



Select Board

Meeting Agenda - Revised

The Provincetown Select Board will hold a public meeting on Monday, July 13, 2020, at 6:00 p.m. in Judge Welsh Room, Town Hall, 260 Commercial Street, Provincetown, MA 02657.

NOTE: THIS IS A REMOTE PARTICIPATION MEETING

The Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor's March 15, 2020 Order imposing strict limitation on the number of people that may gather in one place, this meeting of the Provincetown Select Board will be conducted via remote participation to the greatest extent possible. Specific information and the general guidelines for remote participation by members of the public and/or parties with a right and/or requirement to attend this meeting can be found on the Provincetown website, at <https://www.provincetown-ma.gov/>. For this meeting, members of the public who wish to watch/listen and participate in the meeting may do so in the following manner:

1. Watch on PTV GOV Channel 18, as well as an online livestream of PTV GOV at <http://www.provincetowntv.org/watch.html>
2. To listen and participate in this meeting, dial **(833) 579-7589**. When prompted, enter the following Conference ID number: **713 245 335** When prompted, state your name, then press #.
 - Keep your phone muted at all times when not talking (*6 to mute & unmute your phone)
 - Do not use speakerphone
 - Do not use Bluetooth devices
 - Mute all background noises
 - Mute PTV on the television or computer and use only the phone audio
 - Please do not speak until the chair or the meeting moderator asks for public comments or questions.

No in-person attendance of members of the public will be permitted, but every effort will be made to ensure that the public can adequately access the proceedings in real time, via technological means. In the event that we are unable to do so, despite best efforts, we will post on the Provincetown website an audio or video recording or other comprehensive record of proceedings as soon as possible after the meeting.

Election of Officers and Appointments of Liaisons.

The next item on our agenda was not reasonably anticipated by me 48 hours in advance of tonight's meeting but was added to the agenda when it became apparent that we would need to take up the topic of designating an interim Town Manager

Appointment of Acting Town Manager - Votes may be taken.

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

- A. *Vote to OPEN the warrant for the Annual Town Meeting forthwith and CLOSE it on Friday, August 21, 2020 at 11:30 AM*

- B. Reappointment of Brian Cowing, Provincetown Constable with a term to expire on June 30, 2023*
- C. Reappointment of RuthAnn Cowing, Provincetown Constable with a term to expire on June 30, 2023*
- D. Approve the staying and extension of the Sightseeing Vehicle license agreement for Mayflower Trolley by one year.*

1. Public Statements – Three (3) minutes maximum. Select Board Members do not respond during public statements
2. Select Board Member's Opening Statements
3. Appointments – (Votes may be taken on the following interviews)
 - A. Zoning Board of Appeals Alternate: Erik Borg

*** Items may be taken out of order at the discretion of the chair ***

4. Joint Meeting/Presentations/Requests – (Votes may be taken on the following items):
 - A. Mask Policy Re-Evaluation
 - B. 4th of July Update: Manager's Report
 - C. Discuss promoting visitors to Provincetown – VSB Chair Jay Gurewitsch and Tourism Director Anthony Fuccillo
 - D. Discuss Temporary Use of Town Property for Dining – 335 Commercial Street – requested by Regina Binder
 - E. Submission of August deficit spending plan.
 - F. Approve the Purchase and Sale Agreement - 668R Commercial Street.
5. Town Manager Administrative Matters – Topics to include but not limited to: (Votes May be taken on the following items)
 1. Town Manager's Report
6. Minutes - (Votes May Be Taken)
 1. May 26, 2020 6 pm
 2. May 28, 2020 4 pm
 3. June 1, 2020 5 pm
 4. June 1, 2020 6 pm
7. Select Board Closing Matters - Topics to Include but not limited to: (Votes May be taken on the following items)
 1. Pending Items List



**Provincetown Select Board
AGENDA ACTION REQUEST
Monday, July 13, 2020**

000

ELECTION OF OFFICERS AND APPOINTMENTS OF LIAISONS

Requested by: Board of Selectmen

Action Sought: Elect Board Officers

Proposed Motion(s)

MOVE that the Select Board vote to elect Selectman _____ as Chairman of the Board of Select Board for a term of one (1) year commencing immediately.

MOVE that the Select Board vote to elect _____ as Vice-Chairman for the Board of Select Board for a term of one (1) year commencing immediately.

MOVE that the Select Board vote to appoint _____ as a trustee to the OPEB Trust, for a term of one (1) year commencing immediately.

MOVE that the Board of Selectmen vote to appoint _____ as Liaison to Stellwagen Bank Advisory Committee, for a term of one (1) year commencing immediately.

MOVE that the Board of Selectmen vote to appoint _____ as Liaison to Harbor Committee, for a term of one (1) year commencing immediately.

MOVE that the Board of Selectmen vote to appoint _____ as Liaison to Provincetown Public Pier Corp, for a term of one (1) year commencing immediately.

Additional Information

Section 1a of the Select Board's Rules of Procedures provide that; "The Board shall elect from its own membership, a Chairman and a Vice-Chairman. Such election shall take place annually at the first regular meeting following the Town Election."

Board Action

<i>Motion</i>	<i>Second</i>	<i>In favor</i>	<i>Opposed</i>	<i>Disposition</i>

Select Board Liaison and Representative Appointments		
Committee		
OPEB	Lise King	7/1/2020
OPEB	Douglas Cliggott	7/1/2023
YRRHT	Louise Venden	12/31/2022
Harbor Committee	Lise King	7/1/2020
PPPC (Pier Corp)	Lise King	7/1/2020
Regional Organizations		
Barnstable County Human Rights Commission	Brenda Haywood	
Cape Light Compact	Nathaniel Mayo	6/30/2021
Cape and Vineyard Electric Coop	Lydia Hamnquist	6/30/2020
Cape Cod Commission	Cheryl Andrews	4/22/2022
Cape Cod Water Protection Collaborative		
Cape Cod Regional Transit Authority		
Metropolitan Planning (Outer Cape Region)	Robert Weinstein	
Cape Cod National Seashore Advisory Comm	Mary-Jo Avellar - Regular	
Cape Cod National Seashore Advisory Comm	Lise King - Alternative	
Barnstable County Home Consortium	Michelle Jarusiewicz	1/31/2021
Cape Cod Municipal Health Group	Alexander Williams	
Barnstable Human Rights Commission	Brenda Haywood	
Stellwagen Bank Advisory Committee	Louise Venden	
State Ethics Commission Liaison	Town Clerk	
Community Action Comm of CC&I	Andrea Lavenets	
Provincetown 400	Anthony Fucillo	
Constables		
Provincetown Constable	Brian Cowing	6/30/2023
Provincetown Constable	Ruth Ann Cowing	6/30/2023
Provincetown Constable	Barbara Prato	12/31/2020



**Provincetown Select Board
AGENDA ACTION REQUEST
Monday, July 13, 2020**

00A

Annual Town Meetings

Set Dates for Opening and Closing of Warrants

Requested by: Town Manager Robin Craver

Action Sought: Procedural

Proposed Motion(s)

MOVE that the Select Board vote to open the warrants for the September 21, 2020 Annual Town Meetings forthwith; and to close them on Friday, August 21, 2020, at 11:00 a.m., in accordance with Charter §2-1-7.

Additional Information

See timetable attached. Pursuant to Charter § 2-3-1, the Annual Town Meeting shall be held on the first Monday in April every year. The Board will be asked to insert articles at its March 6, 2020 special meeting called for that purpose. Charter §2-1-7 provides that the warrant "shall be closed thirty days prior to the date of the town meeting." Articles may be submitted onto the warrants at the request of the town manager, selectmen, any town board, or 10 registered voters in the case of the annual town meeting [§2-1-3], or 100 registered voters in the case of the special town meeting [§2-1-4].

Board Action

<i>Motion</i>	<i>Second</i>	<i>In favor</i>	<i>Opposed</i>	<i>Disposition</i>

TIMETABLE: SEPTEMBER 21, 2020 ANNUAL TOWN MEETING

<i>Activity</i>	<i>Date</i>	<i>References</i>
SELECT BOARD votes to postpone the Annual Town Meeting to September 21, 2020	VOTE: May 11, 2020 Regular Meeting	<i>Ch 53, Section 1 of Acts of 2020</i>
SELECT BOARD votes to OPEN the warrant for the Annual Town Meeting forthwith and CLOSE it on Friday, August 21, 2020 at 11:30 AM	VOTE: Monday, July 13, 2020 Regular Meeting	<i>At least 60 days prior to the date of Town Meeting, per Charter §2-3-e</i>
SELECT BOARD approves and inserts articles	VOTE: Monday, August 10, 2020 Regular Meeting	N/A
FINANCE COMMITTEE reviews articles and makes recommendations to the Select Board	August 10 – September 11, 2020	<i>Shall consider and make recommendations on the budget, per Charter §6-4-f</i>
Town Meeting Warrant closes	Friday, August 21, 2020	<i>30 days prior to the date of Town Meeting, per Charter §2-3-e</i>
SELECT BOARD approves the Warrant for publication	VOTE: Friday, August 21, 2020 Special Meeting	N/A
Annual Town Meeting warrant is posted on the Town web site	Monday, August 24, 2020	<i>Within 2 days of the warrant closing, per Charter §2-3-e</i>
Notice is published of FINANCE COMMITTEE, PLANNING BOARD, BOARD OF HEALTH, CHARTER ENFORCEMENT COMMISSION, CONSERVATION COMMISSION (and any other board that has submitted an article) public hearings on petitioned articles	Thursday, August 20 and 27, 2020	N/A
SELECT BOARD AND FINANCE COMMITTEE hold a joint public hearing	Monday, August 31, 2020 or earlier	<i>Not later than 21 days prior to Town Meeting, per Charter §-6-4-g</i>
Annual Town Meeting warrant is published in the newspaper	Thursday, September 3, 2020	<i>At least 14 days prior to Town Meeting, per Charter §2-3-e</i>
FINANCE COMMITTEE, PLANNING BOARD, BOARD OF HEALTH, CHARTER ENFORCEMENT COMMISSION, and CONSERVATION COMMISSION (and any other board that has submitted an article) conduct hearings as necessary on petitioned articles	September 3 - 11, 2020	<i>Charter §2-3-g and Bylaw §5-2-1</i>
SELECT BOARD vote their recommendations	VOTE: Monday, September 14, 2020 Regular Meeting	<i>Charter §2-3-g</i>
Virtual Public Forum in Town Hall	TBD	N/A

SELECT BOARD provides copies of the warrant to Town Moderator, Town Counsel and Town boards	On or before Monday, September 14, 2020	<i>Within 7 days prior to Town Meeting, per Charter §2-3-f and Bylaw §5-2-1</i>
Copies of FINANCE COMMITTEE report made available at Town Hall and on Town web site	On or before Monday, September 14, 2020	<i>At least 7 days prior to Town Meeting, per Charter §2-3-h and Bylaw §5-2-1</i>
ANNUAL TOWN MEETING at Town Hall	Monday, September 21, 2020 @ 6pm	<i>Charter §2-1 & 2-4-a</i>

DRAFT



**Provincetown Select Board
AGENDA ACTION REQUEST**

Monday, July 13, 2020

00B

SELECT BOARD APPOINTMENTS

Constables

Requested by: Town Clerk Philip Gaudet

Action Sought: Approval

Proposed Motion(s)

Move that the Select Board vote to appoint Brian Cowing as a Town of Provincetown Constable with a term to expire on June 30, 2023, and to authorize \$255 to obtain a surety bond for a period of three years.

Additional Information

See attached application.

The jurisdiction of Constables in Massachusetts is in most cases limited to the towns in which they are appointed or elected, with limited exceptions. Constables usually serve civil process, they may however, serve both civil and criminal process. A constable requires an extensive knowledge of civil law, and the criminal law aspects that may arise from civil law violations. In this regard courts prefer constable to handle these matters rather than police officers as they can execute both civil and criminal process. In Town Hall, Constables are needed to post the Town Election and Town Meeting warrants in numerous locations in town, and are also used for official postings in other departments including the Treasurer's and Assessor's Office. Outside entities also contact the Town Clerk for contact information on our Constables for their own purposes. By past practice it appears the town has covered the cost of the constable's surety bond payment, although not formally budgeted would be paid from the 910 Insurance Budget which has adequate funds.

Board Action

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

Constable Application
For the Town of Provincetown

Date: 6/26/2020



To: Honorable Board of Selectmen
Provincetown, Massachusetts 02657

Ladies and Gentlemen:

I am making written application, in compliance with Massachusetts General Law 41§§ 91A, 91B, to be appointed as a Constable for the Town of Provincetown.

Statement of reason(s) you desire such appointment: I have proudly been serving Provincetown since 2017 and would like to continue. I have grown up in Provincetown and have a great love for the town and enjoy being involved.

Listed below please find the signatures of five citizens of this community, one of which is an attorney, who will attest to my moral character.

I respectfully ask that the Board of Selectmen will act favorably on my request.

Yours truly,

Brian R. Cowing
Applicant for Constable

Reference:

Erin Ellis 508-341-1387
Meridith Johnson
Annie Howard
Laura Grandel

REC'D TOWN CLERK
JUN 26 2020 AM 10:01

Board of Selectmen:

A copy of the Massachusetts General Law 41§§91A, 91B is printed on the backside of this application.

WESTERN SURETY COMPANY • ONE OF AMERICA'S OLDEST BONDING COMPANIES



Western Surety Company

CONTINUATION CERTIFICATE

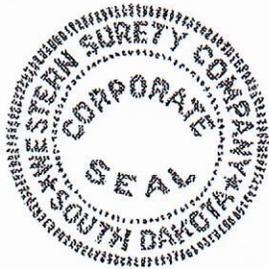
Western Surety Company hereby continues in force Bond No. 63243236 briefly described as CONSTABLE TOWN OF TOWN OF PROVINCETOWN for BRIAN COWING, as Principal, in the sum of \$ FIVE THOUSAND AND NO/100 Dollars, for the term beginning June 16, 2020, and ending June 16, 2023, subject to all the covenants and conditions of the original bond referred to above.

This continuation is issued upon the express condition that the liability of Western Surety Company under said Bond and this and all continuations thereof shall not be cumulative and shall in no event exceed the total sum above written.

Dated this 19th day of March, 2020.

WESTERN SURETY COMPANY

By Paul T. Bruflat
Paul T. Bruflat, Vice President



THIS "Continuation Certificate" MUST BE FILED WITH THE ABOVE BOND.

Western Surety Company

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS:

That WESTERN SURETY COMPANY, a corporation organized and existing under the laws of the State of South Dakota, and authorized and licensed to do business in the States of Alabama, Alaska, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, District of Columbia, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, Wyoming, and the United States of America, does hereby make, constitute and appoint

Paul T. Bruffat of Sioux Falls
State of South Dakota, its regularly elected Vice President,
as Attorney-in-Fact, with full power and authority hereby conferred upon him to sign, execute, acknowledge and deliver for and on its behalf as Surety and as its act and deed, the following bond:

One CONSTABLE TOWN OF TOWN OF PROVINCETOWN

bond with bond number 63243236

for BRIAN COWING

as Principal in the penalty amount not to exceed: \$5,000.00

Western Surety Company further certifies that the following is a true and exact copy of Section 7 of the by-laws of Western Surety Company duly adopted and now in force, to-wit:

Section 7. All bonds, policies, undertakings, Powers of Attorney, or other obligations of the corporation shall be executed in the corporate name of the Company by the President, Secretary, any Assistant Secretary, Treasurer, or any Vice President, or by such other officers as the Board of Directors may authorize. The President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys-in-Fact or agents who shall have authority to issue bonds, policies, or undertakings in the name of the Company. The corporate seal is not necessary for the validity of any bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation. The signature of any such officer and the corporate seal may be printed by facsimile.

In Witness Whereof, the said WESTERN SURETY COMPANY has caused these presents to be executed by its Vice President Paul T. Bruffat with the corporate seal affixed this 19th day of March, 2020.

ATTEST

L. Nelson
L. Nelson, Assistant Secretary

WESTERN SURETY COMPANY
By Paul T. Bruffat
Paul T. Bruffat, Vice President

STATE OF SOUTH DAKOTA }
COUNTY OF MINNEHAHA } ss

On this 19th day of March, 2020, before me, a Notary Public, personally appeared Paul T. Bruffat and L. Nelson

who, being by me duly sworn, acknowledged that they signed the above Power of Attorney as Vice President and Assistant Secretary, respectively, of the said WESTERN SURETY COMPANY, and acknowledged said instrument to be the voluntary act and deed of said Corporation.

J. MOHR
NOTARY PUBLIC
SOUTH DAKOTA

J. Mohr
Notary Public

My Commission Expires June 23, 2021

To validate bond authenticity, go to www.cnasurety.com > Owner/Obligee Services > Validate Bond Coverage.





**Provincetown Select Board
AGENDA ACTION REQUEST**

Monday, July 13, 2020

00C

SELECT BOARD REAPPOINTMENTS

Constables

Requested by: Town Clerk Philip Gaudet

Action Sought: Approval

Proposed Motion(s)

Move that the Select Board vote to reappoint Ruth Anne Cowing as a Town of Provincetown Constable with a term to expire on June 30, 2023, and to authorize the payment of the invoice for surety bond in the amount of \$255 for a period of three years.

Additional Information

See attached application.

The jurisdiction of Constables in Massachusetts is in most cases limited to the towns in which they are appointed or elected, with limited exceptions. Constables usually serve civil process, they may however, serve both civil and criminal process. A constable requires an extensive knowledge of civil law, and the criminal law aspects that may arise from civil law violations. In this regard courts prefer constable to handle these matters rather than police officers as they can execute both civil and criminal process. In Town Hall, Constables are needed to post the Town Election and Town Meeting warrants in numerous locations in town, and are also used for official postings in other departments including the Treasurer's and Assessor's Office. Outside entities also contact the Town Clerk for contact information on our Constables for their own purposes. By past practice it appears the town has covered the cost of the constable's surety bond payment, although not formally budgeted would be paid from the 910 Insurance Budget which has adequate funds.

Board Action

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

Constable Application
For the Town of Provincetown

Date: 7/1/2020



To: Honorable Board of Selectmen
Provincetown, Massachusetts 02657

Ladies and Gentlemen:

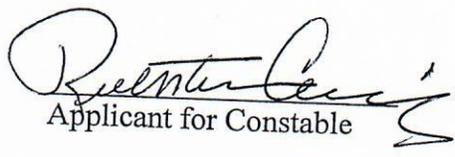
I am making written application, in compliance with Massachusetts General Law 41§§ 91A, 91B, to be appointed as a Constable for the Town of Provincetown.

Statement of reason(s) you desire such appointment: I like being involved with Town Government and during the Town Postgres keeps me current on town events.

Listed below please find the signatures of five citizens of this community, one of which is an attorney, who will attest to my moral character.

I respectfully ask that the Board of Selectmen will act favorably on my request.

Yours truly,


Applicant for Constable

Reference:

- Muri'cith Lopez 774-353-7649
- DARLENE VAN ARSDALE 974 810 0170
- Att. Lester Jay Murphy Jr. 508-385-8313
- Att. Christopher Snow 508 487 1160
- Att. Robin Reed 508 487 7445



Board of Selectmen:

A copy of the Massachusetts General Law 41§§91A, 91B is printed on the backside of this application.



Western Surety Company

CONTINUATION CERTIFICATE

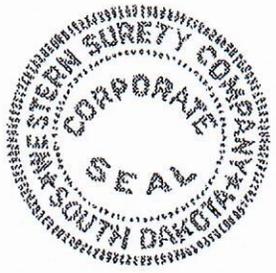
Western Surety Company hereby continues in force Bond No. 62079072 briefly described as CONSTABLE TOWN OF PROVINCETOWN

for RUTH ANNE COWING

_____, as Principal, in the sum of \$ FIVE THOUSAND AND NO/100 Dollars, for the term beginning June 26, 2020, and ending June 26, 2023, subject to all the covenants and conditions of the original bond referred to above.

This continuation is issued upon the express condition that the liability of Western Surety Company under said Bond and this and all continuations thereof shall not be cumulative and shall in no event exceed the total sum above written.

Dated this 25th day of March, 2020.



WESTERN SURETY COMPANY

By Paul T. Bruhat
Paul T. Bruhat, Vice President

THIS "Continuation Certificate" MUST BE FILED WITH THE ABOVE BOND.

Western Surety Company

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS:

That WESTERN SURETY COMPANY, a corporation organized and existing under the laws of the State of South Dakota, and authorized and licensed to do business in the States of Alabama, Alaska, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, District of Columbia, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, Wyoming, and the United States of America, does hereby make, constitute and appoint

Paul T. Brufat of Sioux Falls,
State of South Dakota, its regularly elected Vice President,
as Attorney-in-Fact, with full power and authority hereby conferred upon him to sign, execute, acknowledge and deliver for and on its behalf as Surety and as its act and deed, the following bond:

One CONSTABLE TOWN OF PROVINCETOWN

bond with bond number 62079072

for RUTH ANNE COWING
as Principal in the penalty amount not to exceed: \$5,000.00

Western Surety Company further certifies that the following is a true and exact copy of Section 7 of the by-laws of Western Surety Company duly adopted and now in force, to-wit:

Section 7. All bonds, policies, undertakings, Powers of Attorney, or other obligations of the corporation shall be executed in the corporate name of the Company by the President, Secretary, any Assistant Secretary, Treasurer, or any Vice President, or by such other officers as the Board of Directors may authorize. The President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys-in-Fact or agents who shall have authority to issue bonds, policies, or undertakings in the name of the Company. The corporate seal is not necessary for the validity of any bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation. The signature of any such officer and the corporate seal may be printed by facsimile.

In Witness Whereof, the said WESTERN SURETY COMPANY has caused these presents to be executed by its Vice President Paul T. Brufat with the corporate seal affixed this 25th day of March, 2020.

ATTEST

L. Nelson
L. Nelson, Assistant Secretary

WESTERN SURETY COMPANY
By Paul T. Brufat
Paul T. Brufat, Vice President

STATE OF SOUTH DAKOTA }
COUNTY OF MINNEHAHA } ss

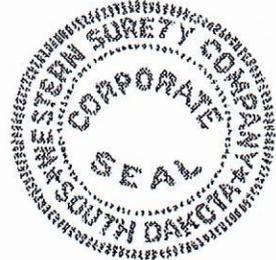
On this 25th day of March, 2020, before me, a Notary Public, personally appeared Paul T. Brufat and L. Nelson

who, being by me duly sworn, acknowledged that they signed the above Power of Attorney as Vice President and Assistant Secretary, respectively, of the said WESTERN SURETY COMPANY, and acknowledged said instrument to be the voluntary act and deed of said Corporation.

J. MOHR
NOTARY PUBLIC
SOUTH DAKOTA
My Commission Expires June 23, 2021

J. Mohr
Notary Public

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**Provincetown Select Board
AGENDA ACTION REQUEST**

Monday, July 13, 2020

00D

License Extensions

Sightseeing Vehicles License Agreements for 2020.

Requested by: Town Manager Robin Craver

Action Sought: Discussion/Approve

Proposed Motion(s)

Move that the Select Board vote to stay the terms of the license for one year and extend for one year for Mayflower Trolley due to the business restrictions caused by the Governor's COVID-19 Emergency Order.

Additional Information

Raphael Richter of Mayflower Trolley has a license agreement with the Town for designated parking in front of Town Hall. Mayflower does not intend to operate this season.

[Join Microsoft Teams Meeting](https://teams.microsoft.com/) <https://teams.microsoft.com/>

+1 857-327-9004 United States, Boston (Toll)

(833) 579-7589 United States (Toll-free)

Conference ID: # 713 245 335

Meeting can be viewed on channel 18 or at <http://www.provincetowntv.org/>

Board Action

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

LICENSE AGREEMENT

This License Agreement (this "License") is entered into on this 25th day of June, 2018, by and between the **Town of Provincetown** (the "Town"), acting by and through its Select Board, having an address of 260 Commercial Street, Provincetown Massachusetts 02657, and **Mayflower Trolley** ("Licensee"), a limited liability company, having an address of PO Box 333, Provincetown, MA 02657.

Whereas, Licensee operates "Sightseeing Vehicles," as the term is defined in the Town of Provincetown's bylaws, rules and/or regulations (as the same may be amended from time to time), for the purpose of leading members of the public to tourist attractions in and around the Town of Provincetown (the "Tourism Business");

Whereas, the Town has control Commercial Street, which are public ways in the Town of Provincetown (the "Roadways"), and the parking spaces thereon;

Whereas, Licensee has requested that the Town allow Licensee to park one (1) Sightseeing Vehicle at a parking space located on the North side of Commercial Street between Ryder Street and Gosnold Street, which parking space is shown more particularly on the sketch plan attached hereto as **Exhibit A** and incorporated herein (the "Parking Space"); and

Whereas, the Town is amenable to granting such a license to Licensee.

Now, therefore, the Town hereby grants Licensee a license to use the Parking Space subject to, and Licensee agrees to use said Parking Space in compliance with, the following terms and conditions:

1. USE, PURPOSE, TERM. The Town hereby grants Licensee a license to use the Parking Space for the sole purpose of parking one (1) Sightseeing Vehicle thereon. The term of this License is five (5) years (the "License Term"), commencing on June 26, 2018 (the "Commencement Date") and terminating December 31, 2022, unless sooner terminated in accordance with this License (the "Termination Date"). The Town shall have the right to relocate the Parking Space to other locations on the Roadways provided that the Town gives Licensee at least fourteen (14) days prior written notice thereof. Such entry and use shall be further limited by the provisions of Section 4. In the Town's sole discretion, the successful proposer who is awarded and signs a license agreement may be permitted an opportunity to renew for an additional five years, as approved by the Select Board.

2. CONSIDERATION. During the term of this License, Licensee shall pay the Town a fee equal to that indicated in **Exhibit B (attached)** each year (the "License Fee"), which License Fee shall be paid to the Town prior to the start of each seasonal service of each year during the term, at the address set forth above. As further

consideration for this License, Licensee shall observe and perform all the obligations and covenants set forth within this License to the reasonable satisfaction of the Town.

3. **RISK OF LOSS.** Licensee acknowledges and agrees that it accepts the Parking Space in its "AS-IS" condition, and that the Town has made no representation or warranty regarding the fitness thereof. The Town is not responsible for the security of the Property, including without limitation, the Parking Space, or for the maintenance and repair thereof, including, without limitation, removing snow and ice therefrom. The Town shall not be liable to Licensee or its employees, agents, representatives, customers or invitees, or anyone claiming by, through or under Licensee (collectively, with Licensee, the "Licensee Parties"), for any injury or death to persons on or around the Roadways, or loss or damage to any and vehicles, equipment or other property that are brought upon the Parking Space pursuant to the License, except if such injury, death, loss or damages is caused directly by the gross negligence or willful misconduct of the Town, or its employees, agents or representatives. The provisions of this Section shall survive the expiration or termination of this License.

4. **PARKING SPACE; CONDUCT.** Licensee shall, at the Town's request, place signs on the Parking Space or adjacent areas to indicate they are for Licensee's use, which signs shall comply with the Town's bylaws, if applicable, and be reasonably acceptable to the Town. **Licensee shall have the right to use the Parking Space every day during the Term hereof only during the hours of 6:00 a.m. to 9:30 p.m.,** except when the Parking Space are unavailable for street cleaning, snow clearing and/or during snow emergencies, and/or during such times when the Roadway(s) is/are otherwise closed to the public (the "Permitted Hours"). Only Sightseeing Vehicles may be parked in the Parking Space. All Sightseeing Vehicles must have current registration and inspection stickers. Personnel operating the Sightseeing Vehicles must have valid drivers' licenses and wear a uniform or identification badge to show they are Licensee's employees. Licensee must obtain any and all licenses, permits and approvals required to use the Parking Space and operate the Tourism Business, and shall make a copy of the permit available at all times.

Licensee shall not, and shall not permit any of the Licensee Parties to, park vehicles on the Parking Space overnight, store any equipment or other property within the Parking Space, park any commercial vehicles, large trucks, trailers, boats or off-road vehicles on the Parking Space, or clean or repair any vehicle while on the Parking Space. Licensee shall be responsible for removing any vehicles parked and/or equipment stored on the Parking Space in violation of the terms hereof, at its sole cost and expense. If Licensee fails to remove such vehicles or other property within one hour after the Town has notified Licensee of the same, which notice may be oral or written, the Town may, at Licensee's sole cost and expense, tow the vehicles to a public parking lot or remove equipment to a location of its choice. The Town shall not be responsible for any damage occurring to vehicles or other property resulting from such removal.

Licensee agrees that it shall at all times conduct itself so as not to unreasonably interfere with the use of the Roadways by others or the operations of the Town. Licensee shall comply with any and all applicable laws, statutes, ordinances, regulations and permitting or licensing requirements and observe all reasonable rules and regulations that may be established by the Town from time to time relating to the use of or access to the Parking Space. Licensee shall, at the Town's reasonable request and at Licensee's cost, take such measures reasonably necessary to ensure the safety of others using the Roadways. Licensee shall promptly repair any damages caused by or resulting directly or indirectly as a result of the acts or omissions of the Licensee Parties, at its sole cost and expense.

Other than the signs that Licensee may place adjacent to the Parking Space in accordance with the terms hereof, Licensee shall not construct, install or place any other temporary or permanent buildings, structures, utilities, objects, equipment or other property in, on, under, over or across the Parking Space, or make any improvements to the Parking Space or the Roadways, without the Town's prior written consent, which may be exercised in the Town's sole discretion.

