportunity and a lot of risk. The county uses a two person subsidy family policy. We are facing a Cadillac tax this year and an increase by 40% may happen. It is on the books. In 2020, we add the 40%.

Louise what impact does the retirement age make?

David P. stated that the county is considering bringing on an HSC. When you move to those types of plans the employee and employer becomes a deductible. A cap on pharmaceutical is much higher. It does improve risk management but since they are portable, they are attractive to those who do not have claims or cost. Whatever happens will be decided by the mid-cape and we will have to go along with it. David P. will do a department-by-department overview of expenses for the Board. **Recommendation:** Number reflects we are behind Rate of Contribution – graded on a curve we would have an A- if compared to the state. OPEB can be spent on ongoing health care cost. When things start going high you can draw off this fund before you adjust your budget.

**Ideas:** He would like to look at adding a Recording Secretary Position that would add a minutes staff person; look at establishing a Parking Enterprise Fund (cost allocation/accounting), and move the Grants & Housing Specialist off of the CPA funds and into the Operating Budget (if housing is an important as we

say it is she sits by herself and is not integrated in the Community Development area). From the Municipal Modernization Act he recommended looking at revolving accounts; create bylaws so you do not have reenact them every year; initiate a Workforce Housing Tax Assessment Plan for the VFW site which is not defined in this Act but we did this last year. This as one more tool to look at as a way to make workforce housing on the VFW site a more viable option and guaranteeing full taxes in the end.

Concerning the Financial Forecast, David asked whether we continue to budget as conservatively as we have or do we budget closer and on that basis have a more accurate projection of when we will cross the line into the red.

Erik he wants to project closer to where we are heading. He wants to see when we will actually start to get to the deficit.

David P. would like to establish a set of fixed assets and work with staff to stand still where we are (\$2 million a year) and build that in as a minimum and then have conversations about budging new fixed assets. We do not know what new growth is and what revenues will be for stabilization so we cannot come up with a tax figure.

Cheryl asked FinCom what kinds of things they vote no on and what their thoughts are.

Finance Director Mark Hatch stated that we are underfunding OPEB again and there are unknowns we run across over the course of a year. Health Insurance and all of those things error on the side of having more on hand. Fire engines need to be replaced and health insurance could go up 15% instead of 10%. We want to look at the bottom line. Should we be doing large expenditures? Do we need to do something now is always on his mind. Do we replace a police car or do we wait another year? Things will always cost more when purchased later on. Are we meeting our obligations? If we do it now, it will cost less than if we wait another 5 years or so. FinCom always looks at the long-term. Are we looking at all of our options regarding health insurance? Why are we still on the county plan? Are there other plans that could serve us better?

Tom referenced the chart for revenue year over year. We get our revenue from local estimated receipts, mostly parking. One hurricane in August puts that at a big risk. The idea of having sandbagging on the estimated local receipts because we do have a risk should be considered. The property tax line is locked; it is fixed revenue. We need to be careful that we have more risk in our revenue side than most towns. If free cash comes that means we do not go to bonds. Capital exclusions as opposed to debt exclusions make more sense.

David P. believes we should reexamine our reserves. We have unique risks; identify new sources of revenue; conservative estimating and increase our reserves.

Vice-Chair of Finance Committee Louise Venden stated they are looking more carefully at how departments are working and performing better with the money they have.

David P. stated the UMass Boston has started working on performance training with staff. Chief Golden is working with staff in improving their performance. Quarterly reports will reflect some changes. We are updating our Accounting Department and the cashbook and receipts are going over to MUNIS.

Mark H. believes it is much better to have reliable figures when people get their tax bills. He wants to have excess in free cash and not go out to bond to get money. When people get their tax bill and it has jumped due to going out to bond that becomes an issue.

Erik asked to start discussion on the CIP.

David P. believes a budget is an expression of community values, and a capital plan is a budget that sequences community priorities (both are principal management tools). There are three debt sources: the Capital Stabilization Fund with is approximately \$550,000 +/-; Free Cash \$1 million +/-, and the General Obligation Bonds.

Robert asked about an Enterprise Fund (for Pier Corp.) instead of going through this process every year.

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David P. thinks he would rather have a well-functioning Pier Corp. than having a conversation about a bad functioning Pier Corp. He wants to get it to a place where it is functioning then have the conversation as to whether the Pier Corp. is needed or not.

David referred to the next steps to be taken such as preparing the Operating Budget and reviewing the operating and capital items at department hearings; closing the books on FY2016 to obtain the free cash figure, and looking at the Capital Budget Review to allocate projects across appropriate funding sources, investigate further annual "fixed" capital costs, review the Capital Improvement Stabilization Use and Function to investigate retaining some capital reserve funds and financial, procedural and operational constraints.

A brief discussion was held about capital improvements:

Mark H. pointed out that we make traffic decisions and then we change them again two years later which is a waste of money and time. The reality in this town is that we do not have a lot of space to work with. When doing any reconfiguring we should take a long hard look at it.

Tom D. wants to look at the cost of the servers (MIS) and when do we begin to migrate away from servers into the cloud. Microsoft has stopped supporting servers last year. We should start moving toward it slowly but at some point, our hand will be forced.

David P. believes that as long as we believe that the cloud will never disappear or collapse we should start movement, but he expressed the need to always have a backup or storage of data in place.

Mark H. believes that by 2022 we should not have a server left in Town.

Erik wants to have the discussion again to get rid of the servers and move to the cloud. There will be a savings there.

Mark H. wants to have a meeting on going to the cloud.

**2. Other: None.**

Without objection, Eric adjourned the Board of Selectmen meeting at 7:34 p.m.

Without objection, Mark H. adjourned the Finance Committee meeting at 7:34 p.m.

Minutes transcribed by: Loretta Dougherty

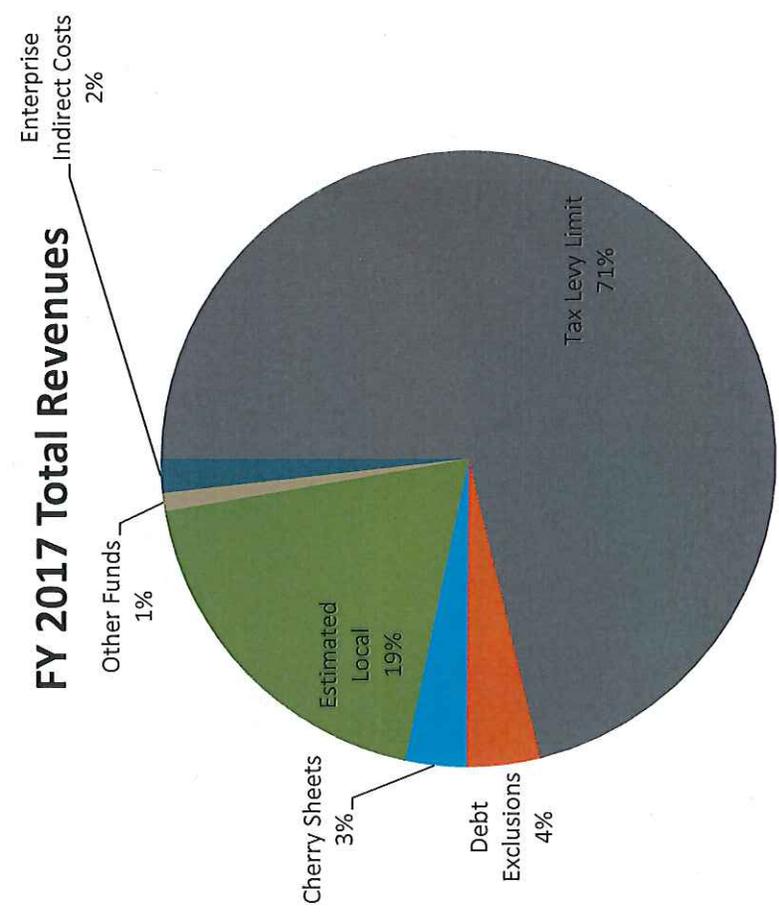
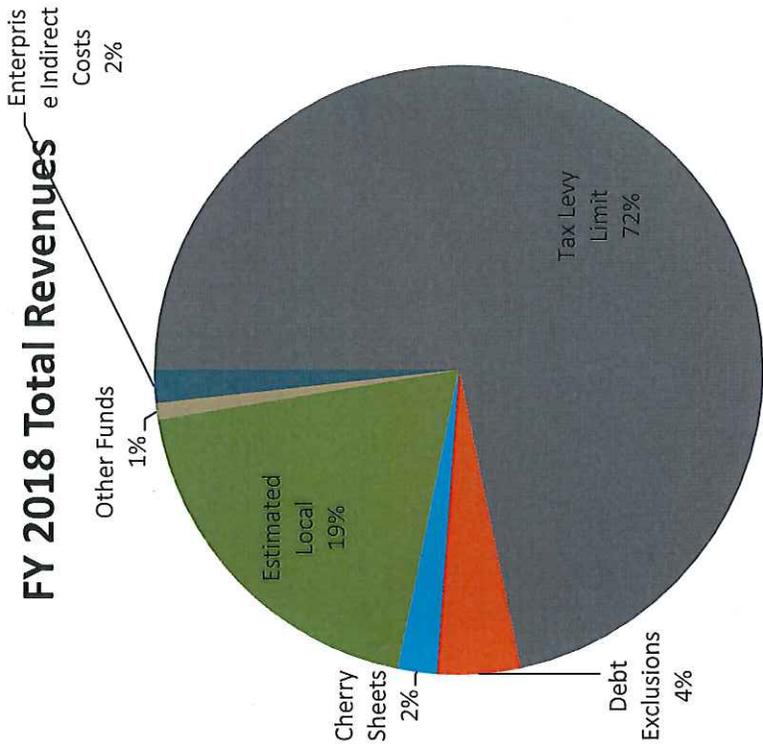
BOS 10/18/17

[ Addendum 1 ]

**PROVINCETOWN**  
FINANCIAL FORECAST  
FY17 - FY27

H

# REVENUES YEAR OVER YEAR



# EXPENSES: HEALTH & DEBT

Health Insurance (Finance Dept)

910 Employee Benefits = largest \$\$ driver

- Assumption: 10% yr /yr increase

	FY17	FY18 yr/yr +	FY19 yr/yr +	FY20 yr/yr +	FY21 yr/yr +
Health	\$3,496,132	\$350k	\$385k	\$425K	\$465K

Debt

- \$163,725 increase
- investigating

# RECOMMENDATION

## OPEB

- Auditors identified that we have been under funding the OPEB account.

Year	ARC	OPEB Obligation	Interest on net OPEB	Adjustment to ARC	Annual OPEB Cost	OPEB Contribution	Difference
FY13	2,027,511	429,272	(348,165)	2,108,618	(1,337,005)	771,613	
FY14	2,107,837	463,995	(376,327)	2,195,505	(1,859,366)	336,139	
FY15	1,729,047	789,535	(570,921)	1,947,661	(1,739,044)	208,617	

TEN YR CAPITAL IMPROVEMENT PLAN FY17-27  
**CAPITAL IMPROVEMENT**

# NOTES

- The Bas Relief
  - Two Years
  - 2020 Impact
- Long Point Dike
  - Two Years
  - 2020 Impact
- Pier Corp Items: based on Bourne Engineering Report
  - Reflects the division between capital & maintenance
  - \$200,000 over 4 years
  - PPC Maintenance budget +/- = \$76,500 (increase of \$22k)
- Airport Capital Item(s): \$75k in FY22
  - based on current Jacobs Engineering schedule
  - Reflects when is it estimated Revolving Account drained.
- Public Safety: Radio's have been pushed off an additional year

# NEXT STEPS

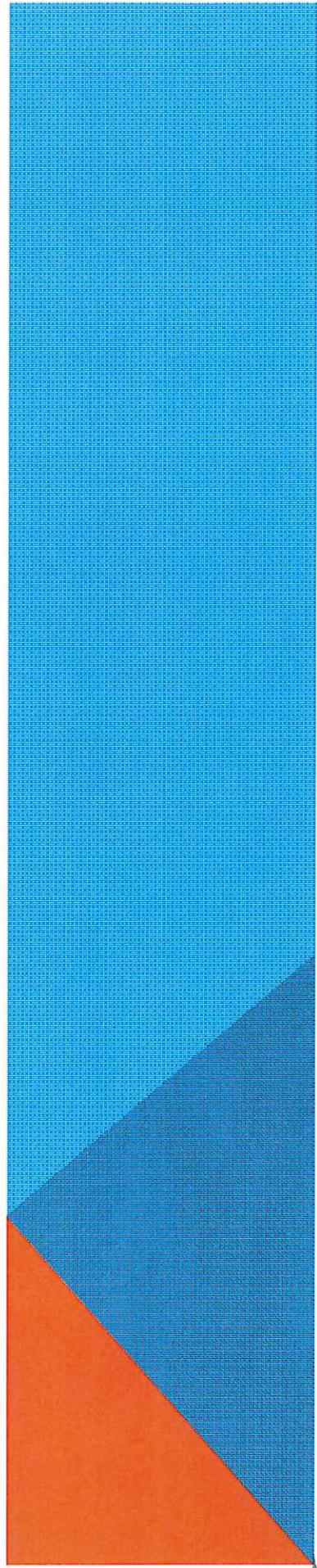
## Operating Budget Submission

- Prepare Operating Budget
- Operating & Capital Items reviewed at department hearings.

## Close Books on FY16, Obtain Free Cash Figure

## Capital Budget Review

- Allocate projects across appropriate funding sources
- Investigate further annual “fixed” capital cost
- Review Capital Improvement Stabilization Use & Function
  - Investigate retaining some capital reserve funds
  - Financial, Procedural & Operational constraints



## GLOSSARY, ASSUMPTIONS AND EXPLANATIONS

- Line #
- 1 **Prior year tax levy**  
The prior year's maximum tax levy is carried over.
  - 2 **2.5% Tax Levy Increase**  
Proposition 2 1/2 allows a 2.5% tax levy increase each year. Line 2 calculates the 2.5% increase based on the prior year tax levy (line 1)
  - 3 **New Growth**  
The State of Massachusetts allows new growth based on development to be added to the tax levy each year. The State must approve new growth.  
Assumption: The town of Provincetown has very limited opportunities for development and new growth. A conservative estimate of \$125,000 has been used.
  - 4 **Operating Override**  
Operating overrides must be approved by town meeting vote. Once approved they are a permanent addition to the tax levy.  
Assumption: At the point when expenditures are projected to exceed revenues there are options (or some combination of the three options): increase local revenues, decrease expenditures or request voters approve an operating override. The 10 Year Financial Plan assumes voters would be asked to approve an operating override.
  - 5 **Tax Levy**  
The maximum amount, before adjustments, that may be raised from real and personal property taxes.
  - 6 **Debt Exclusions**  
Debt exclusions are those town meeting votes that vote to raise the funds necessary to pay debt service costs for a particular project. The authorization must also be approved at the ballot box. The amount of annual debt service for the particular project is added to the tax levy limit for the life of the debt only.  
Assumption: Debt for which a long-term bond has been issued provides an actual amount for a debt exclusion. An estimate is made of the excluded debt service costs for those projects for which the borrowing has been approved, but the not yet borrowed long-term.
  - 7 **Capital Outlay Exclusion**  
A temporary increase in the tax levy to fund a capital project or make a capital acquisition. The increase is added to the tax levy only during the year in which the project is being funded.
  - 8 **Other Adjustments**  
The State of Massachusetts allows the charges from Barnstable County to be added to the tax levy.  
Assumption: The county charges are estimated to increase 4% a year.
  - 9 **Current Year Property Tax Levy**  
The total of lines 1 through 8. This is the maximum that may be raised through property taxes under proposition 2 1/2.
  - 10 **Cherry Sheet Aid**  
Aid from the State of Massachusetts including Chapter 70 (education), Charter School Reimbursements, School Choice, Unrestricted Government Aid, Veteran's Benefits and Exemptions for Vets, Blind, Surviving Spouses & Elderly. The 10 year forecast has a conservative estimate of 1.5% growth.  
Assumption: Receipts and Charges are projected increase 1.5% over the course of the 10 year forecast.

