

**TOWN OF PROVINCETOWN – SELECT BOARD  
MEETING MINUTES – REGULAR MEETING  
AUGUST 12, 2019, 6:00 PM  
TOWN HALL – JUDGE WELSH ROOM**

Chair Abramson convened the open meeting at 6:00 pm noting the following:

Select Board attending: Chair David Abramson, Vice Chair Robert Anthony, Members John Golden, Lise King and Louise Venden

Excused:

Other attendees: Acting Town Manager David Gardner and Select Board Secretary Elizabeth Paine

Recorder: Elizabeth Paine

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

- A. *Treasurer’s Transfer – approve transfer \$2,500.00 to the Beautification Gift Fund in lieu of a refund to Cape Air as the intended purpose of the Auditorium Lights and Sound Gift Fund cannot be achieved as originally intended.*
- B. *Treasurer’s Transfer – approve refund \$2,000.00 to Shawn Nightingale as the intended purpose of the Auditorium Lights and Sound Gift Fund cannot be achieved as originally intended.*
- C. *Treasurer’s Transfer - close the gift fund and return all interest earnings to the general fund, as the intended purpose of the Auditorium Lights and Sound Gift Fund cannot be achieved as originally intended.*
- D. *Treasurer’s Transfer – authorize the Town to issue bonds or notes for the purpose of refunding all or any portion of its bonds or notes that are outstanding in order to reduce interest costs on outstanding debt.*
- E. *Treasurer’s Transfer - approve the use of gifted funds to pay the following scholarship to a student who has completed the necessary requirements related to an award made in Spring 2018: \$5,000.00 to Sage McCormick.*
- F. *Treasurer’s Transfer approve the use of gifted funds to pay \$115.00 to Cape Associates, Inc. for services provided related to the public water fountain outside of Town Hall.*
- G. *Approve the Public Landscape Committee’s recommendations and approve the dedication of a Town Hall bench to Ann Maguire.*
- H. *Suicide Prevention Proclamation - Proclaim the week of September 8-14, 2019 as Suicide Prevention Awareness Week.*
- I. *Discharge 43 Race Pt Road: Hoffman [Down Payment Assistance]*
- J. *Discharge mortgage for 8 Hensche Lane: White [deed-restricted property as part of resale]*
- K. *Appoint Russell Dutra as an alternate member to the Animal Welfare Committee with a term to expire on June 30, 2021*
- L. *Approve the parade permit request from Vincent J. Carl Jr on behalf of Yankee Lambda Car Club’s annual Car show and Parade.*

**Without objection Chair Abramson waived the reading of the consent items and without further objection declared the consent agenda approved.**

**Seconded by Lise King**

**Vote 5-0-0**

**1. Public Hearings:**

## **2. Public Statements:**

- Donna Cooper – speak about the proposed transfer of Seashore Point – really hope that before you vote, ensure the nursing home is going to be kept per the deed restrictions placed on the property.
- Susan Avellar – Vice Chair of the Harbor Committee – the Harbor committee is very concerned about the position of the harbor master. Harbor Committee concerned about the current Harbor Master Rex McKinsey. Harbor Committee has never been contacted by the Pier Corp with concerns about the harbor or the position of the Harbor Master Rex McKinsey. Miss Avellar feels Mr. McKinsey has more than done a good job for this town of Provincetown.
- Charles Mayo “Stormy” – spoke in support of Harbor Master Rex McKinsey; wharf has been a very mixed up place, how many times have we seen this many fishermen come together and decide on something. A number of commercial tenants and recreation users of the Pier signed their names in support as a unified group. It has been Rex McKinsey, the Pier Corp and you folk who have gotten a consistent use of the Pier.
- Candace Collins-Boden – speaking in support of Harbor Master Rex McKinsey, very well liked. He was a huge help when she held the position of the Executive Director of the Provincetown Chamber of Commerce.
- Jane Winter – has wife in Seashore Point, would like the Selectmen to take serious consideration in the sale of Seashore Point. Care is enhanced by having family nearby.
- Bruce Mason – keeping the Wampanoag Memorial discussion on the table. Should not remain in a stalemate condition if there has been no response by the Wampanoag Nation.
- Donald Whitcomb – Spoke to the Board about working with a recognized native nation.
- April Baxter – spoke about Wampanoag Memorial, showed board and audience a sign that said “stop living on stolen land”. Feels the project should follow the lead of the Wampanoag’s.
- Rick Kapler – speaking on behalf of the Wampanoag Memorial. Very disheartened by the process that he is witnessing so far.
- Pastor Brenda Hayward – would like to present recommendation for the board to consider the Bas Relief for the placement of the memorial. Working honestly and openly for the past 4 years with the Wampanoag Nation. We are still working together on this through Linda Coombs, Paula Peters and the Nations Council to have representation here for 2020. Kitty Hendricks, museum caretaker, came to Provincetown to view town.