Licensee shall strictly comply with all environmental laws affecting the Parking Space and shall not bring, place, store, release or otherwise dispose of at or near the Parking Space any oil, hazardous materials, hazardous substances, and/or toxic substances as such terms may be used or defined under federal, state or local law under any existing or future arising statutory or common law, including but not limited to Comprehensive Environmental, Response, Compensation and Liability Act, 42 U.S.C. 9601 et seq., the Resource Conservation and Recovery Act, as amended, 42 U.S.C. 6901 et seq., the Massachusetts Oil and Hazardous Material Release Prevention and Response Act, G.L. c. 21E, and all applicable rules and regulations promulgated thereunder (collectively, the "Hazardous Materials").

5. INDEMNIFICATION. Licensee shall defend, indemnify, and hold harmless the Town from any and all liability, loss, damage, costs, expenses (including, without limitation, reasonable attorneys' fees and expenses), causes of action, suits, claims, demands or judgments of any nature whatsoever, in law and equity, which are or may be brought against the Town or its agents, employees, successors and assigns arising out of or relating to: (a) the discharge, release or threatened release at or from the Parking Space and/or the Roadways of any Hazardous Materials that is caused by any of the Licensee Parties, (b) any failure on the part of Licensee to comply with any provision or term required to be performed or complied with by Licensee under this License, and (c) for the death, injury or property damage suffered by any person on account of or based upon the act, omission, fault, negligence or misconduct of any of the Licensee Parties on or about the Parking Space or relating in any way to Licensee's exercise of its rights hereunder. The obligations of this Section shall survive the expiration or termination of this License.

6. INSURANCE. Licensee shall maintain public liability insurance, including coverage for bodily injury, wrongful death and property damage, in the minimum

amount set forth herein to support the obligations of Licensee under the terms and conditions of this License to defend, indemnify, and hold harmless the Town: General Liability: \$1,000,000.00/occurrence, \$2,000,000.00/aggregate; Bodily Injury Liability: \$1,000,000.00/occurrence, \$2,000,000.00/aggregate. Licensee shall also maintain workers compensation insurance, as required by law.

Prior to using the Parking Space for any reason, Licensee shall provide the Town with a copy of such insurance policy in each case indicating the Town is an additional insured on the policy and showing compliance with the foregoing provisions. The insurance coverage required hereunder shall be issued by insurance companies licensed by the Massachusetts Division of Insurance to do business in the Commonwealth of Massachusetts and having a Best's rating of A or better. Licensee shall require the insurer to give at least thirty (30) days' written notice of termination, reduction or cancellation of the policy to the Town.

To the extent possible, Licensee shall obtain, for each policy of insurance secured by it, provisions permitting waiver of any claims against the Town for loss or damage within the scope of the insurance, and Licensee, for itself and its insurers, waives all claims against the Town as to such claims covered by such insurance.

7. TERMINATION and REVOCATION. This License may be revoked by either party for any reason upon written notice of revocation at least sixty (60) days prior to the termination date stated within said notice. Notwithstanding the foregoing, the Town shall have the right to terminate this License: (a) by giving Licensee ten (10) days prior written notice thereof if Licensee fails to pay the License Fee when due or comply with any other material term of this License, provided that the notice of termination shall be void and of no further effect if Licensee cures such default within the aforesaid ten (10)-day period, and (b) immediately by written or oral notice, if Licensee is involved in accidents resulting in property damages or personal injury, regardless of fault, or Licensee's use of the Parking Space causes traffic jams or otherwise interferes with the pedestrian or vehicular use of the Roadways, at the Town's discretion.

At the expiration of this License or its prior termination, Licensee shall forthwith remove all vehicles from the Parking Space, remove Licensee's signs and any other personal property upon or adjacent to the Parking Space, and repair any damage caused by any of the Licensee Parties. If vehicles and/or signs or other personal property are not removed from the Parking Space or adjacent areas within twenty-four (24) hours of expiration or termination, they shall be deemed abandoned and shall become the sole property of the Town. This obligation shall survive the expiration or termination of this License.

8. NOTICE. Any notice required or permitted to be given under this License shall be in writing and signed by the party or the party's attorney or agent and shall be deemed to have been given: (a) when delivered by hand, or (b) when sent by Federal Express or other similar overnight courier service, or (c) when mailed by certified mail, return receipt requested, to the party at the address set forth above. These addresses

are subject to change, and the parties hereto agree to inform each other of such changes as soon as practicable.

9. MISCELLANEOUS.

(a) This License contains the entire agreement of the parties and there are no other agreements or understandings between the parties regarding the subject matter of this License.

(b) Modifications or amendments to this License shall be in writing and duly executed by both parties hereto to be effective.

(c) This License shall not be construed as creating or vesting in Licensee any estate in the Parking Space, but only the limited right of use as hereinabove stated.

(d) Licensee is not authorized to bind or involve the Town in any contract or to incur any liability for or on the part of the Town.

(e) This License shall not be transferred or assigned to any person without the prior written consent of the Town, which may be withheld in its sole discretion, it being acknowledged by Licensee that this License is personal to Licensee and be valid so long as Licensee operates the Tourism Business.

(f) If any portion of this License is declared to be illegal, unenforceable or void, then all parties to this License shall be relieved of all obligations under that portion; provided, however, that the remainder of this License shall be enforced to the fullest extent permitted by law.

(g) The captions in this License are inserted for convenience of reference only and in no way define, describe or limit the scope or intent of this License or any of the provisions thereof.

(h) All appropriate terms and provisions relating to indemnification and the restoration of the property affected hereby shall survive the expiration or termination of this License.

(i) This License shall be governed by and construed in accordance with the laws of the Commonwealth of Massachusetts, and any and all legal actions brought in connection with this License shall be brought in courts within the Commonwealth of Massachusetts.

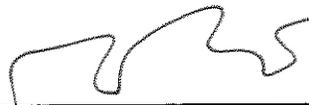
[signature page follows]

IN WITNESS WHEREOF, the parties hereto have caused this License Agreement to be executed and effective as of the date first above written.

Licensee:

Licensor:

TOWN OF PROVINCETOWN,

By: 

Name: Raphael Brewer
Title: Vice President



David Panagore
Town Manager

510509/PROV/0001

Exhibit A

Sketch Plan



Exhibit B

**PRICE SUMMARY FORM
Exclusive Use of Sightseeing Vehicle Parking Space**

TOWN OF PROVINCETOWN
260 Commercial Street
Provincetown, Massachusetts 02657

This price summary form must be submitted with the proposal. Failure to adhere to this instruction will result in disqualification of your proposal.

Name of Proposer: **Mayflower Trolley LLC**

Fee Schedule

<u>Year</u>	<u>Annual License Fee</u> (must be no less than \$1,000)	<u>Percentage Annual Escalator</u> (optional)	<u>Total Annual Value</u>
1 2018	\$5,000		\$5,000
2 2019	\$5,500		\$5,500
3 2020	\$6,000		\$6,000
4 2021	\$6,500		\$6,500
5 2022	\$7,000		\$7,000



**Provincetown Select Board
AGENDA ACTION REQUEST
Monday, July 13, 2020**

1

PUBLIC STATEMENTS

Requested by: Select Board

Action Sought: Open

Proposed Motion(s)

Three (3) minutes maximum. Selectmen do not respond during Public Statements.

Additional Information

At this time, public statements will be through virtual participation.

[\(833\) 579-7589](tel:8335797589) United States (Toll-free)
Conference ID: # [713 245 335](tel:713245335)

Meeting can be viewed on channel 18 or at
<http://www.provincetowntv.org/>

Board Action

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



Provincetown Select Board
AGENDA ACTION REQUEST
Monday, July 13, 2020

2

SELECTMEN'S STATEMENTS

Requested by: Select Board

Action Sought: Discussion

Proposed Motion(s)

John Golden
Robert Anthony
Lise King
Louise Venden
David Abramson

Additional Information

[\(833\) 579-7589](tel:8335797589) United States (Toll-free)
Conference ID: # [713 245 335](tel:713245335)

Meeting can be viewed on channel 18 or at
<http://www.provincetowntv.org/>

Board Action

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



Provincetown Select Board
AGENDA ACTION REQUEST
Monday, July 13, 2020

3A

SELECT BOARD APPOINTMENT

Zoning Board of Appeals Alternate

Requested by: Town Clerk Philip Gaudet

Action Sought: Approve

Proposed Motion(s)

Move that the Select Board appoint Erik Borg as an alternate member on the Zoning Board of Appeals with a term to expire on December 31, 2022.

Additional Information

- Please see attached application

Board Action

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



TOWN OF PROVINCETOWN

Application for Town Board Membership

Name: Erik Borg
 Resident Address: 8 Harbor Hill Road, Unit 4-2 Provincetown, MA 02657
 Mailing Address (if different): 141 Bradford St., Provincetown, MA 02657
 Telephone #: 612.719.6528 Work # ()
 Email address: erik@provincetownbrewingco.com

Please consider this as my application for [] membership [] reappointment on the following Town Board(s).
 (Please list order of preference.)

1. Zoning Board of Appeals
2. _____
3. _____

Listed below are the applicant's skills, experience, background, or other factors which would contribute to these committees:

I am a part owner Provincetown Brewing Co. and very interested in the health and vitality of the year-round community. I am also a former reporter for the Provincetown Banner where I developed an interest and understanding in local government.

I hereby certify that I am a resident of the Town of Provincetown.

Erik Borg 7/1/20
 Signature of Applicant Date

TO THE APPLICANT: FILE COMPLETED FORM WITH THE TOWN CLERK

Town Clerk Certification: Applicant is a registered voter: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <u>[Signature]</u> Name of Town Clerk	This application will remain on file in the Town Clerk's Office for 364 days from the date received. Application Termination Date: <u>6-30-21</u>
---	--

Date Received by Board of Selectmen

Date Received by Town Clerk 7-1-20

RECEIVED
 JUL 01 2020
SELECT BOARD

TOWN CLERK
 JUL 1 2020 12:57

Zoning Board of Appeals				
	First	Last	Position	Term End
1	Daniel	Wagner	Regular	12/31/21
2	Peter H.	Okun	Regular	12/31/21
3	Steven	Latasa-Nicks	Regular	12/31/22
4	Jeremy	Callahan, Chair	Regular	12/31/20
5	Susan	Peskin	Regular	12/31/21
6	Robert	Nee	Alternate	12/31/21
7	David Quinn	Taylor	Alternate	12/31/20
8	Vacant		Alternate	12/31/22
9	Vacant		Alternate	12/31/23
10	Vacant		Alternate	12/31/23



**Provincetown Select Board
AGENDA ACTION REQUEST
Monday, July 13, 2020**

4A

DISCUSSION

Mask Policy Re-Evaluation

Requested by: Chair David Abramson

Action Sought: Discussion/Approval

Proposed Motion(s)

Move that the Select Board vote to revise the Mask Policy to: Individuals are required to wear a mask or other cloth face covering over the nose and mouth when along the public way in the Town’s Commercial Center Zoning District. This order does not apply to children under the age of 2 or any person who is unable to wear a mask or face covering due to a medical condition or is otherwise exempted by the Department of Public Health guidance. Persons not able to wear a mask due to a medical condition are not required to produce documentation of the condition. This Order is intended to supplement the requirements of the Governor’s mask order, which continues to remain in place throughout the Town.

Additional Information

The current Joint Order Mask Policy is:

Individuals are required to wear a mask or other cloth face covering over the nose and mouth when along the public way on Commercial Street between Bangs Street and Pleasant Street from the hours of 9 AM until 9 PM. This order does not apply to children under the age of 2 or any person who is unable to wear a mask or face covering due to a medical condition or is otherwise exempted by the Department of Public Health guidance. Persons not able to wear a mask due to a medical condition are not required to produce documentation of the condition. This Order is intended to supplement the requirements of the Governor’s mask order, which continues to remain in place throughout the Town.

Staff is looking for the following Policy guidance for reconsideration:

- Consideration of including the Bas Relief within the Mask Zone
- How to address/enforce mask wearing of people eating (ice cream cone), drinking (drink with a straw) and smoking within the Mask Zone.

Board Action

<i>Motion</i>	<i>Second</i>	<i>In favor</i>	<i>Opposed</i>	<i>Disposition</i>



Provincetown Select Board
AGENDA ACTION REQUEST
Monday, July 13, 2020

4B

UPDATE

4th of July

Requested by: Town Manager Robin Craver

Action Sought: Discussion/Approval

Proposed Motion(s)

Discussion Dependent/Votes May Occur

Additional Information

Please see the attached staff reports.

Board Action

<i>Motion</i>	<i>Second</i>	<i>In favor</i>	<i>Opposed</i>	<i>Disposition</i>



Massachusetts PROVINCETOWN

Robin L. Craver, Town Manager
Office: 508.487.7002
rcraver@provincetown-ma.gov

Town of Provincetown
260 Commercial Street
Provincetown, MA 02657

TO: Board of Selectmen
FROM: Robin L. Craver, Town Manager
DATE: July 9, 2020
Re: 4th of July Report

This is an update on Town operations over the 4th of July holiday. As you know, Memorial Day and most of June brought a relatively light tourist population. The 4th of July's swell of tourists brought operation challenges which, I'm happy to report, staff were ready for, especially in the areas of enforcement, education, messaging and infrastructure.

Let me first recap two meetings early in the week,

Administration's call-in session on Wednesday

- Licensing, Police, DPW, Transportation and Health departments presented operational plans to mitigate crowds and the spread of the virus over the 4th of July. Residents asked questions and provided suggestions. Attached is a summary of the comments. Several Select Board members were on the call.

Select Board called an emergency meeting Thursday

- Based on the comments as well as individual conversations with residents, the Board changed its enforcement policy from education thru community policing to a more active police role in enforcement.
- Current policy was created in May while the population was moderate during the day and sparse in the evening.
- Later, when restaurants opened for seating; retail shops opened coupled with better weather, more and more people drew to town, staying later in the evening.
- You also acknowledged the Board should review its 9am to 9pm policy but agreed since it was not posted as an agenda item, you would wait until the following meeting. You requested a follow-up report on enforcement and compliance as well as placing the mask policy on this agenda.

In my opinion, the process over the past 2 weeks has been Democracy at its best.

- Elected officials created policy, addressing needs of the community at a given point in time- May.
- The community requested a change due to more people coming to town.
- Elected Officials heard community requests [institute a stringent mask order to reduce the spread of the virus]
- Board convened a meeting and changed policy to more active enforcement and tonight, I believe, you will address additional concerns.

Sometimes governing can appear messy, but in the end, if we follow the principles of democracy, we sustain a healthy and vibrant community.

The Community Development Department reported overall compliance was pretty good.

- Compliance officers made sure restaurants and retailers met requirements in their approved plans.
- One problem area addressed was social distancing in pools. Pool owners may have been caught off guard by the crowds. Staff reported:

“As follow up, we have inspected several of the licensed semi-public pools, and met with critical staff and sent a direct email to each reminding them of the guidance standards and the self-certifying check-list and that we would be

monitoring their compliance. Five businesses received warnings. One business was issued a fine for a non-COVID alcohol related offense.”

Going forward we will continue to have compliance officers on the street during off business hours and will proactively reach out to businesses to encourage compliance. The State requires progressive enforcement from verbal warning, to written redirection, to a fine up to \$300, to a Cease and Desist letter.

The Board voted active enforcement to protect public health and our police force stepped up its efforts. The Chief acknowledges the department is a full partner in this important community initiative. For more information, see the Chief's report.

We added additional messaging which worked well warning people they were entering a mandatory mask zone. The Signage also caused confusion after 9PM given that many visitors were not aware of the Governor's order. We also need clear guidance on people eating, drinking and smoking while on Commercial Street.

Fire Chief Trovato reported Rescue was very busy, almost like any other July 4th. They had 22 calls for rescue; 10 were transported to Cape Cod Hospital. Illegal fireworks were less than expected and handled by police. Mutual aid was called once. Please see his report attached.

DPW continues to recruit seasonal employees to fill vacant Firehouse #2 bathroom shifts and will open as soon as positions are filled. Trash barrels were routinely maintained and we will add addition barrels at Waterfront Park. In a discussion with the Director on Monday, we will work to find alternate handwash stations to reduce overall rental costs of portable stations such as adding fixed handwash stations to MPL restrooms. We will continue to seek vendors that can supply suitable sanitizer dispenser for Town needs. Water consumption is down 23% compared to 2019 over a 5-day holiday average (July 1 – July5). Comparing the same 5 day period (Weds-Sun) for 2019 vs 2020 sewer is down 31%.

Usage of the municipal parking lots was lower than usual but remained constant through the day. Compiling a tally to see the percentage difference from 2019. Wait times, even with the Whale Watch boats starting on July 6th, was consistently 10-15 minutes at the most, with 5-6 vehicles in line to exit.

The Ambassador Program was a success, although we had a bit of a rocky start putting the program together:

- We hired and trained 4 excellent applicants to engage the public, reminding visitors to wear masks; giving masks, giving a squirt of hand sanitizer as they walked by, and generally being helpful and welcoming.
- The *Be a Hero* campaign was well received and resonated with the families with children. They wanted to take pictures with the Superman poster. The boy in the picture is local and will be joining the Ambassadors in costume to meet and greet soon.
- We will be purchasing official shirts for the ambassadors and I'm happy to report we are onboarding three new candidates.
- 250 masks were handed out over the weekend and we expect to use 3,500 over the summer season.
- Everyone that approached the Firehouse expressed their gratitude for handing out free masks and the outreach of the program.

An influx of visitors sparked concerns regarding the “circuit crowd” because they traveled in groups, creating their own social bubble, yet intermittently interfaced with residents, workers and other guests. The crowds/groups generated much dismay and concern for potential spread of the virus. We are in the process of looking at testing similar to the two day free testing that was done in mid-June by Outer Cape Health Services.

We are all dealing with uncertainty and want to be safe and healthy. Residents are calling for a shift in policy from waiting to react if something happens to being proactive. Given the demographics, that is not an unreasonable request. I agree with them and will continue to find ways to eliminate potential virus exposure to keep our community safe.

TOWN MANAGER CALL-IN MEETING FOR THE 4TH OF JULY WEEKEND UPDATE-
SUMMARY OF PUBLIC COMMENTS

July 1, 2020 at 7:00 PM

VIRTUAL MEETING

Public Comments:

Don Murphy from Portuguese Festival:

- Offered to replace festival banners with welcoming banners with a message about safety when festival banners are taken down.

Carolyn Kramer, resident who lives on Pleasant Street:

- Doesn't know what the Town's plan is to enforce mask-wearing during absurd hours of 9am to 9pm.
- Business leaders have been trying to convey need for enforcement. Police need to follow oath to protect and enforce wearing of masks.
- Signage is not adequate.
- Upset about incident at George's. Town staff and Police Chief should have stopped by to see George after the incident.

Peter Petas:

- Perception is that there is no enforcement of mask wearing. Led to conflict at George's. Communications strategy needed. Signage is not adequate. Maybe get arts community involved. Police need to be involved without needing to be called. Untrained workers should not be in charge of enforcement. Officers should remind people that masks are required.
- If this isn't mitigated, Town budgets and economy will be effected badly.
- Encourages a 24/7 mask requirement.
- Nothing has been done to protect workers. Protecting workers protects businesses and the economy.

Shelley:

- Encouraged closing Commercial Street when it is busy.
- Impressed with mask-wearing compliance.
- Waterfront park and bathrooms look good.

Francesca, Business Owner:

- Signage should include business district, not just streets i.e. Lopes Square, the Pier, Town Hall block, etc. Signage is not adequate. Visitors she reminds to wear a mask are not aware of the requirement. As a business owner, she is the "mask police". Some are not wearing masks properly. If they can't wear them for health reasons, they shouldn't be on Commercial Street. People that are ignorant get mad at her and she doesn't feel like she has Town support. Town staff, such as DPW, should be enforcing masks.

Peter Brown:

- Encourages Town staff to reach out to Stan from Land's End Inn to contact his daughter who is heavily involved in conflict resolution. She can talk to the Ambassadors.

Sheila McGuinness:

- Doesn't understand logic of 9am to 9pm mask requirement.
- New signage is much better.
- Why wasn't the creation of new signage publicized? Makes her wonder what other plans are forthcoming such as new infections. One of the issues people are having is not knowing things. Might be less angst if people know what's coming.
- Thinks it would be effective if police enforced mask usage.

Bill:

- Appreciates Town Manager.
- Asked for Peter Petas' comments to be addressed. (Peter repeated need for communications strategy, police enforcement of masks and 24/7 mask requirement).

Chuck Rigman?:

- Suggested looking at mask order for Nantucket. Provincetown mask order should be rewritten to make it clearer because it does not spell out the State's requirement. Lines could be painted on the street to mark mask zones with a balloon arch at each end.

Laura:

- Wants to know what objection is to having a requirement that a mask be worn everywhere. There should be more signage, police enforcement and fines. It should be clear direction that is easy to understand.

Karen Jasper:

- Questions for Chief Golden. Concerned about social distancing and crowd control. What is the role of police officers in enforcing problems with rowdy crowds such as people waiting for food and how many officers are doing community policing downtown without being called? Does not see a police presence. Police seem resistant to enforcing COVID-19 regulations. Asked if Police Chief if he would support them enforcing.

From: David Gardner, Assistant Town Manager
To: Robin Craver, Town Manager
Date: July 7, 2020

July 4th Holiday Weekend Compliance Report

Both the Code Compliance Officer and myself were out over the weekend and after working hours observing business compliance on each day of the holiday weekend.

Overall, our observations are that the Town experienced an extreme influx of people compared to what we had experienced throughout the month of June. The July Fourth Holiday weekend is commonly perceived as dominated by large "circuit party" crowds and large number of day trippers associated with the holiday fireworks demonstration. Although the circuit events and fireworks were cancelled, the town still saw large numbers of the expected visitors.

The circuit party crowds, consist primarily of large groups of young gay males. These individuals have a tendency to travel and stay in groups, often of up to 10 individuals or more, which explains why there were so many complaints about groups of individuals. They also commonly go to the beach or public pools during the day and hold large house parties at night, where they conjugate in groups that would make it very difficult to socially distance.

With that taken into consideration, overall compliance was actually pretty good.

Social distancing and mask wearing on Commercial Street and in the establishments went relatively well except for some notable exceptions discussed below.

Compliance Observations in the Field

Commercial Street after 9pm. I observed mask wearing on Commercial Street during the day to have overwhelming compliance. But that compliance dropped considerably after 9pm. In my observation, Commercial Street crowds were not overwhelming at night but there were certainly moments where one would be required to pass others within six feet. I personally witnessed the Police approaching groups of people standing around to ask them to put their masks on because they were not socially distancing, including at Spiritus Pizza after 11pm. Many people again, traveling in groups, wore their mask around their necks while within their own group, were eating, drinking or smoking, and when they were walking down the street.

Social Distancing during the day did not go as well at the large hotel pools and we received several complaints about overcrowding and the lack of social distancing in the pools.

As follow up, we have inspected several of the licensed semi-public pools, and met with critical staff and sent a direct email to each reminding them of the guidance standards and the self-certifying check-list and that we would be monitoring their compliance. Five businesses received warnings. One business was issued a fine for a non-COVID alcohol related offense.

At one location we conducted the opening inspection as correction to their premature opening. We discussed the requirements to manage the pool occupancy to 40% of the calculated bather load and the deck area to 6' social distancing between groups. That manager acknowledged receipt of the guidance and reported having reduced the hotel occupancy to avoid a 'full house' and had pool furniture spaced appropriately.

At another location, the limited facility food service had been overwhelmed Saturday with patrons lined up and crowded to order. Upon inspection today, the general manager reported the improvement of staff serving orders to the customers seated at poolside tables, understood alcohol to be ancillary to food service, and the beverage counter of the snack shack had been closed off with yellow caution tape. We forwarded the pool email sent to the Certified Pool Operator to this manager. This location will be monitored closely to ensure corrective measures are implemented.

Another location needs to get the limited facility food service license for the poolside snack shack renewed and assisted the manager with the form and instructions. The manager was in receipt of the pool information email sent this morning and we discussed their operations. The line to order on Saturday became a congregation so they directed customers to order at one end, await calling for the order ready to be picked up, receive at other end of the counter. We advised that service to the poolside tables would be another method to reduce groupings and requested two tables near the order counter should be removed. We discussed alcohol orders as ancillary to food service. The establishment is complying with our corrective measures.

Another hotel that has no food/alcohol beverage service was reported for a large group at the pool over the weekend. The manager had a group of 14 travelled together, stayed together, seated together in the corner of the enclosure area and 6'+ away from other groups using the pool. This manager was also in receipt of the pool information emailed by staff. The establishment was directed to better police the social distancing and capacity guidelines.

Another location has indicated that the pool is limited to hotel guests and is not open to the general public and has acknowledged the pool guidance.

All the licensees demonstrated an interest in compliance but perhaps struggled with an unanticipated level of business this weekend, and have been making adjustments to do better. The pool operators have been warned and further non-compliance will result in fines.

Restaurant and Alcohol Compliance:

We had at least one staff member on the street for the 11pm restaurant closing each night. We did not identify any business that served past 11pm. Mask compliance amongst restaurant employees appear comprehensive. Restaurants were managing their crowds well.

We continue to identify instances where tables within restaurants do not have any evidence of food service or minimal food service so as to raise concern about the level of compliance under the restaurant license.

The Board of Health guidance in this area is not comprehensive to include every circumstance. The Board issued minimum qualifying menu criteria for restaurants and the Department issued licenses to those former bar establishments based on that guidance. They also stated that the intent of the guidance was that alcohol service be ancillary to food service. But they did not establish a minimum compliance level for each table. The current guidance is just food served to each table if alcohol is to be served. This is near impossible to enforce in every instance as under this scenario food only needs to be served once and the table can continue drink for several rounds. It is difficult and time consuming to observe an individual table for compliance as a table can commonly be seated for upwards of over an hour. Issues like table spacing, server compliance and workplace safety standards are more clearly identifiable and easier to enforce.

Staff reached out to each restaurant on Thursday prior to the holiday to remind them of the minimum requirements and the closing times. We will continue to remind restaurant owners of their diligence in ensuring that a minimum of food is order for each table. There are currently four restaurants who have been issued formal warnings based on complaints or observations by staff.

Compliance Complaints Received

The complaint email and phone number was published last Thursday. Over the weekend we received 13 separate complaints, 7 by email, 6 by phone. The complaints identified 21 COVID related issues for investigation and 1 non-COVID issue.

The overwhelming issue with all complaints was crowding and lack of social distancing. Most involved the pools which was discussed above and follow-up directly with each pool operator.

We received two complaints about overcrowding at the beach not under the Town's jurisdiction and at private residences, which is not a matter controlled by the Community Development Department. We also received two complaints about the crowds in general, meaning that they feel as though there were just too many visitors in Town of the holiday for the Town to manage.

Moving Forward

We have established an internal process to triage and route complaints to appropriate staff for follow-up. We have adjusted working hours for Compliance Staff to ensure that we have someone on the street during non-business hours. We will continue to proactively reach out to businesses to encourage compliance.

The Compliance Steps are as follows:

1. Communications are sent to business owners the same day or next day of violation (even on weekends)
2. Utilization of the state provided steps for enforcement:

Verbal consultation & redirection	Up to 1 time before escalation to next level
Written redirection	Up to 1 time before escalation to next level
Fines up to \$300	Up to 3 times before escalation to next level
Cease & Desist letter	Up to 1 time

3. Priority for compliance each week/weekend will be to canvas for new violations while keeping an eye out for repeat violations.
4. Complaints through email and voicemail are logged within 24 hours into tracking system and assigned to the proper staff member. Complaints are triaged, categorized and tracked.
5. Complaints registered in tracking system are followed up within 5 business days unless public health and safety issue (48 hours).

Board of Health and eminent public safety fines may be greater.

We will continue to refer compliance issues related to COVID-19 to the Board of Health, Select Board and Licensing Board for interpretation and guidance as needed.



"Restaurant" means an establishment that provides seated food service that is prepared on-site and under a retail food permit issued by a municipal authority pursuant to 105 CMR 590.000.

Restaurants may provide outdoor table service at the commencement of Phase 2 of the Commonwealth's Reopening Plan. Restaurants will be authorized as part of Step 2 of Phase 2 of the Re-Opening Plan to commence indoor table service starting June 22, 2020.