**Town of Provincetown  
10 Year Financial Forecast  
FY 2018 - FY 2028**

**11 Estimated Local Receipts**

Each year an estimate is made of local receipts. Local receipts include parking revenue, room and meals taxes, excise taxes, licenses, fees and other receipts collected at the local level.

Assumption: Receipts are projected to be flat over the course of the 10 year forecast with the exception of the meals and rooms tax. The meals tax is projected to grow at a rate of 3% per year. The rooms tax is projected to grow at a rate of 5% per year.

**12 Transfers - Waterways Fund**

Mooring fees collected are deposited into the Waterways Fund and are transferred each year to fund Harbor and Pier related expenses.

Assumption: Receipts are projected to be stable at \$60,000 per year.

**13 Transfers - Wetlands Fund**

Monies collected in the Wetlands fund are transferred to partially fund Conservation expenses.

Assumption: Receipts are projected to be stable at \$3,000 per year.

**14 Transfers - Ferry Embarkation Fund**

Monies collected in the Ferry Embarkation fund are transferred each year to fund Harbor and Pier related expenses.

Assumption: Receipts are projected to be flat over the course of the 10 year forecast.

**15 Transfers - Septic Loans Fund**

Monies collected in the Septic Loans fund are transferred each year to fund debt service expenses.

Assumption: Receipts are projected to be stable at \$30,000 per year.

**17 Transfers - Land Bank Fund**

Monies collected in the Land Bank fund are transferred each year to fund the Land Bank expenses, including Land Bank debt service.

Assumption: Transfer amount each year is equal to the Land Bank budget. The Land Bank fund expires 01/01/2020

**18 Water Indirect Reimbursement**

Each year the Water Enterprise Fund reimburses the general fund for their indirect costs paid out of the general fund. Those expenses may include employee health insurance and retirement benefits, vehicle and comprehensive insurance and a portion of the payroll costs for departments that work with the Water Enterprise Fund such as the Town Manager's office, the Finance and MIS department, etc.

Assumption: Amount of the indirect costs is projected to increase 3% over the course of the 10 year forecast.

**19 Wastewater Indirect Reimbursement**

Each year the Wastewater Enterprise Fund reimburses the general fund for their indirect costs paid out of the general fund. Those expenses may include employee health insurance and retirement benefits, vehicle and comprehensive insurance and a portion of the payroll costs for departments that work with the Wastewater Enterprise Fund such as the Town Manager's office, the Finance and MIS department, etc.

Assumption: Amount of the indirect costs is projected to increase 3% over the course of the 10 year forecast.

**Town of Provincetown  
10 Year Financial Forecast  
FY 2018 - FY 2028**

20 **Total Revenues**  
Total revenues is the total of lines 1 through 19.

21 **Cherry Sheet Charges**  
The State of Massachusetts charges the town for its contribution to various state and county programs. Those programs include the Mosquito Control Project, the Air Pollution District, the Regional Transit Authority assessment, School Choice Sending Tuition and Charter School Sending Tuition.

*Assumption:* Charges from the state are projected to increase 1.5% annually over the course of the 10 year forecast.

22 **Cherry Sheet Offsets**  
Included in the line 10, Cherry Sheet Aid are items that do not go in to the general fund, but instead go in to separate funds designated by specific use. Because the monies are not deposited in the general fund, they are removed on this line item. The State calls them 'Offsets' and they include School Lunch, School Choice, and a Public Library grant.

*Assumption:* Cherry Sheet Offsets are projected to increase 1.5% over the course of the 10 year forecast.

23 **Overlay Reserve**  
Each year the Board of Assessors determines an overlay reserve estimate. The Overlay Reserve is the account charged for senior tax and low income property tax abatements.

*Assumption:* The overlay reserve is projected to be \$195,000 a year except every three years when it is projected to be \$220,000 in the revaluation year.

24 **Other 'Raise and Appropriate'**  
If total Revenues exceed total Expenditures some additional programs, projects or capital improvements may be paid through the current levy limit without the need to borrow funds through an override.

*Assumption:* The ability to 'raise and appropriate' to pay for other programs, projects or capital improvements is dependent on whether revenues are expected to exceed expenditures in a specific year.

25 **Operating Budget**  
The operating budget funds the various ongoing departments within the town.

*Assumption:* Payroll cost is calculated by using the current existing union contracts and projecting those contracts into the future. Estimates of salary increases for non-union personnel are based on the compensation plan as approved by the Personnel Committee. Seasonal employee increases are 2%. Other operating expenses are increased annually under the following assumptions:

Health Insurance	8.0%	Travel	1.00%	Utilities	1.50%	Audit Services	5.00%	every three yrs
OPEB Contribution	2.5%	Training & Education	1.00%	Trash Tipping Fees	2.50%	Contracted Services	1.00%	
Worker's Comp Ins	3.0%	Postage	1.00%	FinCom Reserve	2.50%	Legal Services	2.00%	
Ins.- Vehicle/Comprehen	3.0%	Hardware/Software	2.00%	Building Maint Plan	1.50%	Ambulance Services	3.00%	
Medicare	3.0%	Other Operating Exp.	1.00%			Pier Contract	2.00%	
Retirement Assessment	5.0%					Committee Budgets	1.00%	

26 **Total Expenditures**  
The operating budget funds the various ongoing departments within the town.

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Capital Improvement Plan FY2018 - FY2022

Dept	Project	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022	5 year Cost
1	MIS Server Replacement	0	25,000	0	25,000	0	50,000
2	DPW Police Station	8,500,000	0	0	0	0	8,500,000
3	POL LiveScan Fingerprinting	25,479	0	0	0	0	25,479
4	POL Vehicle Purchase (2)	78,520	0	0	0	0	78,520
5	POL Vehicle Purchase (2)	0	78,500	0	0	0	78,500
6	POL Vehicle Purchase (2)	0	0	90,000	0	0	90,000
7	POL Police 800 Digital Radio upgrade	0	0	293,600	0	0	293,600
8	POL Vehicle Purchase (2)	0	0	0	90,000	0	90,000
9	POL Vehicle Purchase (2)	0	0	0	0	90,000	90,000
10	FIR Replace Radios	0	122,000	122,000	0	0	244,000
11	FIR Air Pack Replacement	45,000	0	0	0	0	45,000
12	FIR Power Stretcher	50,000	0	0	0	0	50,000
13	FIR Replace Deputy Chief Vehicle	0	60,000	0	0	0	60,000
14	FIR Replace Engine 5	0	0	425,000	0	0	425,000
15	FIR Replace Ambulance 196	0	0	0	275,000	0	275,000
16	FIR Replace 3 Life Pac 15(s)	0	0	0	120,000	0	120,000
17	FIR Replace pumper 190	0	0	0	0	550,000	550,000
18	DPW Stormwater	100,000	100,000	100,000	100,000	100,000	500,000
19	DPW Shank Painter Road	55,000	170,000	0	0	3,500,000	3,725,000
20	DPW Streets & Sidewalks	50,000	50,000	50,000	50,000	50,000	250,000
21	DPW Ryder St Outfall	0	525,000	0	0	0	525,000
22	DPW Pave Commercial St	0	3,000,000	0	3,500,000	0	6,500,000
23	DPW Fleet Replacement	270,000	100,000	70,000	0	200,000	640,000
24	DPW Paving Management Plan	225,000	225,000	250,000	250,000	250,000	1,200,000
25	DPW Building Capital Plan	60,000	150,000	50,000	200,000	400,000	860,000
26	DPW Public Works Facility	125,000	900,000	0	300,000	3,500,000	4,825,000
27	DPW Library lawn retaining wall	25,000	0	0	0	0	25,000
28	DPW Auditorium Chairs	0	25,000	0	25,000	0	50,000
29	DPW Bar Relief	350,000	400,000	0	0	0	750,000
30	DPW Bradford/Prince Intersection Rehab	0	265,000	0	0	0	265,000
31	DPW Standish St Intersection Rehab	0	0	0	500,000	0	500,000
32	DPW Long Point Dike Improvements	40,000	360,000	0	0	0	400,000
33	PAR Purchase one kiosk w/solar	35,500	0	0	0	0	35,500
34	PAR Purchase two booths MPL	0	225,000	0	0	0	225,000
35	PAR Grace Hall upgrade equip/booth	0	0	125,000	0	0	125,000
36	PAR Pave Alden St lot w/restripe	0	0	0	50,000	0	50,000
37	PAR Upgrade to Days PL	0	0	0	0	30,000	30,000
38	FIN Cashbook Installation/MUNIS	5,795	0	0	0	0	5,795
39	FIN MUNIS Payroll	0	59,634	0	0	0	59,634
40	AIR Airport Improvments	0	0	0	0	75,000	75,000
41	PIER Pier Repairs and Improvments	0	200,000	200,000	200,000	200,000	800,000
							0
	<b>Total General Fund</b>	<b>10,040,294</b>	<b>7,040,134</b>	<b>1,775,600</b>	<b>5,685,000</b>	<b>8,945,000</b>	<b>33,486,028</b>
42	Water Vehicle Replacement	0	30,000	55,000	40,000	30,000	155,000
43	Water Security Upgrades	75,000	0	0	0	0	75,000
44	Water Winslow Water Storage Tank Maintenance	0	300,000	0	0	0	300,000
	<b>Total Enterprise Funds</b>	<b>75,000</b>	<b>330,000</b>	<b>55,000</b>	<b>40,000</b>	<b>30,000</b>	<b>530,000</b>
	<b>Totals</b>	<b>10,115,294</b>	<b>7,370,134</b>	<b>1,830,600</b>	<b>5,725,000</b>	<b>8,975,000</b>	<b>34,016,028</b>



# Town of Provincetown

## Capital Project Request

Department: Public Works

Date: 09/28/2016

Project Title: Long Point Dike Improvement Project

Project Category: Infrastructure

Project Type: Major Repair-Renovation

Basis for Estimate: Army Corp of Engineers Estimate

Department Priority: 3

Priority Area: d.Improvement of infrastructure

**Estimated Project Costs**

FY 2018	\$40,000.00
FY 2019	\$360,000.00
FY 2020	
FY 2021	
FY 2022	
<b>Total</b>	<b>\$400,000.00</b>

**Project Description:**

This is a place holder request based on the recent report from the Army Corp of Engineers, the dike restoration project is eligible for participation in the Water Resources Development Act, Section 1135 Environmental Restoration Grant Program.

The restoration project, if approved, would be funded by the Program up to 75% of for design and construction with the Town's match being 25%.

\$40,000 would cover the initial engineer and design cost to get the project started while the Town applies for grants to obtain the full funding of the grant match.

**Estimated Annual Budget Impact Amount:**

**Start Date:**

**Estimated Duration:**

**Estimated Annual Budget Impact:**

Estimated project cost: \$1,600,000  
 ACE 75%: \$1,200,000  
 Town 25%: \$400,000

**Project Benefits:**

The project will have numerous ecological benefits for Cape Cod Bay and the Provincetown Harbor. The primary purpose of the dike is to protect the navigational way within the harbor. The bridge will allow fish/invertebrate passage, improve recreational and commercial fishing and shellfishing opportunities, improve recreational access and public safety.

*Please include any additional information such as legal obligations, public service impact, department priority, negative repercussions if not approved, possible external funding sources such as grants, etc:*

Participation in the Federal Grant program which funding the feasibility study at 100% and will fund design and construction at 75%.

Submitted by: Public Works Director

Dept. Head: Richard J. Waldo, P.E.

**TOWN OF PROVINCETOWN - BOARD OF SELECTMEN  
MEETING MINUTES - REGULAR MEETING  
MONDAY – DECEMBER 12, 2016 – 6:00 p.m.  
JUDGE WELSH ROOM - 260 COMMERCIAL STREET**

**DRAFT**

Chairman Richter convened the open meeting at 6:02 p.m. noting the following attendees:  
Board of Selectmen members: Raphael Richter, Erik Yingling, Tom Donegan, and Robert Anthony.

Excused: Selectman Cheryl Andrews & Assistant Town Manager David Gardner

Other attendees: Town Manager David Panagore, Airport Manager Butch Lisenby, Police Chief Jim Golden, Housing Specialist Michelle Jarusiewicz, Deputy Director of Tourism Radu Luca, Members of the Visitor Services Board: Vice Chair Marian Peck, Richard Murray, Robert Costa, Rita Swchwartz, Robert Sanborn, and Lesley Marchessault, Members of the Economic Development Committee: Co-Chair Steven Latasa-Niciks, Co-Chair Regina Cassidy, Karen Cappotto, and Steven Baker, PTV President of the Board of Directors Robert Klytta and Executive Director Amy Davies, and Director of Health Morgan Clark.

*Consent Agenda – Approval without objection required for the following items:*

- A. *Reappoint Michelle Jarusiewicz as Provincetown's Representative to the Barnstable County HOME Consortium's Advisory Council with a term to expire on January 31, 2020.*

**MOTION:** Move that the Board of Selectmen vote to approve the reappointment of Michelle Jarusiewicz, as Provincetown's Representative to the Barnstable County HOME Consortium's Advisory Council with a term to expire January 31, 2020.

- B. *Treasurer Transfer – Library Gift Fund – to pay an invoice, to Blackstone Audio, Inc. for audiobook purchases, in the amount of \$179.99.*

**MOTION:** Move that the Board of Selectmen vote, as Commissioners of the Library Gift Fund – (#1107), pursuant to MGL C44 § 53A, to approve the use of the funds in the Library Gift Fund(#1107) to pay \$179.99 for the attached invoice from Blackstone Audio, Inc.

- C. *Treasurer Transfer – Library Gift Fund – to pay invoices, to Blackstone Audio, Inc. for audiobook purchases, in the amount of \$757.38.*

**MOTION:** Move that the Board of Selectmen vote, as Commissioners of the Library Gift Fund – (#1107), pursuant to MGL C44 § 53A, to approve the use of the funds in the Library Gift Fund(#1107) to pay \$757.38 for the attached invoice from Blackstone Audio, Inc.

- D. *Treasurer Transfer – Library Gift Fund – to pay invoices, to Staples, Inc. for supplies, in the amount of \$221.03.*

**MOTION:** Move that the Board of Selectmen vote, as Commissioners of the Library Gift Fund – (#1107), pursuant to MGL C44 § 53A, to approve the use of the funds in the Library Gift Fund (#1107) to pay \$221.03 for the attached invoices from Staples Credit Plan, Inc.

- E. *Approval of Regulatory Agreements for Winslow Farms Housing – Housing Specialist Michelle Jarusiewicz.*

**MOTION:** Move that the Board of Selectmen vote to authorize the execution of a Regulatory Agreement and Declaration of Restrictive Covenants for 44 – 48 Winslow Street for the provision of two community housing units.

- F. *Approval to execute a contract in the amount of \$151,394.83 with Jacobs Engineering Group, Inc. for the replacement of the Runway Lighting System (HIRLS) at the Provincetown Municipal Airport - Airport Commission and Airport Manager Butch Lisenby.*

**MOTION:** Move that the Board of Selectmen vote to execute a contract in the amount of \$151,394.83 with Jacobs Engineering for the Replacement of the Runway Lighting System (HIRLS) at Provincetown Municipal Airport.

- G. *Approval to execute a contract in the amount of \$335,284.00 with KOBO Utility Construction Corp. for the replacement of the Runway Lighting System (HIRLS) at the Provincetown Municipal Airport – Airport Commission and Airport Manager Butch Lisenby.*

**MOTION:** Move that the Board of Selectmen vote to execute a contract in the amount of \$335,284.00 with KOBO Utility Construction Corp. for the Replacement of the Runway Lighting System (HIRLS) at Provincetown Municipal Airport.