## **3. Select Board Member’s Statements:**

- **Robert Anthony** – No comment tonight. I will speak on the agenda items when they come up in the meeting.
- **Lise King** – Appreciates all the public coming forward to speak, will be making comment on agenda items during that time in the meeting. We are looking at the relationship between the town and the Pier Corp, the Harbormaster’s position is flex because of this. Respect the working men and women of the pier are here to speak on his behalf. The Acting Town Manager will be giving an update on what is happening with the Wampanoag Memorial.
- **Louise Venden** – Thank the employees and business owners who are working hard throughout this summer, and the public safety officials who are ensuring our safety this summer. The Pier Corp has been an issue for a long time, Rex is a town employee, the Select Board is precluded from having a decision from what is going to happen to Rex. It is not up to the Select Board to hire or fire people. This process is not in our hands. Transfer of Seashore Point is near to my heart, my concerns are more about the different agreements that have been signed. It is our job to make sure we get some questions answered. Our packet was 496 pages, we have got to find a way to provide executive summaries and the packets are paginated. We need to do something about this process.

- **John Golden** – Just looking at what is going on with Bradford Street, it is really nice to see the sidewalks and directional allow people to walk safety along the street. Will be speaking further on items during the meeting. Looking to see the Wampanoag memorials loose ends settled.
- **David Abramson** – Definitely nice to see everyone here speaking. If you see in the packet under 9A you can see pending items what we are working on.

#### **4. Joint meeting/Presentations:**

##### **A. Community Resiliency Building Workshop Summary of Findings – Presented by Environmental Planner Timothy Famulare**

Environmental Planner Timothy Famulare present to give results of finding for the Municipal Vulnerability Preparedness (MVP) Grant Program. The Town has been designated a MVP Community which allows the Town to apply for grants up to 2M for various projects; such as the nature based solution. Mr. Famulare gave a summary of the process the town went through and building workshop that was conducted. Top three recommendation were utilities, beach management & nourishment and coastal infrastructure and Natural infrastructure solutions. Other recommendations included emergency management, individual household assessments, food, medicine and healthcare and concerns over Shank Painter Road flooding. We indent to submit a grant application this fall, and continue to look for grant programs through MVP programs. The Board and Mr. Famulare spoke about food security, civil defense, Title 5 (expansion of sewer), working with the National Seashore and the highest priorities that the Town will be looking to focus on. Currently project has included working collaboratively with the Outer Cape Towns and look at shifting sands. Another project he is looking at the Ryder Street outfall pipe and the storm pathway, to look at where do we need to focus our resources on. The Select Board thanked and congratulated Mr. Famulare for the work he put into this.

##### **B. Massachusetts Office of Public Collaboration (MOPC) Civil Discourse Findings Presentation – Presented by Project Manager Erin Ellis**

Erin Ellis presented the Massachusetts Office of Public Collaboration (MOPC) Civil Discourse Findings. Ms. Ellis described the process that MOPC conducted that included interviewing individuals, conducting a public forum and ran an online survey. She also described some of the changes already implemented, mainly shutting down the Facebook group Town Talk and transitioning to the Town of Provincetown Page. Several Board members spoke about positing “live” links on Facebook and doing live Q&A’s. The Select Board spoke to Ms. Ellis about increased outreach and suggested different tools to be used. They also thanked Ms. Ellis for the presentation and her for the changes in communication she has implemented since she started.

#### **5. Appointments:**

#### **6. Requests:**

##### **A. Seashore Point Sale – Approve of Consent of Sale to Point Group Care LLC.**

Chris – Deaconess Inc, Chris Hannon, Director of Operation– Pointe Group Care LLC, and Chris Browning, Deaconess Counsel. In 2005 Deaconess come into Provincetown and transformed the Manor into Seashore Point. As an organization Deaconess has shifted away from skilled nursing services. To keep a skilled nursing facility open, it requires a different organization. Pointe Group has a presence in Brewster, and they will be able to continue the skilled nursing facility. Pointe Group is a skilled nursing operator and has been operating in Massachusetts for 30 years, 30%-

40% 15 + year employment, they operate in 5 communities and have over 500 hundred beds. A lot of focus is put on the community and try to engage and provide training for staff to develop relationship within community. Our intention is to operate the skilled nursing facility on sight and there is no plan to make any major significate changes to the facility. The Select Board spoke about concerns of skilled nursing beds shifting to Brewster. The Select Board is being asked to approve the sale of the skilled nursing and the affordable housing.