SOCIAL DISTANCING

Ensure >6ft between individuals

- When indoor table service is permitted, restaurants are encouraged to structure operations to operate as much as possible through outdoor table service and to strictly limit indoor table service in order to assure effective compliance with social distancing requirements and to limit activities within confined spaces
- Restaurants must comply with the following sector specific social distancing rules for providing dining services in all customer seating areas:
 - Tables must be positioned so to maintain at least a 6 foot distance from all other tables and any high foot traffic areas (e.g., routes to bathrooms, entrances, exits); tables may be positioned closer if separated by protective / non-porous barriers (e.g., structural walls or plexi-glass dividers) not less than 6 feet high installed between tables and high foot traffic areas
 - The size of a party seated at a table cannot exceed 6 people
 - Restaurants may not seat any customers at the bar, but subject to any applicable building and fire code requirements, bar areas may be re-configured to accommodate table seating that complies with all spacing and other requirements in these COVID-19 safety standards
 - All customers must be seated; eat-in service to standing customers (e.g., around bar areas) is prohibited
 - Restaurants may provide carry-out or delivery service, but all safety standards for table separation, size of party, and hygiene must be maintained for any indoor or outdoor table seating that is available to carry-out patrons
 - All other amenities and areas not employed for food and beverage service (e.g., dance floors, pool tables, playgrounds, etc.) must be closed or removed to prevent gathering of customers
- Ensure separation of 6 feet or more between all individuals (workers, vendors, and customers) unless this creates a safety hazard due to the nature of the work or the configuration of the workspace:
 - Close or reconfigure worker common spaces and high density areas where workers are likely to congregate (e.g., break rooms, eating areas) to allow 6 feet of physical distancing; redesign work stations to ensure physical distancing (e.g., separate tables, stagger workstations on either side of processing lines so workers are not face-to-face, use distance markers to assure spacing including in the kitchen area)
 - Establish directional hallways and passageways for foot traffic if possible, to minimize contact (e.g., one-way entrance and exit to the restaurant). Post clearly visible signage regarding these policies
 - Prohibit lingering in common areas (e.g., waiting areas, bathrooms) and ensure social distancing in common areas by marking 6 feet spacing with tape or paint on the floor and signage
 - All customer-facing workers (e.g., servers, bus staff) must minimize time spent within 6 feet of customers
- Designate assigned working areas to workers where possible to limit movement throughout the restaurant and limit contact between workers (e.g., assigning zones to servers)
- Stagger work schedules and staff meal and break times, regulating maximum number of people in one place and ensuring at least 6 feet of physical distancing
- Minimize the use of confined spaces (e.g., elevators, vehicles) by more than one individual at a time
- Require face coverings for all customers and workers at all times, except where an individual is unable to wear a face covering due to medical condition or disability
- Improve ventilation for enclosed spaces where possible (e.g., open doors and windows)
- Customers may remove face coverings while seated at table



HYGIENE PROTOCOLS

Apply robust hygiene protocols

- All workers must wash their hands frequently, and table servers must wash their hands or apply hand sanitizer between each table interaction
- Ensure access to handwashing facilities on site, including soap and running water, and allow sufficient break time for workers to wash hands frequently; alcohol-based hand sanitizers with at least 60% alcohol may be used as an alternative
- Alcohol-based hand sanitizers with at least 60% alcohol should be made available at entrances, exits, and in the dining area
- Supply workers at workplace location with adequate cleaning products (e.g., sanitizer, disinfecting wipes)
- Post visible signage throughout the site to remind workers and customers of hygiene and safety protocols
- Self-serve, unattended buffets, topping bars, drink stations, and other communal serving areas must remain closed
- Condiments and similar products (e.g., salt, pepper, and salad dressing) should not be pre-set on tables and should instead only be provided upon request either in single-serving portions (e.g., individual packages or cups) or in serving containers that are sanitized between each use



HYGIENE PROTOCOLS

Apply robust hygiene protocols

- Menus must be one of the following: 1) paper, single-use menus disposed after each use, 2) displayed menu (e.g., digital, whiteboard, chalkboard), 3) electronic menus viewed on customers' phones / mobile devices
- Utensils and place settings must be either single-use or sanitized after each use; utensils should be rolled or packaged. Tables should not be pre-set to reduce opportunity for exposure
- Tables and chairs must be cleaned and sanitized thoroughly between each seating



STAFFING & OPERATIONS

Include safety procedures in the operations

- When possible, reservations or call ahead seating should be encouraged; managers must ensure that diners waiting for tables do not congregate in common areas or form lines
- Restaurants may not provide customers with buzzers or other devices to provide alerts that seating is available or orders are ready; restaurants should instead use no-touch methods such as audio announcements, text messaging, and notices on fixed video screens or blackboards
- Provide training to workers on up-to-date safety information and precautions including hygiene and other measures aimed at reducing disease transmission, including:
 - Social distancing, hand-washing, and requirement and proper use of face coverings
 - Modifying practices for serving in order to minimize time spent within 6 feet of customers
 - Self-screening at home, including temperature or symptom checks
 - Reinforcing that staff may not come to work if sick
 - When to seek medical attention if symptoms become severe
 - Which underlying health conditions may make individuals more susceptible to contracting and suffering from a severe case of the virus
- Restaurant operators should establish adjusted workplace hours and shifts for workers to minimize contact across workers and reduce congestion at entry points
- Limit visitors and vendors on site; shipping and deliveries should be completed in designated areas
- Workers should not appear for work if feeling ill
- Restaurants must screen workers at each shift by ensuring the following:
 - Worker is not experiencing any symptoms such as fever (100.3 and above), cough, shortness of breath, or sore throat;
 - Worker has not had 'close contact' with an individual diagnosed with COVID-19. "Close contact" means living in the same household as a person who has tested positive for COVID-19, caring for a person who has tested positive for COVID-19, being within 6 feet of a person who has tested positive for COVID-19 for 15 minutes or more, or coming in direct contact with secretions (e.g., sharing utensils, being coughed on) from a person who has tested positive for COVID-19, while that person was symptomatic
 - Worker has not been asked to self-isolate or quarantine by their doctor or a local public health official
 - Workers who are sick or feeling ill must be sent home.
- Anyone showing signs of illness may be denied entry
- Encourage workers who test positive for COVID-19 to disclose to the employer for purposes of cleaning / disinfecting and contact tracing. If the employer is notified of a positive case at the workplace, the employer shall notify the local Board of Health (LBOH) in the city or town where the workplace is located and assist the LBOH as reasonably requested to advise likely contacts to isolate and self-quarantine. Testing of other workers may be recommended consistent with guidance and / or at the request of the LBOH
- Notify workers that they may not work if they test positive for COVID-19 (they should be isolated at home) or are found to be a close contact of someone with COVID-19 (they should be quarantined at home)
- Post notice to workers and customers of important health information and relevant safety measures as outlined in the Commonwealth's [Mandatory Safety Standards for Workplace](#)
- Designate the Person in Charge (105 CMR 590) for each shift to oversee implementation of the guidelines in this document
- Restaurants will be allowed to maximize outdoor dining space, including patios and parking lots where available, where municipal approval is obtained
- When taking reservations and when seating walk-in customers, restaurants should retain a phone number of someone in the party for possible contact tracing



STAFFING & OPERATIONS

Include safety procedures in the operations

- Encourage use of technological solutions where possible to reduce person-to-person interaction (e.g., contactless payment, mobile ordering, text on arrival for seating)
- Workers who are particularly high risk to COVID-19 according to the Centers for Disease Control (e.g., due to age or underlying conditions) are encouraged to stay home or arrange an alternate work assignment
- Workers are strongly encouraged to self-identify symptoms or any close contact to a known or suspected COVID-19 case to the employer



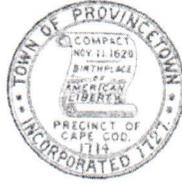
CLEANING & DISINFECTING

Incorporate robust hygiene protocols

- Clean commonly touched surfaces in restrooms (e.g., toilet seats, doorknobs, stall handles, sinks, paper towel dispensers, soap dispensers) frequently and in accordance with CDC guidelines
- Keep cleaning logs that include date, time, and scope of cleaning
- Conduct frequent disinfecting of heavy transit areas and high-touch surfaces (e.g., doorknobs, elevator buttons, staircases)
- Implement procedures to increase cleaning / disinfecting in the back-of-house. Avoid all food contact surfaces when using disinfectants. Food contact surfaces must be cleaned and sanitized before use with a sanitizer approved for food contact surfaces. Non-food contact surfaces must be frequently cleaned
- In the event of a presumptive or actual positive COVID-19 case of a worker, patron, or vendor, the restaurant must be immediately shut down for 24 hours and then must be cleaned and disinfected in accordance with current CDC guidance before re-opening

Town of Provincetown

James F. Golden
Chief of Police
jgolden@provincetown-ma.gov



Police Department

26 Shank Painter Road
Provincetown, MA 02657
Phone: (508) 487-1213
Fax: (508) 487-4077
www.provincetown-ma.gov

TO: Robin L. Craver, Town Manager
FROM: James F. Golden, Chief of Police
Subject: July 4th Holiday Report
DATE: 07/06/2020

Today began PHASE III in Massachusetts. On Wednesday July 01, 2020 a change occurred with the out of state travel advisory. Self-quarantine will be exempted for travelers from any of the NE states, including NY and NJ. All other states will be "urged" to self-quarantine for 14-days upon arrival.

The medical evidence is clear: the wearing of face masks or face coverings in public settings, especially when it is not possible to consistently maintain physical social distancing, is a critical element to preventing the spread of COVID-19. Regrettably, in recent weeks we have seen evidence that in some areas where there is growing community spread. In our community with zero active cases currently, we are testing in the low 1% = CCHC testing is excellent. Cape Cod Hospital in Hyannis reports 2 coronavirus patients. Falmouth Hospital is treating 6 coronavirus patients, with only 1 patient in the ICU. 149 fatalities to date. I am watching with concern the reemergence of positive tests in the Acela Corridor map which I am providing you weekly – New Jersey case numbers are creeping up and they are looking to possibly reassert indoor dining guidelines to slow it down. We are hopeful we can manage it here with masking, washing hands, physical distancing. Overall our community must assert the adoption of the new social norms to get people to do the right thing. Thursday July 02, 2020 the Provincetown Select Board in conjunction with the Provincetown Board of Health voted to re-double our efforts to protect public health.

Because absent stronger measures to prevent transmission, communities across America risk another round of shutdowns, broad restrictions on non-essential activities, and irreparable economic harm.

I believe your police employees should be just one in a great line of others when it comes to messaging the community mask order in Provincetown. We should embrace the mask order in a way where we can market it in a more informative and health oriented way. All visitors arriving to our community should know at every step in their journey and be exposed to what is expected of them when they arrive. Currently our radio advertising effort touts that we are

In partnership with the community

open and safe and the final words in the advertisement denotes “to bring your mask”. That messaging needs to be flipped, where the importance of wearing a mask is emphasized as just another thing that makes Provincetown special.

- The new signs are an improvement but more signage is needed. We need to accept the offer of the Portuguese Festival Committee and hang 12-16 banners across Commercial Street. They need to be both informational and numerous. People walking on vacation do not instinctively pay attention to a street sign.
- Additional banner signage is needed where people arrive by public conveyance in the area of the transportation center near the public restrooms and MacMillan Pier. This information should also be displayed in all vehicles currently licensed for hire in town.
- We need to recruit and deploy more ambassadors to help supplement and further augment our mask education and enforcement capacity. Could we consider utilizing other town departments? Those on reduced capacity or could on a rotating basis to be tasked to assist in this effort.
- We have already requisitioned additional complimentary disposable surgical face masks to hand-out to our visitors as needed. These are expensive and cumbersome to acquire but necessary.
- We are going to standardize the appearance of our Community Health Ambassadors to make them look more like a town official.
- Should we consider masking stations where masks are available free to the public in locations other than Firehouse #3.
- The police department will remain a full partner in this important community initiative.

I was asked to report back to you specifically about the costs necessary to dedicate teams of police officers to handle solely mask education and enforcement. These approximate security costs would represent three teams (East), (West) and a (Center) in addition to those town employees and agents currently assigned to this function. Such an enterprise based on the current 12-hour day, would cost approximately \$4,800 per day. For the remaining 60-days this season would amount to at least \$288,000 and fulfillment would be very difficult to manage.

The following is a summation of the education and enforcement of the Select Board’s emergency order pertaining to wearing masks on Commercial Street for July 4th weekend:

On Friday, July 3, 2020, Full-Time Officers D’Andrea, Saliba, McCauley, and Sergeant Landry conducted foot patrol on Commercial Street from Lopes Square to Court Street wearing a high-visibility garment for mask education/enforcement on a rotating basis.

From 3pm – 4:30pm, Officer D’Andrea issued 2 masks and asked 5 other individuals to put on a mask they already had in their possession. From 4:30 – 6pm, Sergeant Landry spoke with 10 different people regarding masks, 6 people were issued masks. From 6pm-7:30pm, Officer McCauley issues no masks or brochures. From 7:30pm – 9pm, Officer Saliba issued no masks or brochures. We also had bicycle patrol officers assigned to Commercial Street conducting the same education and enforcement efforts.

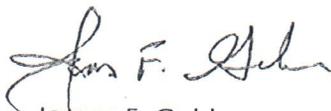
On Saturday, July 4, 2020, the entire department was required to work at various times throughout the day. This included bicycle patrols, foot patrols, and cruiser patrols. For permanent Commercial Street assignments, none of the education and enforcement efforts were documented. However, every employee was given the same instructions for compliance enforcement, including our community service officers, reminding people to wear their masks.

Education and enforcement efforts on Commercial Street for July 4th started at midnight, with Sergeant Spoor conducting a park, walk, and talk from 12:15am – 12:48am. He did not observe anyone violating social distancing rules.

From 9:19am – 9:59am, Sergeant Enos conducted a foot patrol. He issued 4 masks and spoke to 14 people about proper mask application. From 9:49am – 11:55am, Officer Sullivan conducted another foot patrol. He issued six masks during this time. From 12pm – 1pm, Sergeant Enos again walked on Commercial Street. He handed out 1 mask and spoke to 4 others about wearing them. From 1:08pm to 2:44pm, Officer Voltolini conducted a foot patrol and reported no mask issues. Several more foot patrols were conducted; however, no information was recorded by the officer. Officer Catanese conducted a park, walk, and talk at 10:51pm and instructed multiple people to produce masks and advised them of the Governor's order.

In addition, at 11am, Sergeant Landry and Lieutenant Hennick were assigned to bicycle patrol to monitor the Racial Justice Silent Vigil from 12pm – 1pm. During their time on bicycle patrol, they reminded approximately 15-20 people to wear their masks. Lieutenant Hennick later gave out 2 masks as well.

On Sunday, July 5, 2020, from 10:19am to 10:58am, Sergeant Enos conducted a foot patrol and spoke with 13 people about proper mask placement. 2 masks were distributed. From 11:13am – 12:30pm, Officer Sullivan distributed 4 masks. From 12:23pm – 1:20pm, Sergeant Enos again handed out 1 mask and 18 people about wearing masks or adjusting their masks for a proper fit. From 3:09pm – 4:58pm, Officer Saliba reminded six people to wear masks. From 4:58pm – 6:40pm, Officer Radzik spoke to 19 people and provided 2 masks. From 7:58pm – 8:41pm, Officer Radzik again spoke to 22 people about wearing masks. From 9:31pm – 9:59pm, Sergeant Koumanelis conducted a foot patrol on Commercial Street with no violations of the Governor's order observed. Officer Kacergis also conducted a foot patrol from 11:32pm – 11:40pm before he was called away, unfortunately no activity was recorded.


James F. Golden
Chief of Police

Robin Craver

From: Mike Trovato <mike@joeandson.com>
Sent: Wednesday, July 8, 2020 1:17 PM
To: Robin Craver
Subject: July 4th weekend Fire and Rescue activity

Hi Robin,

This July 4th was almost like any other 4th of July for the Provincetown Fire Department. There were a lot of people in town as you know and we were busy.

We started off in the morning with a man that fell on the Breakwater. He had a serious ankle fracture. It was high tide and he was almost all the way out to the end of the Breakwater.

Firefighters using a boat from Flyers Boatyard picked up our Paramedics and EMT's at the Breakwater and went out and got the patient off of the Breakwater. He was transported to Cape Cod Hospital.

Then we responded to a total of 22 calls for rescue, 10 of those were transported to Cape Cod Hospital. Three of those were doctor ordered transports from Outer Cape Health.

They responded to a hotel that had 7 men partying in a room and they were using the circuit party drug GHB. We didn't see as many illegal fireworks that I was expecting. The Police handled the illegal fireworks situation well.

We got through the weekend with only having to call for mutual aid once. We had a Wellfleet ambulance in our station for about a minute when they were called to Outer Cape Health for a doctor ordered transport.

That left me with one Provincetown BLS ambulance with two EMT's for coverage for a short time and two ALS ambulances returned to town for coverage.

We fully staffed all 3 of our ambulances for the weekend and we barely made it through without taxing the mutual aid system.

There was a day last week when I had two of our three ambulances break down at the same time. I borrowed the reserve ambulance from Chief Pauley in Wellfleet and that worked out well. We got ours repaired and back on the road within a couple of days.

We really need to order and get a new ambulance here as soon as possible.

Thanks and take care,
Michael S Trovato

Pre / Post July 4th, 2020 Observation
Department of Public Works

Town Barrels:

Pre 4th

- Roughly 210 trash/recycling barrels dispersed throughout town.
- Downtown barrels are changed twice a day: morning and late afternoon
- Weekend crews come in on two shifts: 5am and 2pm, takes approximately 4 hours to change barrels
- Additional barrels have been added to the waterfront park and other picnic areas.

Post 4th Observation

- Consider adding addition barrels at Waterfront Park
- Consider changing afternoon shift to 3pm as opposed to 2pm. Captures more of the early dinner take-out crowd

Public Toilets:

Pre 4th

- Municipal Parking Lot Bathrooms open 7 days/week
 - M-Th: 8am – 8pm
 - F – Su: 8am – 10pm
- Town Hall Bathrooms: F – Su: 9:30am – 5:30pm
- FH#2 Bathrooms remained closed due to staffing shortage
- Harbormasters Bathroom open 7days/week: 8am – Midnight
- Portable Toilets:
 - Waterfront Park
 - Johnson Street
 - Municipal Parking Lot (near courtesy float)
 - Municipal Parking Lot (near public restroom)
 - Court Street Town Landing
 - Motta Field
 - East End Playground
- Most portable toilets are serviced daily, few service Thursday – Monday

Post 4th Observation

- Continue to recruit seasonal employees to fill vacant Firehouse #2 bathroom shifts. Open bathroom as soon as the positions are filled.
- Consider adding fixed handwash stations to MPL restrooms to reduce cost of portable handwash stations.

Hand Wash Stations:

Pre 4th

- (4) handwash stations dispersed throughout Town
 - Waterfront Park
 - Johnson Parking Lot
 - Municipal Parking Lot (near public restrooms)
 - Court Street Town Landing
- Handwash Stations are serviced daily Thursday - Monday

Post 4th Observation

- Find ways to reduce need for HW stations to reduce overall rental costs.

Hand Sanitizer Stations:

Pre 4th

- Struggling to procure suitable dispensers, some suppliers are backordered 8 months

Post 4th Observation

- Continue to seek vendors that can supply suitable dispenser for Town needs. General public seems to carry their own 2 ounce bottle for personal use.

Water Department:

Pre 4th

- Increase water pumpage – Fill tanks to higher elevation
- Weekend on-call distribution coverage, limited weekend physical coverage at treatment plant otherwise on-call coverage

Post 4th Observation

- Water consumption is down 23% compared to 2019 over a 5-day holiday average (July 1 – July5)

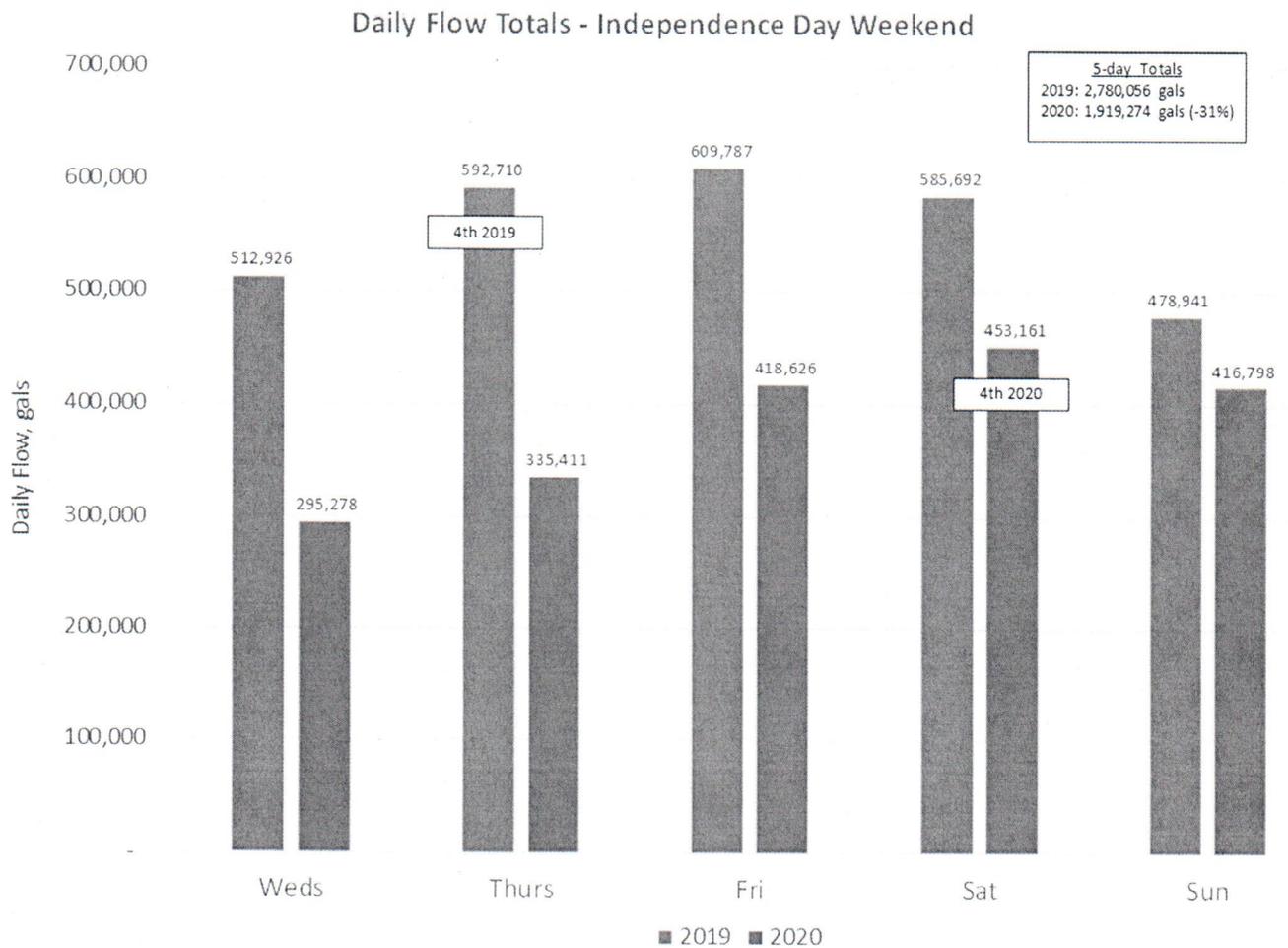
Sewer Department:

Pre 4th

- Limited weekend physical coverage otherwise on-call coverage

Post 4th Observation

- Comparing the same 5 day period (Weds-Sun) for 2019 vs 2020 sewer is down 31%. Because this was a leap year, there was a two day difference on what day the 4th fell on, so there's a little bit of difference between the years for that reason alone, but it's clear that things are still quite a bit off.



Highway Department:

Pre 4th

- Street Sweep the downtown corridor and parking lot each morning throughout weekend.

Post 4th Observation

- No change in operation

Building & Grounds (Barrels):

Pre 4th

- On-call staff will be prepared to answer additional calls for service as they come in.

Post 4th Observation

- No change in operation

Transfer Station / Sanitation:

Pre 4th

- On summer schedule: open 7days/week from 7am to 2pm (except Holidays)
- July 4th Holiday (Saturday) Transfer Station open 7am – 10:30am
- Regular trash pickup schedule

Post 4th Observation

- No change in operation



**Provincetown Select Board
AGENDA ACTION REQUEST
Monday, July 13, 2020**

4C

DISCUSS PROMOTING VISITORS

Presented by VSB Chair Jay Gurewitsch and Tourism Director Anthony Fuccillo

Requested by: Town Manager Robin Craver

Action Sought: Approval

Proposed Motion(s)

Discussion Dependent/Votes May Occur

Additional Information

See attached summary from Tourism Director Anthony Fuccillo

Board Action

<i>Motion</i>	<i>Second</i>	<i>In favor</i>	<i>Opposed</i>	<i>Disposition</i>

Tourism Office



Date: July 13, 2020

To: Robin Craver

From: Tony Fuccillo, Nina Cantor

RE: July Ad Content

Copy: Jay Gurewitsch, David Gardner, Josee Young

Following Governor Baker's announcement of Phase 2 and the reopening of business in Massachusetts the marketing and advertising moved to step three of the Crisis Recovery Marketing Strategy. Step three of the strategy is pivoting the advertising to let people know they can visit. There is a lot happening as expected once we pivoted. All the April, May and early June digital media and PR work leading up to step three positioned Provincetown with consumers and the press. The response to ads has been positive and the press has been including Provincetown in editorial and news segments. The strategy in place to bring us through the crisis is working. The VSB and Tourism Department have taken the three step strategy seriously and the results will have an effect on more tourists visiting.

The strategic plan was intended for a period of three to six months based on activities surrounding the pandemic. Step three, invitation to visit, will remain in place through the summer completing the six months. We are closely watching business activities and working with the PBG and Chamber on the economic landscape of the fall/winter and will adjust the marketing accordingly.

At the June 29th 2020 VSB meeting the Board voted unanimously to mention mask wearing in all ads going forward. The progressions of the reopening phases are depicted in the ad copy. The June 29th ads include indoor dining and on July 6th an ad was launched to include whale watching and dune tours.

The strategic plan is being updated to include the economic recovery marketing to begin in the fall of 2020 to affect the 2021 calendar year.

Ad Campaign Themes

- Paradise Found – Not Lost
- A Luxurious Escape This Summer
- Plan Your Beach Escape This Summer
- Over 60 Galleries to Explore and Inspire
- Your Premier LGBTQ Destination
- Safe Seaside Dining This Summer
- Shop Local In Provincetown
- Summer of Small Moments and Big Memories
- Provincetown is Open and Ready to See You
- Don't forget to Wear a Mask and Social Distance

Social Media - Launched week of June 8th

 Provincetown
Sponsored · 🌐

Treat yourself to a unique getaway in Provincetown! A haven on the tip of Cape Cod, Provincetown is open and ready to welcome you. Book your stay at one of Ptown's charming inns and enjoy the seashore like never before.



Provincetown
CAPE COD, MA

PTOWNTOURISM.COM
A Luxurious Escape This Summer [Learn More](#)

 Provincetown
Sponsored · 🌐

Treat yourself to a unique getaway in Provincetown! A haven on the tip of Cape Cod, Provincetown is open and ready to welcome you. Book your stay at one of Ptown's charming inns and enjoy the seashore like never before.



Provincetown
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PTOWNTOURISM.COM
A Luxurious Escape This Summer [Learn More](#)

 Provincetown
Sponsored · 🌐

Art is always thriving in Provincetown! Book your stay today and witness the dynamic art scene across 60 galleries in Ptown. Galleries are open by appointment and virtual strolls are also offered.



Provincetown
CAPE COD, MA

PTOWNTOURISM.COM
Over 60 Galleries To Explore! [Learn More](#)

👍 Like 💬 Comment ➦ Share

 Provincetown
Sponsored · 🌐

Provincetown is open and ready to welcome visitors! A haven on the tip of Cape Cod and a favorite LGBTQ destination, Provincetown celebrates individuality and pride year-round. This summer will be small gatherings and big memories! Book your stay today.



Your Premier LGBTQ Destination
Provincetown
CAPE COD, MA

PTOWNTOURISM.COM
Your Premier LGBTQ Destination! [Learn More](#)

Social Media - Launched Week of June 15th



Get your first taste of the season in Provincetown. A haven on the tip of Cape Cod, Provincetown is open and ready to welcome you. Enjoy exquisite fare while supporting local restaurants offering the perfect outdoor dining experience. Book your trip today!



PTOWNTOURISM.COM

Safe, Seaside Dining This Summer

[Learn More](#)



Awaken your creativity in Provincetown. A haven on the tip of Cape Cod, Provincetown is open and ready to welcome you. Absorb yourself in the thriving art scene of America's oldest continuous art colony. Book your trip today!



PTOWNTOURISM.COM

Over 60 Galleries To Inspire You

[Learn More](#)



Visit Provincetown for a novel seaside experience! A haven on the tip of Cape Cod, Provincetown is open and ready to welcome you. Book your stay at a beachfront inn or a cozy guesthouse for some much-needed relaxation.



PTOWNTOURISM.COM

Plan Your Beach Escape This Summer

[Learn More](#)



Discover treasured gifts in Provincetown. A haven on the tip of Cape Cod, Provincetown is open and ready to welcome you. Browse the unique local shops from the luxurious to artisanal boutiques. Plan your trip today!



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Social Media - Launched June 22nd

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This summer in Provincetown may be different, but it will be just as mesmerizing. Book your stay, stroll down charming streets visiting shops and galleries, and capture glimmering sunsets. And remember to wear a mask. We're excited to greet you!



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This summer in Provincetown may be different, but it will be just as mesmerizing. Book your stay, stroll down charming streets visiting shops and galleries, and capture glimmering sunsets. And remember to wear a mask. We're excited to greet you!



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Social Media - Launched week June 29th and July 6th

 Provincetown
Sponsored · 🌐

Provincetown is open and ready to welcome you. Explore the dazzling downtown hub of shops, from luxury stores to artisanal boutiques. Don't forget your safety tips and wear a mask. Book your stay today!



Provincetown
CAPE COD, MA

PTOWNTOURISM.COM
Shop Local In Provincetown. [Learn More](#)

👍 Like 💬 Comment ➦ Share

 Provincetown
Sponsored · 🌐

Enjoy the taste of summer in Provincetown! Sink your teeth into perfectly cooked shrimp and buttery lobster rolls. Restaurants are now offering outdoor and indoor seating, but don't forget to wear a mask. Book your stay today!



Provincetown
CAPE COD, MA

PTOWNTOURISM.COM
Enjoy Seaside Dining This Summer. [Learn More](#)

👍 Like 💬 Comment ➦ Share

 Provincetown
Sponsored · 🌐

The beaches and bike trails of Provincetown are beckoning travelers! Book your stay for a quaint summer escape, but don't forget your safety rules and wear a mask. We're excited to greet you!