*H. Request for parking ban on Commercial Street between Johnson and Court Streets for the "First Light Provincetown" Event – Police Chief Jim Golden.*

**MOTION:** Move that the Board of Selectmen vote to ban parking on Commercial Street between Johnson Street and Court Street during the First Light Provincetown Event from 2:00 a.m. on Thursday, December 29, 2016, until 2:00 a.m. on Monday, January 2, 2017.

*I. Approval to accept a bequest from the estate of William Maynard to the Council on Aging in the amount of \$19,807.48.*

**MOTION:** Move that the Board of Selectmen vote to approve accepting a bequest from the estate of William Maynard to the Council on Aging in the amount of \$19,807.48.

*J. Approval to accept a bequest from the estate of William Maynard to the Recreation Department in the amount of \$19,800.98.*

**MOTION:** Move that the Board of Selectmen vote to approve accepting a bequest from the estate of William Maynard to the Recreation Department in the amount of \$19,800.98.

Without objection, the Board unanimously approved the Consent Agenda.

**1. Public Hearings: None.**

**2. Public Statements:**

Rik Ahlberg spoke on the renewal of PT Access Agreement. He is very impressed with the staff's friendliness, ability to educate and train. He has done videoing for PTV since last year and spoke very highly of them. He encouraged the Board to approve the agreement.

**3. Selectmen's Statements:**

Tom would like to take some of the 6% contribution we make to the county and focus it on housing. We get very little back from Barnstable County for the amount that we send them; we are just 1% of the population.

Robert would like to have a warrant article to change the Fire Chief's retirement age from 65 to possibly 67 or 68 years of age. Michael has been a dedicated employee for approximately 35 years and this would allow him to stay longer. We do not know what the Fire Dept. will look like down the road but for now he would like to have this changed.

**MOTION:** Move that the Board of Selectmen vote to enact a Home Rule Petition to excuse the 65 year old age limit for mandatory retirement for the position of Fire Chief and change it to either 67 or 68 years of age.

**Motion:** Robert Anthony

**Seconded:** Raphael Richter

Tom thinks it is a great discussion to have, but believes it is a little early to have this vote. He asked the Town Manager and staff to come back with a recommendation of what needs to be done. To have a Warrant Article feels a little too early right now.

Raphael asked to withdraw the motion and bring this item forward at a future meeting with the report from staff.

**Motion was withdrawn.**

Erik thanked the Town Planner, Planning Board, and Winslow Farms representatives for making affordable units. He also thanked the Estate of William Maynard for his bequests to the COA and Recreation Dept.

Raphael wished everyone a Happy Holiday season; Christmas, Chanukah, and Kwanzaa. The Town Meeting process has officially started so he asked everyone to please bring any thoughts and/or recommendations forward beforehand. This will help us have a successful Town Meeting.

**4. Joint meeting / Presentations:**

**A. Joint meeting with the Visitor Services Board (VSB) regarding follow-up discussion and possible approval of the Marketing Plan and Tourism Economic/Statistics Report:**

Radu stated that there are no major changes since the last meeting. They will have more information in January or February on the room and food tax receipts. He went over the PowerPoint with the Board noting such items as the ferry use increased by 28%; parking was flat; Herring Cove increased 6.5%, and Race Point remained flat at 1%. There were 87,000 people that took Whale Watches which generated approximately \$43,000 in revenue. There was

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a 5.3% growth in meals tax over 2015; 2015 saw an increase of 12.3% over 2014. Rooms tax revenue for 2016 was up 4.6% over 2015; 2015 was up 3.7% over 2014. Tourism is a \$200 million industry annually. Provincetown is one of the most expensive coastal towns in New England.

Erik believes that Nantucket is more expensive than Provincetown.

Tom congratulated them for the presentation on the data.

Marian gave a brief presentation of the Five-Year Plan and the VSB is recommending \$700,000 for FY2018. They will have one agency not two for marketing.

Tom recused himself and stepped out at 6:37 p.m. He is responsible for some of the fund raising.

Raphael complimented them on their work. He highlighted the need to get more funding for marketing tourism.

**MOTION: Move that the Board of Selectmen vote to approve the Visitor Services Board's recommended Five-Year Financial Plan for Tourism Fund Expenditures for FY2018-FY2022.**

**Motion: Raphael Richter**

**Seconded: Erik Yingling**

**3/0/0 (Tom Donegan-recused) Motion passed.**

Tom returned to the meeting at approximately 6:42 p.m.

VSJ adjourned at 6:43 p.m.

**B. Joint meeting with the Economic Development Committee to review the finalists for the Micro and Macro Grants:**

Tom recused himself and left the room at 6:43 p.m.

EDC called their meeting to order at 6:42 p.m.

First grant process ends on the December 31<sup>st</sup>. They presented the Micro/Macro grants to the Board.

Grants up to \$500 were not enough so they were increased them to \$1,000. Recommended awardees: Day of the Dead Performing Arts Festival \$1,000; Provincetown Dramatic Arts \$1,000; Smiley Productions \$1,000; Richard Christopher Patterson, Artist/Photographer \$1,000, and Wellfleet Fisheries, Inc. \$1,000.

**MOTION: Move that the Board of Selectmen vote to approve the slate of Micro Grants presented by the Economic Development Committee and award the amounts requested on the application, not to exceed more than \$1,000 per grant [as presented] [as revised].**

**Motion: Erik Yingling**

**Seconded: Robert Anthony**

**3/0/0 (Tom Donegan-recused) Motion passed.**

They had a selection committee of five individuals to help make the selections.

Steve Latasa-Nicks went over the Macro Grants. Six macros listed: Dana Demers \$4,000; The Creative Commons of Provincetown \$2,310; Urban Man Made \$3,200; Fine Arts Work Center \$2,500; Four Eleven Gallery, Inc. \$4,640, and The Friends of Provincetown Public Library \$2,500.

Raphael asked to have Creative Commons taken out and voted on the others.

**MOTION: Move that the Board of Selectmen vote to approve the slate of Macro Grants presented excluding Creative Commons by the Economic Development Committee and award the amounts requested on the application, not to exceed more than \$5,000 per grant, as revised.**

**Motion: Erik Yingling**

**Seconded: Robert Anthony**

**3/0/0 (Tom Donegan-recused) Motion passed**

Raphael wants to be careful about this grant and he is not prepared to vote on this tonight until we receive information from Town Counsel. The item will be brought back at a future meeting whenever we get information from Town Counsel regarding the grant for Creative Commons. Without objection this item was tabled for a future vote.

EDC adjourned at 6:58 p.m.

Tom returned to the meeting at 6:59 p.m.

**5. Appointments:**

**A. Board of Selectmen End of Year Re-appointments with terms to expire December 31, 2019.**

The Board reviewed the list of those wishing to be reappointed and voted.

**MOTION: Move that the Board of Selectmen vote to reappoint the following Board, Committee and Commission members, as noted in the attached list, to an additional three-year term to expire on December 31, 2019.**

**Motion:** Tom Donegan  
4/0/0 Motion passed.

**Seconded:** Erik Yingling

**B. Appoint Regina Cassidy as the Women Innkeepers' Representative to the Visitor Services Board with a term to expire June 30, 2019.**

Regina Cassidy appeared before the Board and has been involved with the Women Innkeepers' for about six years. She is very interested in serving on this Board on a personal level.

Erik is very happy to see her getting involved.

**MOTION:** Move that the Board of Selectmen vote to approve the appointment of Regina Cassidy, as the Women Innkeepers' Representative to the Visitor Services Board effective December 12, 2016 with her term to expire on June 30, 2019.

**Motion:** Erik Yingling  
4/0/0 Motion passed.

**Seconded:** Robert Anthony

**C. Appoint Maureen Travis as a member of the Board of Health with a term to expire on December 31, 2019.**

Maureen was a Licensed Psychologist for 30 years and is bored. She has a lot of time and wants to be involved.

**MOTION:** Move that the Board of Selectmen vote to approve the appointment of Maureen Travis as a Regular member to the Board of Health with a term to expire on December 31, 2019.

**Motion:** Erik Yingling  
4/0/0 Motion passed.

**Seconded:** Robert Anthony

Raphael called for a brief break at 7:04 p.m.  
Everyone returned to the meeting at 7:08 p.m.

**6. Requests:**

**A. Approve Town Manager's appointment of Laura Grandel to the position of Town Collector:**

David P. had a process to seek a new Town Collector and had a couple of outside candidates but Laura was the best choice. He appointed her Acting Town Collector and asked the Board to approve his appointment of Laura as the permanent Town Collector.

**MOTION:** Move that the Board of Selectmen approve the Town Manager's appointment of Laura Grandel as the Town Collector effective December 13, 2016.

**Motion:** Erik Yingling  
4/0/0 Motion passed.

**Seconded:** Robert Anthony

Tom asked if the Board could start receiving notices of town employees who are hired for positions in the future and David P. will make sure the Board receives them.

**B. Approval of Access Agreement between Provincetown Community Television and Town of Provincetown:**

**MOTION:** Move that the Board of Selectmen approve the Access Agreement between Provincetown Community Television and the Town of Provincetown as presented.

**Motion:** Tom Donegan

**Seconded:** Robert Anthony

Raphael asked to highlight the differences.

Amy gave a brief PowerPoint Presentation (See Addendum # 1). To date, PTV has had 242 reservations for use of field equipment and/or use of editing suites. Membership fees are in place of any rental fees; they do not charge for rental fees. They work with many non-profits. They have made several technical improvements; such as rewiring of their playback system; new processing equipment. They are getting ready for an HD conversation. They also expanded their location. They are live on Channel 18; they also have video on demand. They are increasing civic engagement throughout the town. They do not get viewership numbers from Comcast. They have 3700 average homes year round that subscribe to Comcast.

Raphael asked about the government programming; do they store it and who owns it.

Amy stated that the town owns it; video recordings are public and owned by the public. They have DVD copies and store it on tape.

Tom complimented them on how well they serve the community. They offer very good public service that makes a difference.

**4/0/0 Motion passed.**

**C. Update and discussion on the Community Resources Navigator Program Semi Annual Report:**

Morgan Clark, Forest Malatesta, Dikke Hansen gave brief presentations of the different facets within the Navigator program.

Dikke thanked the Board for providing the funding for this program. This has been very successful in the first six months.

Forest gave an overview of the program. There have been 36 clients enrolled in the program; and now an additional seven referrals have been received since November. The greatest areas of needs are within the Mental Health and Substance Abuse areas. Housing is also another issue people are dealing with. They have met with local clergy who have helped direct people to this program.

Dikke recognizes that each service organization has a specific area of expertise, but they are finding that some people are falling through the cracks as the service organizations do not talk with each other. This program has been able to start tying these organizations together and to meet with the organizations and creating what is known as wraparound services. They use an evidence-based matrix with 18 different domains with which to score them. If they score a 1 they are in crisis in an area and if a 5 they are self-sufficient. Approximately 85% demonstrated improvement after 3 months reflected by moving up the scale.

Forest stated that the primary focus of this work is developing relationships with people. It takes time to make these relationships and they have that time presently to offer those people in need and help them access resources in the area. They offer hours in the Library and at the Outer Cape Clinic and meet with people in their homes or sometimes at Far Lands. They work with whatever is comfortable and appropriate.

Tom congratulated them on the quality and detail of the report; it is very helpful. They are really making a difference in the community. The outcomes are very encouraging. He reminded everyone in 2013/2014 the Police Department cost \$60,000 in excess expenses to the force due to taking them to Gosnold or Taunton Hospital. Chief Golden is sending three officers to attend classes on intervention.

Raphael is impressive that it is moving so quickly and getting such positive results. He would ask to get a report semi-annually if possible from October through the office season and then one for the on season. If they see the opportunity he recommended they might bring this to other communities on the Cape. It would be great to show them the successes. Truro and Wellfleet might be interested in joining this program in the future.

**No action was taken.**

**D. Approval of proposed changes to the Board of Health Fees (Part VIII, Art 1 – Fee Schedule; Part VI, Art 5 – Solid Waste Fees) including eliminating the fee for residents to drop off bags of household trash at the transfer station, as determined at a Public Hearing on Thursday, December 1, 2016:**

Morgan stated that some people had brought this to the attention of the BOH and the Board talked with the DPW who supported changing the policy. There was a Public Hearing held.

Raphael asked about definition of resident.

David P. will send the Boards an email as to how they define resident.

**MOTION: Move that the Board of Selectmen vote to approve changes to Board of Health fees Part VI, Art. 5 – Solid Waste Fee Schedule, as presented.**

**Motion:** Tom Donegan

**Seconded:** Robert Anthony

**4/0/0 Motion passed.**

**E. Discussion on the process for declaring Provincetown a “Sanctuary Town”:**

David P. gave a brief overview of the memo presented to the Board.

Raphael would love to call Provincetown a Sanctuary City but, at the same time, he is concerned about moving forward due to the unknown economy and how the incoming administration will affect this. He recommended to the Board that it is premature and we should tread with caution.

Tom agrees but would like to have something in place such as sending a Resolution, with the school system's input, welcoming all children to the school system stating that no matter where you come from and who you are you are welcome. He would also like to consider having an open house on a weekend welcoming all citizens to Town.

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Robert agrees with David P. and Raphael. We should be talk with the parents and children letting them know that hate will not be accepted nor tolerated in Provincetown.

(See Addendum 2 – Email in support from Jackie Kelly)

**No action was taken.**

**F. Discussion and approval to appoint a member of the Board of Selectmen to the Year-Round Market Rate Rental Housing Trust:**

Raphael had spoken with the Board members and Tom wants to participate in the Trust.

**MOTION:** Move that the Board of Selectmen vote to approve the appointment of Tom Donegan as the Board of Selectmen’s Trustee to the Year-Round Market Rate Rental Housing Trust with a term to expire on the last day of BOS term in May of 2019.

**Motion:** Raphael Richter

**Seconded:** Robert Anthony

4/0/0 Motion passed.

After a brief discussion regarding the expiration date, the motion was amended.

**MOTION:** Move that the Board of Selectmen vote to approve the appointment of Tom Donegan as the Board of Selectmen’s Trustee to the Year-Round Market Rate Rental Housing Trust with a term to expire December 31, 2019, as revised.

**Motion:** Raphael Richter

**Seconded:** Robert Anthony

4/0/0 Motion passed.

**7. Town Manager / Assistant Town Manager:**

**A. Discussion of potential items for 2017 Spring Town Meeting Warrant.**

David P. presented the potential items for the 2017 Spring Town Meeting with initials of those individuals who will be presenting set out next to each item. He would like to see them shift from sitting down and talking through the Town Warrant to using the Town Forum model and PowerPoints. He asked the Board if there was anything else that needs to be added.

Tom would like to see a Bylaw around the Consent Agenda. There would need to be seven people before an item would be withdrawn from the Consent Agenda.

Raphael wants to have this conversation on Thursday at the Round Table on December 15<sup>th</sup>.

David P. will put an item on the list regarding consensus issues.

Raphael asked to look at the Charter as it refers to the Board of Selectmen and their election dates. If the Town Meeting and Election are considered to be moved he wants to make sure everything has been researched fully.

**No action was taken.**

**B. Town Manager’s Report – Administrative Updates.**

**i. Review Master Calendar update.**

David P. gave them the updated calendar and stated that this is always going to be a work in progress.

**ii. Review Department Budget Hearing Schedule.**

David P. presented the Budget Hearing Schedule (See Addendum 3 – updated version). He asked for any changes to be sent directly to him.