**Move that the Select Board vote to consent to the sale of Seashore Point from Deaconess, Inc. to Pointe Group Care LLC, pursuant to Section II(6)(iv) of the Land Development Agreement and to execute a consent agreement, evidencing the Town’s consent to said transfer contingent upon the approval of the Massachusetts Department of Public Health.**

**Motion: John Golden            Seconded: Robert Anthony**

**VOTED**

**In Favor:     4  
Opposed:     0  
Abstain:     1(lk)**

**B. Monthly Update on the Year Round Market Rate Rental Housing Trust by Select Board Member Louise Venden**

Select Board Member Louise Venden gave a brief update on the progress at Harbor Hill, summary of the Trust’s discussion on the short term rental tax income that will coming to the town, and looking at a more comprehensive plan B. There are currently 6 units available at Harbor Hill, 4 of the units are rented and the Trust has dropped the rent by 20%. The Select Board asked how applications are on file for Harbor Hill. Acting Town Manager said 27 applications are on file, as the units come available, hopefully some of those people will be able to move forward.

**C. Appoint representative to August 14<sup>th</sup> working session meeting on the VFW**

**Move that the Select Board vote to appoint Louise Venden as the Select Board representative to the Housing Development for the VFW working group.**

**Motion: Lise King    Seconded: Robert Anthony**

**VOTED**

**In Favor:     5  
Opposed:     0  
Abstain:     0**

**D. Discuss events that occurred on July 13, 2019 in the auditorium and fee adjustment.**

On the day of the event there was a system failure and a failure on staff to identity issue and communicate the information with the renter. Since this event, corrections have been made to monitoring and protocol to get through the summer easy. The applicant requested a “credit” towards the fee charged. The Select Board discussed event and returning the deposit to the applicant considering there was an ongoing all day long communication issue.

**Move that the Select B**

oard refund \$1,200 to Crown & Anchor Inc for event that occurred on July 13, 2019 because of an AC issue.

**Motion: John Golden                      Seconded: Louise Venden**  
**VOTED**

**In Favor:        4**  
**Opposed:        0**  
**Abstain:        1(lk)**

**E. BOS Liaisons**

**Move that the Select Board vote to appoint Lise King as Liaison to Harbor Committee and Provincetown Public Pier Corp, for a term of one (1) year commencing immediately.**

**Motion: John Golden                      Seconded: Robert Anthony**  
**VOTED**

**In Favor:        5**  
**Opposed:        0**  
**Abstain:        0**

**F. BOS Rules of Procedures**

**Move that the Select Board vote approve BOS Rules of Procedure as amended; packets to be available 56 hours in advance and reordering of the agenda.**

**Motion: Louise Venden                      Seconded: Lise King**  
**VOTED**

**In Favor:        5**  
**Opposed:        0**  
**Abstain:        0**

**Lise King moved to extend the meeting to 10:15 pm**  
**John Golden seconded the motion.**  
**5-0-0**

- 7. Town Manager / Assistant Town Manager:**
  - A. Town Manager's Report – Administrative Updates**
    - 1. Biweekly Staff Report**
    - 2. Draft Fiscal Year 2021 budget Timeline**
    - 3. Tablet pricing options.**

Acting Town Manager David Gardner gave a brief summary on the Town Manager's biweekly report. The Bas Relief the phase I has been completed, several large trees will be removed and will be replaced according to the replanting plan. Several large construction project happening right now in July and August. Lot of complaints about the construction hours, General Bylaw allows construction 7 days a week 7 am – 9 pm. Still have not been responded to by the Tribe in regards to the Wampanoag Memorial.

Louise Venden moved to add Racial Justice and the PMPM to the Wampanoag Memorial Committee  
Lise King Seconded 5-0-0

**8. Minutes: Approve minutes of previous meetings.**

**Motion: Move that the Select Board approve the minutes of:**

**July 8, 2019 6 pm** (Regular) [ ] as printed [ x ] with changes so noted  
**July 8, 2019 5:30 pm** (Special) [ ] as printed [ x ] with changes so noted  
**July 10, 2019 9 am** (Special) [ ] as printed [ x ] with changes so noted  
**July 26, 2019 5 pm** (Special) [ ] as printed [ x ] with changes so noted

**Motion:**                      **Seconded:**

**VOTED**

**In Favor:**

**Opposed:**

**Abstain:**

**9. Select Board Closing Matters:**

A. Matters to discuss

1. Closing Statements
2. Pending Agenda Request Items
3. Other – Other matters that may legally come before the Board not reasonably anticipated by the Chair 48 hours before the meeting.

- **Robert Anthony** –
- **Lise King** –
- **Louise Venden** –
- **John Golden** –
- **David Abramson** –

Without objection the meeting was adjourned at 9:45 pm

Minutes transcribed by: Elizabeth Paine