Provincetown
CAPE COD, MA

PTOWNTOURISM.COM
A Summer Of Small Moments And Big Memories. [Learn More](#)

👍 Like 💬 Comment ➦ Share

 Provincetown
Sponsored · 🌐

Trade the city for some seaside charm! Provincetown is open and ready to welcome travelers. Book your stay at a beachfront inn and stroll the spectacular paths of Commercial Street. Don't forget your safety tips and wear a mask. We're excited to greet you!



Provincetown
CAPE COD, MA

PTOWNTOURISM.COM
A Summer Of Small Moments And Big Memories. [Learn More](#)

👍 Like 💬 Comment ➦ Share



Boston Spirit Magazine Print and Digital
Published June 15th



Provincetown is OPEN and Ready to See You

Provincetown, on the tip of Cape Cod, MA is open and ready to welcome you! Come enjoy this Paradise Found (not lost!) with glimmering sunsets, local boutique shops, extraordinary art galleries, and a fabulous food scene! Book your stay today – and please wear a mask when you visit.

[CLICK HERE](#) for more info



Provincetown is OPEN and Ready to See You

Provincetown, on the tip of Cape Cod, MA is open and ready to welcome you! Come enjoy this Paradise Found (not lost!) with glimmering sunsets, local boutique shops, extraordinary art galleries, and a fabulous food scene! Book your stay today – and please wear a mask when you visit.

[CLICK HERE](#) for more info

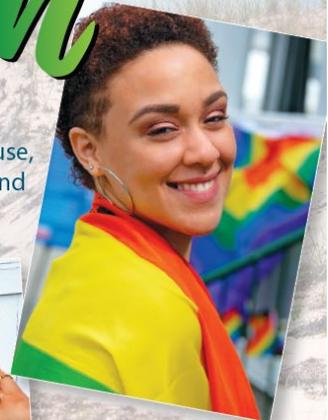
Shimmering seas! Glimmering sunsets! Dramatic dunes!

Provincetown

is open for business!

Book your stay at a charming inn or guesthouse, shop local at boutique stores and galleries and enjoy the popular outdoor food scene.

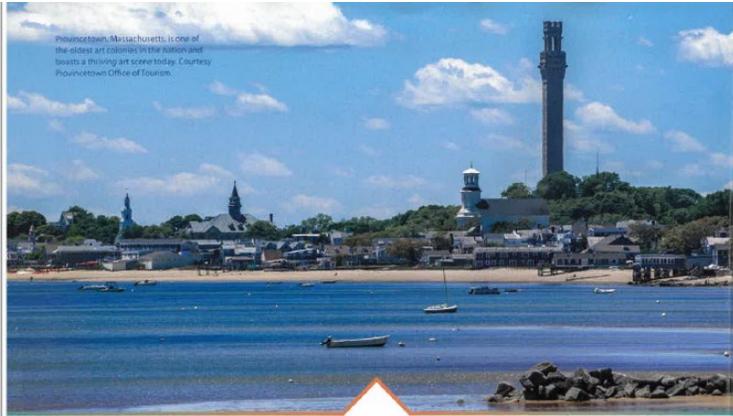
Don't forget to wear a mask!



ptowntourism.com

American Art Collector Print Magazine – Published July 1st

- July/August issue
- Full Page Ad
- Full Page Advertorial



Provincetown, Massachusetts, is one of the oldest art colonies in the nation and boasts a thriving art scene today. Courtesy Provincetown Office of Tourism.

The Art Lover's Guide to Collecting Fine Art in

Cape Cod & the Islands

Massachusetts' Cape Cod and the islands of Martha's Vineyard and Nantucket have an illustrious history with the arts that is highlighted by the artists who have found their niche on its sand dunes and shores.

inside your home. The Creative Arts Center is another notable stop. Its annual *Festival of the Arts* features 120 artisans making clothes, jewelry, ceramics, glass and more. The Center also

DESTINATION » CAPE COD & THE ISLANDS

PROVINCETOWN OFFICE OF TOURISM

330 Commercial Street, Provincetown, MA 02557, (508) 487-3298
 tourism@provincetown-ma.gov
 www.ptowntourism.com

Provincetown is America's oldest continuous art colony and it remains an energetic center of creativity. The arts community was founded in 1899 when painter Charles Hawthorne ventured 60 miles out to sea to this fishing town at the tip of Cape Cod and discovered the magical light that is the hallmark of Provincetown. Establishing the Cape Cod School of Art, Hawthorne welcomed both accomplished artists and neophytes to come and paint.

Known for his plein air, impressionist-style paintings, Hawthorne spent the summers at the school. By 1918,



The Boston Globe gave front-page coverage to a story that trumpeted the "Biggest Art Colony in the World in Provincetown." By that time, just 20 years after it was established as the landmark colony for American artists, the iconic image of Provincetown, was of painters at their easels as

they captured quintessential maritime and bucolic scenes.

From summer, painters grew a year-round community of aspiring artists working under the tutelage of established mentors and teachers, who opened their own studios and schools. The artists who were drawn to Provincetown included such legendary figures as Milton Avery, Helen Frankenthaler, Hans Hofmann, Edward Hopper, Franz Kline, Lee Krassner, Blanche Lazzell, Robert Motherwell, Jackson Pollock, Norman Rockwell, Mark

Rothko and Jack Tworkov. The legacy continues to this day, as artists come to study in workshops offered at the Cape School of Art, the Provincetown Art Association and Museum and the Fine Arts Work Center. Today there are more than 60 galleries lining Commercial Street and the Friday night strolls offer a bevy of hosted opening receptions. This summer promises a quieter continuation of that tradition. The world may change, but the light of Provincetown and the energy of its artists remain.

Some of the art being shown at the Provincetown Art Association and Museum. Provincetown is a great place to visit. The Provincetown Art Association and Museum is a great place to visit. The Provincetown Art Association and Museum is a great place to visit.

Provincetown
Cape Cod, MA

FINE ARTS CENTER | PAM | THE CAPE SCHOOL OF ART

ptowntourism.com

MORE THAN 60 ART GALLERIES



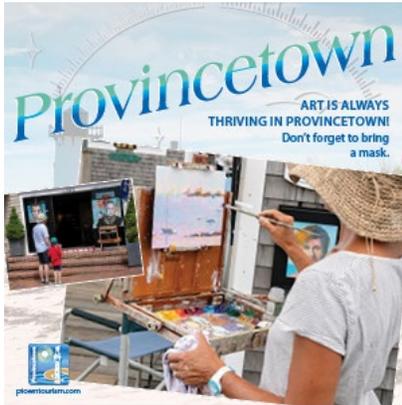
1 The dunes and lighthouse in Provincetown, Massachusetts.
 2 An art class takes place on the beach in Provincetown.
 3 Provincetown is home to more than 60 fine art galleries.

📌 **Cape Cod & The Islands section**
Page 66

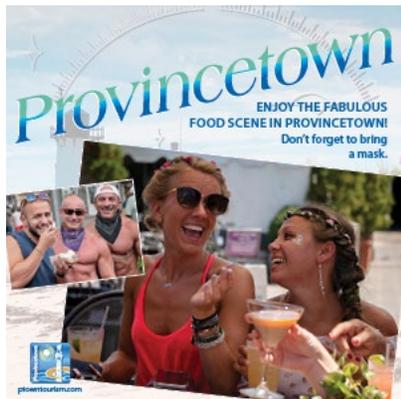
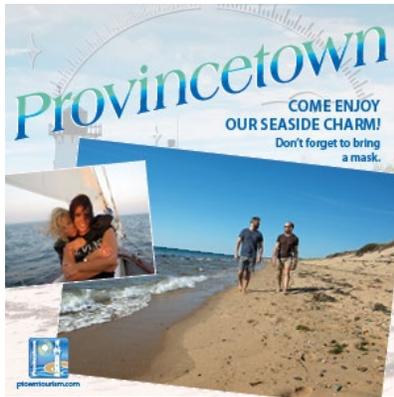
📌 **Provincetown Advertorial**
Page 70

📌 **Full Page Ad**
Page 30

NewEngland.com – Yankee Magazine Submitted week of June 15th



CapeCod.com
Published July 8th





Provincetown Select Board
AGENDA ACTION REQUEST
Monday, July 13, 2020

4D

REQUEST

Temporary Use of Town Property – 335 Commercial Street

Requested by: Regina Binder for Diarumid O'Neill

Action Sought: Discussion/Approval

Proposed Motion(s)

Move that the Select Board vote to [approve][deny] the Temporary Use of Town Property for Dining application by Regina Binder for Diarumid O'Neill for 335 Commercial Street.

Additional Information

Please see Attached:

- Application
- Staff Reports

Board Action

<i>Motion</i>	<i>Second</i>	<i>In favor</i>	<i>Opposed</i>	<i>Disposition</i>

Temporary Use of Town Property for Dining

Location: <u>335 Commercial Street</u>	Parcel Number: <u>11-3-1A</u>
Applicant: <u>Regina Binder for Diarmuid O'Neill</u>	Property Owner: <u>Sarah Cole</u>
Applicants Mailing Address: <u>523 Commercial Street #4, Provincetown, MA 02657</u>	
Applicant's Phone number: <u>508-237-3964</u>	email: <u>rbinder@thebindergroup.com</u>

Pursuant to Joint Emergency rule and order imposing certain measures to prevent the spread of COVID-19 within the Town.

Regina Binder
Applicant's signature

June 25, 2020
Date

Official Use Only

Public Safety Official	Approve	Disapprove	Date
Code Enforcement Officer			
Building Commissioner			
DPW Director			
Police Chief			
Conservation Agent			

Comments: _____

Approved on: _____ With the Conditions: _____

335 Commercial Street

The Squealing Pig

Request to temporarily use 7' of Freeman Landing for outside seating

Plan and Narrative

June 17, 2020

- Licensed number of seats is 64. As of June 22, we have 24 inside, and 26 that have been approved outside. We are looking to place 12 seats along the east wall outside the restaurant, this requires SB approval. 2nd floor deck and area at the south end of the property were approved for outside seating at site visit by inspection team on June 16th. At this meeting, we were encouraged to seek your approval for temporary use of 7' of the Freeman Landing (Landing #2)
- Approximately 7' will be needed from the public landing to make a dining area 10' wide along the East Side of the establishment. As seen on the site plan, the property line is at 1.97' from the northeast corner of the building. A barrier between the landing and the seating will be installed for safety as noted by the building commissioner on site visit. Permitting temporary use of these 7' will allow for ADA accessible seating and provide a shaded area for patrons.
- There is no impediment to vehicles or pedestrians traversing the Freeman Landing
- Access to restrooms will be through rear door or front door
- LED lighting will be placed on tables with string lights along the side of the building
- Portable handicapped ramps will be available at both front and rear entrances
- The same menu will be served upstairs and downstairs for ADA compliance
- We understand that the tables need to be 6' apart with 19" between chairs
- We are willing to relocate the public landing sign so that it is more visible
- As of June 22, the indoor seating was re-established for 24 seats: there is a 6-top in each of the front bay windows, a 6-top at the rear adjacent to the corridor to the restrooms, and three 2-tops along the bar. No bar seats are being used.



Line that would define eastern edge of barrier to define seating area

View looking north:
6 tables of 2 will be located along the east side of the building



Line that would define eastern edge of barrier to define seating area

View looking south:
6 tables of 2 will be located along the east side of the building



COMMUNITY DEVELOPMENT
260 Commercial Street
Provincetown MA 02657
508-487-7020



PROVINCETOWN 400
1620-2020

Modified Seating Plan

Governor Baker's June 1, 2020 COVID-19 Order No. 35 allows The Town of Provincetown to approve requests for expansion of outdoor table service, which shall mean service that is provided outside the restaurant building envelope, whether on a sidewalk, patio, deck, lawn, parking area, or other outdoor space. Outdoor table service may be provided under awnings or table umbrellas or other cover from the elements, provided, however, that at least 50 percent of the perimeter of any covered dining space must remain open and unobstructed by any form of siding or barriers at all times.

Date: June 16, 2020

Property: 335 Commercial Street

Restaurant: The Squeeling Pig

Plan reference: Area of outside service

Conditions (if any): → No Use of Town Loading No 2. on Public Way w/out select Board Approval

* Barrier For Alcohol Service Area; Hard Rail Return on Back Stairs (Anne Howard to Inspect Prior To Use).

Business signature: [Signature]

Zoning Approval: [Signature]

License Approved: _____

This approval may be changed and adjusted depending on the changing health environment or other state Orders and/or regulatory relief. Receipt of this approval is also acknowledgement that the owner or operator of the business within the Property listed above will comply with the Massachusetts Restaurant Mandatory Safety Standards.

On November 1, 2020 or the date that the Order is rescinded, whichever is sooner, this approval, including any changes or adjustments, shall automatically revert back to its status prior to the approval of the Order.

PROPERTY OWNER AFFIDAVIT FORM

(if different than business owner or located within a Commercial Condominium)

I, SARA COLE O'NEILL,
(Printed name of Owner)

hereby attest that I am the owner of the property located at

335 Commercial Street Provincetown MA 02657
(Property address)

in the Town of Provincetown. The below signature attests that I am aware of an application being filed with the Town of Provincetown for work to be performed on the property listed above by

SARA COLE O'NEILL
(Printed name of Applicant/Petitioner)

and that the information in the application is true and complete to the best of my knowledge and belief.

Owner Signature: Sara Cole O'Neill

Owner Address: 26 Edge Hill Road Brookline 02645

Owner Phone: 617 4165683

Owner Email: THESQUEALINGPig@gmail.com

The Owner hereby consents for themselves and their successors and assigns to the entry onto the property during reasonable hours by the Zoning/Building Enforcement Officer and/or their designee to monitor and insure compliance with the terms and conditions issued with any/all conditions associated with approval of the submitted application.





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supplies

NAPY

5

Town of Provincetown

James F. Golden
Chief of Police
jgolden@provincetown-ma.gov



Police Department

26 Shank Painter Road
Provincetown, MA 02657
Phone: (508) 487-1213
Fax: (508) 487-4077
www.provincetown-ma.gov

TO: Provincetown Select Board

FROM: James F. Golden, Chief of Police

Subject: Application 335 Commercial Street - Temporary Use of Town Property

DATE: 07/07/2020

Please know that I have reviewed the attached use application. I can wholeheartedly appreciate that as Massachusetts reopens the economy in phases, many restaurants have been seeking to temporarily add or expand existing outdoor seating. As I understand it the applicant would like to use the public landing adjacent to their restaurant to allow for outdoor dining to increase business activity and revenues in a safe and responsible way during the COVID-19 pandemic.

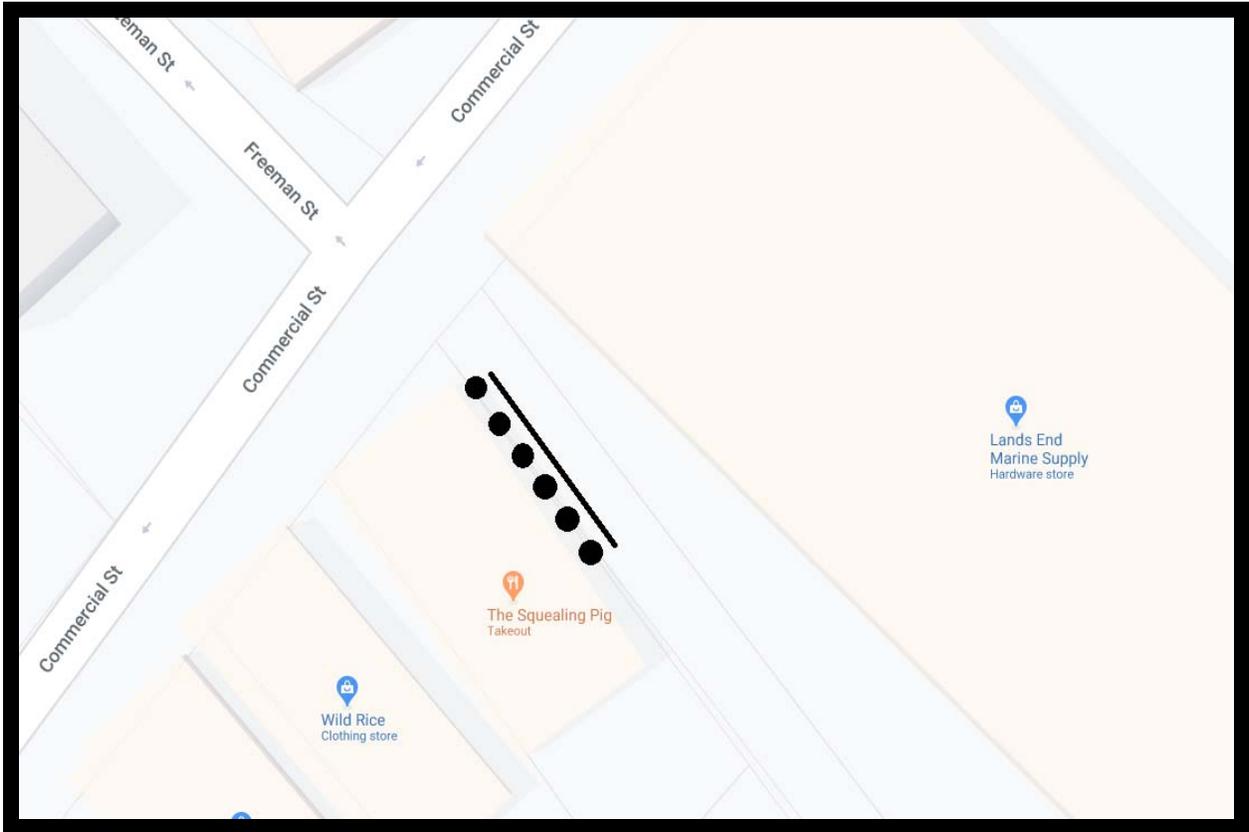
From a public safety standpoint, I cannot approve this request.

While the applicant did not submit a photo or description of the barrier to be used to protect diners from vehicles and their locations (i.e. at entrance(s) to boat ramp, around the portion of the lot being used for outdoor dining, etc.). I believe that all outdoor eating areas must be encompassed by fencing/barriers. And all areas used for outdoor dining must have barriers that can resist the impact of a motor vehicle. This would make them immobile and in this instance would significantly impede emergency vehicles (fire truck or ambulance) trying to access the rear to the adjacent properties.

I have to also consider the impact to the adjacent businesses with their active delivery vehicles in and out all day and other vehicle traffic which could create a hazard with the landing being narrowed, even temporarily.

Please let me know what questions you may have on this.


James F. Golden
Chief of Police



RECEIVED
JUN 25 2020
SELECT BOARD

Temporary Use of Town Property for Dining

Location: 335 Commercial Street Parcel Number: 11-3-1A

Applicant: Regina Binder for Diarmuid O'Neill Property Owner: Sarah Cole

Applicants Mailing Address: 523 Commercial Street #4, Provincetown, MA 02657

Applicant's Phone number: 508-237-3964 email: rbinder@thebindergroup.com

Pursuant to Joint Emergency rule and order imposing certain measures to prevent the spread of COVID-19 within the Town.

Regina Binder
Applicant's signature

June 25, 2020
Date

Official Use Only FIRE CHIEF Public Safety Official	Approve	Disapprove	Date
Code Enforcement Officer			
Building Commissioner			
DPW Director			
Police Chief			
Conservation Agent			

Disapprove
F.O. ✓
07/07/2020

Comments: This is a public way. The building out back has high occupancy. We need to be assured unobstructed access.

Approved on: _____ With the Conditions: _____

Temporary Use of Town Property for Dining

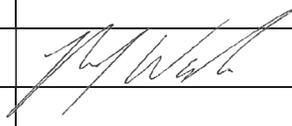
Location: <u>335 Commercial Street</u>	Parcel Number: <u>11-3-1A</u>
Applicant: <u>Regina Binder for Diarmuid O'Neill</u>	Property Owner: <u>Sarah Cole</u>
Applicants Mailing Address: <u>523 Commercial Street #4, Provincetown, MA 02657</u>	
Applicant's Phone number: <u>508-237-3964</u>	email: <u>rbinder@thebindergroup.com</u>

Pursuant to Joint Emergency rule and order imposing certain measures to prevent the spread of COVID-19 within the Town.

Regina Binder
Applicant's signature

June 25, 2020
Date

Official Use Only

Public Safety Official	Approve	Disapprove	Date
Code Enforcement Officer			
Building Commissioner			
DPW Director			7/6/2020
Police Chief			
Conservation Agent			

Comments: Busy town landing with both vehicular and pedestrian activities. Approval would potentially impact delivery vehicles to Lands End Marine. Liability concerns.

Approved on: _____ **With the Conditions:** _____

Temporary Use of Town Property for Dining

RECEIVED
JUN 9 1 2020
SELECT BOARD

Location: 335 Commercial Street Parcel Number: 11-3-1A

Applicant: Regina Binder for Diarmuid O'Neill Property Owner: Sarah Cole

Applicants Mailing Address: 523 Commercial Street #4, Provincetown, MA 02657

Applicant's Phone number: 508-237-3964 email: rbinder@thebindergroup.com

Pursuant to Joint Emergency rule and order imposing certain measures to prevent the spread of COVID-19 within the Town.

Regina Binder
Applicant's signature

June 25, 2020
Date

Official Use Only

Public Safety Official	Approve	Disapprove	Date
Code Enforcement Officer			
Building Commissioner		X	29 June 2020 <i>Alford</i>
DPW Director			
Police Chief			
Conservation Agent			

Comments: This establishment already has access to outside dining area under their control. Visual control of alcohol nearly impossible. Landing is shared by 2 businesses and condominium units and while not a main road does have frequent larger vehicles.

Approved on: _____ With the Conditions: _____

Temporary Use of Town Property for Dining

Location: <u>335 Commercial Street</u>	Parcel Number: <u>11-3-1A</u>
Applicant: <u>Regina Binder for Diarmuid O'Neill</u>	Property Owner: <u>Sarah Cole</u>
Applicants Mailing Address: <u>523 Commercial Street #4, Provincetown, MA 02657</u>	
Applicant's Phone number: <u>508-237-3964</u>	email: <u>rbinder@thebindergroup.com</u>

Pursuant to Joint Emergency rule and order imposing certain measures to prevent the spread of COVID-19 within the Town.

Regina Binder
Applicant's signature

June 25, 2020
Date

Official Use Only

Public Safety Official	Approve	Disapprove	Date
Code Enforcement Officer			
Building Commissioner			
DPW Director			
Police Chief			
Conservation Agent	TF		7/6/20

Comments: The proposed seating area in the Town Landing is within a floodplain. For temporary restaurant seating on the beach, the Conservation Commission has required that: "All temporary outdoor dining furnishings, trash barrels, barriers, signage and other related accessories shall be removed from coastal resource areas within 24 hours in advance of a forecasted coastal storm." Although the seating area is not on the beach, I would recommend that the Select Board require that tables, chairs, fencing, etc., be stored inside

Approved on: _____ **With the Conditions:** before a coastal storm with predicted coastal flooding.

Temporary Use of Town Property for Dining

Location: <u>335 Commercial Street</u>	Parcel Number: <u>11-3-1A</u>
Applicant: <u>Regina Binder for Diarmuid O'Neill</u>	Property Owner: <u>Sarah Cole</u>
Applicants Mailing Address: <u>523 Commercial Street #4, Provincetown, MA 02657</u>	
Applicant's Phone number: <u>508-237-3964</u>	email: <u>rbinder@thebindergroup.com</u>

Pursuant to Joint Emergency rule and order imposing certain measures to prevent the spread of COVID-19 within the Town.

Regina Binder
Applicant's signature

June 25, 2020
Date

Official Use Only

Public Safety Official	Approve	Disapprove	Date
Code Enforcement Officer	Approved		7-8-20
Building Commissioner			
DPW Director			
Police Chief			
Conservation Agent			

Comments: _____

Approval of use of area for liquor service with the following conditions:

1. Approval of building commission regarding the safety
2. Separation of liquor service from the public following the ABCC's Guidance for outdoor patio areas.

Approved on: _____ With the Conditions: _____



Provincetown Select Board
AGENDA ACTION REQUEST
Monday, July 13, 2020

4E

FY21 DEFICIT SPENDING PLAN

For August 2020

Requested by: Town Manager Robin Craver

Action Sought: Discussion/Approval

Proposed Motion(s)

Move that the Select Board vote to approve the FY21 Deficit Spending Plan for August 2020.

Additional Information

The attached report is the *minimum* spending plan required by the State and represents 1/12 of the FY20 expenditures raised on the Tax Rate Recap per State guidelines in the format required for submission to the State. The State now recommends Select Board vote to approve each month of deficit spending plan individually. The September deficit spending plan will be brought to the Select Board at an August meeting.

Board Action

<i>Motion</i>	<i>Second</i>	<i>In favor</i>	<i>Opposed</i>	<i>Disposition</i>

TOWN OF PROVINCETOWN FY21 DEFICIT SPENDING PLAN FOR AUGUST 2020
--

MUNICIPAL CATEGORY	FY21 BUDGET AUGUST
General Government	110,924
Finance	1,302,149
Public Safety	710,875
Public Works	416,169
Human Services	114,576
Tourism	49,996
CPA Fund	36,873
TOTAL MUNICIPAL EXPENDITURES	2,741,562
SCHOOL EXPENDITURES	478,315
WATER ENTERPRISE	233,457
WASTEWATER ENTERPRISE	337,614
TOTAL ENTERPRISE FUNDS	571,071

This report is the *minimum* spending plan required by the State and represents 1/12 of the FY20 expenditures raised on the Tax Rate Recap per State guidelines in the format required for submission to the State. The State now recommends Select Board vote to approve each month of deficit spending plan individually. The September deficit spending plan will be brought to the Select Board at an August meeting.



**Provincetown Select Board
AGENDA ACTION REQUEST
Monday, July 13, 2020**

4F

**PURCHASE & SALE AGREEMENT/ Open Space
Committee**

Acquisition of 668R Commercial Street

Presented by: Timothy J. Famulare, Environmental Planner **Action Sought:** Approval

Proposed Motion(s)

MOVE that the Select Board vote to approve the Purchase and Sale Agreement by and between Michael W. Santos, Personal Representative of the Estate of Christopher P. Santos, as Seller, and the Town of Provincetown, as Buyer, for the purchase in fee simple of the approximately 12,000-square foot parcel located at 668R Commercial Street in Provincetown for a total purchase price of \$300,000.00, and to authorize the Town Manager to execute the Agreement.

Additional Information

See attached executive summary and letter from Dennis Minsky, chair of the Open Space Committee. Mr. Minsky, as well as William Mullin, a member of the Open Space Committee and president of the Provincetown Conservation Trust, will participate in the Select Board's discussion of this item to make statements and answer questions.

Board Action

<i>Motion</i>	<i>Second</i>	<i>In favor</i>	<i>Opposed</i>	<i>Disposition</i>

July 7, 2020

To the Provincetown Select Board:

On May 6, 2020 the Open Space Committee voted unanimously to purchase the property at 668R Commercial Street from the estate of Christopher P. Santos for the sum of \$300,000.

The expenditure for this purchase, if approved at the September 2020 Annual Town Meeting, would derive from the Town's Land Bank funds, and would necessitate no borrowing. The Land Bank funds are dedicated solely to the purchase and/or protection of open space in town, and can be used for no other purposes. There is also the possibility of a State LAND grant to underwrite this acquisition.

The committee is enthusiastic about the possibility of adding this property to the Town's roster of open spaces. First of all, it abuts an already-preserved Town conservation property, Whistle Path Woods, consisting of 7 acres, and could serve as an access point for the public to that property and, further, to the Old Colony Nature Path which itself connects to other conservation properties and to the very important Greenway. Connected conservation areas are much more important than isolated conservation areas in the preservation of species and ecosystems. Public access is also a priority for the Open Space Committee when considering properties, as our residents and visitors value areas the more that they can visit them. This property would provide a very important walking connection between Commercial Street and the aforementioned Old Colony Nature Path. It would also be an opportunity to restore the historic "whistle path" that early residents of our town used to get out to the cranberry bogs in the dunes.

This property in its entirety is included in the State's BioMap2 Core Habitat- the highest rank in the state for rare species of conservation concern. It is also entirely within a Marine Recharge Area. The area in general is well known to birders for the profusion of resident and migratory birds; there are also abundant Lady Slippers, a local orchid, and other native plant life. The State tends to support additions to already established conservation areas, which this purchase would prove to be. Indeed, the State has already recognized the value of this parcel by granting the seller, through a very competitive statewide process, eligibility for a tax credit.

I look forward to discussing this matter with you at your July 13, 2020 meeting.

Respectfully,

Dennis Minsky, chair
Provincetown Open Space Committee

OPEN SPACE ACQUISITION

668R Commercial Street (Owner: Estate of Christopher P. Santos)

Purchase and Sale Agreement

EXECUTIVE SUMMARY

At the request of the Town's Open Space Committee, enclosed for your signature is an Offer to Purchase by the Town of Provincetown to the Estate of Christopher P. Santos of the vacant property (approx. 0.27 acres) at 668R Commercial Street for the total purchase price of \$300,000. The parcel abuts a large (7 acres) Town-owned conservation area (Whistle Path Woods) and may provide an additional means of public access to this conservation area from Commercial Street. It is located almost entirely with the RES1 zoning district; a small portion of the lot (approx. 10% of the area) is in RES3 (see attached map showing zoning district overlays). Only one single family residence could be developed there, and a recent appraisal dated March 21, 2020, stated that one single family residence is the highest and best use. The appraised value is \$485,000.