**iii. Follow-up of Town Forum Session One Results.**

David P. gave the Board the update of everything that was received at the Town Forums. He is looking at December or January for a Round Table to look at the Police Station. There will be an Inclusionary Bylaw educational forum in front of the Planning Board. In mid-March a full warrant review. On January 26<sup>th</sup> or 30<sup>th</sup> have an open session for drafting warrant articles. He would like to start using CivicPlus as an outreach tool.

The Board will email him their ideas and comments.

**iv. Other Town Manager updates and administrative matters.**

- Getting a new Finance Director is in the works.
- He is looking at the process regarding the CVC store.
- He is on track to have the budget to the Board next Monday.

**No action was taken.**

Raphael wanted to take 9C out of order.

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**MOTION: Move that the Board of Selectmen vote to take item 9C out of order.**

**Motion:** Raphael Richter

**Seconded:** Tom Donegan

4/0/0 Motion passed.

**C. Resolution in support of the Standing Rock Sioux Nation.**

Reverend Brenda Haywood appeared before the Board with Rick Kipler who has just returned from the Standing Rock Sioux Nation where he was helping them in their efforts to protect their water supply. She asked the Board's support of the Resolution.

Rick Kipler stated that since 2010 there have been 3,300 leaks from pipelines and only 300 are being addressed at this time. He reported on the military and police that were there and how he was shocked at the degree in the difference of how the indigenous and nonindigenous peoples were treated.

**MOTION: Move that the Board adopt the resolution in support of the Standing Rock Sioux Nation, as presented.**

**Motion:** Tom Donegan

**Seconded:** Erik Yingling

4/0/0 Motion passed.

Raphael read the Resolution.

**D. Others:** None.

**8. Minutes:** The Board reviewed the minutes.

**MOTION: Move that the Board of Selectmen approve the minutes of:**

**February 11, 2016 (Special) June 22, 2016 (Special) October 26, 2016 (Regular) November 14, 2016 (Special) November 14, 2016 (Regular) November 19, 2016 (Special) November 28, 2016 (Special) November 28, 2016 (Regular) November 29, 2016 (Special), as presented.**

**Motion:** Erik Yingling

**Seconded:** Robert Anthony

4/0/0 Motion passed.

**9. Closing Statements/Administrative Updates:** The Board read the letters.

A. Thank you letter to Allison Baldwin who resigned as the Women Innkeepers of Provincetown's Representative to the Visitor Services Board effective November 17, 2016.

B. Thank you letter to David McGlothlin, Jr. who resigned from the Historic District Commission effective October 1, 2016.

The Board voted to go into Executive Session at approximately 8:39 p.m.

**MOTION: Move that the Board of Selectmen vote to go into Executive Session pursuant to MGL c30A, Section 21(a), Clauses 1, 2, 3, 4, 5, 6, 7, & 8 for the purposes of:**

**Clauses 1, 2, 3, 4, 5, 6, 7, & 8** – To consider the approval and/or release of Executive Session Minutes for November 28, 2016.

**Clauses 1, 2, 3, 4, 5, 6, 7, & 8** – To consider the release of approved Executive Session Minutes for 2014, 2015 and 2016.

**Clause 2** – To conduct strategy sessions in preparation for negotiations with non-union personnel or to conduct collective bargaining sessions or contract negotiations with non-union personnel. (Finance Director)

and not to convene in open session thereafter.

**Motion:** Tom Donegan  
(Roll Call Vote)

**Seconded:** Erik Yingling

Raphael Richter: Yes

Erik Yingling: Yes

Tom Donegan: Yes

Robert Anthony: Yes

Yea: 4 Nay: 0 Motion passed

Without objection, the meeting was adjourned at 8:39 p.m.

The Board went into Executive Session at 8:40 p.m.

*Minutes transcribed by: Loretta Dougherty*

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(6B)

[Addendum # 1]

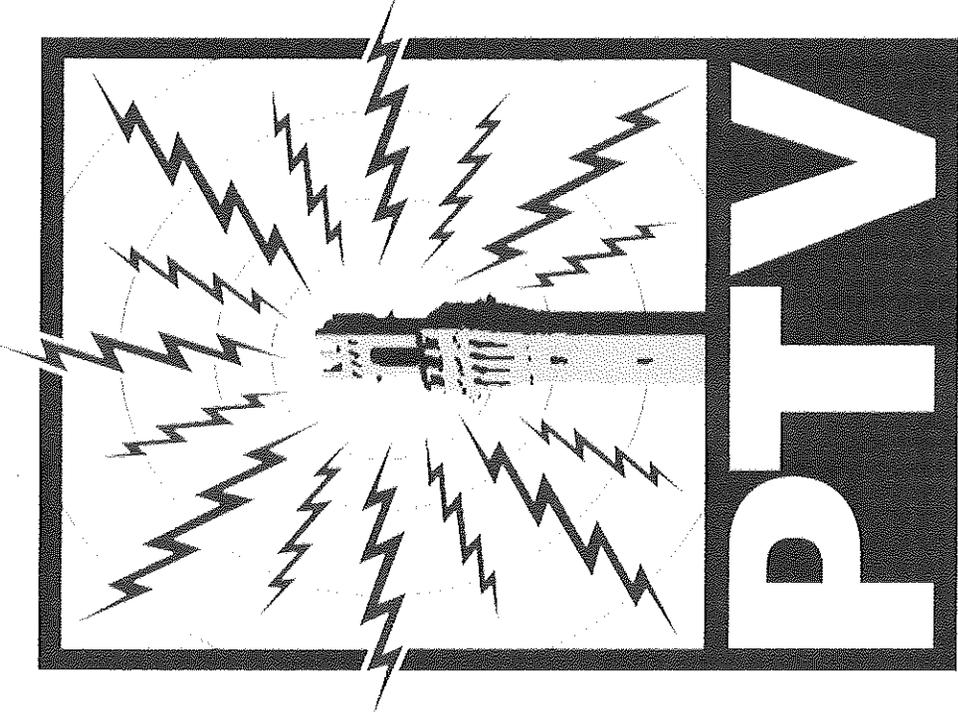
[Addendum 1]

(6B)

# Provincetown Community Television

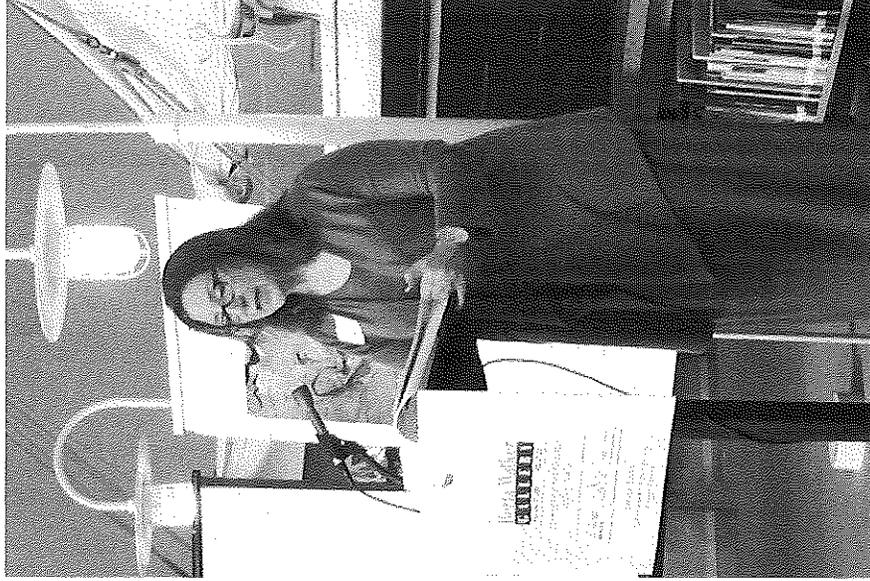
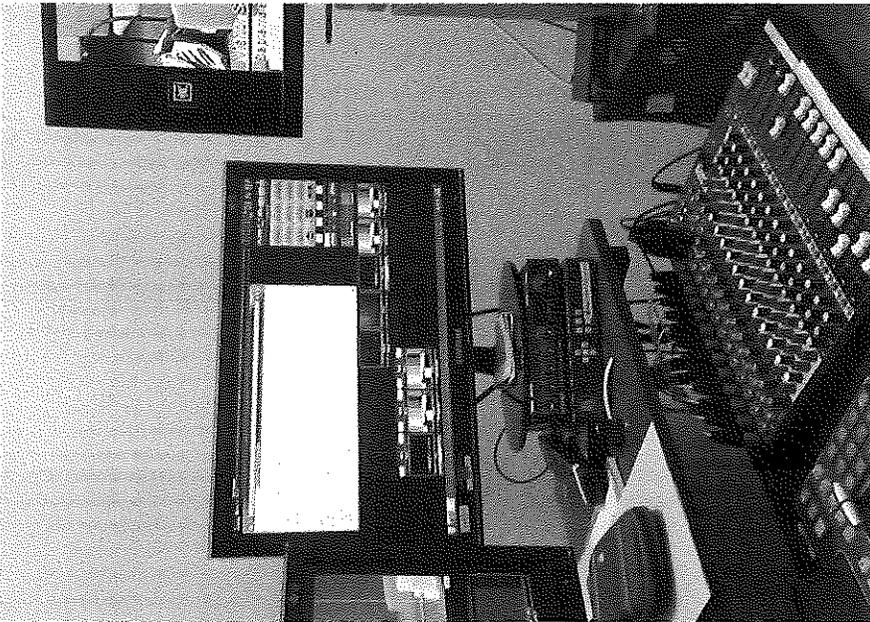
Government Channel 18  
Community Channel 99  
provincetowntv.org

Winner of the Best Small Community  
Media Center in the Northeast



DECEMBER 12, 2016 | AMY DAVIES

# PROVINCETOWN COMMUNITY TV



GOVERNMENT

PUBLIC

COMMUNITY

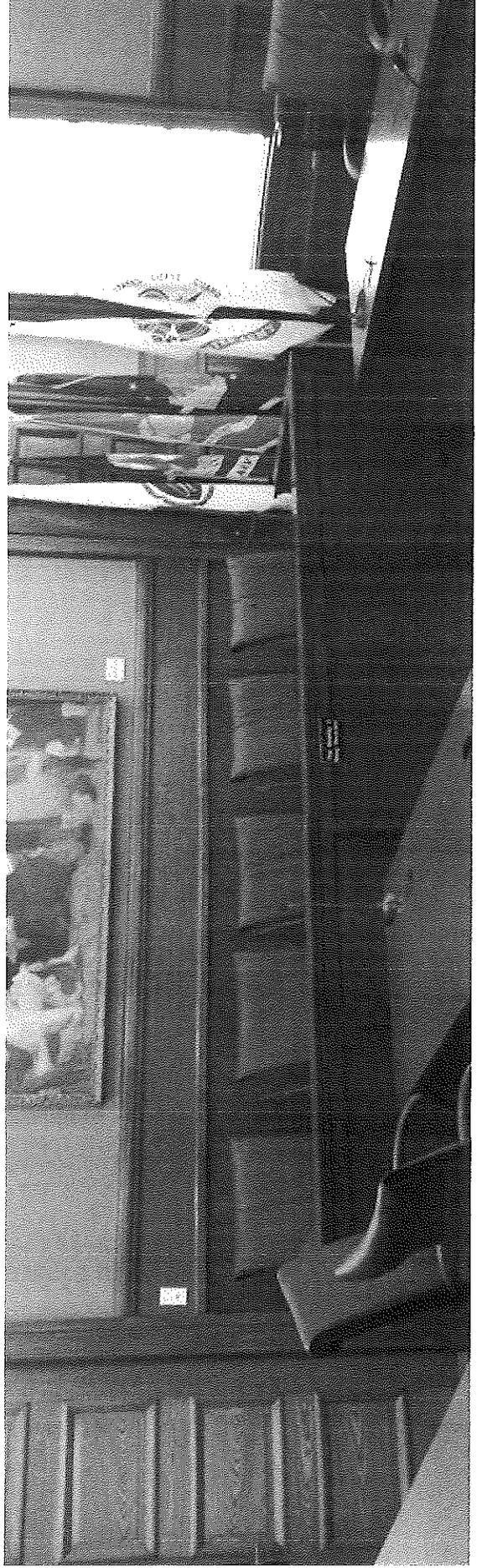
# PTV History

## **PROVINCETOWN COMMUNITY TELEVISION WAS INCORPORATED IN 2010.**

After many years of managing P.E.G. Access Comcast stopped hosting local stations. Towns had to develop a plan for P.E.G. stations. Provincetown decided to leave the Lower Cape access consortium and establish its own studio.

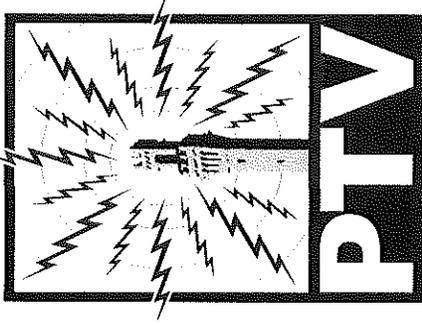
Since the founding PTV has:

- Added more media classes for residents
- Worked with many non-profits
- Added more meeting coverage





2016



Overall Excellence in  
Community Media Award  
from the  
Alliance for Community Media  
Northeast Region

Budget category under \$200,000

# Member Usages

## RUESHARE

In an effort to track equipment inventory, maintenance and usage PTV purchased the community media management software Rueshare.