The Open Space Committee has voted to authorize the use of Land Bank funds for the payment of the total purchase price, so the Town will not need to finance this purchase. One of the contingencies to closing on this purchase is a favorable vote of Town Meeting authorizing the acquisition upon the terms set forth in the P&S, and this proposed acquisition will be on the September 2020 Annual Town Meeting warrant.

The Seller has qualified to receive a Massachusetts Conservation Land Tax Credit in the amount of \$75,000, but there is a wait list for this credit, and the Seller will not be able to receive it until 2023. Therefore, the closing is scheduled for January 10, 2023. The wait list may advance, however, and the closing may be able to be scheduled for an earlier date in 2022. The Town will apply for an FY22 LAND grant from the state Division of Conservation Services for the reimbursement of a portion of the purchase price of this acquisition. Also enclosed are several maps indicating the location of the property.

Respectfully submitted,

Timothy Famulare, Environmental Planner

PURCHASE AND SALE AGREEMENT

1. Information and Definitions

(a) DATE OF AGREEMENT: July _____, 2020.

(b) PREMISES: A parcel of land located at 668R Commercial Street, Provincetown, containing 11,998 square feet, more or less, shown as "Lot 2" on a plan recorded with the Barnstable Registry of Deeds in Plan Book 594, Page 92, and being a portion of the premises described in a deed recorded in Book 28026, Page 284.

(c) SELLER: Michael W. Santos, Personal Representative of the Estate of Christopher P. Santos

Address: P. O. Box 805, Provincetown MA 02657

Seller's Attorney: George B. Cavanaugh, Esq., D'Elia & Cavanaugh
161 MA-6A, Orleans, MA 02653

Phone: 508-255-2255 Fax: 508-255-2563

Email: george@deliaandcavanaugh.com

(d) BUYER: Town of Provincetown

Address: Provincetown Town Hall, 260 Commercial Street
Provincetown, MA 02657

Buyer's Attorney: Shirin Everett, Esq., KP Law, P.C., 101 Arch St. Boston,
MA 02110

Phone: (617) 556-0007 Fax: (617) 654-1735

Email: severett@k-plaw.com

(e) PURCHASE PRICE: The total purchase price for the Premises is Three Hundred Thousand Dollars (\$300,000.00), which are to be paid (subject to adjustments) at the time of delivery of the deed by certified, Town Treasurer's check, bank check or by wire transfer, at BUYER'S discretion.

(f) PRICE ADJUSTMENT: SELLER's obligation to sell is contingent upon the following: 1) final approval of a tax credit to SELLER of Seventy-Five Thousand Dollars (\$75,000) under the Massachusetts Conservation Land Tax Credit Program. The parties acknowledge that the BUYER's agent has committed to and shall prepare and submit all items and paperwork required in connection with obtaining the tax credit on behalf of and at no cost to SELLER. In the event that SELLER has timely applied for a tax credit of Seventy-Five Thousand Dollars (\$75,000) under the Massachusetts Conservation Land Tax Credit Program and fails to obtain said credit despite exercising good faith and diligent efforts, including the transmittal of a qualified appraisal for State approval by the time of closing, then BUYER may elect to increase the purchase price by Seventy-Five Thousand Dollars (\$75,000), in its sole and absolute discretion (as evidenced by a First Amendment to this Agreement, signed by BUYER and SELLER prior to the closing), which sum shall be paid within twelve (12) months from the date on which the deed from SELLER to BUYER is recorded. Nothing herein shall obligate BUYER to pay the additional funds, and such failure shall not affect BUYER's right to purchase the premises for the price set forth in subsection 1(e) above. The parties further acknowledge that the tax credit amount is separate from and in addition to the purchase price set forth in Paragraph 1(e) above. In the event that BUYER elects not to increase the purchase price under the conditions set forth above, this Agreement becomes null and void unless further negotiated. The provisions of this Paragraph 1(f) shall survive delivery of the deed hereunder.

(g) CLOSING DATE: January 10, 2023, at 11:00 a.m. (or an earlier date, upon BUYER providing SELLER at least seven (7) days' prior written notice thereof). Time is of the essence.

(h) PLACE: Barnstable Registry of Deeds, or a closing by mail, at BUYER'S election.

(i) TITLE: Quitclaim Deed.

2. Covenant. SELLER agrees to sell and BUYER agrees to buy the Premises upon the terms hereinafter set forth.

3. Buildings, Structures, Improvements, Fixtures. The Premises consist of vacant land.

4. Title Deed. Said Premises are to be conveyed by a good and sufficient quitclaim deed running to BUYER, and said deed shall convey a good and clear record and marketable title thereto, free from encumbrances, except:

- (a) provisions of existing building and zoning laws;
- (b) such taxes for the then current year as are not due and payable on the date of the delivery of such deed, except as provided in Section 13;
- (c) any liens for municipal betterments assessed after the date of this Agreement; any betterments assessed before the date of this Agreement shall be paid by SELLER in full; and
- (d) easements, restrictions and/or reservations of record, if any, provided the same do not interfere with access to or use of the Premises for conservation and passive recreation purposes.

5. Deed; Plans. SELLER shall prepare the deed. If said deed refers to a plan necessary to be recorded therewith, SELLER shall, at its sole cost and expense, prepare a survey plan acceptable to BUYER and adequate for registration.

6. Registered Title. In addition to the foregoing, if the title to said Premises is registered, said deed shall be in a form sufficient to entitle BUYER to a Certificate of Title of said Premises, and SELLER shall deliver with said deed all instruments, if any, necessary to enable BUYER to obtain such Certificate of Title.

7. Possession and Control of Premises. Full possession of said Premises, free of all tenants and occupants, is to be delivered at the time of the delivery of the deed, said Premises to be then: (a) in the same condition as they now are, reasonable use and wear thereof excepted, (b) not in violation of said building and zoning laws, and (c) in compliance with provisions of Section 4 hereof. Notwithstanding anything herein to the contrary, SELLER acknowledges that BUYER is purchasing the Premises for conservation and passive recreation purposes and agrees that, from and after the date of this Agreement, SELLER shall not and shall not permit others to: cut or remove any trees (except dead trees) and/or vegetation on the Premises, construct, install or place any buildings, structures, fencing, utilities and/or other objects on the Premises, or otherwise disturb the natural condition of the Premises. BUYER shall be entitled to inspect said Premises personally prior to the delivery of the deed in order to determine whether the condition thereof complies with the terms of this clause.

8. Extension to Perfect Title or Make Premises Conform. If SELLER shall be unable to give title or to make conveyance, or to deliver possession of the Premises, all as herein stipulated, or if at the time of the delivery of the deed the Premises do not conform with the provisions hereof, then SELLER shall use reasonable efforts to remove any defects in title, or to deliver possession as provided herein, or to make the said Premises conform to the provisions hereof, as the case may be, and thereupon the time for performance hereof shall be extended for a period of up to thirty (30) calendar days, but in no event shall the closing occur past June 30, 2023.

9. Failure to Perfect Title or Make Premises Conform. If at the expiration of the extended time SELLER shall have failed so to remove any defects in title, deliver possession, or make the Premises conform, as the case may be, all as herein agreed, or if at any time during the period of this Agreement or any extension thereof, the holder of a mortgage on said Premises shall refuse to permit the insurance proceeds, if any, to be used for such purposes, then any payments made under this Agreement shall be forthwith refunded and all other obligations of the parties hereto shall cease and this Agreement shall be void without recourse to the parties hereto.

10. Buyer's Election to Accept Title. BUYER shall have the election, at either the original or any extended time for performance, to accept such title as SELLER can deliver to the said Premises in their then condition and to pay therefore the purchase price, without deduction, in which case SELLER shall convey such title.

11. Acceptance of Deed. The acceptance of a deed by BUYER, or its assignee or nominee, as the case may be, shall be deemed to be a full performance and discharge of every agreement and obligation herein contained or expressed, except such as are, by the terms hereof, to be performed after the delivery of said deed.

12. Use of Money to Clear Title. To enable SELLER to make conveyance as herein provided, SELLER may, at the time of delivery of this deed, use the purchase money or any portion thereof to clear the title of any or all encumbrances or interests, provided that all instruments so procured are recorded simultaneously with the delivery of said deed, or, for institutional mortgages only, within a reasonable time thereafter in accordance with customary Massachusetts conveyancing practices.

13. Adjustments. Taxes on the Property for the then-current fiscal year shall be apportioned as follows: if taxes are outstanding as of the closing date, taxes will be apportioned as of the closing date in accordance with G.L. c. 59, §72A; if, however, SELLER has paid taxes through and past the closing date, such payments shall not be refunded, it being acknowledged that BUYER has no funds to refund SELLER for such taxes paid and BUYER, being tax exempt, has no obligation to pay taxes upon acquisition of the Premises. Water and sewer charges, if any, shall be adjusted as of the closing date.

14. Buyer's Contingencies. BUYER'S obligation to perform under this Agreement is subject to the following conditions, at BUYER'S option:

- (a) Provincetown Town Meeting shall have approved the acquisition of the Premises on the terms set forth herein and appropriated the purchase price therefor;
- (b) Compliance with the provisions of G.L. c.30B (the Uniform Procurement Act) for acquisition of real property, if applicable;
- (c) SELLER shall have waived any rights SELLER may have to relocation benefits under the provisions of G.L. c. 79A, and SELLER shall sign and shall have obtained waivers of relocation benefits under G.L. c. 79A and CMR 27.03 from all tenants or

occupants, if any, of the Premises or any portion thereof. SELLER shall represent and warrant in writing at closing that all such waivers have been provided as to all occupants. SELLER shall defend, indemnify and hold harmless BUYER as to any claim for relocation benefits brought against BUYER by any tenant or occupant of the Premises and pay any costs incurred by BUYER resulting from any such claim. The provisions of this paragraph shall survive the delivery of the deed;

- (d) BUYER shall have inspected the condition of the Premises and SELLER'S title to the Premises and be satisfied with the same, in its sole and absolute discretion, notwithstanding anything herein to the contrary; and
- (e) Compliance by BUYER and SELLER with any other requirements of Massachusetts General or Special Laws or regulations relative to the acquisition of real property by the BUYER, and BUYER and SELLER agree to diligently pursue full compliance with said laws and regulations.

Provided, however, that if any of the conditions are not satisfied by the closing date, BUYER shall have the right to extend the closing for up to ninety (90) days by giving SELLER written notice thereof prior to the Closing Date, and shall inform SELLER of the new closing date at least seven (7) days prior to the Closing. Notwithstanding anything in this Agreement to the contrary, in no event shall the closing be extended past June 30, 2023.

15. Title to Premises. Notwithstanding anything herein contained, the Premises shall not be considered to be in compliance with the provisions of this Agreement with respect to title unless: (a) no building, structure or improvement of any kind belonging to any person or entity encroaches upon or under the Premises from other premises; (b) title to the Premises is insurable, for the benefit of BUYER, by a title insurance company acceptable to BUYER, in a fee owner's policy of title insurance at normal premium rates, in the American Land Title Association form currently in use; (c) all structures and improvements and all means of access to the Premises shall not encroach upon or under any property not within the lot lines of the Premises; and (d) the Premises abut a public way, duly laid out or accepted as such by the municipality in which the Premises are located, or the Premises have an express access and utility easement leading from the Premises to a public way on terms acceptable to BUYER, in its discretion.

16. Affidavits, etc. Simultaneously with the delivery of the deed, SELLER shall execute and deliver: (a) affidavits and indemnities under oath with respect to parties in possession and mechanic's liens to induce BUYER's title insurance company to issue lender's and owner's policies of title insurance without exception for those matters, and SELLER shall indemnify and hold harmless the title insurance company for any losses, costs, or damages sustained as a result of issuing a policy without exceptions covered by such representations; (b) an affidavit, satisfying the requirements of Section 1445 of the Internal Revenue Code and regulations issued thereunder, which states, under penalty of perjury, SELLER's United States taxpayer identification number, that SELLER is not a foreign person, and SELLER's address (the "1445 Affidavit"); (c) Internal Revenue Service Form W-8 or Form W-9, as applicable, with SELLER's tax identification number, and an affidavit furnishing the information required for the filing of Form 1099S with the Internal Revenue Services and stating SELLER is not subject to

back-up withholding; (d) an updated certification of the warranties and representations contained herein; (e) a Disclosure of Beneficial Interest form, as required under GL c.7C, §38; (f) a waiver of relocation assistance under G.L. c. 79A as required under Section 15(c); and (g) such additional and further instruments and documents as may be consistent with this Agreement and customarily and reasonably required by BUYER and/or BUYER's title insurance company to complete the transactions described in this Agreement.

17. Title Standards. Any matter or practice arising under or relating to this Agreement which is the subject of a title standard or a practice standard of the Real Estate Bar Association at the time for delivery of the deed shall be covered by said title standard or practice standard to the extent applicable.

18. Representations and Warranties. SELLER represents and warrants to BUYER, effective as of the date of this Agreement and also effective as of the date of closing (subject to any subsequent notice from SELLER as hereinafter set forth), that:

- (a) SELLER holds good and clear, record and marketable title to the Premises in fee simple subject to exceptions of record;
- (b) SELLER has not granted or entered into any options, rights of first refusal, or other contracts which give any other party a right to purchase or acquire any interest in the Premises;
- (c) SELLER has not entered into leases, licenses, or other occupancy agreements (whether written or oral) in effect with respect to any part of the Premises;
- (d) SELLER'S execution of this Agreement does not violate any other contracts, agreements, or any other arrangements of any nature whatsoever that SELLER has with third parties that could affect the Premises;
- (e) SELLER has the right, power and authority to enter into this Agreement and to sell the Premises in accordance with the terms and conditions hereof. This Agreement, when executed and delivered by SELLER, will be a valid and binding obligation of SELLER in accordance with its terms;
- (f) SELLER is not a party to any litigation affecting the Premises, and SELLER knows of no litigation or threatened litigation affecting the Premises, or affecting SELLER, or any basis for any such litigation, which would either enjoin SELLER'S performance under this Agreement or adversely impact the Premises;
- (g) To SELLER'S knowledge: (i) no Hazardous Waste (defined in Section 19) has been generated, released, or disposed of at or from the Property; (ii) there has been no release of any Hazardous Waste from the Property; (iii) there are no underground storage tanks or other subsurface facilities currently in use or previously abandoned on the Property, and (iv) chlordane has not been used as a pesticide on the Property. SELLER has informed BUYER that the Premises were or are being used for

vehicular parking and that Hazardous Waste associated with such use may exist on the Premises, but SELLER has no actual knowledge of any contamination and has not performed or caused to be performed, and is not under any obligation hereunder to perform, any Hazardous Waste inspections. Nothing herein shall affect BUYER'S right to terminate this Agreement under the provisions of Section 19;

- (h) SELLER has not received written notice from any governmental authority or agency having jurisdiction over the Premises of any environmental contamination, or the existence or release of any Hazardous Waste (defined in Section 19), at or near the Premises; and
- (i) No petition in bankruptcy (voluntary or otherwise), assignment for the benefit of creditors, or petition seeking reorganization or arrangement or other action under Federal or State bankruptcy laws is pending against or contemplated by SELLER.

SELLER will not cause nor, to the best of SELLER's ability, permit any action to be taken which would cause any of SELLER's representations or warranties to be false as of closing, and in any event shall notify BUYER promptly of any change in these representations and warranties. SELLER shall confirm these representations and warranties at closing, which will survive the same.

19. Inspection Rights. BUYER and its agents, employees, consultants, contractors or licensees shall have the right, upon at least twenty-four (24) hours prior notice to SELLER, which notice may be oral notice, to enter the Premises at BUYER'S own risk for the purposes of conducting such inspections, surveys, tests and analysis as BUYER deems advisable, including, without limitation, environmental site assessments. SELLER or its agents may choose to accompany BUYER and/or BUYER's agents. BUYER shall, as soon as practicable, restore the Premises to substantially the same condition as prior to such entry if the closing does not occur. BUYER'S performance hereunder is expressly conditional, at BUYER'S option, upon BUYER being satisfied with the condition of the Premises, including, without limitation, on not having found on the Premises any oil, hazardous waste or hazardous materials, as such terms are used in G.L. c.21E and any applicable federal and/or state laws, rules, and regulations ("Hazardous Waste"). In the event Hazardous Waste is found, or the BUYER is not satisfied with the condition of the Premises, BUYER shall have the right, to be exercised in its sole and absolute discretion, to terminate this Agreement, whereupon all the rights and obligations of the parties shall cease except those that are stated herein to survive such termination. Nothing herein shall affect BUYER'S rights under this Agreement to walk through and inspect the Premises at any time prior to the delivery of the deed.

20. Brokers. BUYER and SELLER each represent and warrant to the other that each has not contacted any real estate broker in connection with this transaction other than Kinlin Grover Real Estate, retained as a broker by SELLER and to whom a commission of 5% of the purchase price is to be paid by SELLER upon the recording of the deed, and SELLER agrees to defend, indemnify BUYER against and hold the other harmless from any claim, loss, damage, costs or liabilities for any brokerage commission or fee which may be asserted against BUYER

by any broker in connection with this transaction. The provisions of this paragraph shall survive delivery of the deed.

21. Closing. The deed and other documents required by this Agreement are to be delivered and the Purchase Price, less the permitted adjustments, paid at the Date and Time of Closing and at the Place of Closing. All documents and funds are to be delivered in escrow subject to prompt rundown of title and recording, which term shall include registration in the case of registered land. BUYER'S proceeds may be in the form of a Town Treasurer's check, and the check shall be held in escrow by BUYER'S attorney who shall release the check to SELLER only following the recording of the deed.

22. Condition of Premises at Closing. SELLER agrees to deliver the Premises in a condition substantially similar to their condition on the date of this Agreement, removing all debris and all of SELLER'S personal property therefrom which is not being sold to BUYER, or left for its benefit, as consented to by it.

23. Taking; Casualty. Notwithstanding anything herein to the contrary, in the event of a taking of all or part of the Premises or access thereto by eminent domain by any entity other than BUYER, or in the event that the Premises are damaged or destroyed by fire, vandalism or other casualty, the BUYER may, at its sole option, terminate this Agreement without recourse. All risk of loss shall stay with the SELLER until the recording of the deed.

24. Liability of Trustee, Shareholder, Fiduciary, etc. If SELLER or BUYER executes this Agreement in a representative or fiduciary capacity, only the principal or the estate represented shall be bound, and neither SELLER or BUYER so executing, nor any shareholder or beneficiary of any trust, shall be personally liable for any obligation, express or implied, hereunder.

25. Notices. Any notice required or permitted to be given under this Agreement shall be in writing and signed by the party or the party's attorney or agent and shall be deemed to have been given: (a) when delivered by hand, or (b) when sent by Federal Express or other similar courier service, or (c) when mailed by certified mail, return receipt requested, or (d) upon electronically confirmed receipt of facsimile delivery, to the party's attorney at the addresses set forth in Section 1.

26. Extensions. BUYER and SELLER hereby authorize their respective attorneys (as the case may be) to execute on their behalf any extensions to the time for performance and any change of location and/or time for delivery of the deed. BUYER and SELLER shall be able to rely upon the signature of said attorneys as binding unless they have actual knowledge before the execution or other consent to such extensions, that either party has disclaimed the authority granted herein to bind them. For purposes of this Agreement, facsimile and scanned signatures shall be construed as original.

27. Errors. If any errors or omissions are found to have occurred in any calculations or figures used in the settlement statement signed by the parties (or would have been included if not for any such error or omission) and notice thereof is given within six (6) months of the date of delivery of the deed to the party to be charged, then such party agrees to make payment to

correct the error or omission. The provisions of this Section shall survive the closing and delivery of the deed.

28. Construction of Agreement. This instrument, executed in multiple counterparts, is to be construed as a Massachusetts contract, is to take effect as a sealed instrument, sets forth the entire contract between the parties, is binding upon and inures to the benefit of the parties hereto and their respective heirs, devisees, executors, administrators, successors and assigns, and may be canceled, modified or amended only by a written instrument executed by both SELLER and BUYER. If two or more persons are named herein as SELLER, their obligations hereunder shall be joint and several. Any claims arising under this Agreement shall be brought in the courts of the Commonwealth of Massachusetts.

29. Captions. The captions and headings throughout this Agreement are for convenience of reference only and the words contained therein shall in no way be held or deemed to define, limit, explain, modify, amplify or add to the interpretation, construction or meaning of any provisions of, or the scope or intent of this Agreement, nor in any way affect this Agreement, and shall have no legal effect.

[signature page follows]

In Witness Whereof, the parties hereto sign this Agreement under seal as of this _____ day of July, 2020.

SELLER:

BUYER: TOWN OF PROVINCETOWN,
By its Town Manager

Michael W. Santos, Personal
Representative of the Estate of
Christopher P. Santos

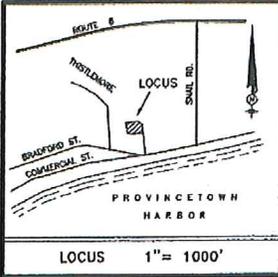
Robin Craver

727711.2/PROV/0001

Exhibit A

594-92

92



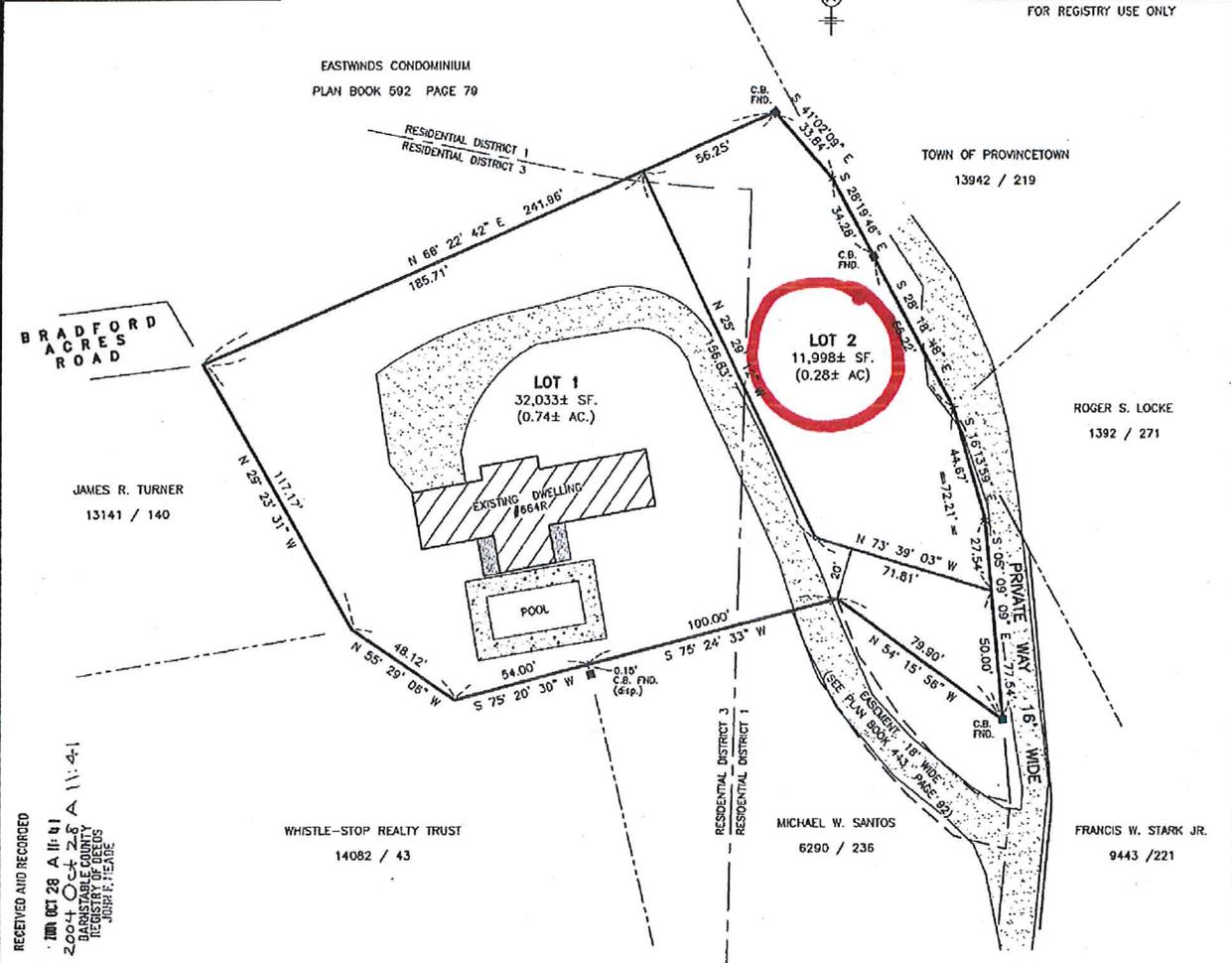
ZONING CLASSIFICATION: RES 1 & RES 3

RESIDENTIAL 1
 MINIMUM AREA 8,000 SF.
 MINIMUM FRONTAGE 50' FT.
 SETBACK REQUIREMENTS
 FRONT 30 FT.
 SIDE 15 FT.
 REAR 20 FT.

RESIDENTIAL 3
 MINIMUM AREA 5,000 SF.
 MINIMUM FRONTAGE 50' FT.
 SETBACK REQUIREMENTS
 FRONT 20 FT.
 SIDE 5 FT.
 REAR 10 FT.

Lot 2 locus

FOR REGISTRY USE ONLY



BOOK 594 PAGE 92

RECEIVED AND RECORDED
 OCT 28 A 11:41
 2004
 DANIEL COUNTY
 REGISTRY OF DEEDS
 JUDITH FLEANDER

PROVINCETOWN PLANNING BOARD
 PLANNING BOARD APPROVAL UNDER
 SUBDIVISION CONTROL LAW NOT REQUIRED
 DATE: 10-14-04
 [Signatures]

REFERENCE:
 ASSESSORS MAP 18-1 PARCEL 17
 LOT 1 PLAN BOOK 443 PAGE 92
 PARCEL 2 PLAN BOOK 482 PAGE 50
 OWNER OF RECORD:
 BASIL P. & GLORIA E. SANTOS
 DB. 1048 PG. 32
 DB. 7647 PG. 29

PLAN OF LAND IN:
PROVINCETOWN, MASS.
 PREPARED FOR:
BASIL & GLORIA SANTOS

SCALE 1" = 30' OCTOBER 1, 2004
 GRAPHIC SCALE IN FEET
 30' 15' 0' 30' 60'

I CERTIFY THAT THIS PLAN WAS MADE IN
 ACCORDANCE WITH REGISTRY OF DEEDS
 REGULATIONS EFFECTIVE JAN. 1, 1976
 Oct. 5, 2004 [Signature] JOHN MC ELWEE
 DATE



FELCO, INC.
 ENGINEERING / LAND SURVEYING
 P.O. BOX 1366 ORLEANS, MA 02653
 (508) 255-8141 (FAX) 255-2954

6/18

**WHISTLE PATH WOODS
TOWN CONSERVATION AREA**

668-R

686

666-R

684

672-B

658-A

676

682

672

674

658

662

350

Thistlemore Way

Bradford Acres Rd

Bradford Acres Rd

Thistlemore Rd

Bradford St

Commercial St

Snail Rd

Snail Rd

347 349 351

Outermost Automotive



2560 Dimensional Schedule (See Section accommodation requirements)

Requirements	Reside	
	Res1	Res3 ResB
Min. Lot Area (square feet)	16,000	5,000
Min. Lot Frontage (linear feet)	100	50
Min. Front Yard (feet)	30	20 ¹
Min. Side Yard (feet)	15	6
Min. Rear Yard (feet)	20	10 ¹
Min. Lot Area (square feet)	16,000 ⁷	5,000
Min. Lot Frontage (linear feet)	100 ⁷	50
Min. Front Yard (feet)	30	20 ¹
Min. Side Yard (feet)	15	6
Min. Rear Yard (feet)	20	10 ¹
Max. Lot Coverage (%)	40	40
Max. Number of Stories ⁴ (Refer to Story in Definitions)	2 ½	2 ½
Max. Building Heights ⁵		
Hip, gable and Shed_roofs (feet) ⁶	33	33

Town of Provincetown, Massac – Zoning

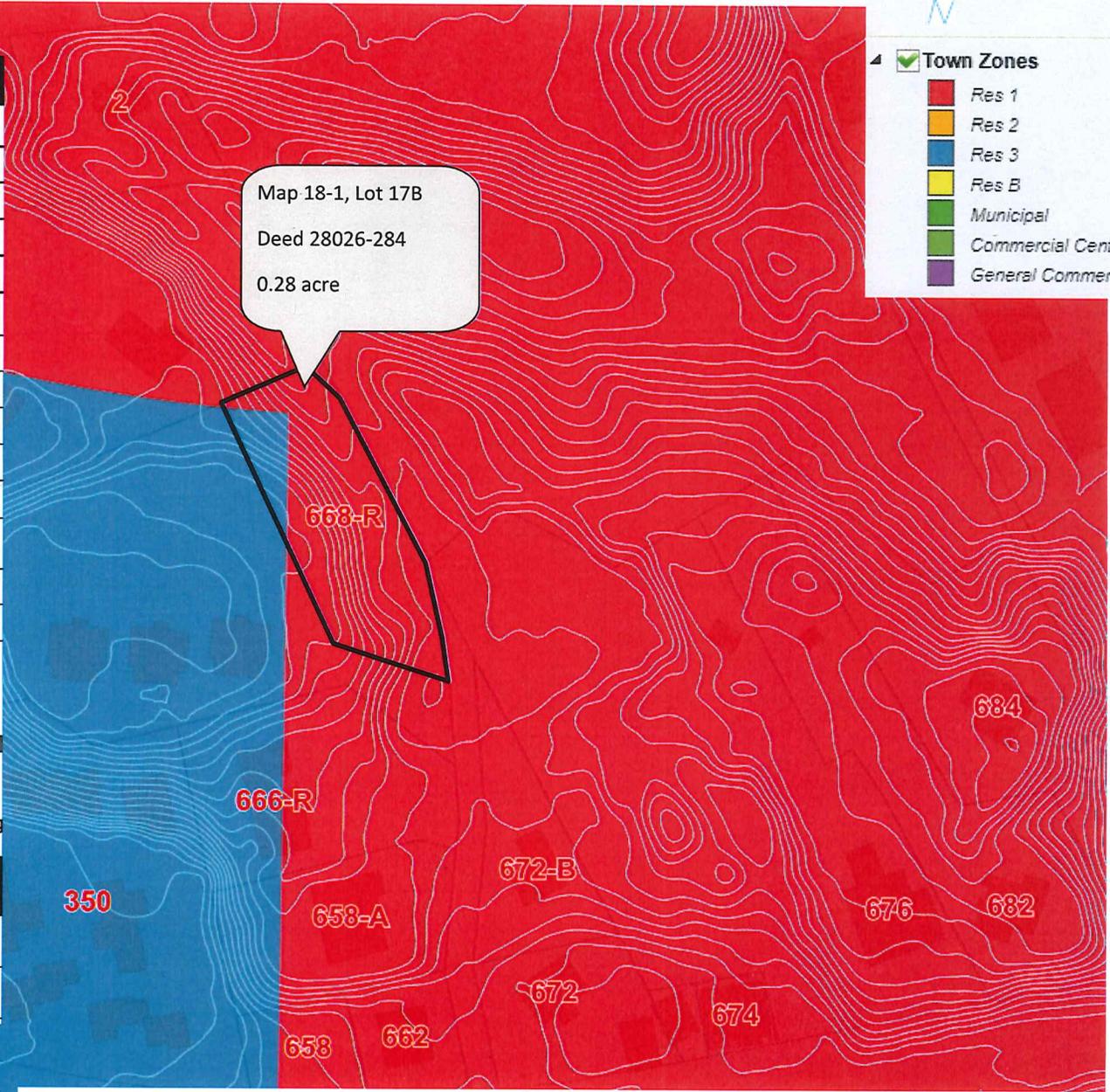
Requirements	Reside	
	Res1	Res3 ResB
Mansard, gambrel, arch, or dome roofs (feet)	28	28
Flat roof defined as less than 3/12 pitch (feet)	23	23

2ft Contours

Town Zones

- Res 1
- Res 2
- Res 3
- Res B
- Municipal
- Commercial Center
- General Commercial

Map 18-1, Lot 17B
Deed 28026-284
0.28 acre



2130 Divided Lots When a boundary line between zoning districts divides a lot in single ownership, each portion of the lot shall be governed by the use and dimensional requirements of the zoning district in which each portion of the lot is located. Lots located in part in another municipality shall be regulated as if entirely within Provincetown.



**Provincetown Select Board
AGENDA ACTION REQUEST
Monday, July 13 , 2020**

5

TOWN MANAGER’S REPORT

Administrative Updates

Requested by: Town Manager Robin Craver

Action Sought: Discussion

Proposed Motion(s)

Discussion dependent – votes may be taken.

Additional Information

Attached documents:

- Town Manager’s June 22, 2020 Report
- Town Manager’s July 9, 2020 Report

[\(833\) 579-7589](tel:8335797589) United States (Toll-free)

Conference ID: # [713 245 335](https://www.zoom.us/j/713245335)

Meeting can be viewed on channel 18 or at <http://www.provincetowntv.org/>

Board Action

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

Memo

To: Select Board

From: Robin Craver, Town Manager

Date: June 18, 2020

Re: Department Update Report for the June 22, 2020 Select Board Meeting

Administration

Communications Plan Update: a contract has been executed with Rose, Sandberg and Associates for 2 of the recommendations that came from the Recovery Coalition and supported by the Select Board. Please see the attached Memo outlining work to date which includes press releases, public service announcements, interfacing with media inquiries, and coordinating with town departments such as Tourism, Health and Emergency Management. The contract began June 1, 2020.

Commercial Street Closure: Commercial Street was closed Friday, June 12th, but remained open for Thursday, Saturday and Sunday. Staff's working on making sure street closures are warrant as this is a learning exercise for when social distancing is advantageous. We appreciate the community's comments and feedback.

Virtual Meetings: At this time we are being asked by more non-regulatory boards and committee to be able to hold meetings. Staff's reviewing processes to make sure all board liaisons are trained on the Teams software and proper posting requirements.

Ambassador Program: We have begun advertising for the Ambassador Program. Tim Hess, our Events Coordinator will be overseeing the program.

Enforcement – Business Openings: As you know, businesses are allowed to open pending they have either self-certified or submitted a plan for approval. Staff has been performing checks on businesses to make sure there is compliance. I want to take a moment to thank the Community Development Staff for their dedicated work to make sure Provincetown opens safely for its residents, businesses, workers and guests.

Building Department

- The Bradford Street Access Project: Helical piles have been set into the slope. There has been excavating into the lot at the Bradford Street area to install the elevator pit. This activity requires removal of groundwater from the excavation, causing the closure of a section of the sidewalk on the North side of Bradford Street from the catch basin to the East towards the project entrance where the sidewalk terminates.
- Energy Storage System Project: The retaining wall for at 90 Race Point Road is nearing completion. The Building Department is anticipating receiving an application for the foundation of the building before the end of the month.
- Restaurant Seating: Participation in the re-opening for Phase II has included site inspections related to restaurants expanding their seating outside into areas not currently identified on their Special Permits. Many of the businesses will be erecting tents for cover of inclement weather; building permits for this type of work are required. The Town has been working with applicants to make this a quick process.

Council on Aging

- Reopening: Staff have begun returning to the office, with calls answered in person rather than being forwarding to staff cell phones. The Department is reconfiguring and repurposing space, expanding essential services to include critical on-site individual appointments (such as podiatry), and developing outdoor programs to supplement increased virtual programming.
- Food Program Update: The Council on Aging (COA) and Family Pantry of Cape Cod monthly mobile pantry has grown 35% since March, serving residents 60+ and families with children. The COA also collaborated with the Cape & Islands Veterans Outreach Center to offer a new food pantry to local veterans. Pre-bagged, non-perishable items will be distributed in the parking lot of the VMCC monthly starting in late June. COA staff continue to deliver Grab and Go bags from the on-site non-perishable pantry (as needed).
- Staff Development: While working remotely, staff members have participated in over 40 online professional trainings, while maintaining over 25 programs and services to seniors providing physical, emotional and social lifelines during the stay-at-home order.

Environment/Conservation

- Grant Application: During the week of June 8th, the Marine Coordinator, on behalf of the Outer Cape Coastal Resilience team, submitted phase two of the Intermunicipal Shoreline Management Framework grant request. This project builds on the four towns (Provincetown, Truro, Wellfleet, and Eastham) to improve coastal resilience and manage coastal areas based on natural management cells and sound science based decision-making. The two-year project request is \$331,430.

Housing

- **Ownership Opportunities:** The Housing and Economic Development Director has responded to numerous requests for applications and information as a result of the marketing and outreach efforts for the resale of two one (1)-bedroom condominium units: 2 Meadow Rd. #4 [\$157,796] and 21 Bradford St. Ext #10 (\$148,770). The income eligibility for these properties is up to 80% Area Median Income (\$54,150 for one (1) person; \$61,850 for two (2)). Applicants must be pre-qualified for a mortgage. Applications will be due July 20, 2020. The Director anticipates a two-bedroom unit coming online for resale in near future.
- **Harbor Hill:** 23 units are now occupied, with two (2) units under agreement for move-in July for total leased of 25 out of 28 [89%]. Only three (3) units remain available. There are ongoing unit and spring grounds preparation such as increasing size of dumpsters for increase in occupancy and assigned parking spaces].
- **CPA:** The Department received an off-cycle CPA request from the Cape Cod and Islands Veterans Outreach Center for the construction of a new home for homeless veterans in Dennis. The group has had discussions with the Director for further information about our timelines.
- **Regional Housing Meetings:** The Director has participated in numerous housing meetings regarding potential regional rental housing assistance and the creation of housing coalitions. More information will be shared as it is received.

Human Services

- **New Hires:** None
- **Position Moves:** None
- **Retirements:** Joyce Mathews, Fire Department Secretary, June 30th
- **Resignations:** Eric Sussman, Emergency Management/Transportation Coordinator, June 26th
- **Open Year Round Positions:** Currently the Town is seeking On-Call Secretaries
- **Open Seasonal Positions:** Various Seasonal Positions for the 2020 Season: Provincetown Public Pier Corporation (PPPC): Operational Staff, Assistant Harbormaster, and Night Patrol. Department of Public Works (DPW): Highway Department Laborer, Transfer Station/Sanitation Laborer, Buildings and Grounds Attendants, Third Barrel Pickup Attendants, Comfort Station Attendants, Beautification Maintenance Staff, Groundskeeper Maintenance Staff, and Floating Custodian. Parking Department: Cashiers, Parking Lot Attendants, and Booth Attendants. Recreation Department: Recreation Leaders and Behavioral Aides. Applications and job descriptions for all positions may be found on the Town's website

Library

- **Library Services:** Despite the building being closed to the public since March 13th, the Library staff has been available by phone and email during regularly scheduled hours, seven days a week, to assist patrons with the Department's electronic resources and to answer any questions. Crop Swap continues when items are available: it has become a hugely successful program.

- Multi-phased Plan for Resumption of Library Services: The Library began “no-contact-street-side-pick-up” of library materials on Monday, June 1st. Patrons can request items by phone at 508-487-7094 or email pplstreetside@gmail.com or clamsnet.org. If patrons are unsure of what they are looking for, the Library Staff will do the browsing for them. Because there is no delivery between libraries at this time, only items check-in at the Library are available.
- Virtual Moby-Dick Marathon: This year’s marathon is in its final stages. Forty readers contributed recordings to make the virtual Marathon possible, and the Department is putting together a series of roughly hour-long videos for the community’s viewing pleasure. Transitioning the marathon to a virtual format is thanks to the hard work of Assistant Director Brittany Taylor and Amy Davies from PTV.

Marine Services

- Beach and Mosquito Control Programs: The Marine coordinator is preparing to take over the county bathing beach and mosquito control programs to relieve pressure on the Health Department during the COVID pandemic.
- Chapter 91 Project: The Harbor Committee and their consultant are adapting the Chapter 91 project to address the pandemic and changes at the Department of Environmental Protection (DEP). Work over the summer will focus on training for the committee members, development of a training manual, and preparations with DEP for multiple meetings with property owners and real estate agents.
- Operations: The Pier/Harbor Master (HM) office opened to the general public on June 15th from 8AM- 4pm with limited services. The Department will only allow one customer at a time with a mask on at the inside counter. The Department has installed plexi-glass screens along the front counter and will only have one staff member operating the front counter/office per day. The Harbor Master and Deputy Harbor Master continue to patrol the pier and the harbor. Office phone lines are still open for questions and/or concerns 24hrs a day, and the Department continues to process applications for permits using the secure locked dropped box on the outside of the office or US Mail.
- Tenant Activity: The Department continues to work with all tenants on their re-opening plans. These tenants consist of the fishing fleet, fast ferries, excursion businesses, charters and the artist trap sheds. The Department will assist them in following the guidelines set forth by the state and local governmental orders. Reopening plans were due back to the Pier Corporation by June 15th for review.
- Bay State Cruises plan to begin their full ferry service on June 22nd, and Boston Harbor Cruises are hoping to start up a limited Ferry service on June 29th similar to their “Shoulder Season” schedule.
- Restrooms out at the end of the Pier were opened June 15th with a heightened cleaning schedule. Artist trap sheds also opened at this time.

MIS

- Desktop Replacements: MIS is beginning the process of coordinating desktop replacements for staff. Instead of replacing all desktops at once, the Department

staggers this process over three years. Each spring, 1/3rd of the fleet is replaced. This ensures that desktops are no older than three years, which in turn gives staff access to the most recent technology.

- Backup and Archiving Appliances: MIS is refreshing appliances used for centralized backup and archiving. As part of our agreement with our backup provider, every four years, the Department receives an updated model of our backup and archiving appliances free of charge. This gives us added storage capacity and improved performance. Data will be migrated to the new appliances over the next 30 days.

Planning

- Food Establishment and Retail Businesses: Over a dozen restaurants have been approved by Community Development staff for modified outdoor seating designed to permit social distancing as part of the Board of Health, Select Board, Planning Board, and Zoning Board of Appeals orders. The Department is working with retail establishments to allow outdoor displays to allow them to implement social distancing within their establishments.

Public Works

- Bradford/Prince Streets Intersection Improvement and the Pilgrim's First Landing Park projects have been put on hold until the fall of 2020.
- Sewer Expansion: A second grant/loan application has been submitted to USDA for \$3,000,000 for collection system and treatment plant improvements. This application is requesting to fully fund the original \$6,000,000 project that USDA was unable to award in previous years. Last year, the Town had received a portion (\$3,000,000) in project funding to construct a peak flow storage tank (PFST). It is anticipated that construction of the tank will begin in late August. The new grant/loan application is requesting funding to modify the existing plant to accommodate flow that will be received by the PFST. The request is also seeking funding support for collection system expansion. We expect to hear word of a grant award sometime in October 2020.
- MVP Grant: DPW and the Conservation Department jointly submitted a grant application to the State's Municipal Vulnerability Preparedness (MVP) Grant program to fund a 25% design to relocate the Ryder Street Outfall. The Departments expect to hear a notice of award sometime this summer.

Recreation

- Virtual Recreation Challenge: The Department continues to engage the community by posting weekly virtual recreation challenges. The Department intentionally selects different challenges to try to engage all community members' interests. Challenges range from fitness to pet appreciation. We will continue to try to engage the public.
- Summer Program: The Recreation Department has been planning non-stop and following all guidelines to create a "different" but safe and fun program. The Department understands as phases allow businesses to reopen, there is a need for this childcare program so that families can resume their employment. There have

been significant changes in how the program will run. This program, as mandated by the state, will only be open to Massachusetts residents. Normal activities implemented at “rec” will be in a setting where there is six feet of separation amongst the children and staff, or children will be wearing masks. Staff will be required to wear cloth masks the entire duration of their working day. Provincetown Recreation has always stood for bringing the community and children together, but this summer we will be doing that creatively as the state mandates us to have the children separated into groups that will not intermix. Children will now be broken up into five groups based on age, with a maximum of 10 children in each, and a total capacity of more than 50 children. There will be two staff members in each age group, with a total group capacity of no more than 12 staff and children. Staff members will stay with their assigned age group throughout the duration of the summer. Each age group will have their designated area on Motta field, designed for active play, crafting areas and a shaded lunch area. Each group will have access to their own porta toilet and hand washing, so we do not have the risk of cross-contaminating age groups and staff.

- Summer Program Registrations: Registrations will be taken on a first come, first serve basis, with the “resident” category receiving priority. A resident is defined as a property owner in Provincetown, Town employee or a Provincetown Schools student. All Nonresident registration will be accommodated after the Resident registration period concludes. Each registration will be sent digitally to the Director or Assistant Director via email, whom will review the registration form, to ensure the appropriate documentation is attached. Then each registration will get a confirmation email from Recreation staff and instructions on how to pay using the online payment center on the Town website. After payment has been received, the child will be added to the enrollment list by the date the registration process is completed. Registrations after the maximum capacity of 10 children in the group will be put on a wait list in the order we have received the registrations, and will be filled based on the order received.
- Recreation Outdoor Facilities: Playgrounds and basketball courts will remain closed until Phase 3 of opening Massachusetts. The state allows outdoor basketball courts to be open, but they are limiting the use of these courts. Such use must be limited to no-contact drills and training exercises. Contact sports are those where ordinary play puts players into contact or close proximity to one another, and include, without limitation, basketball, football, baseball, soccer, field hockey and lacrosse. The Recreation Department does not have the resources to enforce such guidelines and, in the interest of safety, they will remain closed. Playgrounds, like outdoor courts, can open with strict 6 foot distancing regulation, and a very rigorous cleaning protocol after each use. The Town simply does not have the resources to abide by these cleaning protocols so, in the interest of safety, they will remain closed. However, it is not all discouraging news: the outdoor athletic fields are open, including the tennis courts. All have to abide by social distancing rules, sanitizing rules, but since tennis is a noncontact sport, users can participate in this sport at Motta Field.

Memo

To: Select Board
From: Robin Craver, Town Manager
Date: July 9, 2020
Re: Department Update Report for the July 13, 2020 Select Board Meeting

Administration

- Indigenous Peoples Consultant: Reached out the Pilgrim Monument as requested to see if possible collaboration. Will continue discussions.
- I am happy to report that the Town of Provincetown will receive the Community Rating System (CRS) Class 8. The credits received after much work by the Building Commissioner Annie Howard will result in a 10% premium discount on flood insurance in the Town of Provincetown, Massachusetts. The new rating will provide an increase in \$45,000 in annual savings, for a total of \$115,000 in savings/year for Provincetown flood insurance policyholders. Attached is a cover letter explaining this and a DRAFT verification report (subject to FEMA approval) detailing the activities in which the community received credit. We will receive the official letter from FEMA near the May 1, 2021 effective date. Congrats Annie!

Building Department

- The Bradford Street Access Project: Helical piles have been set into the slope. The incline elevator pit was set 6/25/20 in the lower pavilion area. Steel is being set for the upper level pavilion piers and slab.
- The Energy Storage System Project: The project at 90 Race Point Road has submitted building plans for the foundation of the storage building with the footings and associated rebar to be in place by 7/10/20.
- Permitting: Construction remains strong with applications for 3 new dwelling units being reviewed, along with many applications for replacement windows and general repairs.

Council on Aging/ Human Services

- Essential Services: The Board of Health has approved protocols for podiatry services and transportation to medical appointments. Twice/month podiatry

appointments resumed at the end of June with 100% compliance and residents expressed appreciation for access to care. Requests for medical rides are increasing as appointments previously cancelled are being rescheduled.

- Programming: We continue to expand virtual programming, adding four new offerings this month via Zoom. Staff is providing one-on-one practice sessions to residents to strengthen technical skills and confidence, allowing for increased participation. The Mobile Library program has also resumed in partnership with the Provincetown Library with the COA van driver picking up and delivering books to residents
- COA Board: The COA Board is meeting later this month for the first time since March. The Director submitted weekly department updates to the Board during the stay-at-home phase. The agenda will focus on reopening plans, protocols and programming.

Emergency Management/Transportation

- Personnel Changes: The Parking Department would like to thank Eric Sussman for the work he has done over the past 14 months as Emergency Management and Transportation Coordinator. Erin Ellis has absorbed the duties of the Parking and Emergency Management, which includes troubleshooting issues as they arise with the new parking lot equipment system. The Department greatly appreciates all of the public's patience as we sort out the issues in the system.
- Parking Permits: Parking passes are purchased online through the Town of Provincetown website here: <https://provincetown.aimsparking.com/>. For those looking to appeal parking tickets, it must be done in writing. The form to fill out can be found on the Parking Department webpage, and emailed directly to appeals@provincetown-ma.gov. Don't forget to include the ticket number and mailing address.
- Hurricane Safety: 6/1/20 through 11/30/20 is Hurricane Season. The Emergency Preparedness webpage has a great deal of resources including hurricane safety tips, where to find sandbags and how to sign up for the Provincetown Emergency Alert System.

Health

- Communications: The Health Director continues to run weekly Front Line meetings to facilitate communication among the front line agencies and review the local infrastructure dashboard.
- Community Outreach: The Health Director also continues to run the meeting needs calls with local health and human service agencies and the faith community. The resource guide is nearing completion. A subset of the group is also looking into applying for an MDAR grant to support the local food supply.
- Department Operations: The Health Agent continues to support all normal operations of the Health Department including guiding licensees through the COVID-19 related state and local guidance and orders.

- Monitoring: The Board of Health and Health Department, along with the Code Compliance Officer, Building Commissioner, and other regulatory staff from Community Development continue to monitor state guidance, determine where local guidance or orders are required, and work with our businesses to ensure compliance.

Housing

- Ownership Opportunities: Continue to respond to many requests for applications and additional information as a result of the marketing and outreach efforts for the resale of two one bedroom condominium units: 2 Meadow Road #4 [\$157,796] and 21 Bradford Street Extension #10 [\$148,770]; income eligibility up to 80% Area Median Income [\$54,150 for 1 person; \$61,850 for 2]. Applicants must be pre-qualified for a mortgage. Applications will be due 7/20/20. Two applications are in-hand.
- Harbor Hill: 23 units are now occupied, plus 1 unit under agreement for move-in July for total leased of 24 out of 28 [86%]; only 4 units remain available.
- Year Round Market Rate Rental Housing Trust: conducted first virtual meeting since early March on 6/29/20.

Human Resources

- Open Year Round Positions: Currently the Town is seeking On-Call Secretaries.
- Open Seasonal Positions: Various Seasonal Positions for the 2020 Season: Community Ambassadors, DPW Barrels & Grounds Attendants, DPW Third Barrel Pickup Attendants, DPW Comfort Station Attendants, DPW Beautification Maintenance Staff, DPW Floating Custodian and Recreation Leaders.

Library

- Virtual Provincetown400 Book Club: With the 400th commemoration of the arrival of the Pilgrims and the signing of the Mayflower Compact in Provincetown Harbor, the Library is offering Provincetown 400 Book Club, hosted by Jeannette de Beauvoir. The book discussions will be held virtually on the following dates: Thursday, July 2 *Caleb's Crossing* by Geraldine Brooks; Thursday, August 6 *Mayflower* by Nathaniel Philbrick; Thursday, September 10 *The Historical Footprints of the Mashpee Wampanoag* by Chester Soliz; Thursday, October 1 *Son of Mashpee: Reflections of Chief Flying Eagle* by Earl Mills Sr. & Alicia Mann. Email araff@clamsnet.org to register.
- Virtual Cooking Class: The Library is happy to announce a virtual cooking program: Feasting from Your Local Farm with chef Liz Barbour on Wednesday, July 15 at 6:00 pm. The modern movement of eating locally grown and raised seasonal fare has its roots deeply planted in our historic kitchens. Liz will offer a cooking demonstration of 2 recipes featuring locally harvested, seasonal ingredients. To register please contact araff@clamsnet.org.

- Library Services: The Library has been offering street-side-pick-up of circulating library materials for over a month and will continue until further notice. Delivery between CLAMS libraries has resumed, giving patrons access to items Cape-wide items may be requested through clamsnet.org, by calling 487-7094, or emailing pplstreetside@gmail.com. Wireless printing is also available. Library staff is available by phone and online during regular library hours to offer reader's advisory, electronic resources assistance, and help answering questions and finding answers.

Marine Services

- Bathing Beach and Arbovirus (Mosquito Borne EEE): To assist the Health Department during their COVID-19 response, the Marine Coordinator has taken over the responsibilities for the County bathing beach water quality monitoring program and the arbovirus monitoring program for the season. The state Department of Public Health is expecting an active Eastern Equine Encephalitis season again this year.
- Blessing of the Fleet: The Harbormaster took Father Mic McCullough around on the Patrol Boat to give his blessings for the fishing fleet. Started in 1948, this 73rd annual event provides our fleet with blessings for a safe and prosperous season.
- Summer Musseling: In recent years' intertidal mussels have died off due to warming water. The main biomass lives happily in deep water away from predators. Last summer the water didn't heat enough to cause a die off. We have a healthy abundant crop hidden in the west end breakwater ready for the taking. Anyone can harvest mussels without a permit from areas designated approved and open by MA DMF. The east side (Town side, not estuary side) of the west end breakwater is designated approved and open by MA DMF. It is essential you DO NOT harvest any oysters or clams as various propagation efforts are underway. For more information, check with Shellfish Constable.

MIS

- Desktop Replacement: MIS continues to replace desktops for staff. We do this annually, and the process is centrally managed. The desktops are prepped with standard enterprise software required for daily use, while some customization is done depending on departmental needs. This process is expected to be completed in late July.
- Viewpoint: The Town officially launched a new online permitting system on 7/1/20. MIS has been coordinating this effort for several months. Viewpoint is an OpenGov product, and nicely fits in with their portfolio of services. Users can apply for permits online, upload plans/drawings, documents, pay application fees, and all without visiting Town Hall.

Pier Operations

- The Pier/Harbor Master (HM) office is open to the general public with limited services from 8AM- 12AM. The office will still require online permit application downloading and will only allow one customer at a time with a mask on at the inside counter. The office continues to be limited staff per day.
- We are currently running 1st and 2nd shifts with seasonal staff, with the 2nd shift going until 2AM on Friday, Saturday and Sunday nights and we will adjust those hours as the late night demand warrants; so far it has not been a problem and the HM and Deputy HM continue to be on call throughout the night. Office phone lines are switched over to the Police Department at the end of the second shift (M-Thurs after 12am, and Fri-Sun after 2AM)
- We continue to work with the Health Department and the excursion tenants on their re-opening plans, as the excursion businesses prepare for Phase III of the Governor's order.
- Restrooms out at the end of the Pier have been open since June 15th and are now open from 8AM until 11pm daily with a heightened cleaning schedule.

Planning

- Planning Board: The Planning Board began discussing amendments to the Zoning Bylaw at the June 25, 2020 public meeting in anticipation of upcoming warrant articles for the Fall Town Meeting scheduled for September. Draft amendments are proposed for the following sections of the Zoning Bylaw: Multiple Buildings Per Lot; Illumination Standards; Site Plan Requirements; High Elevation Overlay; Commercial Design Standards; Residential Design Standards; Permitted Principal Uses; Outdoor Display; Growth Management Bylaw; and Inclusionary and Incentive Zoning Bylaw.
- Public Landscape Improvements: The Town Planner will be assisting the Public Landscape Committee with a comprehensive process to review existing public spaces and propose potential improvements to help improve aesthetics, preserve the Town's unique character and enhance the sense of place for each public realm.

Public Works

- VMCC Exterior Painting: The exterior painting of the Veterans Memorial Community Center was completed on 7/3/20. We will now shift gears and design a sign for the front entrance of the building to replace the Elementary School lettering.
- VFW Asbestos Abatement: The Town is in position to move forward with a hazardous material abatement of the former Veterans of Foreign War (VFW) building at 3 Jerome Smith Road. Once all the hazardous materials are removed, we will work with the remaining budget to get the building demolished.
- Conwell Street Bike/Pedestrian Improvements: DPW will soon ask the Select Board to approve use of Chapter 90 funding to undergo construction of Conwell Street between Cemetery Road and Route 6. The project will include the addition

of bike lanes on each side of the road and a pedestrian sidewalk on the west side. Construction will likely take place in the Spring of 2020.

Recreation

- Summer Program: The Recreation Department summer program completed its third week on 7/10/20. The program is at maximum capacity of forty children at the current staffing level. As part of the regulations released by the state, the program is restricted to having ten or less registered children per group, giving the program four groups. Thirty-nine of the forty registered children qualify as a “resident,” with families that either have a Provincetown address, attend school in Provincetown or are a Town of Provincetown employee. To my knowledge, this is the only Town-sponsored summer program between Provincetown and Dennis. The staff have been planning theoretical policies and procedures during our remote workdays, and were ready when guidelines were released from the state. Along with adjusting for COVID-19 related safety procedures, the Department has also implemented cost effective ways to achieve these procedures. The summer program has received assistance from other Town Departments seeking supplies needed for the social distancing aspect of our program. For example, the Department was able to purchase the appropriate PPE with assistance from the Police Department. The Library, and Council on Aging have loaned us folding tables and chairs, so we didn’t have to purchase any. The School Department has given the program the use of their gym for rainy days and the Department of Public Works has supplied cleaning supplies, additional trash and recycling barrels and has kept the facilities clean after use. The biggest contribution has come from a direct abutter of Motta Field, Seashore Point, that has agreed to wash out water coolers every day and provide us with ice to keep our drinking water cold. This is the benefit of working in Provincetown, which is a town where most people are willing to help when people are in need.
- Staffing: Staffing continues to be the biggest challenge of the summer. Of the nine seasonal recreation leaders we had in 2019, only three of them returned to work. This is indicative of what the work force is facing in this Town. Normally, the program has at least fifteen applications for nine spots. To fill the gaps, the Director and Assistant Director are acting as group leaders in order to have the program run as scheduled. The Department can perform services for 40 children at the current staffing level, with the Director and Assistant Director performing duties as leaders. We are continuing to advertise for the remaining spot and accepting applications for standby staff in the event the other staff get sick.

School

- Re-opening Plans: The plans for re-opening are drafted according to directions from the Commissioner of Education. Plans include: a return to Modified In-Person sessions; a Hybrid model of remote and Modified In-Person sessions; or a return to Remote Learning. The school administration awaits word in August on which plan to implement based on the progress against the virus. They have

polled school families about their intent to return to in-person sessions and their intent to use transportation to guide us in our specific plans.

- Social Emotional Learning: Our Student Teacher Assistance Team has developed a curriculum for Social Emotional Learning as we prepare to assist our students back to school and manage the trauma of the long separation and prolonged pandemic.
- School Graduation: The school bid a fond farewell to our students from the Middle Year Program 3 (Grade 8) with a drive-through promotion ceremony complete with international flags and music.