2016 to date

Reservations: 242

Facility Reservations: 35

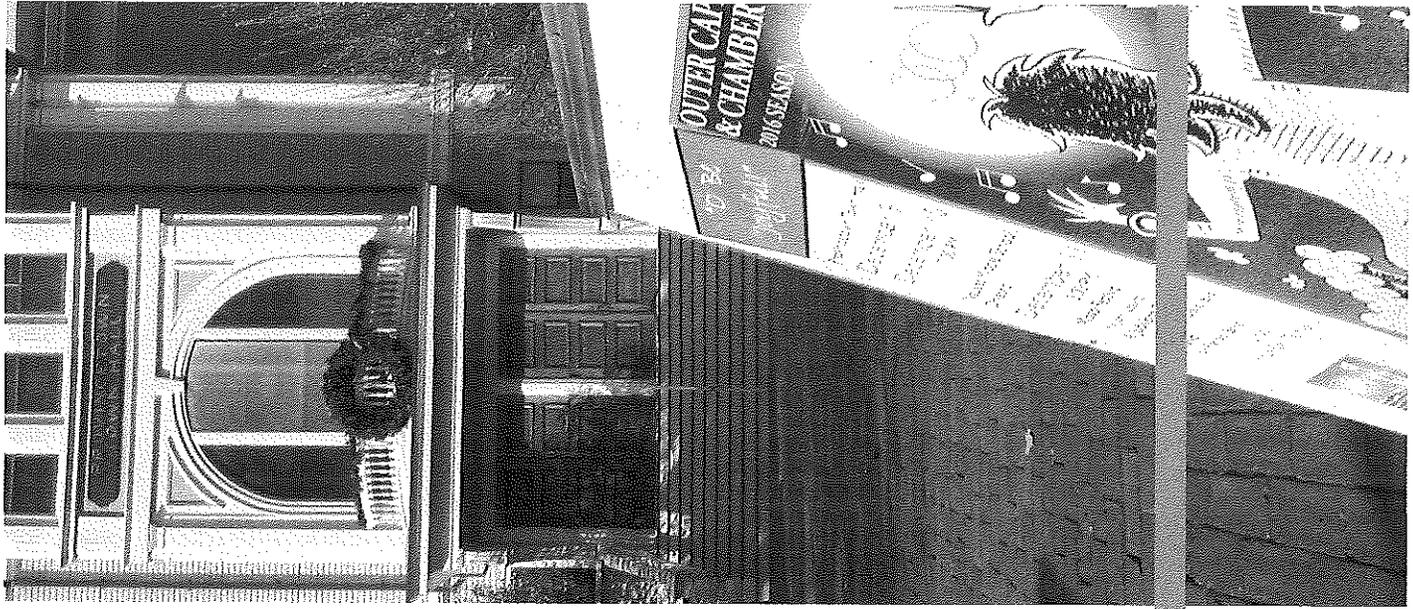
Total Daily Rental Value: \$31,940



# Community

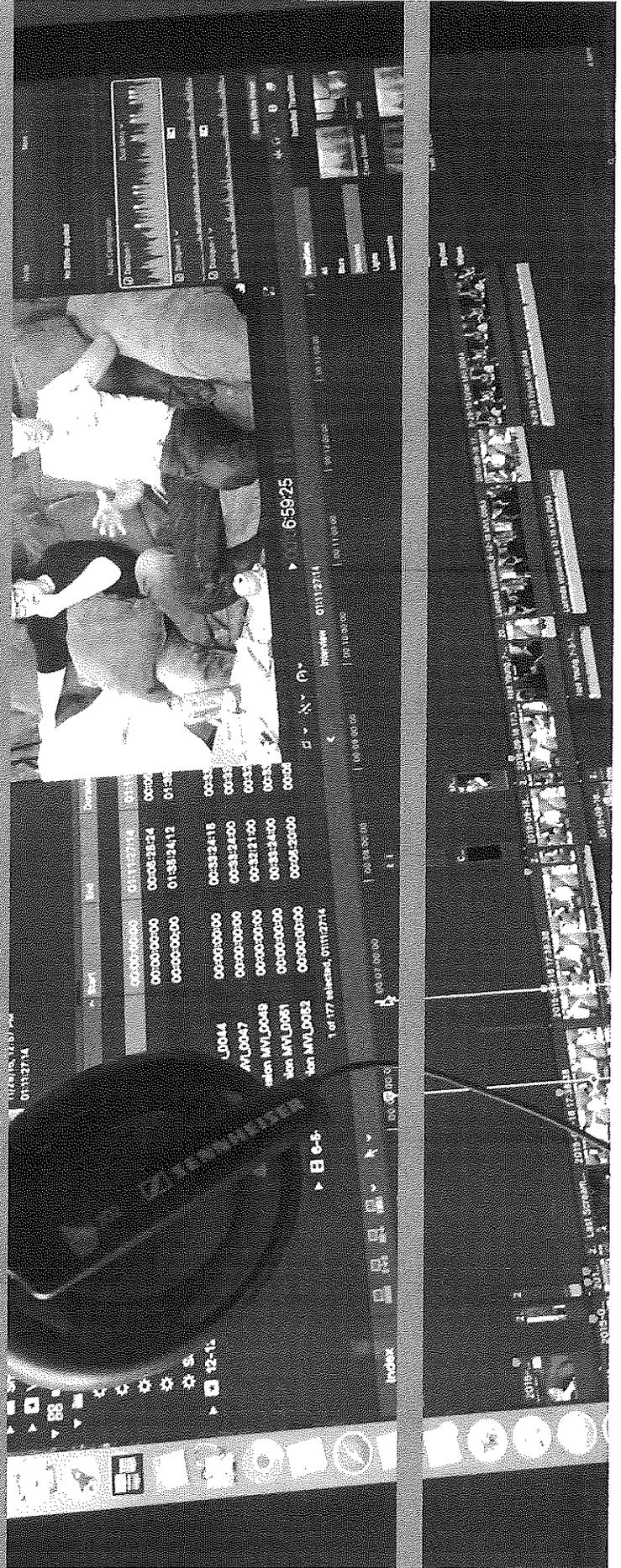
## **NON-PROFIT COLLABORATION**

- AIDS Support Group of Cape Cod
- Helping Our Women
- The Provincetown Community Compact
- PAAM
- Tennessee Williams Festival
- Center for Coastal Studies
- Provincetown Theater
- Provincetown Film Society/PIFF
- Fishing Partnership



# Technical Improvements

- Replaced the video switcher & cameras at Town Hall
- Rewired the playback rack
- Replaced the playback and electronic bulletin board system
- Replaced the PTV GOV processing computer
- Installed a complete studio with lights at the Commercial Street location
- Purchased new field equipment including cameras, microphones & tripods
- Upgraded the editing computers to the newest Final Cut Pro
- Redesigned website for visitors



# PTV GOV

## CHANNEL 18, LIVESTREAM, VIDEO-ON-DEMAND

- Maintain VOD archive of meetings
- Livestream meetings from Judge Welsh Room
- Produce special programming & PSA
- Increase programming for civic engagement



C. Davies

# Channel Views

## **AVERAGE OF 3,634 COMCAST SUBSCRIBERS FROM OCTOBER 2015 TO SEPTEMBER 2016**

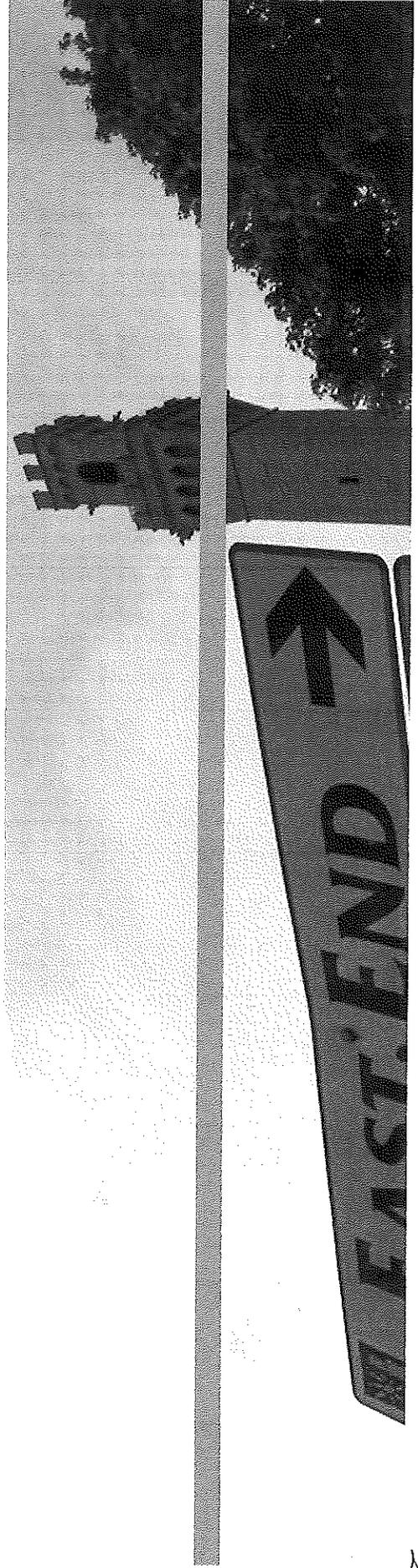
No data is provided by Comcast for the number of people watching our channels. When we talk to people we often ask if they watch our content on cable and many reply they are still watching on tradition televisions.

On Demand

Year to date - 128,814 Hits

Livestream

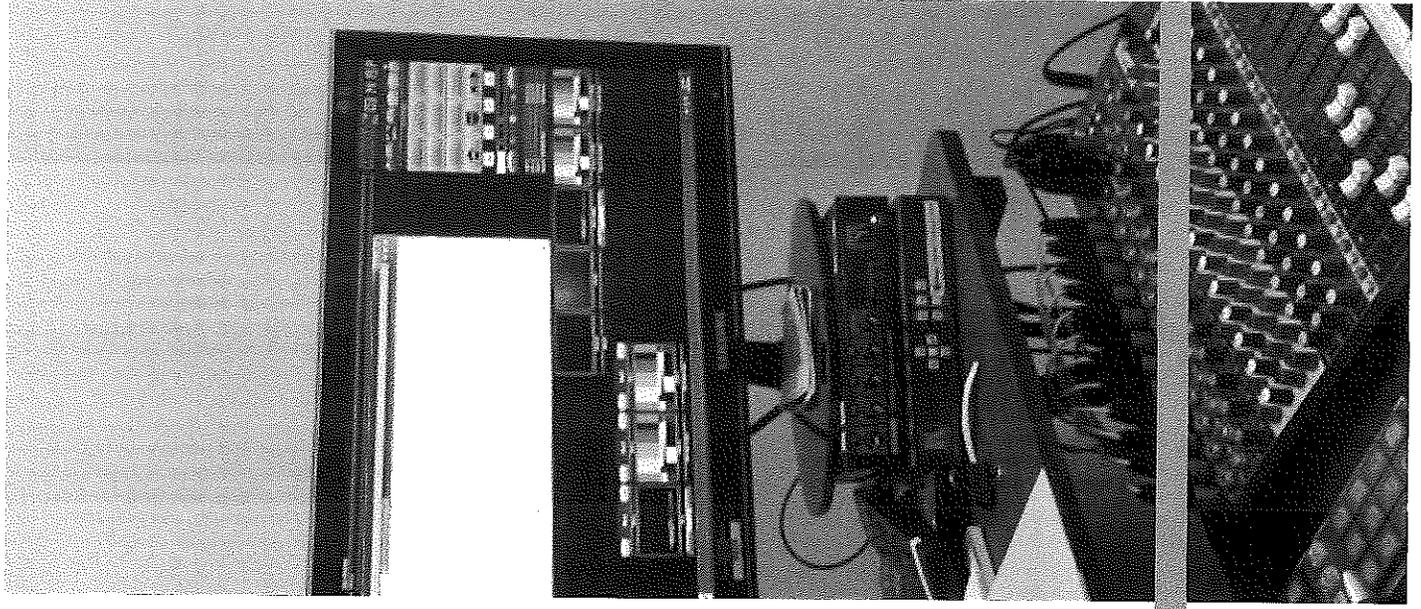
From December 10, 2015 to November 20, 2016 - 9,550 Views



# Government Meetings

## HOURS OF GOVERNMENT RECORDING 2011 TO 2015

	Board of Selectmen	Total Hours
2011	94	290
2012	98.5	307.5
2013	119	385
2014	121.5	349
2015	134.5	400



# Contact

Amy Davies, Executive Director - [amy@provincetowntv.org](mailto:amy@provincetowntv.org)  
Heather Reed, Public Access Director - [heather@provincetowntv.org](mailto:heather@provincetowntv.org)

508-487-0648

[provincetowntv.org](http://provincetowntv.org)

[Addendum #1]

6B

From  
Vera and Miranda Schrade  
85 East End Avenue  
New York, NY 10028

To  
Board of Selectmen  
Provincetown, MA 02657

Date  
12/2/16

Regarding  
Meeting on 12/12/16  
Contract Renewal  
Provincetown Community Television (PTV) with the town of Provincetown

TO WHOM IT MAY CONCERN:

*Dear Ladies and Gentlemen of the Board,*

*We love Provincetown Community Television (PTV) and the ladies running it! And we wish we could be there all year long to contribute and participate in the efforts of the station. We hope the contract between the Town of Provincetown and Provincetown Community Television will be renewed.*

*Amy Davies and Heather Reed create and foster a curiosity about life and living in Provincetown. Their dedication to the people of Provincetown and, equally, to their professional crafts makes both Heather and Amy the ultimate professionals for the job!*

*We met Amy Davies and Heather Reed in the Summer of 2015, and learned about the purpose of public TV access. We were delighted to hear about this set up. The outreach and inclusion of PTV was immediately tangible and had an amazing effect on us personally. My daughter, Miranda (then 12 years old and very interested in film making) was genuinely encouraged and supported by Heather and Amy. Amy and Heather took time to explain the technical tools, and created an amazing sense of intelligence, organization, deep knowledge about the art forms of photography and film, and investigative spirit in the arts, and above all- a generosity of the heart towards the fellow human being! Any questions Miranda and I had, Amy and Heather answered with patience and diligence.*

*Miranda then made two videos: one about Provincetown, and one about the pets in town. The pet movie was chosen to participate in the Pet-Film-Festival of that Summer. We also attended a workshop on "How to Conduct an Interview" given by a professional journalist. This was also useful and inspiring to us, and we were very grateful for this opportunity to enhance our knowledge of reportage. Miranda left Provincetown with confidence in her film making, and inspiration to return and report more.*

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[Addendum # 2]

6E

**Loretta Dougherty**

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**From:** jackiesaccount@gmail.com on behalf of Jackie Kelly <jackie@jackiekelly.org>  
**Sent:** Monday, December 12, 2016 4:46 PM  
**To:** Loretta Dougherty  
**Subject:** Provincetown as a Sanctuary Town

Please add my name to those who are in favor of declaring Provincetown a Sanctuary Town. We need to protect those among us who are vulnerable, as well as protecting our sense of who we are as a community.

Thank you, Jackie Kelly (resident since 1982).

**Town Manager**

# Memo

**To:** All Department Heads and Budget Managers  
**From:** Town Manager David Panagore  
**cc:** Board of Selectmen, Finance Committee, Assistant Town Manager David Gardner,  
**Date:** December 1, 2016  
**Re:** Board of Selectmen's Review of FY2018 Budget Requests

The Board of Selectmen will meet to review the FY2018 operating budget requests, which is posted on Town web site, on the following dates:

Tuesday, January 3, 2017 at 5:00 pm	<i>Division IV (Public Works)</i>
Wednesday, January 4, 2017 at 5:00 pm	<i>Division III (Public Safety)</i>
Tuesday, January 10, 2017 at 5:00 pm	<i>Division I, II and V (Govt, Services, Finance)</i>
Wednesday, January 11, 2017 at 5:00 pm	<i>Reserved for call-backs</i>

All meetings will take place in the Judge Welsh Hearing Room, Town Hall.

Please know the following budgets were reviewed on consent last year and have not been invited to attend at this time as there are no substantive changes:

<i>131 Finance Committee</i>	<i>265 Board of Health</i>
<i>157 Land Bank</i>	<i>294 Harbor Committee</i>
<i>181 Building Committee</i>	<i>296 Shellfish Constable</i>
<i>254 Licensing</i>	<i>432 Recycling and Renewable Energy</i>
<i>260 Conservation Commission</i>	<i>543 Veterans Services</i>
<i>261 Planning Board</i>	<i>545 Disability Commission</i>
<i>262 Zoning Board of Appeals</i>	<i>560 Bicycle Committee</i>
<i>263 Historical Commission</i>	<i>672 Art Commission</i>
<i>264 Historic District Commission</i>	<i>673 Cultural Council</i>

**Tuesday, January 3 at 5:00 p.m.** (Times are approximate)

**5:00 pm – Town Manager's Budget Message and Revenue Expenditure Overview**

**6:00 pm – Enterprise Funds – Director, Director of Operations and Water Superintendent**

- o 6001 Water Enterprise Fund
- o 6002 Wastewater Enterprise Fund
- o Enterprise Fund Capital Improvement Program

**7:30 pm – Public Works – Director, Deputy Director and Director of Operations**

- o 192 Buildings & Grounds
- o 421 Administration
- o 422 Highway
- o 423 DPW Snow & Ice
- o 431 DPW Solid Waste
- o 439 DPW Solid Waste Disposal
- o Public Works Capital Improvement Program

**Wednesday, January 4 at 5:00 p.m.** (Times are approximate)

**5:00 pm - Public Safety- Fire**

- 220 Fire – *Fire Chief*
- Fire Capital Improvement Program
- 231 Ambulance Service – *Treasurer, Lower Cape Ambulance*

**6:00 pm - Public Safety - General**

- 295 Marine – *Harbormaster*
- Pier Capital Improvement Program
- 250 Community Development Support – *Assistant Town Manager*
- 251 Building Department – *Building Commissioner*
- 252 Planning & Development – *Town Planner*
- 291 Emergency Management – *Chief of Police, Health Director*
- 253 Health Department – *Health Director*
- 255 Housing Office – *Housing Specialist*

**8:00 pm – Public Safety - Police**

- 210 Police – *Chief of Police*
- 299 Parking – *Chief of Police, Parking Administrator*
- Police and Parking Capital Improvement Program

**Tuesday, January 10 at 5:00 p.m.** (Times are approximate)

**5:00 pm - Public Services**

- 512 Human Services – *Director*
- 541 Council on Aging – *Director*
- 550 Animal Welfare Committee
- 610 Library – *Director*
- 630 Recreation – *Director*

**6:00 pm - General Government**

- 113 Elections & Town Meetings – *Town Clerk*
- 114 Charter Commission
- 161 Town Clerk – *Town Clerk*
- 123 Town Manager – *Town Manager*
- 151 Legal Services – *Town Manager*
- 156 General Government – *Town Manager*
- 182 Economic Development Committee – *Town Manager*
- 482 Airport Commission – *Airport Manager, Airport Commission*

**7:00 pm - Finance**

- 135 Town Accountant – *Director of Finance*
- 136 Information Systems – *MIS Director*
- MIS Capital Improvement Program
- 141 Board of Assessors – *Principal Assessor*
- 145 Treasurer/Collector – *Treasurer*
- 710 Debt Service – *Treasurer*
- 820 Tax Title – *Treasurer*
- 910 Retirement/Benefits/Insurance – *Finance Director*

**8:30 pm – Overall Capital Improvement Program and Funding**

**Wednesday, January 11 at 5:00 p.m. – Reserved for call-backs as needed**

**TOWN OF PROVINCETOWN - BOARD OF SELECTMEN  
MEETING MINUTES - SPECIAL MEETING  
THURSDAY – DECEMBER 15, 2016 – 10 a.m.  
JUDGE WELSH ROOM – 260 COMMERCIAL STREET**

**DRAFT**

Chairman Raphael Richter convened the open meeting at 10:02 a.m. noting the following attendees:  
Board of Selectmen members: Raphael Richter, Tom Donegan, Cheryl Andrews and Robert Anthony.