Tourism Department

- Marketing Strategy: Marketing and advertising pivoted to step three of the three to six month Crisis Recovery Marketing Strategy. All the April, May and early June digital media and PR work leading up to step three positioned Provincetown with consumers and the press. The response to ads has been positive and the press has been including Provincetown in editorial and news segments. The strategy in place to bring the Tourism Economy through the crisis is working. The third step of the strategy will run through September and complete the six months. The marketing message includes the need to wear a mask and social distance. We are currently building on the strategy to include economic recovery in 2021 and will seamlessly pivot with creative and messaging in October.
- Digital Media and Public Relations: The Digital Media RFP has been completed and the new firm MultiView began working with us on 7/1/20. This was the last step of the transition from the communications agency Red Thread Productions; Multiview will provide digital media marketing and ConranPR will provide the needed public relations efforts.
- Summer Radio Commercials: The months of July and August will have weekly radio broadcasting on Cape Cod stations. The messaging will be visiting Provincetown to enjoy the beaches, shop local, enjoy the open air and indoor food scene and will include wearing of masks and social distancing.

Town Clerk

- Voting: There is proposed legislation that is likely to pass requiring the Secretary of the Commonwealth to mail "vote by mail" applications to all registered voters who have not yet applied for either an absentee or early voting ballot for 2020. The applications will include a pre-addressed return envelope to this office and the postage will be prepaid.
- Polling Place Safety: The Secretary of the Commonwealth's office will also be sending out polling place safety kits. This will include masks, gloves, hand sanitizer, cleaning wipes and other supplies.
- Early Voting: Early voting is likely to be expanded from five to seven days before the primary.



INSURANCE SERVICES OFFICE, INC.

1000 Bishops Gate Blvd, Suite 300, P.O. Box 5404, Mt. Laurel, New Jersey 08054
Phone: (856) 787-0412 or (800) 444-4554 FAX 1-800-777-3929

EUGENE KOHLS, CFM
PHONE 305-202-1780

271 LYNCH AVENUE, SOMERSET, MASSACHUSETTS 02726
EMAIL: EKOHLS@ISO.COM

July 8, 2020

Anne Howard
Building Commissioner
260 Commercial Street
Provincetown, MA 02657

Dear Ms. Howard:

Enclosed are the preliminary results regarding credits for your Community Rating System (CRS) Application.

At the present time, I have verified 1384 credit points for the Town of Provincetown, Massachusetts. This results in a CRS Class 8. Attached are a draft verification report and a draft credit calculations worksheet AW-720 which contains an overall point summary. **The information provided is subject to acceptance by DHS/FEMA.**

Thank you for your cooperation during my visit. If you have any questions or when I can be of future assistance, please do not hesitate to contact me.

Sincerely,

Eugene Kohls

Eugene Kohls, CFM
ISO/CRS Specialist

cc: Ms. Robin Craver, Town Manager
Ms. Shannon Hulst, Deputy Director, Cape Cod Cooperative Extension
Ms. Joy Duperault, State NFIP Coordinator
Ms. Molly Kaput, Natural Hazards Specialist, CRS Coordinator, FEMA Region I



COMMUNITY
RATING
SYSTEM

DRAFT
VERIFICATION
REPORT

Town of Provincetown, MA

NFIP Number: 255218

Date of Verification Visit: April 27, 2020

Verified Class 8

Cycle Phone Verification

This Verification Report is provided to explain the recommendations of Insurance Services Office, Inc. (ISO) to DHS/FEMA concerning credits under the Community Rating System (CRS) for the above named community.

A total of 1384 credit points are verified which results in a recommendation that the community improve from a CRS Class 9 to a CRS Class 8. The following is a summary of our findings with the total credit points for each activity noted in parenthesis:

Activity 310 – Elevation Certificates: The Building Department maintains elevation certificates for new and substantially improved buildings. Copies of elevation certificates are made available upon request. (5 points)

Activity 320 – Map Information Service: Credit is provided for furnishing inquirers with basic flood zone information from the community's latest Flood Insurance Rate Map (FIRM). Credit is also provided for the community furnishing additional FIRM information, historical flood information, and natural floodplain functions. The service is publicized annually and records are maintained. (90 points)

Activity 330 – Outreach Projects: Credit is provided for informational outreach projects and targeted outreach projects. These projects are disseminated annually. (48 points)

Activity 340 – Hazard Disclosure: Credit is provided for the local real estate agents disclosure of flood hazards to prospective buyers. (25 points)

Activity 350 – Flood Protection Information: Documents relating to floodplain management are available in the reference section of the Provincetown Library. Credit is also provided for floodplain information displayed on the community's website. (33 points)

Activity 420 – Open Space Preservation: Credit is provided for preserving approximately 41 percent of the Special Flood Hazard Area (SFHA) as open space and preserving open space land in a natural state. (679 points)

Activity 430 – Higher Regulatory Standards: Credit is provided for enforcing regulations that require freeboard for new and substantial improvement construction, cumulative substantial improvement, and local drainage protection. Credit is also provided for the enforcement of building codes, state mandated regulatory standards, and regulations administration. (157 points)

Activity 440 – Flood Data Maintenance: Credit is provided for maintaining and using additional map data in the day to day management of the floodplain. (101 points)

Section 502 – Repetitive Loss Category: Based on the updates made to the NFIP Report of Repetitive Losses as of December 31, 2017, the Town of Provincetown, MA has 8 repetitive loss properties and is a Category B community for CRS purposes. All requirements for a Category B community have been met.
(No credit points are applicable to this section)

Activity 510 – Floodplain Management Planning: Credit is provided for the adoption and implementation of the Provincetown Hazard Mitigation Plan, adopted May 9, 2016. A progress report must be submitted on an annual basis. (226 points)

Activity 540 – Drainage System Maintenance: A portion of the community's drainage system is inspected regularly throughout the year and maintenance is performed as needed. (20 points)

Activity 710 – County Growth Adjustment: All credit in the 400 series is multiplied by the growth rate of the county to account for growth pressures. The growth rate for Barnstable County, MA is 1.01.

Attached is the Community Calculations Worksheet that lists the verified credit points for the Community Rating System.

CEO Name / Address:

Robin Craver
Town Manager
260 Commercial Street
Provincetown, Massachusetts 02657

CRS Coordinator Name / Address:

Anne Howard
Building Commissioner
260 Commercial Street
Provincetown, Massachusetts 02657
(508) 487-7000 ext 515

Date Report Prepared: June 29, 2020

Community : Town of Provincetown, MA

NFIP Number : 255218

720 COMMUNITY CREDIT CALCULATIONS (Cycle Phone Verification):

CALCULATION SECTION :

Verified Activity Calculations:

				Credit
c310	<u>5</u>			<u>5</u>
c320	<u>90</u>			<u>90</u>
c330	<u>48</u>			<u>48</u>
c340	<u>25</u>			<u>25</u>
c350	<u>33</u>			<u>33</u>
c360	<u> </u>			<u> </u>
c370	<u> </u>			<u> </u>
c410	<u> </u>	x CGA	<u> </u> =	<u> </u>
c420	<u>672</u>	x CGA	<u>1.01</u> =	<u>679</u>
c430	<u>155</u>	x CGA	<u>1.01</u> =	<u>157</u>
c440	<u>100</u>	x CGA	<u>1.01</u> =	<u>101</u>
c450	<u> </u>	x CGA	<u> </u> =	<u> </u>
c510	<u>226</u>			<u>226</u>
c520	<u> </u>			<u> </u>
c530	<u> </u>			<u> </u>
c540	<u>20</u>			<u>20</u>
c610	<u> </u>			<u> </u>
c620	<u> </u>			<u> </u>
c630	<u> </u>			<u> </u>

Community Classification Calculation:

cT = total of above

cT = 1384

Community Classification (from Table 110-1):

Class = 8

CEO Name/Address:

Robin Craver
Town Manager
260 Commercial Street
Provincetown, Massachusetts 02657

CRS Coordinator Name/Address:

Anne Howard
Building Commissioner
260 Commercial Street
Provincetown, Massachusetts 02657
(508) 487-7000 ext 515

Date Report Prepared: June 29, 2020

AW-720



**Provincetown Select Board
AGENDA ACTION REQUEST**

Monday, July 13, 2020

6

MINUTES OF THE SELECT BOARD'S MEETINGS

Requested by: Select Board

Action Sought: Approval

Proposed Motion(s)

Move that the Select Board approve the minutes of:

- May 26, 2020 6pm (Regular) [] as printed [] with changes so noted
- May 28, 2020 4pm (Special) [] as printed [] with changes so noted
- June 1, 2020 5pm (Special) [] as printed [] with changes so noted
- June 1, 2020 6pm (Special) [] as printed [] with changes so noted

Additional Information

See attached minutes.

[\(833\) 579-7589](tel:8335797589) United States (Toll-free)
Conference ID: # [713 245 335](tel:713245335)

Meeting can be viewed on channel 18 or at <http://www.provincetowntv.org/>

Board Action

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

**TOWN OF PROVINCETOWN – SELECT BOARD
MEETING MINUTES – REGULAR MEETING
MAY 26, 2020, 6:00 PM
VIRTUAL MEETING**

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: Town Manager Robin L Craver, and Select Board Secretary Elizabeth Paine

Recorder: Elizabeth Paine

NOTE: THIS IS A REMOTE PARTICIPATION MEETING

The Pursuant to Governor Baker’s March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor’s March 15, 2020 Order imposing strict limitation on the number of people that may gather in one place, this meeting of the Provincetown Select Board will be conducted via remote participation to the greatest extent possible. Specific information and the general guidelines for remote participation by members of the public and/or parties with a right and/or requirement to attend this meeting can be found on the Provincetown website, at <https://www.provincetown-ma.gov/>. For this meeting, members of the public who wish to watch/listen and participate in the meeting may do so in the following manner:

1. Watch on PTV GOV Channel 18, as well as an online livestream of PTV GOV at <http://www.provincetowntv.org/watch.html>
2. To listen and participate in this meeting, dial **(833) 579-7589**. When prompted, enter the following Conference ID number: **642 713 019** When prompted, state your name, then press #.
 - Keep your phone muted at all times when not talking
 - Do not use speakerphone
 - Do not use Bluetooth devices
 - Mute all background noises
 - Mute PTV on the television or computer and use only the phone audio
 - Please do not speak until the chair or the meeting moderator asks for public comments or questions.

No in-person attendance of members of the public will be permitted, but every effort will be made to ensure that the public can adequately access the proceedings in real time, via technological means. In the event that we are unable to do so, despite best efforts, we will post on the Provincetown website an audio or video recording or other comprehensive record of proceedings as soon as possible after the meeting.

The May 26, 2020, meeting of the Provincetown Select Board is about to be convened. As a precautionary measure to reduce the spread of coronavirus, all Town buildings are closed to the public; therefore, this meeting will be held by remote participation. My name is Robin Craver, Town Manager I will begin by taking a roll call for quorum.

Chairman David Abramson: Here
Vice Chair Robert Anthony: Here
John Golden: Here
Lise King: Here
Louise Venden: Here

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

A. Declaration of School Surplus Equipment

B. Appoint Monica Stubner as a regular member to the Planning Board with a term to expire on December 31, 2022

C. *Issue Bond Anticipation Notes in the amount of \$3,682,675.00 with a net interest cost of 1.1506% dated June 5, 2020 and due June 4, 2021.*

Member Venden requested 00C be pulled from the consent agenda. Without objection Chair Abramson waived the reading of the consent items 00A and 00B and without further objection declared the consent agenda approved.

00C - Issue Bond Anticipation Notes in the amount of \$3,682,675.00 with a net interest cost of 1.1506% dated June 5, 2020 and due June 4, 2021.

Member Venden – there is no delineation of the funds. Were they approved for FY20 or FY21?

Robin Craver – these are bands that have been approved from 2013 – 2018 at Annual Town Meetings. I can send the report to the Board with the breakdown.

MOVE that the Select Board vote in the manner described on the succeeding page to issue Bond Anticipation Notes in the amount of \$3,682,675.00 with a net interest cost of 1.1506% dated June 5, 2020 and due June 4, 2021.

Motion: David Abramson

Second: Louise Venden

Roll Call Vote

David Abramson – Aye

Robert Anthony – Aye

John Golden – Aye

Lise King – Aye

Louise Venden - Aye

1. Public Statements – Three (3) minutes maximum. Select Board Members do not respond during public statements

- **Mary Jo-Avellar** – understand that there's controversy among members of the board of health and the health department about the public continuing to wear masks. Masks are essential. I think that it's up to you as, as the elected officials of our town, to make sure that masking continues until we know it's safe to not do so.
- **Allison Dwyer** – I'm a resident. I'm the coordinator of the province town, uh, covert 19 taskforce and I'm speaking on behalf of them tonight. We are obviously in supportive math since we've had our mass campaign and handed out over 4,000 masks to date.
- **Maureen Travis** – I would be, I am very uncomfortable when I pass people on commercial street not wearing masks. It scares me frankly, and I think that people my age and people who are older than I am would be reluctant to come to P town simply because people are doing things that we, most of us consider to be dangerous.
- **Pat Miller** – president of PPRTA. I want to thank the select board members and the town manager on behalf of myself and for making efforts to have part-timers feel welcome and safe and Provincetown, uh, and to hit a restart button as was voiced by the town manager at a recent meeting. it pains me to say what I'm about to say. Which is in the middle of a pandemic while this is happening, and I'm glad the town moderator was just, uh, just on the phone there. We see David Panagore application once again for an alternate on FINCOM. As you may recall, there are two part time or applications pending, and I say this because there's been overtures. Saying that port tremors can have a voice in common is a great place for a voice. Two applications of impending cause they can see has been there for over for over a year. Mr. Panagore was appointed. It took a part timer to say he was not eligible and now all of a sudden, while we're all dealing with a pandemic and the economy and where to part-timers fit in here, we have this application again. Two part-timers, one changed her residency so that she could vote here. Why? Because the town moderator said that despite what the people voted for to allow part-timers to sit as all to this, she only wanted voters, so I part time or changed. Did she get an interview? No, neither one of the part-timers got an interview. The only applications pending did not get an interview. Great big middle finger to that applicant.

- **David Panagore** – I was actually calling in. To compliment the town manager and the recovery, uh, advisor group on their solid work. And my hope that the board of selectmen and the town can find a way to endorse, um, what they've put forward. I think it's comprehensive. I think it's a good plan. Um. I do not believe that public comment to be a place where personal attacks should be allowed by the chairman of the board of selectmen or character assassination. If there are questions regarding appointments, they should speak about the appointing authority rather than cast dispersions on any individual who is a voter and a member of the community who's willing to serve
- **Cynthia** – I'm a year-round resident who's over 70 healthy for now and I'm concerned about the question of whether masks are going to be required in town. I agree with the task force wholeheartedly that a nine to nine. Uh, requirements are not making that much sense. And I also think that not having but having geographic parameters doesn't make sense. I've been following what's going on. And other communities in the city of Somerville has placed a requirement that people indoors and outdoors in public spaces wear masks at all times. One of the things that I really found. Heartening was that they said they're picketing. So, this is our last resort, but we do have public health, public health first.
- **Laura Logan** – Yes, this is the third time I've spoken about the ambiguity of the mask wearing. Um, when you say that's nine to nine on commercial street, it gives people a very full, um, opinion about when you should wear a mask. If you wear a mask, you need to wear them on Bradford street. You need to wear my Shang painter road. You need to wear them on commercial street. People do not do well with ambiguity. Nine to nine, and I think it's been shown, uh, again and again, people don't know where to when to wear masks. If 85% of the population wore mask, we would be able to STEM the pandemic.
- **Francie Randolph** – I am the founding director of sustainable Cape based in Truro, and we've worked diligently for the past two months with a mass department of agricultural resources, um, to support the development of guidance for farmers markets as well as from the office of health and human services. I just wanted to talk briefly about the community benefit of farmer's markets. We've done a tremendous amount of work, and what we're really focused on, the reason that we bid for this market, we do run the market in Truro, as well as children's gardens and gardening programs and in the Provincetown schools, as well as for 1200 kids across. The Cape, but we want to, increase local food access for all socioeconomic levels. We want to offer a nutrition incentive programs for those on snap WIC, seniors and veterans, which are programs that we already run. We are very interested in supporting small farmers and fishermen and strengthening our local economy. We would like to create a more resilient and diversified food system. We want to educate about preventative health and wellness. And we want to provide an Avenue to develop relationships directly with food suppliers. So, um, in order to offer this to strong local food supply and enable farmers to continue to grow, harvest and market. Safe and healthy local fruits and vegetables, fish and meats, and more.
- **Jess Drake Cook** – Running the Market this summer. I just wanted to say like a little bit about, um, how we're going to end up doing the market this summer and, um, we are implementing that preorder system that Frankie was just talking about. We're going to be blocking off the entire market space. With one entrance and one exit. It's all one directional traffic flow, like so many places are doing. There's going to be a limit to the number of customers within the space, and we've created a snaking queue line with posts and rope for customers to wait in while they're. Picking up their orders. So, a lot of work's been done to pull this off and um, we're just excited to keep it going, keep the market going during the critical time we're in, especially around food security and bringing the, bringing it all to the market.
- **Don Murphy** – I only have a couple of weeks comments to share. First, I'd like to congratulate the town manager and the fine job she's doing and its difficult leadership situation. It's not easy, and she seems to be. Doing the best anyone could possibly do. I'd like to address the mask issue. I think, too, to back away from the policies that have been established and the need for mass would be a very serious mistake to this community and should not even be considered with regard to commercial street. I hear some indications that, yeah. People are thinking about turning commercial streets into a mall. I hope there's a four minute or a situation like this doesn't resolve in a consideration or any action that does any such thing. Thank you for your time.
- **Shira Kavon** – I wanted to echo all the comments that have come before about masking, um, and about keeping the mask mandate in place. I think that we got wonderful buy-in over this past weekend with people who were day tripping to town, et cetera.

- **Jennifer Cabral** – I just wanted to chime in with what everyone is saying. I guess the rumors are flying and I probably helped them fly along there. There's a lot of concern that the masking situation is that you might go to revert to the governor's order. I just wanted to put in my 2 cents that I think that we had such great compliance this weekend, and last week that so many people are wearing masks. It feels like people are really taking it seriously. And I hope that that is part of our, our real thing strategy. I'm sure it will be. I would be for extending it if he felt the need to, but I would like to keep it as it is or stricter rather than revert to the governor's order. I not, especially for the idea of blocking parking on commercial street in the East end, I've a few local people have said that that would be, not great for them. So, I would prefer not to do the park, not to block the parking. I'm sorry, I'm in the car right now, so I'm having a hard time concentrating. I believe that, blocking off commercial street would be probably some, a good plan for the nighttime. I'm sure that's all in your coalition presentation tonight.
- **Donna Walker** – I wanted to call and say, thank you for all the work that a Select Board is doing and the Town Manager and also town employees who have worked, I think diligently to try and keep us safe. A question about the masks and, I don't want to go over what other people have said because I think I'm certainly in agreement, but I do want to ask if the select board, does have an opportunity to clarify, the wearing of masks.
- **Myra Slotnick** – I really believe mass should be worn on. This is a deadly virus. And people are carrying it. The more people that come here, the more dangerous it's going to get for the people who live here.
- **Bernice Steisel** – I want to thank you for all the wonderful work you're doing, and I want to, secondary thing that Myra said so eloquently, so I hope we get less ambiguity and be less ambiguous about mass.
- **Kathy "Reno" Brouillet** – I agree with previous speakers that we should have masked 24 hours, seven days a week.
- **Mike Cerruti** – I also agree that the mask messaging is a bit confusing for people, especially for tourists, and would really ask you to consider expanding math throughout the town.
- **Christy Shaw** – You hear a lot of comments from a lot of different people, you're not going to make everybody happy. But you know, it does show that right now. I agree with the comments that by wearing masks, it's really what it's come down to be.
- **Jeannette de Beauvoir** – I'm also concerned about masks, but I also wanted to bring up the proposal to close or to remove parking a commercial street on Friday nights from six to 10 during the summer, so that there's more space apparently for a gallery stroll. It seems to me this is an invitation to get people to not do social distancing. Many of the galleries served wine during that time, which doesn't help with people taking precautions. And I just hope that you've thought this through completely because it sounds dangerous to me.
- **Nathan Harkins** – I think that the States face mask rule is sufficient.

2. Select Board Member's Opening Statements – (Votes may be taken)

- **Robert Anthony** – I just want to reach out to our fellow board members as we go to tonight's meeting and also one Thursday's meeting. We have a lot on our plate, and I know we're going to, try to do the right thing in regard to the decision making. We have to be prepared and make allowances for this community to come alive again, but we have to do it safely. And that's what water health is all about. To make sure that we do it safely, safely for the business, safely for their employees, safety for any, any tourist that comes to town. We really must think about that and actually do something about it in regard to the public safety aspect of it. I agree with most of the callers that the nine to nine is very ambiguous.
- **Lise King** – I would like us to all take a step back and take a look at the way we're visioning our future here in Provincetown. Much of the discourse has been framed in the country and trickling down to us here into an either-or proposition, a choice between health and economy. I would like to have us look at this as a reframing that we can do both and we need to do both. I would argue then many other places, our residents, year-round and part timers and our small business owners are our neighbors. We all together form the unique and wonderful tapestry and texture of this town and we all together form the culture and what makes it a wondrous place for us generation after generation. I think everybody, we can all agree that we hold these values together, that to keep our town live both physically and economically, we need to see ourselves as the interconnected ecosystem that we are and the decisions we all make tonight and in the coming days and weeks, we'll set the stage for us and the resilience of our community will depend on all of us working together for the good of the collective. I really look forward to the results of the

hard work of the coalition and to our gradually opening our town for a calm and safe summer season, whatever that means. I hope and pray that we can all come together and get behind good ideas and be open to out of the box thinking and be open to each other's ideas and not just to knock things down because it sounds crazy when it first goes out.

- **Louise Venden** – I am so grateful for the people who have called in there is clear direction from the public, and certainly from the community survey as well on our mask policy. We know what needs to be done. We know what efforts have been made in other places, whether it's so South Korea or California where they have imposed much stricter guidelines sooner and enforced them that that's what we need to do. We need to enforce various. I am concerned because the sense of urgency that we have not had about having specific directions for people who live here, people who work here and people who have businesses here has left us the walking worried. In my three years on the Select Board, I support an open, a more open and public process for moving through the recommendations about being flexible about some of the licensing and zoning guidelines. I believe we need to do things that are reasonable and that are aired in the public about how we use various sections of commercial street and how we allow businesses, art galleries, shops, and restaurants to expand this, the way in which they provide their services and goods. And I believe that we need to do that fairly soon because it's clear that people are coming here, and they will continue to come in here because it is a safe place because they love Provincetown. So, I am hoping we will have more specific guidelines, more specific proposals and more ideas about what materials and good have been procured, signage and how to pay for additional help.
- **John Golden** – You don't want to hear a lot from me. It's unfortunate that the rumors started about this mask thing. We took up a lot of time with phone calls that were. A majority of the board voted in favor of masking on commercial street. It's been working wonderfully. Not a hundred percent, but it's, it's working very well. And to rescind that would have been ridiculous. It's unfortunate that the rumor got started by somebody, and then, we spent almost an hour dealing with, the public outrage because of that. But I guess that, you know, got 87 people listening to the meeting. I am really interested to hear about the coalition because that's where this meeting was supposed to go. Let's get on with that. Thank you.
- **David Abramson** – The recovery coalition has done excellent work. I appreciate all the people that have given up their time to be part of that and also to town staff for all the work they've done. Given that the governor had just issued his guidelines last Monday. The 18th the fact that they were able to take that information and try to turn it around, so we have stuff to act on this week where tonight we'll be hearing a lot about what the suggestions and ideas are. Tonight, will be the time to debate about it and think about it. We don't need to make votes tonight. That's why we're coming back on Thursday. And it will also give us some time to think about it and get comments from people we know and in the community. Thursday will be the full community survey report.

7:08 pm. Board of Health called to Order

Stephen Katsurinis – Here
Susan Troyan – Here
Janet Whelan – Here
Elise Cozzi – Here
Kalliope Chute – Here
Irv Morgan – absent
Christopher Hartley – Here

3. Joint Meeting/Presentations/Requests - (Votes may be taken on the following items):

A. Joint Meeting with the Board of Health

a. Governor's Guidelines for Municipalities – Update from May 25th.

Town Manager Robin Craver talked to the Boards about the changes that are now in place with the Governor's reopening 4 phased reopening plan. Each of the phases will last about a minimum of three weeks before going to the next phase. The Commonwealth will partner with industries to draft sector specific protocols in advance of each of the phases. Phase 1 suggests

working from home as much as possible, priority consideration for work accommodations. Phase 1 still has a size limit for gatherings, and all travelers coming to Massachusetts are urged to self-quarantine for 14 days. The lodging is restricted to essential workers, only houses of worship were able to start on May 18th. I know that many of our houses of worship are reviewing their practices and making decisions on when they want to open. As the chairman had talked about at the last meeting, businesses are going to be a self-certification. Each of the sectors have their own guidelines that they will be required to meet. Business are able to open with restrictions and some capacity limitations. Essential businesses were allowed to continue but need to bring their practices up to the standards for the guidelines, office space is limited to 25%, limited personal services such as hair, pet grooming, car washes on the outside, and retail, remote fulfillment and curbside pickup. The state has convened a restaurant in hospitality work group. They were convened on the 15th of May and they're developing procedures for opening when they open in a phase two. On May 18th hospitals and community health centers, they will be able to expand the care that they're giving at this time. Originally beaches were open only for transitory activity with no parking now at this point, the beaches, parks, drive-in theaters, some of the athletic fields in court, many outdoor adventure activities, fishing, hunting, boating, outdoors, garden, zoos, reserves, and public installations, are all allowed. As of May 25th, again, they need to look at their sector guidelines and fulfill those and self-certify that they're able to start. More details can be found on the Town of Provincetown's website as well as the State website.

Board Member Venden asked for a copy of the guidelines to be sent to the Board Members.

b. Recovery Coalition Final Report

- i. Social Distancing and Use of Town Property/Transportation**
- ii. Temporary changes to Regulatory Board procedures and approvals**
- iii. Social Services Subgroup Report**
- iv. Communications Plan**
- v. Enforcement Discussion**

Town Manager Robin Craver gave a brief history of how the Town of Provincetown has handled public safety and health of the community during this pandemic. She spoke about the formation of the Recovery Coalition from the health, social services and business sectors of town. The recovery coalition's mission statement was to engage representative stakeholders of the major sectors to advise the province town manager in the development of plans that will facilitate the operation of town in its businesses to serve residents and visitors while maintaining the health and safety of everyone during the summer and fall of 2020. The Provincetown recovery coalition members were asked to engage the community, gather information from their engagement, and then create a series of recommendations to present to the Select Board, the Board of Health and other regulatory committees to decide on the best path forward to open our town. For outreach effort, we had several sectors; health and science, business, public safety, social services, and town staff. The group tried to cast a wide net to be able to get as many voices into the mix as possible. It's important to remember that the health and safety of our community includes balancing the public safety and health of everyone with the health of our town's economy, health, safety, and the economy all play important roles in varying degrees and at varying times. And in the overall health of the community. Town Manager Craver presented procedures and policy changes the Coalition suggested as well as a communication plan, enforcement guidelines, closure of certain areas of Commercial Street to accommodate better social distancing and an ambassador program.

Emergency Manager and Transportation Coordinator informed the Select Board on the changes to the parking department including changes in the new parks system, parking kiosk and lot changes as well as increase safety amongst town staff to reduce human to human contact.

Select Board Member Lise King request in future, there are more breaks in presentation to allow for questions as a lot of content was presented. Member King also request more information from the staff on the case number that would create the need to shut down the town. Is the town creating some sort of mapping that shows what a safe volume of visitors in town are and what is the criteria being used to slow things down?

Select Board Member Louise Venden questions were, are there draft guidelines for businesses to use in establishing sanitation standards, social distancing and enforcement of board of health orders? Are there, will there be a public meeting with business

owners and the general public to address their concerns? Will we see those or is the board of health as it is entitled to do and pose them without Select Board review and approval. Commercial Street closure is very limited. What is the rationale when other proposals have been given? Would like more supporting data.

The Select Board discussed with staff their concerns with taking away parking on Commercial Street and controlling the way of traffic. The Board of Health discusses with the Select Board scenarios determining who is here and what levels the Town could handle.

Assistant Town Manager David Gardner spoke to the Boards about Business Subgroup of the Recovery Coalition initial recommendations for regulatory relief for businesses being considered such as seating area requirements, outdoor display of merchandise, limitation on temporary structures, setback requirements, parking regulations, signage restrictions and tents. The Board of Health is waiting for direction from the Governor's office and once those are received will be returning to the Select Board.

The Select Board and Board of Health discussed when staff thought they could see these orders being implemented. ATM Gardner explained that a lot of these suggested wouldn't be possible without legislative changes by the States, so they are waiting to see what the Governor's orders will be.

AIDS Support Group President and CEO Dan Gates and Helping Our Women Gwynne Guzzeau presented the Social Services Subgroup recommendations. These recommendations include providing the public with access to support through resource guide, radio ads and kiosks around town. The Social Services Subgroup also worked to identify the primary point of contact for referrals to other agencies and asked for fund to be devoted to emergency workers, block grants, food and nutrition programs. The Group also hoped to be able to conduct outreach and engagement with the marginalized communities that live or work in Provincetown.

The Select Board and Board of Health thanked Mr. Gates and Ms. Guzzeau on their excellent presentation.