Late: Erik Yingling (joined the meeting at 10:05 a.m.)

Other attendees: Town Manager David Panagore, Housing Specialist Michelle Jarusiewicz, Town Moderator Mary-Jo Avellar, Town Clerk Doug Johnstone, and Executive Director of PTV Amy Davies.

Recorder: Loretta Dougherty

**1. Review and discussion (Round Table) – Civic Engagement & Town Meeting Preparations:**

David P. wanted to make sure that we started this process in the fall rather than the spring. The activities and ideas are set out in the packet on a Master Calendar. The FinCom's newsletter can also be incorporated with the Town Meeting times as laid out in the calendar to allow for only one document rather than two. He wants to have a Town Manager's meeting around Monday, December 19<sup>th</sup> at which time it can be determined how to better do online outreach. He is looking at utilizing the CivicPlus software to create a blog page for questions and a page where Town Meeting information can be found. We want to use our existing software without purchasing new software. He went over the Calendar regarding the January 11<sup>th</sup> Round Table re: Police Station/Civic Engagement; January 26<sup>th</sup> & January 30<sup>th</sup> to draft warrant articles. Staff will start crafting the presentations in early January; the scripts. This is a project in motion.

Mary-Jo heard from people at the Forum that they believe they are not getting the information they need and there is a lack of transparency. She disagrees with this. She spoke to the need of the *Banner* newspaper increasing their coverage of the issues in Town even though she is aware that there are financial constraints. She would like to see more information in the local press which is the best way to get information out in the community. She believes that the Town Meeting is the legislative branch of the government and we need to have conversations during this meeting. Nothing happens unless the people vote for it. The information is there; people just have to look for it.

Raphael has done a state-of-the-town address in the past and he could start doing this again and put it in the *Banner* as well as using social media. We need to deliver information in ways people are using.

Cheryl are two problems; how do we have a dialogue with people so we hear from them and then how do we get the information out which a one way deal. We need to use the new ways of communicating; the way we did it 15 years ago will now work well today. She is learning how to use the social media avenues. She wants to get the dialogue before we go to Town Meeting; the Round Tables and Forums are all about dialogue. People are hungry for a simple way to dialogue with us. She is very curious about using the CivicPlus software.

Erik agrees with everyone. He believes marketing the types of platforms we are using for information to be given to the people needs to be in the forefront. He suggested having sessions at other locations outside of Town Hall and keep them updated as to what is happening throughout the winter.

David P. believes that CivicPlus could be a living Town Meeting "Times". Maybe having a question of the day. It is a bit more work but if start early and continue to do updates then everyone will stay informed in "live" time. We will build it incrementally as we go along.

Robert believes that Town Meeting is issue oriented; those voters need to be educated about the whole Town Meeting Warrant. They need to be educated or they will continue to come only for their specific issues.

Mary-Jo recommended perhaps having the controversial issues spread out throughout the meeting; attendance could be kept up that way.

Raphael believes that the lack of information issue raised at the Forum was ranked very high as a need by the people in attendance. The identified platforms are unique and different and should be utilized. He would like to find consistent channels to use such as Facebook and the town website as well as continuing to respond to the live opportunities when meeting people on the streets or in the grocery store, etc.

David P. believes we are the victim of multiple platforms; there is no center repository. We can reorganize and use one avenue and keep building upon that.

Tom has been to many Town Forums for a number of years. People come to Town Meeting if they have made up their mind on an issue. If they love zoning they come in and they start texting for everyone to come in for that one issue and then they all leave. How do we engage people who do not come to Town Meeting?

Mary-Jo spoke about term limits on Boards and Committees; we lose people and there are no replacements. We need to look at this even though there may be no solution. She believes that people need to be serious about their government process. It is not a party it is a responsibility.

Cheryl knows that if we want to have an engaged population we have need to do things differently. Perhaps some types of entertainment will draw more people. People relate differently than we who are in government. Perhaps a more focused message can be developed letting them know what we are doing on each night.

Tom most people have no clear idea of what we are talking about. We need to make it understandable and accessible.

Amy Davies would like to produce short videos on each item. If short videos can be done to let people know what is happening in simple terms, they might be willing to participate for the entire Town Meeting.

Doug believes that PTV can be a great partner for technical issues. A lot of these issues could be put into a sound bite (2-4 minutes) on an issue. Short segments with major information is watched if done by issues.

Tom wants to see procedures put in place that would help to move the issues quicker.

Raphael reminded everyone that we would need an authorizing 2/3rds vote to do whatever path was decided upon in order to change Town Meeting. It is written in our Charter how Town Meeting is to be run. He wants to look at how we might use the Consent Agenda to help with this process. He wants to have discussions on setting the Articles for Town Meeting.

Erik understands the appeal of just pulling an article out of the hat for discussion, but believes it will be more confusing for the voters. He would like to see more articles put on the Consent Agenda that are already well understood so that the public does not think we are trying to get something by them; there is still a trust issue.

Doug does not recommend frontloading the Consent Agenda at this time. Pulling it out of the hat would lead to some excitement and added attention to the Article being voted on.

Cheryl does not like the Consent Agenda. She believes the people will not want to have numerous issues put forth without having conversations on issues.

Raphael asked for a short break at 11:01 a.m.

Meeting resumed at 11:05 a.m.

Raphael gave a brief overview of the calendar: January drafting of presentations and the Board will be looking at how they are going to present their message; CivicPlus will come on board in early January; in February we will get the polished message out by getting the pieces put together. We want to make sure that the opinion pieces are balanced (positive/negative). Staff will provide the information and facts and the opinions and advocacy process on the articles rests with the Board of Selectmen.

Tom recommended looking at the state government process that puts forth the issue and then there is the pros and cons listed on the side of the issue. He wanted to know who would write the con side.

David P. noted that the Secretary of State has neutrality when putting forth issues. We do not have a neutral arbiter. We can have it done by staff keeping it really short by just stating the facts.

Doug believes that anything we do as staff is perceived as biased.

A brief discussion was held concerning what the Round Table on January 11<sup>th</sup> should consist of. Cheryl wants to get the public involved now to get their feedback. Raphael wants to have just the Board and staff discuss what was discussed at the Forum concerning the Police Station. Tom wants to get together, come up with a plan and then inform the public. He worries that the "what" is less than important than the "why." The Town is less interested in a police station; we need to address the why.

David P. believes that as staff we have not had an opportunity to discuss with the Board what was done at the Forum. Staff wants to let the Board know what has been digested before going out to the public.

Tom would like to have a non-binding question on the Ballot to find out what the majority of the public would say regarding changing the Town Meeting dates.

Doug stated that if you change the date of Town Meeting then you have to look at when the election schedule happens. Look at changing the date of the election which can be any time; you would make it 35 days after the Town Meeting so a ballot question can be changed on the warrant for it to be voted on. For elections, you have to be physically present, but in June people can vote absentee ballots. Local elections do not allow early voting.

Erik wants to keep it in early April; people who work in service industries will not be able to attend if they are working during season. We will make it hard for working class people to come to Town Meeting. You will boast the attendance of certain classes. Cheryl agrees with Erik.

(See Addendum 1 – Email from Doug Cliggott)

**No action was taken.**

**2. Approval of Affordable Housing Restriction and Consent Assumption Agreement for property located at 26 Alden Street, Provincetown, MA 02657:**

Michelle gave a brief presentation stating that the original proposal had the developer partnered with the Community Development Partnership (CDP) that allowed them to acquire three one bedroom units for up to 80% AMI but priced at 65% AMI. After the construction, the title had some issues and the CDP was no longer interested in acquiring them. The Housing Authority was always interested: they were \$15,000/unit negotiated down to \$13,000/unit. However, a \$30,000 fee is being charged. Before the Board signs these agreements two changes will happen; one is an attachment which lists the rents will be filled in and a paragraph added to reflect the 80% AMI priced at 65% AMI.

David P. stated that the Town cleared the title by eminent domain.

Cheryl congratulated the Housing Authority and Michelle for all of their hard work.

Erik will support this even though it does not honor our original agreement. We gave them a discounted price for the units and now they want to be paid an additional fee for it.

**MOTION: Move that the Board of Selectmen vote pursuant to the authority granted by the vote taken under Article 4 of the April 4, 2011 Special Town Meeting, to consent to the sale of the three (3) units of affordable housing in the Grace Gouveia building to the Provincetown Housing Authority, and to accept from the Authority an affordable housing restriction on said property, ensuring the permanent affordability of the units, as presented for property located at 26 Alden Street, Provincetown, MA 02657.**

**Motion: Erik Yingling**

**Seconded: Robert Anthony**

Tom stated that this is bitter pill and we will learn our lesson from this and make sure that our documents are being read by our experts, in the future. Tom will vote no but if it does not pass he will ask for another vote to be taken. He wants to stick with the first deal.

David P. stated that we left a loop-hole and this will not happen in the future.

**4/1/0 (Nay: Tom Donegan) Motion passed.**

- 3. Others:** David P. wanted to introduce Josee Young to the Board before going into Executive Session. He could not have hoped for a better candidate as Josee Young who has been the town's auditor in the past. She also is familiar with MUNIS and is very well qualified. He wants to discuss

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contract/employment in Executive Session. Erik and Robert are happy she is here. Raphael is looking forward to working with her.

The Board voted to go into Executive Session at approximately 10:58 a.m.

**MOTION: Move that the Board of Selectmen vote to go into Executive Session pursuant to MGL c30A, Section 21(a), Clauses 1, 2, 3, 4, 5, 6, 7, & 8 for the purposes of:**

**Clause 2** – To conduct strategy sessions in preparation for negotiations with non-union personnel or to conduct collective bargaining sessions or contract negotiations with non-union personnel. (Finance Director) Votes may be taken.

**Clause 6** – To consider the purchase, exchange, lease or value of real estate, if the chair declares (chair declared) that an open meeting may have a detrimental effect on the negotiating position of the public body. (Harbor Hill's Condominium and Timeshare Resort) Votes may be taken.

and not to convene in open session thereafter.

**Motion: Tom Donegan  
(Roll Call Vote)**

**Seconded: Erik Yingling**

**Raphael Richter: Yes**

**Erik Yingling: Yes**

**Tom Donegan: Yes**

**Cheryl Andrews: Yes**

**Robert Anthony: Yes**

**Yea: 5 Nay: 0 Motion passed**

Without objection the meeting was adjourned at 10:59 a.m.

The Board went into Executive Session in the Town Manager's office at 12 p.m.

Minutes transcribed by: Loretta Dougherty

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[ Addendum 1 ]

[ 1 ]

**Loretta Dougherty**

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**From:** Doug Cliggott <dcliggott@gmail.com>  
**Sent:** Wednesday, December 14, 2016 9:12 PM  
**To:** Loretta Dougherty  
**Cc:** Raphael Richter; Tom Donegan  
**Subject:** Re: Emailing: 7B attach 2 Town Manager's Report.pdf

Hi Loretta -

Again, my apologies for not being able to make the meeting tomorrow ... I am not thrilled about getting to Boston for my 9 am meeting there :)

I would love to share a few of thoughts on the Housing Trust.

I think the Trust should purchase existing housing, primarily one and two bedroom apartments. I think the purchased units or apartments should be purposefully spread throughout the Town, so there is not a "concentrated area" of Town owned, middle-income housing.

I think the appropriate mix of "debt and equity {that is Trust funds}" to be used to purchase housing by the Trust should be arrived at by deciding what income range to focus on, and what share of income is appropriate for rent -- if the target income is say \$60,000 and the appropriate rent is 20% of pre-tax income, then the Town needs to find a way to rent a one bedroom apartment for \$12,000 a year and be "cash flow neutral" -- that is have the rent cover insurance, condo-fees, interest on the debt, etc. That will obviously limit how much debt can be used to purchase the housing.

I do not think the Trust should partner with private entities in it's purchase program, since the required profit that private partners would seek on their investment would inevitably raise the rent that will need to be charged tenants of the housing and keep each unit "cash flow neutral". Private, profit-seeking landlords is what has got us in this mess to begin with ...

I think the Town should consider selling the VFW property to private developers and putting the proceeds of the sale into the Housing Trust for use to purchase existing apartments.

Once a new police station is built, I think the Town should consider selling the existing police station to private developers and putting the the proceeds of the sale into the Housing Trust for use to purchase existing apartments.

On a more general note, I think a strong effort should be made to educate our citizens about how providing a meaningful amount of middle-income housing is a project that will require many, many millions of dollars. Its just plain math -- the value of residential real estate in Town is now about \$2.2 billion. Five percent of that is \$110 million. Ten percent of that is \$220 million. We can only get there fast as a community if middle-income housing becomes a PRIMARY focus of the Town's operating budget.

Hope the meeting goes well tomorrow!

Doug

**TOWN OF PROVINCETOWN - BOARD OF SELECTMEN  
MEETING MINUTES - SPECIAL MEETING  
MONDAY – DECEMBER 19, 2016 – 5:00 p.m.  
JUDGE WELSH ROOM – 260 COMMERCIAL STREET**

**DRAFT**

Chairman Raphael Richter convened the open meeting at 5:00 p.m. noting the following attendees: Board of Selectmen members: Raphael Richter, Erik Yingling Tom Donegan, Cheryl Andrews and Robert Anthony.

Other attendees: Town Manager David Panagore

Recorder: Loretta Dougherty

**1. Interviews and Appointments of Trustees to the Year-Round Market Rate Rental Housing Trust:**

There was a random order drawing for interviewing of applicants. There was a one year term; two two-year terms, and two three-year terms of which Tom Donegan is one of the three-year termers.

Erik drew **Louise Venden**.

Louise Venden has lived in Town for many years. She has served on a number of boards during that time. She is very interested in the housing problem. She has a year-round renter and realizes how important it is for the vitality of the community. She is committed to this cause and was on the Finance Committee when this Home Rule Petition went before the Legislature. She will give up her seat on the Finance Committee if selected as a Trustee.