The Messaging and Communication overview was presented to the Boards by Tourism Director Anthony Fuccillo and Leslie Sanborn. There will be a three coordinated communication plan; communication plan to create public awareness campaign for Provincetown implementation of Governor Barker's reopening plan, communication and marketing plan for approaching tourism and Crisis Communication support for town emergency plans. The communication will be to continue to focus on keeping the public safe and will include all federal, state, regional and local health and safety mandates in campaign. The Tourism Department has engaged a media specialist who will provide guidance as necessary. Currently has the "Hope" campaign in place and the next steps will be to hold a joint meeting with the Visitor Services Board and the Select Board to talk about visioning going forward.

Select Board Member Lise King would like to add improvement of technology to the messaging campaign as well as destigmatizing asking for help.

Select Board and the Board of Health spoke about how important communication to the public is.

Board of Health Chair Steve Katsurinis discussed with the Boards enforcement of these orders and the roles of the Board of Health, Health Department and Police Department. The Board of Health and the Health Department are the first line of enforcement and making sure the public knows the guidelines and the mechanisms for enforcing those rules.

Police Chief Golden spoke about the Police Department's role in community policing; stressed that education was key. First and foremost, individuals should take steps that they feel will keep themselves and their family safe.

Select Board and the Board of Health thanked the Police Chiefs for his report and attention to the details.

c. Public Health Policy Options

Health Director Morgan Clark presented the public Health Policy Options recommendations from the Public Health working group. The purpose of the presentation is to allow the Select Board and Board of Health prepare for Thursday meeting. As a reminder, this is an ever-changing landscape. HD Clark presented a variety of topics such as; banning certain large attractions, bus tours, street performers, public or semi-public showers, saunas, or steam rooms, indoor entertainment, shared bathrooms, self-service food and outdoor smoking areas that the Boards should take into considerations.

d. Presentation on Authorities

Town Counsel John Giorgio reviewed with the Boards the various options the Board of Health would have to protect the public health and the jurisdictions of the enforcement. He also reviewed the Select Board purview and staff purview during this crisis.

Select Board Member Lise King asked if the Town had jurisdiction on Route 6.

TC Giorgio – Route 6 is a State Highway, but the Town is responsible for maintenance.

e. Discussion, make clear decisions will be made on Thursday's meeting

4. Town Manager's Administrative Update

A. Staff Biweekly updates

5. Minutes - (Votes May Be Taken)

A. May 4, 2020 5 pm

B. May 18, 2020 6 pm

6. Select Board Closing Matters - Topics to Include but not limited to: (Votes May be taken on the following items)

A. Pending Items List

- **Robert Anthony** – Thanked everyone for putting together the presentation
- **Lise King** – Thanked everyone for their hard work.
- **Louise Venden** – Urge the town to come up with more specific and time frames to impose the implantations and enforcement.
- **John Golden** – I'm all set.
- **David Abramson** –

Board of Health recessed at 10:39 pm

Without objection the meeting was recessed at 10:40 pm

Minutes transcribed by Elizabeth Paine

**TOWN OF PROVINCETOWN – SELECT BOARD
MEETING MINUTES – SPECIAL MEETING
MAY 28, 2020, 4 PM
TOWN HALL – JUDGE WELSH ROOM**

Chair Abramson convened the open meeting at 4:00 pm noting the following:

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

Excused:

Other attendees: Town Manager Robin Craver, and Secretary to the Select Board Elizabeth Paine

Recorder: Elizabeth Paine

NOTE: THIS IS A REMOTE PARTICIPATION MEETING

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The May 28, 2020, meeting of the Provincetown Select Board is about to be convened. As a precautionary measure to reduce the spread of coronavirus, all Town buildings are closed to the public; therefore, this meeting will be held by remote participation. My name is Robin Craver, Town Manager I will begin by taking a roll call for quorum.

Select Board

Chairman David Abramson: Here

Vice Chair Robert Anthony: Here

John Golden: Here

Lise King: Here

Louise Venden: Here

Board of Health

Chairman Steve Katsurinis: Here

Vice Chair Susan Troyan: Here

Janet Whalen: Here at 4 pm

Elise Cozzi: Here

Kalliope Chute: Here

Irv Morgan: Absent

Chris Hartley: Here

Joint Meeting the Board of Health – Votes May be Taken.

1. Health Dashboard
2. Community Wide Survey Analysis
3. Continued Discussion on Policy Options: Recommendations
 - A. Social Distancing
 1. Commercial Street
 - A. Standish Street to Court Street - 6 pm till 10 pm, Thursday – Sunday;
 - B. to be re-evaluated prior to June 30th
 - C. Limitations:
 1. Allow emergency vehicles, and Fed Ex / UPS deliveries.
 2. Bikes to be ‘walked’ in same stretch.
 3. Move taxi stands to adjacent areas
 4. No seating or display of merchandise within the roadway.
 5. Any queue of crowds that extends into the public way must be monitored and controlled by the business to maintain social distancing and orderly behavior of those waiting.
 6. Enforcement will include ticketing and towing.
 2. East End Gallery Walk
 - A. Parking ban to accommodate Friday Night Gallery Strolls from Bangs Street to Johnson Street.
 - B. Friday nights June (or when allowed to open in Phase 2) thru Labor Day 6 pm to 10 pm.
 - B. Enhancement of Town Properties
 1. Fire House #3 to handout masks and educational materials.
 2. “Ambassador Program” to monitor and assist.
 3. Remove parking spaces from Ryder Street to allow for greater pedestrian movements and social distancing.
 4. Farmer’s Market to extend onto the lawn of Town Hall
 5. Sunday vendors market
 6. Add picnic tables and public hand washing and hand sanitizing stations for the public
 - A. Waterfront Park (Former Hall Property)
 - B. Johnson Street Parking Lot - Section off a small area on the south end of the lot adjacent to the beach to allow for additional areas for people to spread out
 - C. Ryder Street Beach East and West - Consider a small section of beach adjacent to Ryder Street Extension and the Pier with moby-mats to allow people more area to spread out
 - D. Court Street Landing
 - C. Social Services
 - A. Provide funding to Health Department to create an education campaign focused on the theme

- B. Release emergency funding to Health Department, and unfreeze current restrictions, to allow for emergency assistance
- C. Task the Town Manager to create an Equity & Inclusion working group to outline an action agenda for outreach and engagement with the Jamaican, Latinx, and other marginalized communities that live or work in Provincetown, or own businesses serving Provincetown
- D. Support and Refer to Regulatory Boards regulation Relief
 - 1. Seating area requirements
 - A. Businesses will file an altered layout plan to be approved by staff
 - B. Must remain on property footprint and not encroach on the public way
 - C. No increase in overall seating
 - D. Allow businesses to expand into parking areas
 - E. (excludes Handicapped Spaces)
 - F. Expansion onto beach areas considered on a case by case basis
 - G. Maximize Outdoor dining areas pending fair weather.
 - 2. Outdoor display of merchandise
 - A. Relaxation of regulations relating to the outdoor display of merchandise similar to that permitted during the Monumental Yard Sale Weekend.
 - B. Work with regulatory boards to facilitate.
 - Area of display and types of product must be approved by town staff
 - Must remain on property footprint and not encroach in public way
 - 3. Limitations on temporary structure or temporary use restrictions
 - 4. Dimensional schedule / setback requirements
 - 5. Parking requirements allowing expansion into parking lot
 - 6. Signage restrictions
 - 7. Tent, awnings and temporary coverings
- 4. Consideration of Joint Order on Public Health Working Group Recommendations
 - A. Large attractions
 - B. Cruise ships (in consultation with the Harbormaster/Pier Corp)
 - C. Bus tours (in consultation with Tourism/Cape Cod Chamber)
 - D. Street performers/buskers
 - E. Public or semi-public showers, saunas, or steam rooms
 - F. Indoor entertainment including cabarets, performances, etc.
 - G. Shared bathrooms in accommodations (except for groups who sheltered together)
 - H. Food buffets or drink self-service (including coffee)
 - I. Licensed outdoor smoking areas of restaurants and bars
- 5. Reconsideration of May 4th Mask Mandate
- 6. And such other topics related to further Covid-19 orders of the Board of Health and Select Board that were not reasonably anticipated when the agenda was posted.

Health Director Morgan Clark spoke to the Boards about the dashboard. The Health Department and the Board of Health will be tracking data similar to what the state is collecting as well as information specifically related to local health in town. The dashboard will be tracking active COVID-19 cases in Provincetown, Truro and Wellfleet. The information will be gathered daily, to constantly evaluate the metrics of what the town can handle and make adjustments as needed. The Board of Health and Health Department have thresholds that are set up as safeguards to add protection to the town.

Select Board Member King asked how prepared is the town to conduct contact tracing should it become necessary.

Health Director Morgan Clark presented the final results of the Community Wide Survey to the Select Board and Board of Health. The goal of the survey was to provide residents and workers a way to voice their thoughts, needs and concerns

during the pandemic. The results are a snap snapshot of how respondents reported their individual experiences of the pandemic. Demographic information was gathered to address housing status, finances and food security. Questions were also asked about the healthcare system and their concerns about COVID-19. How community members would stay connected to the community, their personal behaviors and views on economic implications of COVID-19.

Helping our Women Executive Director Gwynne Guzzeau and AIDS Support Group of Cape Cod President and CEO Dan Gates walked the boards through the snap shots of the demographics of the survey respondents. $\frac{3}{4}$ of the survey respondents prioritized safety and more than $\frac{1}{2}$ reported feeling lonely in the first half of May. Many of the respondents reported they had not used social services, so the outreach campaigns are focusing on the ones who have not used the services being provided. The demographics gathered included residency, age, income, race and housing type. The survey also asked respondents risk factors, access to health care, concerns about debt, paying bills, retirement, losing income and ability to pay bills during the pandemic. Respondents were asked to answer questions about food resources concerns and mental health and wellbeing. Health Director Morgan Clark spoke about the services being used and what additional needs the respondents reported they felt were not being currently met. Respondents were given the opportunity several times during the survey to provide contact information

The Boards thanked everyone for the work put into the presentation. Member King focused her question on respondents who do not have internet access. Helping Our Women has lent out 40 tablets to residents who have limited internet access.

Town Counsel John Giorgio walked the Select Board and the Board of Health through the Emergency Order. The Beginning of the order spells out the authority under G.L. c 111, §§ 31, 122, and 95 through 105, and any other applicable law that authorizes the Boards to issue the order. They reviewed Outdoor Dining and Outdoor Display of Merchandise, which is designed to provide relief to restaurants, it would allow for administrative review for approval. The Boards then discussed further restrictions on for Cruise Ships and Excursion Marine Vessels. The Order goes further than the Board of Health's recommendation, as they only have concerns about Cruise ships, so they defer to the Select Board and what the Governor is allowing in his plans. Select Board and the Board of Health came to a consensus to strike deep sea fishing excursion. Next the Boards discussed Bus Tours, Street Performers and Mask.

Due to time constraints, the Boards decided to continue the discussion beginning with Masks on Monday June 1, 2020 at 6 pm.

The Select Board and Board of Health anonymously voted to continue their joint meeting until Monday June 1, 2020 at 6 pm.

Without objection the meeting was adjourned at 6:02 pm.

Minutes transcribed by: Elizabeth Paine

**TOWN OF PROVINCETOWN – SELECT BOARD
MEETING MINUTES – SPECIAL MEETING
JUNE 1, 2020, 5 PM
TOWN HALL – JUDGE WELSH ROOM**

Chair Abramson convened the open meeting at 5:00 pm noting the following:

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

Excused:

Other attendees: Town Manager Robin Craver, and Secretary to the Select Board Elizabeth Paine

Recorder: Elizabeth Paine

NOTE: THIS IS A REMOTE PARTICIPATION MEETING

The Pursuant to Governor Baker’s March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor’s March 15, 2020 Order imposing strict limitation on the number of people that may gather in one place, this meeting of the Provincetown Select Board will be conducted via remote participation to the greatest extent possible.

Select Board Roll Call

Chairman David Abramson: Here

Vice Chair Robert Anthony: Here

John Golden: Here

Lise King: Here

Louise Venden: Here

Visitor Services Board Roll Call

Cahir Jay Gurewitsch: Here

Vice Chair Regina Cassidy:

Clerk David Burbank: Here

Susan Avellar: Here

Rick Murray: Here

Andrea Sawyer

David Nelson

1. Joint Meeting with Visitors Services Board – (Votes May Occur)

The Select Board and the Visitor Services Board met to discuss the Tourism Department development of strategic proactive planning and communications during the COVID-19 health crisis. A three to six-month strategy was created in mid-March that has focused on Staying safe and marketing to push visitors to the new website. The VSB will be meeting on Wednesday to discuss pivoting marketing to inform visitors to visit Provincetown, focusing the messaging on safety and hope. VSB is looking for policy direction from the Select Board as the State discusses reopening. The VSB Chair will be updated the Select Board at their Monday, June 8th regular meeting on the decisions made at the VSB meeting.

VSB meeting adjourned at 5:59 pm

- ~~2. COVID-19 Recovery Coalition – (Votes May Be Taken on the Following Items)~~
 - ~~a. Chair and Vice Chair Update~~

~~b. Town Manager Update~~

3. Other topics related to further Covid-19 not otherwise anticipated within 24 hours by the Chair – (Votes May Occur)

Without objection the meeting was adjourned at 5:59 pm.

Minutes transcribed by: Elizabeth Paine

DRAFT

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1. Watch on PTV GOV Channel 18, as well as an online livestream of PTV GOV at <http://www.provincetowntv.org/watch.html>
2. To listen and participate in this meeting, dial **(833) 579-7589**. When prompted, enter the following Conference ID number: **678 320 034** When prompted, state your name, then press #.
 - Keep your phone muted at all times when not talking
 - Do not use speakerphone
 - Do not use Bluetooth devices
 - Mute all background noises
 - Mute PTV on the television or computer and use only the phone audio
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The May 28, 2020, meeting of the Provincetown Select Board is about to be convened. As a precautionary measure to reduce the spread of coronavirus, all Town buildings are closed to the public; therefore, this meeting will be held by remote participation. My name is Robin Craver, Town Manager I will begin by taking a roll call for quorum.

Select Board

Chairman David Abramson: Here

Vice Chair Robert Anthony: Here

John Golden: Here

Lise King: Here
Louise Venden: Here

Board of Health

Chairman Steve Katsurinis: Here

Vice Chair Susan Troyan: Here

Janet Whalen: Absent

Elise Cozzi: Here

Kalliope Chute: Here

Irv Morgan: Absent

Chris Hartley: Here

Chair David Abramson's opening statement.

"I want to address the tragic death of George Floyd. While in police custody. Usually I would ask for a moment of silence, but I don't think that's enough here. This is the time to speak out. I joined those who are outraged by this horrific murder. George Floyd did not have to die. It's time to join together to say enough is enough. Thank you to everyone who participated in last night's black lives matter event. Your voices joined the voices of so many across the country who have had enough of police brutality. Your outrage was also shared by many police officers across the country. The Minneapolis police chief called Floyd's death, a violation of humanity, Boston police commissioner William Gross called Floyd's death or horrendous cowardly act and added. This is not the way we police. That is not the way we are going to police. I can't breathe. This was also with what Eric Garner pleaded as he was placed in a chokehold by New York police in 2014. Since January, 2015 1,252 black people have been shot and killed by police according to the Washington post. And that number doesn't include people like George Floyd who was killed using other methods. We need to keep talking about this, so we don't forget George Floyd's life mattered. I wanted to end by sharing what Barack Obama said in the after math of Mr. Floyd's murder. President Obama said, it's natural. It's natural to wish for life, to just get back to normal as a pandemic and economic crisis up and everything around us. But we have to remember that for millions of Americans. Being treated differently when account of race is tragically, painfully maddeningly normal, whether it's while dealing with the healthcare system or interacting with the criminal justice system or jogging down the street, or just watching birds in the park. But it falls on all of us regardless of our race or station, including the majority of men and women in law enforcement who take pride in doing their tough job the right way every day to work together to create a new normal in which the legacy of bigotry and unequal treatment no longer infects our institutions and our hearts."

Police Chief Jim Golden's Statement.

"I have been asked as your Police Chief to comment about the deeply troubling events in Minnesota last Monday, involving the in-custody death of George Floyd. While I try to never comment on these cases until the investigation is complete, what I saw is so disturbing it makes me sick to my stomach. Watching the George Floyd video shook me to my core. I do not need to wait for an official report to understand that the officers involved in the situation did not follow proper police procedure. It doesn't matter what the man did, once the handcuffs were on, it's over, period! What happened in the video represent at the very least a frightful and deeply disturbing lapse in training and standard police procedure and at the very worst they represent a willful act of misconduct which resulted in the death of a human being. Any law enforcement officer who doesn't see a serious problem with that, needs to turn their badge in. Police departments are lifesaving organizations, not life-taking organizations. Although it did not occur in our area, the death of Mr. Floyd at the hands of police officers impacts us all. It disrupts and fractures the trust that our community has in their police department. In our community, we specifically train on the proper apprehension techniques for suspects during arrest. At no time, ever, are officers trained to put pressure on the neck or throat of a prone suspect, and at no time, ever, are officers trained to put a secured suspect on their face. In Massachusetts all police officers have had additional training in police ethics, de-escalation training, interactions to those with mental illness, fair and impartial policing, procedural justice and legitimacy, systemic racism,

implicit bias, and use of force. Additionally, all of your police officers are now required to attend a 40-hour Crisis Intervention Training (CCIT) course to assist them in having safe and successful encounters with people who suffer from mental illness. With intention, we have changed our recruiting and hiring methods to attract and hire more diverse candidates reflective of our community. Historically, we had recruited only at colleges with criminal justice programs so, we began recruiting efforts and worked to proactively recruit people who may not have initially considered a career in policing. We have also changed our recruiting pre-test materials to better reflect who we want to attract. While I believe we have improved the diversity of our department, there is always more work to do. The core of our mission in policing, is to protect and serve. It's simplistic and to the point. To accomplish this, we must be committed to inclusion and equity. We must want all people to feel welcome in our community and to have confidence in the services that we provide. We must treat everyone with respect and dignity. I take great pride in the work that we do as your hometown police department. Our police officers continuously rise to the increasing challenges we face and provide a professional level of service. The men and women of the Provincetown Police Department add our sincerest condolences to Mr. Floyd's family and friends."

James F. Golden
Chief of Police

This meeting was a continuation of the May 28, 2020 4 pm meeting.

1. Discuss and vote on draft Emergency Order – Topics to include but not limited to: (Votes May Be Taken On The Following Items)
 - a. Mask Order

The May 28, 2020 4 pm meeting ended with a motion being on the table.

Move that the Select Board vote to extend the mask mandate to include all of Commercial Street 24/7.

Motion: Robert Anthony

Second: Lise King

Vice Chair Robert Anthony rescinded his motion, after taking into consideration the communities desire not to have a 24/7 mandate and is supportive of the 9 am – 9 pm order as previously voted on. Select Board member John Golden is in support of the 9 am – 9 pm mandate on Commercial Street and reminds every one of the Governor's mandate of wearing a mask when unable to social distance. Both Vice Chair Anthony and Member Golden support the proposed language "Individuals are required to wear a mask or other cloth face covering over the nose and mouth when along the public way on Commercial Street between Bangs Street and Pleasant Street from the hours of 9 AM until 9 PM. This order does not apply to children under the age of 2 or any person who is unable to wear a mask or face covering due to a medical condition or is otherwise exempted by the Department of Public Health guidance. Persons not able to wear a mask due to a medical condition are not required to produce documentation of the condition. This Order is intended to supplement the requirements of the Governor's mask order, which continues to remain in place throughout the Town" for the Emergency Order. Select Board member King and Select Board Member Venden felt the ordered was a good balance of the requests from the community members. BOH Chair and Vice Chair Troyan felt this was the right way to begin. VC Troyan thinks compliance with an order is based on many things but understanding and finding it reasonable are two main factors.

Town Counsel John Giorgio gave the Boards an update on the Governors new guidelines that were released today. It provides a mechanism for the Select Board to approve the expansion of outdoor seating without requiring the ZBA. Town Counsel will now need to make some changes to be consistent with the process the Governor's office released today. The Boards agreed that staff should work with Town Counsel to update the order to be in line with the Governor.

- b. Public and Semi-Public Shower

Additions made as a point of suggestion by Town Counsel. They may be approved by the Board of Health. The state has always regulated hot tubs and pool heavily, so Board of Health Chair Katsurinis state the Board of Health and Health Director felt comfortable removing them. The Select Board has no objections to removing those items.

No objections to removing those from the Select Board.

c. Indoor Entertainment

Live indoor entertainment, including cabarets and other live performances, which would otherwise require an entertainment license by the Licensing Board is hereby prohibited.

d. Shared Bathrooms

No guesthouse or other lodging houses may provide for the shared use of bathrooms by persons who are not related to each other, without the approval of the Board of Health.

e. Food Buffets

Food buffets and/or any kind of self-service of any food that is not pre-packaged, including self-serve coffee soft drinks, and water dispensing areas, are not allowed to operate.

f. Outdoor Areas of Restaurants or Bars

Smoking in outside restaurant areas or bar areas is prohibited.

g. Use of Town Property – Improvements to Town Hall Property

As the custodial board of Town property, the Select Board will make certain properties available for use by members of the public for the consumption of take-out meals. Said outdoor areas shall be subject to such reasonable rules and regulations as the Select Board deem necessary and shall be available on a first-come, first-serve basis. Pursuant to the authority of the Select Board over public ways and authority to enact traffic regulations, the Select Board will temporarily remove parking spaces on Ryder Street to promote social distancing and pedestrian movement. The Select Board will permit the expansion of the Farmer's Market and the Sunday Vendor's Market onto the Town Hall lawn.

The Select Board expressed concerns; title leads to confusing, asked to have "Hall" removed so people know it is not limited to just Town Hall but all Town owned properties. Select Board Member Venden asked for clarification for Ryder Street parking removal. Town Manager Craver suggested removing the language pertaining to picnic tables and handwashing to allow for flexibility.

h. Closing of Commercial Street to Vehicular Traffic

Member King proposed holding this item until another meeting so that they can allow input from residents and other stakeholders on Commercial Street.

Town Manager Craver asked the board to also consider taking out East End Gallery Stroll and Fire House #3. Patrick Patrick spoke to the Boards about the outreach previously done by the Coalition to gather input on closing the street for East End Gallery Stroll.

The Board supported pulling the item from the order. Chair Abramson will be placing Closing of Commercial Street on the June 8th agenda with public comments allowed.

i. East End Gallery Stroll

The Select Board discussed their reasons for not wanting to remove the parking from this area of town and do not support having the East End Gallery Stroll in the Emergency order.

j. Firehouse No. 3

The Town Manager Craver asked the Firehouse No. 3 be removed from the Order. Neither the Select Board or the Board of Health has an issue with removing these items from the Order.

k. Enforcement

1. Copies of this Order and any other notices required by this Order shall promptly be: (1) made available at the Provincetown Hall; (2) posted on the Town Website; and (3) provided to any member of the public requesting a copy of this Order; and (4) a summary of which shall be published in the Cape Cod Times, Provincetown Banner, and the Provincetown Independent.
2. If any provision of this order or the application thereof to any person or circumstance is held to be invalid, the remainder of the Order, including the application of such part or provision to other persons or circumstances, shall not be affected and shall continue in full force and effect. To this end, the provisions of this Order are severable.
3. Whoever violates any provision of this Order may be penalized by indictment or on complaint brought in the district court. Except as may be otherwise provided by law and as the district court may see fit to impose, the maximum penalty for each violation or offense shall be one thousand dollars (\$1,000). Each day or portion thereof shall constitute a separate offense. If more than one, each condition violated shall constitute a separate offense. The Board of Health and/or the Select Board may seek to enjoin violations thereof through any lawful process, and the election of one remedy by the Board of Health shall not preclude enforcement through any other lawful means.
4. The Provincetown Health Director, Assistant Health Officer, Agent of the Board of Health, and/or any Police Officer of the Town of Provincetown may enforce this Order as a regulation of the Board of Health.
5. Whoever violates any provision of this Order may be penalized by a noncriminal disposition process as provided in Massachusetts General Laws, Chapter 40, section 21D and the Town's non-criminal disposition by-law.
6. If non-criminal disposition is elected, then any person who violates any provision of this Regulation and Order shall be subject to a penalty in the amount of one hundred dollars (\$100) for the first offense; two hundred dollars (\$200) for the second offense; and three hundred dollars (\$300) for a third and subsequent offense. Each day or portion thereof shall constitute a separate offense. If more than one, each condition violated shall constitute a separate offense.
7. Notwithstanding the foregoing, agents and officers are encouraged to educate offenders and to exercise their judgment on a case-by-case basis, and they may issue verbal or written warnings prior to determining that an offense has occurred.

John Gorgio reviewed the enforcement section with the Select Board and Board of Health. Vice Chair Anthony asked who the enforcement authority would be and if the enforcement would be enforced by an agent of the town. This order includes, the Health Director and any agents within the health department and the use of Police if the Board decided to do so.

Approved the draft order of the Select Board and Board of Health and make it effective immediately
Motion David Abramson
Seconded Louise Venden

Roll Call Vote
David Abramson Aye
Robert Anthony Aye

John Golden Aye
Lise King Aye
Louise Aye

Roll Call Vote
Steve Katsurinis – Aye
Susan Troyan – Aye
Janet Whalen – Aye
Elise Cozzi – Aye
Kaliopé Chute – Aye
Christopher Hartley - Aye

2. Continued Discussion on Policy Options: Recommendations - Topics to include but not limited to
 - a. Enhancement of Town Properties (Votes May Be Taken on The Following Items)

Town Manager Craver asked for directions from the Select Board on closing Commercial Street as recommended for the weekend as a trial and to have Staff return with a report on Monday. Board Member King was not in support as feels there needs to be more opportunity for the residents to comment. Members Golden, Anthony and Venden support doing a test. Member Venden would like residents who live in the area to be able to access their homes during the closure. Chair Abramson is not in support.

Move that the Select Board vote to allow a test of Commercial Street closures for June 4, 5, 6, and 7.
Motion David Abramson
Second Louise Venden

Roll Call Vote
David Abramson No
Robert Anthony Aye
John Golden Aye
Lise King No
Louise Aye

3-2-0 Motion Passes.

- i. “Ambassador Program” to monitor and assist.

Town Manager Craver updated the Boards on the Ambassador Program. Staff is currently working on creating the job description of ambassador. Staff is looking at moving staff into this position as well as advertising for this position.

- ii. Remove parking spaces from Ryder Street to allow for greater pedestrian movements and social distancing.

You have already acting on.

- iii. Farmer’s Market to extend onto the lawn of Town Hall

You have already acted on.

- iv. Sunday vendors market

You have already acted on

- v. Add picnic tables and public hand washing and hand sanitizing stations for the public
 1. Waterfront Park (Former Hall Property)
 2. Johnson Street Parking Lot - Section off a small area on the south end of the lot adjacent to the beach to allow for additional areas for people to spread out
 3. Ryder Street Beach East and West - Consider a small section of beach adjacent to Ryder Street Extension and the Pier with moby-mats to allow people more area to spread out
 4. Court Street Landing

Select Board Member Venden asked for staff to look at additional seating for the West End. Select Board Member Golden asked the staff to consider additional seating opinions beside the 6ft picnic tables.

b. Social Services

1. Provide funding to Health Department to create an education campaign focused on the theme
2. Release emergency funding to Health Department, and unfreeze current restrictions, to allow for emergency assistance
3. Task the Town Manager to create an Equity & Inclusion working group to outline an action agenda for outreach and engagement with the Jamaican, Latinx, and other marginalized communities that live or work in Provincetown, or own businesses serving Provincetown

Health Director Morgan Clark, Helping Our Women Gwynne Guzzeau and AIDS Support Group CEO Dan Gates presented social services request. Each request is for \$50k each. Select Board Member King asked what funding source or sources the Town Manager is proposing to use for these requests. Select Board Member Venden feels this is a vital program we need to have during this crisis. The Select Board asked staff to return with more specifics and funding sources and will consider this further at the next meeting.

3. And such other topics related to further Covid-19 orders of the Board of Health and Select Board that were not reasonably anticipated when the agenda was posted.

The Select Board and Board of Health had no other topics to discuss.

Without objection the meeting was adjourned at 8:19 pm.

Minutes transcribed by: Elizabeth Paine



**Provincetown Select Board
AGENDA ACTION REQUEST
Monday, July 13, 2020**

7

SELECT BOARD CLOSING MATTERS

Closing Statements, Pending Agenda Request Items and Other

Requested by: Select Board

Action Sought: Discussion

Proposed Motion(s)

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

Additional Information

- Please see attached pending topics list

[\(833\) 579-7589](tel:8335797589) United States (Toll-free)

Conference ID: # [713 245 335](tel:713245335)

Meeting can be viewed on channel 18 or at <http://www.provincetowntv.org/>

Board Action

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

Pending Items List

July 9, 2020

Topic:

Requested by:

When:

1. Legislation Update – Sarah Peake, Julian Cyr
2. Social Services – Housing
3. Sewer Expansion Planning
4. Legal Litigation Update
5. Harbor Hill Update
6. Economic Development Committee Composition
7. Provincetown Health Care Infrastructure – Needs assessment
8. FY2020 and FY2021 Budget
9. Indigenous memorial

Work Sessions

1. Communication
2. Police Station
3. New Funding Sources
 - a. Marijuana Tax
 - b. Short Term Rental Tax
4. Joint Meeting w/ Truro – Mass Housing Partnership – Outer Cape Housing

RA

Joint Meetings

1. Housing Authority

Upcoming Public Hearing

1. Set speed limit throughout Town at minimum 20 mph
2. Renaming of Bradford Street Extension as Mary Oliver Way