Cheryl believes it will be critical that the Trustee not be on any other boards. She asked about conflicts of interest in this role and Louise does not see any at this time. She believes in keeping everything confidential and keeping that trust.

Robert stated that this is new road we are traveling down and is very exciting for the town. He asked her what she sees as a long-range plan down the road. What would she like to accomplish with this committee.

Louise hopes it will move forward to acquire properties and set up procedures for future acquisitions. It is a wide open piece of legislation and the 26 unit Harbor Hill properties that the Trust will be looking at is a very good piece of property to start with.

Erik asked if the Trust would raise taxes or assume debt to purchase properties.

Louise believes that it is possible; debt through Town Meeting and always brought before the Board. The Trust will have to leverage it and do it wisely and carefully. She is very pleased that Town Meeting has voted three times to put money into this Trust.

Erik asked if she has an active real estate license anywhere and she stated not at this time. She has an inactive license. Erik wanted to know why she wants to be a Trustee and she stated that it is her background. She has always been interested in housing.

Tom appreciates all she has done for the town. There is no current real estate or does not have any in the future. He asked if she was near any Town-owned properties as an abutter to any of them and she responded no.

Raphael asked her to recognize that the Board is the appointing authority and will work closely with the Trust.

Cheryl wanted to know if she wants a one, two or three year term and Louise would like to at least serve for two years.

Tom drew **Christopher Andrews**.

Christopher is a year-round resident and business owner since 2010. He was involved in real estate in the property management area previously in western Massachusetts.

Cheryl asked if he has any conflicts and he state no. He is not on any other town boards and has never been. His preference of term limits is not an issue.

Robert asked what he sees as the forward motion of the Trust. Chris wants to have a more year-round community.

Erik asked if the Trust should raise taxes and borrow. Chris stated that it would be necessary at some point in the future. Chris does not have an active real estate license. Erik asked him how he sees the Trust working over the next 5-10 years. Chris mentioned the Harbor Hill property and how he believes it would bring the year-round community back.

Tom asked him if he had any other business interests and Chris stated that he has no conflicts; no other property is owned by Chris.

Raphael asked what types of real estate experience he had in western Massachusetts. Chris had two real estate firms and 30 rental units, a laundry mat and two car washes. Chris is willing to work with the Board of Selectmen as the appointing authority.

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Cheryl asked if he had to explain to someone why it is important for Provincetown to do this what would he say. Chris has seen some of his peers leave because there were no rentals for them to rent year-round. It is important to have a year-round community.

Robert drew **Chris Mathieson**. Chris started on the Finance Committee earlier this year. His mom was a developer and he has been in real estate for a number of years. He no longer works in the field; he is focused on the service. He is concerned about not having a quorum for the Finance Committee. He has done billions of dollars in sales; marketing, management, and purchasing sides of the real estate business. He would be a benefit as a Trustee. He loves Provincetown and the town supported him when he was very ill and he wants to give back whether on the Finance Committee or as a Trustee.

Cheryl asked if he see any potential conflicts as a Trustee and he sees no conflicts of interest. He will resign from any boards/committees. Preference in term; he deferred to the Board for whatever is needed. She asked him to make case, in short way, as to why this is important and he believes all different types of people are needed in a community from all economic brackets. For happiness in life and to feel a sense of community we need year-round housing; we are at a tipping point and if we can make a change now we can turn it around in the right direction. If the town can acquire the Harbor Hill's property it will bring back a lot of people to our community year-round.

Robert asked what he sees as the benefits moving forward. Chris wants to bring everyone back into town; no longer part-timers versus year-rounders. Due to the Jobs Act you can now do funding on real estate projects. The community has a say on what is going on and can become invested in it. He would like everyone to be on the same page.

Erik asked him what he sees the role of the Trust over next five years. Chris stated that it will dictate how we will be moving forward if we get Harbor Hills. He cannot conceive what it will look like in five years. He has an inactive real estate license at this time.

Tom asked if he would be willing to resign as a Trustee, if he had an active real estate license. Chris is not an abutter to any of the properties the Trust is dealing with.

Raphael pointed out that he would be working with the Board and Chris understood.

Cheryl drew **Maria Murelli (not here this evening)** so she drew **Scott Caldwell**. He owns two condos in Town. He has been on two Boards; Zoning & Licensing. He moved here 15 years ago. Things have changed so much over the last 15 years and he wants to be a part of the solution in helping people with their year-round housing needs. He wants to start small and learn from the things we have done in the past. He wants us to think this through; we need year-round housing but we also need jobs. This position is going to be both a good and horrible place to be (Trustee), but he wants to be a part of it and knows the conflicts that might arise.

Cheryl asked if he sees any conflicts re: his business or through property he owns. He left the Zoning Board because most people do not have experience; different decisions for different properties. He is not on any boards. He would like a three year term. He sees the goal but does not see a plan as yet; he wants to take smaller steps.

Robert asked how what he sees moving forward. Scott has nothing to base this answer on except that he has read the legislation. Raising taxes or incurring more debt is the same answer. He wants to work with what we already have. It is better to have differing opinions so that perhaps meeting in the middle with a decision is the best.

Erik asked his perspective on funding. Scott is not a big fan of having bills floating around.

Erik asked about a real estate license and Scott has never been involved in real estate. Erik asked about the goals in the next five years and Scott does not know enough about what this Board can do yet; it is the very beginning. He will show up and he is a big fan of small properties; work with existing rentals (subsidizing their rent). He will work with the Board of Selectmen and Town Meeting.

Tom asked if Scott was an abutter and he answered that he is not. Tom stated that this is for community housing. Scott believes they are the same (affordable or community); it is your home. You are helping someone stay in a home.

Raphael asked if he could work with the Board of Selectmen as appointing authority and he said yes.

Erik drew **Mitch Yates (not here this evening)** so then he drew **Rob Anderson**.

Rob moved here six years ago and opened up a restaurant four years ago. They now have 60 employees. He was a chef and now is a community organizer; housing is a big part of that. This year they bought property to house their workers; two properties and a lot of tenants. He is a landlord to seasonal and year-round workers. He believes that good housing is about comfort, building a family, and having security. With the housing problem it is an issue of having a future in this town. He believes this Trust is a positive opportunity to break out of the negative cycle. He wants to bring a pragmatic and practical voice to the Trust. He wants to see that things are getting done. He grew up in Detroit and would not like to see the bad decisions and gridlocks that happened there happen here.

Cheryl asked about any conflicts of interest; properties that he owns. He sees no problem. He will resign from the Zoning Board, if appointed a Trustee. He has no preference about the term limit. Cheryl asked him how he would explain to someone why this Trust is important. He had an employee who had rental housing and then lost it and was living in her car and he became aware of the problem when she was having trouble with her work. He then started making sure that his employees had housing and were safe. You cannot have businesses flourish in Town if you don't have workers and people walking through the door. Housing is the first lynch pin in the larger equation.

Robert asked what he sees for the Trust looking down the road. Rob believes this Board/Town needs to understand exactly how many houses we want and need. We need to know how many houses we are aiming for and figure out who would be the right people to manage these houses. He sees a lot work that will need to be done in the first 3-5 years; ground work.

Erik asked him his thoughts on whether we should assume debt or raise taxes. Rob would like to raise money through donations and free cash. Some debt would need to be raised and he is comfortable doing that, if necessary. He has no active real estate license.

Tom asked him if he believes he would have any conflicts such as having to purchase any properties for his employees' housing. Rob stated no. Rob believes that communication is a problem and he hopes to be able to help with this. He was an editorial writer for the Boston Globe so he has that talent to offer.

Raphael asked if he would be able to work with the Board of Selectmen. Rob yes.

Robert drew **Gordon Siegel**. Gordon has been a licensed MA real estate broker for about 20 years and has experience in buying, selling, lease writing, long-term and short-term rentals. He has lived here since the 1990s and is aware of the situation. He has a BA in accounting and believes he would be a great fit due to real estate experience. He feels he would be a good fit.

Cheryl referred to big/small projects; debt versus raising taxes. Does he have any strong thoughts? He believes a Trustee will need to work with existing units in Town, the Board of Selectmen, and he thinks buying multi-units versus single units is the best way to proceed. How many properties does he own? He stated one address and three condos and he sees no conflicts of interest unless the town wants to buy his properties. He is not on any boards at present and has no preference as to a term limit. He believes we are coming from behind re: community housing. We need jobs/housing together. He believes in public/private partnerships. He believes we need this or more people will be leaving and there will be a shorter season for stores to be open.

Robert asked what he sees for the future working with this Trust. Gordon believes that negotiating the best deal so people can get into year-round housing is very important. He likes larger projects, but will work with whatever comes the Trust's way.

Erik asked his feelings regarding incurring debt or raising taxes. Gordon thinks this will become a part of the town. He believes any taxes/debt will be taken on, if necessary.

Tom was concerned about potential competition with the Trust and asked him if he thought this would be a problem. Gordon said no. We have to solve the housing problem to get more jobs.

Raphael asked if he would have a problem working with the Board of Selectmen as the appointing authority and Gordon stated he would not.

Raphael drew **Kevin Mooney**. Kevin and his wife have been year-round renters for two years and visitors for 20 years. He works for Cape Cod Five in Orleans, MA in IT Management. He believes this is a good opportunity to contribute to the town and feels passionate about this. He is a middle class family with means but no guarantee that his rental lease will remain the same from year-to-year. He is in the donut hole. They have good well-paying jobs but the inventory for secure housing is not here.

Cheryl stated that the Trust did state that it was preferable that we have a member who is a renter in market rate. She asked if he would have any conflicts of interest. Kevin stated that he is not a banker; there will be no conflicts. He is the Director of IT Management only. He has no preference with regards to a term limit. He wants to help advocate and educate the public and believes that this will make a positive difference in people's lives. It will also be an example to other towns on the cape.

Robert asked what he sees moving forward. Kevin believes that within a year to 18 months there should be some success stories; incrementally or in mass. It is important to think about the future; success stories and a solvent trust.

Erik asked about his thought on debt and/or raise taxes. Kevin thinks that there may be some form of secured debt re: mortgage. He wants the Trust to be solvent. He has no real estate license here or elsewhere.

Tom asked whether he has access to any information at the bank where bidders might believe he has proprietary information. He stated that he is not in any of the systems as he deals only with IT management issues.

Raphael asked if he would have a problem working with the Board of Selectmen as the appointing authority and he stated he would not.

HS

Interviews concluded and there was a brief recess at 6:31 p.m.

Back from recess at 6:34 p.m.

Tom and Raphael were pleased that so many showed up to interview.

The Board discussed their preferences and made the following motions.

**MOTION: Move that the Board of Selectmen appoint Rob Anderson as a Trustee to the Year-Round Market Rate Rental Housing Trust for a term to expire on December 31, 2018.**

**Motion: Erik Yingling**

**Seconded: Robert Anthony**

Erik likes him; he likes to get things done; is very personal, and brings a skill set. Cheryl agrees he is a hard worker.

**5/0/0 Motion passed.**

**MOTION: Move that the Board of Selectmen appoint Christopher Mathieson as a Trustee to the Year-Round Market Rate Rental Housing Trust for a term to expire on December 31, 2019.**

**Motion: Erik Yingling**

**Seconded: Robert Anthony**

Erik Chris brings real estate background and willing to do a lot of work.

**5/0/0 Motion passed.**

**MOTION: Move that the Board of Selectmen appoint Kevin Mooney as a Trustee to the Year-Round Market Rate Rental Housing Trust for a term to expire on December 31, 2017.**

**Motion: Cheryl Andrews**

**Seconded: Erik Yingling**

Erik likes that he is local renter.

**5/0/0 Motion passed.**

**MOTION: Move that the Board of Selectmen appoint Chris Andrews as a Trustee to the Year-Round Market Rate Rental Housing Trust for a term to expire on December 31, 2018.**

**Motion: Erik Yingling**

**Seconded: Tom Donegan**

Erik stated that he is a local renter. Erik wants to see Louise stay on the Finance Committee and does not want to lose her talents.

Tom appreciates his skill set. Chris is well qualified and has a great real estate background. Cheryl likes Gordon due to his broad understanding of the market.

Robert wants to see Louise become a Trustee as she has a lot of experience in her past real estate interests.

Raphael feels that Gordon would be a great choice and his experience and his time in town was very intriguing to him. Everyone who appeared this evening would be good but he would be inclined to support someone else for this fourth position. He would like Gordon or Louise but he does not want to see Finance Committee crippled by taking two of their members.

Erik's concern is that Gordon has an active broker's license and a conflict of interest may transpire.

Cheryl wanted to know if we should wait on this fifth appointment.

Raphael believes this would be okay, if needed. Raphael thinks Gordon is qualified; Chris A. has great experience and perception. He wants a well-balanced Board. If we cannot arrive at a 5/0/0 we can bring it back at the next meeting.

Tom would like to hear from Mitch and Maria we were not able to attend this evening as well. Raphael asked to put this as an agenda item on either the meeting of December 27<sup>th</sup> or January 3<sup>rd</sup>.

**1/3/0 (Nays: Robert Anthony, Cheryl Andrews, and Raphael Richter)(Abstained: Tom Donegan) Motion failed.**

**MOTION: Move that the Board of Selectmen take the remaining applicants and ask them to appear before the Board at the next logistically available meeting.**

**Motion: Raphael Richter**

**Seconded: Tom Donegan**

**5/0/0 Motion passed.**

## **2. Discussion and Vote on Final Macro Grant Application – Creative Commons:**

Raphael asked the Board to consider the grant request.

Tom feels that if you have to ask a lawyer three times how to do something you probably should not do it. The optics appear bad to the other bidders and the town.

Cheryl asked if this grant is location specific.

Raphael stated it is not. The member stated clearly that it was non-profit moving forward. We tabled it at the last meeting to get Town Counsel's opinion.

Tom believes that optics are important; we are held to a standard.

Raphael still struggles with this one but it is only a modest amount of funds. He feels that it was appropriate for the Economic Development Committee to bring it down from the \$5,000 to the current amount. He is comfortable supporting this.

Erik wants to go forward with this.

Raphael stated that Town Counsel has determined that there is a clear legal basis for taking a vote on it and this has no bearing on the solicitation before us.

Erik wanted to make sure he disclosed that he was on the scoring committee and that there was not conflict for him to vote.

David P. stated that scoring criteria does not have anything to do with this. Disclosure having been just stated would allow a vote.

Erik feels comfortable supporting this.

**MOTION: Move that the Board of Selectmen vote to approve the Macro Grant for The Creative Commons of Provincetown in the amount of \$2,310, as presented.**

**Motion:** Erik Yingling **Seconded:** Robert Anthony  
3/1/0 (Tom Donegan-Nay/Cheryl Andrews-Abstained) Motion passed.

**3. Minutes:** The Board reviewed the minutes and with one revision in minutes for December 13th by removing Cheryl Andrews as excused the minutes were passed as follows:

**MOTION: Move that the Board of Selectmen approve the minutes of September 20, 2016 (Special), as presented.**

**Motion:** Tom Donegan **Seconded:** Robert Anthony  
3/0/0 (Abstained: Raphael Richter & Cheryl Andrews) Motion passed.

**MOTION: Move that the Board of Selectmen approve the minutes of December 13, 2016 (Special), as revised.**

**Motion:** Tom Donegan **Seconded:** Erik Yingling  
5/0/0 Motion passed.

**MOTION: Move that the Board of Selectmen approve the minutes of December 14, 2016 (Special), as presented.**

**Motion:** Tom Donegan **Seconded:** Erik Yingling  
4/0/0 (Abstained: Cheryl Andrews) Motion passed.

**4. Others:** Raphael spoke about a preliminary scheduling for calling a Forum close to the meeting dates: January 18<sup>th</sup>, January 21<sup>th</sup> or February 4<sup>th</sup> and asked the Board to think about it to discuss at the next meeting.

Cheryl would like to see one Forum and not two.

Tom likes two Forums; the last two produced good results. Seashore Point and COA has also been very good in the past.

Without objection the meeting was adjourned at 7:36 p.m.

Minutes transcribed by: Loretta Dougherty

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**TOWN OF PROVINCETOWN - BOARD OF SELECTMEN  
MEETING MINUTES - SPECIAL MEETING  
Joint Meeting with the Provincetown Year Round Rental Trust  
MONDAY – DECEMBER 21, 2016 – 5:30 p.m.  
JUDGE WELSH ROOM – 260 COMMERCIAL STREET  
**DRAFT****

Chairman Raphael Richter convened the open meeting at 5:30 p.m. noting the following attendees: Board of Selectmen members: Raphael Richter, Tom Donegan, Cheryl Andrews and Robert Anthony.

Excused: Selectman Erik Yingling

Other attendees: Town Manager David Panagore and Asst. Town Manager David Gardner, Attorney Peter O'Connor, and Cinder McDerney.

Members of the Year Round Rental Trust Board of Trustees present: Chairman Tom Donegan, Rob Anderson, and Kevin Mooney. The YRRTBT was already in session.

Recorder: David Gardner

**1. Joint Meeting with the Year-Round Rental Trust Board of Trustees to hold a discussion of the goals, expectations, and strategy for the Year-Round Market Rate Rental Housing Trust:**

The Trust had their first meeting just prior to this meeting. Some of what was discussed was:

- the Trust was briefed by the Town Clerk on Open Meeting and Conflict of interest;
- elected Tom Donegan as Chair and Chris Mathieson as Vice Chair;
- discussed the operating model for how to move forward as a new board;
- talked about specific sites the town currently owns as well as potential sites, and
- an action item to define a mission statement at a future meeting.

Cheryl Andrews: Selectmen look forward to meeting and working with the trust. They should adjust their operating model for different types of projects. Town created a sewer system by creating a unique model, and the Trust should also be creative and not feel confined by a particular model.

Robert Anthony: Trust was a vision that came to fruition. There are exciting challenges ahead. The Selectmen are here to support the Trust.

Raphael Richter: The Trust has a challenge which may get tough. Members should not take things personally. The Trust should create a diverse portfolio in Town. Trust is beneficial because it can take on projects that the Selectmen cannot. Harbor Hill project

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may be unique because it will have a debt component. Trust should also look at returning existing condo units to the rental market.

Rob Anderson: the Trust is also seeking advice as to what the mission of the trust should be.

Cheryl Andrews: Mission can be developed over time. We focus on the opportunity before us, but ultimately the goal is to achieve as many units at the lowest price. That is how the Trust will be ultimately judged. The more people we can help the better.

Raphael Richter: The trust should establish a goal setting process similar to the Selectmen.

Cheryl Andrews: We have been through so many studies as to what the housing need is. The situation is fluid and things change rapidly. Try something and if it doesn't work then try something else. We will never have enough units; we don't need to study it any further. There is also discussion that jobs are needed first, but we know that.

Rob Anderson: The Selectmen have failed on past housing initiatives, what have the Selectmen learned that we can benefit from.

Raphael Richter: Winslow project: we should have engaged the neighborhood sooner or better, although we are not sure it would have altered the outcome. The Selectmen had authorization to dispose of the Grace Gouveia and Community Center, but when the time came, we were criticized for selling our assets.

David P: The second time we tried Winslow, we did meet several times with the neighbors, and it did not change the outcome. The bottom line was they did not want the density.

Cheryl Andrews: We have never taken a market rate rental project to town meeting. We have only done affordable projects to date. Market rate rental may have a different outcome at town meeting. Thus far the feedback I am getting is positive for the market rate units.

Raphael Richter: There needs to be more education with the community on the difference between affordable and market rate units. We should not just use the terms affordable for everything. We need to be getting the message out.

Robert Anthony: Transparency, education and having it make sense to the voters. We need to put all three elements together to be successful with voters.

Tom Donegan: Town meeting is a particular form of governance. There is a small percent of voter turn-out and you have to often achieve a two-thirds vote from the ones who show up. We need to convince the ones who regularly attend, but we also need a broad based approach to get new people to attend town meeting. There is a fatigue in town about affordable housing. The Tenant selection process for these units needs to be the most transparent.

2. **MOTION:** Move that the Board of Selectmen vote to go into Joint Executive Session with the Year-Round Rental Housing Trust Board of Trustees pursuant to MGL c30A, Section 21(a), Clause 6 for the purpose of:

**Clause 6** – To consider the purchase, exchange, lease or value of real estate, if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body. (Real Estate-Harbor Hill in Provincetown) Votes may be taken. and not to convene in open session thereafter.

**Motion:** Cheryl Andrews

**Seconded:** Robert Anthony

**Roll Call Vote:**

Raphael Richter: Yes

Tom Donegan: Yes

Cheryl Andrews: Yes

Robert Anthony: Yes

Yea: 4 Nay: 0 Motion passed.

**MOTION:** Move that the Year-Round Rental Housing Trust Board of Trustees vote to go into Joint Executive Session with the Board of Selectmen pursuant to MGL c30A, Section 21(a), Clause 6 for the purpose of:

**Clause 6** – To consider the purchase, exchange, lease or value of real estate, if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body. (Real Estate-Harbor Hill in Provincetown) Votes may be taken. and not to convene in open session thereafter.

**Motion:** Tom Donegan

**Seconded:** Kevin Mooney

**Roll Call Vote:**

Tom Donegan: Yes

Rob Anderson: Yes

Kevin Mooney: Yes

Yea: 3 Nay: 0 Motion passed.

3. **Others:** None.

Both Boards adjourned the open session at 6:07 pm.

The Board went into Executive Session at approximately 6:08 p.m.

*Minutes transcribed by: Loretta Dougherty*

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**TOWN OF PROVINCETOWN - BOARD OF SELECTMEN  
MEETING MINUTES - SPECIAL MEETING  
TUESDAY – DECEMBER 27, 2016 – 5:00 p.m.  
JUDGE WELSH ROOM – 260 COMMERCIAL STREET**

**DRAFT**

Chairman Raphael Richter convened the open meeting at 5:01 p.m. noting the following attendees:  
Board of Selectmen members: Raphael Richter, Erik Yingling, Tom Donegan, Cheryl Andrews and Robert Anthony.

Other attendees: Town Manager David Panagore

Recorder: Loretta Dougherty

**1. Interviews and Appointments of Trustees to the Year-Round Market Rate Rental Housing Trust:**

Raphael invited Mitch Yates to speak to the Board for consideration of becoming a Trustee. Mitch has been coming here for 30 years in the summer and has been here for 20 years permanently. He has operated a business called Yates and Candy for 8 years now. He won the lottery for a home many years ago. He went to the Forum in November and was very impressed with the Town Planner's presentation and has become interested in getting involved in helping find a way to provide year-round housing.

Cheryl asked if he has any conflicts of interest to his knowledge. He does not. He is not in the real estate business nor does he believe he will ever be in it. Cheryl asked him to explain why it he believes the Trust is important should he be asked by anyone. He believes that people who are living here do not have any security, if they are renting. He has friends who want to come back to town but he has to tell them it is still impossible to get rentals in Town. He remembers that 20 years ago it was a year-round community and he has watched it go down year after year. Cheryl asked what skills he will be bringing to the Trust. He stated that he has been here so long and knows many people who are still living here. Being a local and invested in the town and knowing the struggles give him better understanding of what needs to be done.

Robert asked him if he owns any rents. Mitch stated that he now owns; after four times being on the lottery. Robert asked him what he would like to see this committee achieve. Mitch stated that the town owns a lot of properties that could be developed for affordable and/or community housing. He wants to see something concrete happen.

Erik asked him his opinion on raising taxes or acquiring debt on behalf of the Trust. Mitch stated that debt is not necessarily a bad thing. He does believe there are different ways of doing things and there are many avenues to be considered.

Tom asked about his living so close to Harbor Hill and would he have any financial interest in what might happen with the Harbor Hill property. Mitch stated he does not have any problem or financial interest and does not see any in the future. As this Trust succeeds, Tom asked him what the economic advantages would be to the town. Mitch stated that he knows some professionals such as his dentist who travels over an hour to get to town and if he could find a rental he would move to town which in turn would affect the economy in town.

Raphael asked if he would be willing to work with the Board and Mitch stated he would.

Mitch disclosed that he is here full-time for 9 months and then he goes to trade shows and visits relatives so he is here on and off during the other months. April-January he is here. He wanted to let the Board know up front.

Erik stated that it could be done remotely if the Trust needed a quorum.

Raphael stated that Christopher Andrews, Gordon Siegel and Mitch Yates are the three remaining candidates to be considered and wanted to know if the Board was ready to vote. (See Addendum 1 for

withdrawals from Scott Caldwell and Maria Murelli). He also would like to have an agenda item to discuss a potential alternate Trustee position for the Trust.

Cheryl wants to watch the interviews again from the last meeting before she makes a decision but if the Board has strong views she is open to voting.

Erik he is torn between Chris Andrews and Mitch Yates.

Robert liked Mitch's presentation but is concerned about his time away and this being a new Board. He wants to look at the interview again of Chris Andrews.

Tom believes Mitch gave a good interview and has a good understanding of what we need. He wants to make sure that he can participate on the Harbor Hill matter. Tom asked the Assessor who are the abutters and Mitch is a distant abutter according to the records.

David P. will check on the footage re: abutters.

Erik believes that a Disclosure would suffice in Mitch's instance. He wants to get going on this and take a vote.

Raphael is not concerned about the conflict; but he does have a concern about Mitch not being available year-round. Chris indicated that he will be here year-round and does not go away. He will vote if at least four of the Board members would be willing to take a vote. He believes that Chris and Mitch are the top qualified candidates and given the difference in availability, he would go with Chris at this point.

Erik agrees with Raphael and that Chris would be the best choice due to availability.

Robert and Cheryl want to wait. Raphael asked this item to be put on the January 3<sup>rd</sup> agenda.

**No action was taken.**

Robert Anthony recused himself from discussion of the Harbor Hill property due to his working for a real estate company. He wants to make sure that there is no perception of wrong doing.

The Board voted to go into Executive Session at approximately 5:39 p.m.

**2. MOTION: Move that the Board of Selectmen vote to go into Joint Executive Session with the Year-Round Rental Housing Trust Board of Trustees and members of the Finance Committee pursuant to MGL c30A, Section 21(a), Clause 6 for the purpose of:**

**Clause 6** – To consider the purchase, exchange, lease or value of real estate, if the chair declares (chair declared) that an open meeting may have a detrimental effect on the negotiating position of the public body. (Real Estate-Harbor Hill in Provincetown) and not to convene in open session thereafter.

**Motion: Tom Donegan  
(Roll Call Vote)**

**Seconded: Cheryl Andrews**

**Raphael Richter: Yes**

**Erik Yingling: Yes**

**Tom Donegan: Yes**

**Cheryl Andrews: Yes**

**Yea: 4 Nay: 0 (Recused: Robert Anthony) Motion passed.**

The Board went into Executive Session at approximately 5:40 p.m.

**Tom stated that the Board of Trustees had already voted to go into Executive Session and is still in session.**

**3. Others: None.**

Without objection the open meeting was adjourned at 5:40 p.m.

*Minutes transcribed by: Loretta Dougherty*

[Addendum 1]

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**Loretta Dougherty**

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**From:** scott caldwell <scottieboy61@hotmail.com>  
**Sent:** Tuesday, December 27, 2016 10:51 AM  
**To:** Loretta Dougherty  
**Subject:** Re: BOS Meeting tonight

Hello,  
Please remove my name from the list. I thank you for your help.  
Scott Caldwell

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**From:** Loretta Dougherty <[ldougherty@provincetown-ma.gov](mailto:ldougherty@provincetown-ma.gov)>  
**Sent:** Tuesday, December 27, 2016 10:27 AM  
**To:** [candrews1125@gmail.com](mailto:candrews1125@gmail.com); [scottieboy61@hotmail.com](mailto:scottieboy61@hotmail.com); [gojs@live.com](mailto:gojs@live.com)  
**Subject:** BOS Meeting tonight

All,

Just a reminder that your names are still on the list for appointment to the Board of Trustees to the Year-Round Market Rate Rental Housing Trust. Two other applicants are to be interviewed tonight and then the Board will make their final decision of who to appoint. Since you have already been interviewed you do not have to be present for this meeting but are more than welcomed to attend if you like. - Loretta

*Loretta Dougherty*

*Secretary to the Board of Selectmen*

*Town Hall*

*260 Commercial Street*

*Provincetown, MA 02657*

*508.487.7003 (Direct)*

*508.487.9560 (Fax)*

[ldougherty@provincetown-ma.gov](mailto:ldougherty@provincetown-ma.gov)

[selectmen@provincetown-ma.gov](mailto:selectmen@provincetown-ma.gov)

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**Loretta Dougherty**

[Addendum 1]



**From:** Maria Marelli <Lbugg7@aol.com>  
**Sent:** Tuesday, December 27, 2016 3:18 PM  
**To:** Loretta Dougherty  
**Subject:** Re: BOS Meeting tonight at 5 p.m.

Hi Loretta and Board of Selectmen..I am going to unfortunately rescind my application for the Housing Trust, I think it will be an important board and at this time I just don't think my schedule will allow me to give my all to it, I do think you have great members already and I will continue to stay informed and supportive..Thank you for all you do..Maria Marelli

Sent from my iPad

On Dec 27, 2016, at 10:34 AM, Loretta Dougherty <[ldougherty@provincetown-ma.gov](mailto:ldougherty@provincetown-ma.gov)> wrote:

Good morning.

Just a reminder to be at the Board of Selectmen's meeting today at 5:00 p.m. to be interviewed for consideration of appointment as a Trustee to the Year-Round Market Rate Rental Housing Trust. Thank you. - Loretta

*Loretta Dougherty*  
*Secretary to the Board of Selectmen*

*Town Hall*  
*260 Commercial Street*  
*Provincetown, MA 02657*

*508.487.7003 (Direct)*  
*508.487.9560 (Fax)*  
*[ldougherty@provincetown-ma.gov](mailto:ldougherty@provincetown-ma.gov)*  
*[selectmen@provincetown-ma.gov](mailto:selectmen@provincetown-ma.gov)*

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<image003.jpg>

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Provincetown Board of Selectmen

**AGENDA ACTION REQUEST**

Thursday, December 29, 2016

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**EXECUTIVE SESSION MOTION**

MGL c30A, Sec. 21(a), Clause 6

Requested by: Town Manager David B. Panagore

Action Sought: Discussion

Proposed Motion(s)

**MOVE that the Board of Selectmen vote to go into Joint Executive Session with the Year-Round Rental Housing Trust Board of Trustees pursuant to MGL c30A, Section 21(a), Clause 6 for the purpose of:**

**Clause 6** – To consider the purchase, exchange, lease or value of real estate, if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body. (Real Estate-Harbor Hill in Provincetown) Votes may be taken.

and not to convene in open session thereafter.

**Roll Call Vote:**

**Raphael Richter:**

**Erik Yingling:**

**Tom Donegan:**

**Cheryl Andrews:**

**Robert Anthony:**

Additional Information

**Board Action**

<i>Motion</i>	<i>Second</i>	<i>Yea</i>	<i>Nay</i>	<i>Abstain</i>	<i>Disposition</i>



Provincetown Board of Selectmen  
**AGENDA ACTION REQUEST**  
Thursday, December 29, 2016

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## OTHER

Requested by: Town Manager David B. Panagore

Action Sought: Discussion

Proposed Motion(s)

**Discussion Dependent – votes may be taken.**

Additional Information

Board Action

<i>Motion</i>	<i>Second</i>	<i>Yea</i>	<i>Nay</i>	<i>Abstain</i>	<i>Disposition</i>