

**TOWN OF PROVINCETOWN – SELECT BOARD
MEETING MINUTES – REGULAR MEETING
JULY 13, 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: Assistant Town Manager David Gardner and Select Board Secretary Elizabeth Paine

Recorder: Elizabeth Paine

The July 13, 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 David Abramson, Chair of the Select Board I will begin by taking a roll call for quorum.

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

Pursuant to Governor Baker's March 12, 2020, Order Suspending Certain Provisions of the Open Meeting Law, the Governor's March 23, 2020, Order imposing strict limitations on the number of people that may gather in one place, and Chapter 53 of the Acts of 2020, this meeting of the Provincetown Select Board is being conducted via remote participation. 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 and participate in the proceedings as provided for in the Order. Persons who would like to view this meeting while in progress may do so by watching on PTV GOV Channel 18, as well as the online livestream of PTV GOV. Participation is only available through telephone where members of the public will be allowed to speak during the public comment portion of the hearing by dialing (833) 579-7589. When prompted, enter the following conference number: 713 245 335#. Please do not speak until the chair asks for public comments or questions and keep your phone muted at all times. Use *6 to mute or unmute your phone. Clearly state your name each and every time prior to speaking and remember to mute your phone when not talking. We will post a record of this meeting on Provincetown's website as soon as possible. All votes must be roll call votes. After a motion is made and there is a second, the Chair will ask for a roll call vote. All motions, decisions, documents, and letters should be verbally referenced for the record. Packet materials are available for viewing on the Town website. If it appears the meeting cannot or should not proceed the meeting will be continued to a later date and time.

First order of business is the election of Officers.

Move that the Select Board vote to elect David Abramson as Chairman of the Select Board for the term of one (1) year commencing immediately.

Motion: Robert Anthony

Second: John Golden

Roll Call Vote

David Abramson: Aye

Vice Chair Robert Anthony: Aye

John Golden: Aye

Lise King: Aye

Louise Venden: Aye

Move that the Select Board vote to elect John Golden as Vice-Chair for the Select Board for the term of one (1) year commencing immediately.

Motion: Robert Anthony

Second: John Golden

Member Venden spoke about her desire to be Vice Chair as she feels it would contribute to a more reasonable conversation. Member King expressed concern with Member Golden being Vice Chair. Member Anthony stands by his motion.

Roll Call Vote

David Abramson: Aye

Robert Anthony: Aye

John Golden: Aye

Lise King: No

Louise Venden: No

Motion passed 3-2-0

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.

The Charter allows for the 2 Assistant Town Clerks and the Town Clerk. And based upon the needs upon the three offices, the staff asked that the Select Board hires an interim Town Manager.

Chair Abramson moved that the Select Board appoint David Gardner as Acting Town Manager for the next 2-4 weeks until an interim Town Manager can be hired.

Second: Robert Anthony

Roll Call Vote

Chair David Abramson: Aye

Vice Chair John Golden: Aye

Robert Anthony: Aye

Lise King: Aye

Louise Venden: Aye

Mr. Gardner is willing to fill the seat for 2 – 4 weeks until an interim can be hired. Is anyone interested in call and gathering names and vet these people and bring them back to the board.

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.**

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

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

- **Don** – Questioned the legality of a member resigning from a position and appointing someone else, who than seconded motion.
- **Alexandra** – Thank the local businesses who continue to show their support for part timers. As a woman of color and immigrant, expressed concerns with the behavior of the FINCOM Chair on social media. Always thought of Provincetown as a welcoming place. Unfortunately, no longer feels welcome.
- **Stephen Hooper** – Thank all businesses owners in town for the great job folks have done to open the town to the best of our ability. Informed the Board that his business was down this year compared to last.
- **Debbie** – Business owner in town, asked others to all support each other through this crisis.
- **Gisele** – I want to thank the Part Timers for helping support the local businesses. We would like a voice at the table and be part of the Tow Manager’s hiring process. Also feels the FINCOM chair has been inappropriate comments on social media.
- **Pat Miller** – Want to thank the Part Timers for keeping the economy going. Nothing has gotten anyone’s attention of the moderators continue protection of the FINCOM Chair. All agree that the FINCOM Chair has used vile language on social media.
- **Laura Rood** – seconded Pat Millers comments. Congratulated Louise and Bobby on their recent reelection. Asking the Board for a coherent mask policy.
- **Dr. Walker** – Asked for someone to provide Roberts Rules on the election of the Vice Chair. Would like to have more details on why the Town Manager stepped down.
- **Alan Roth** – Stunned when heard of the social media posts made by the FINCOM Chair, asked the board to not tolerate hate speak.
- **Mike** – Congratulation Bobby and Louise. I agree with a few people, it would be a better situation for all, if board members would be more respectfully of each other. Offer my services help in the Town manager search committee.
- **Scott Van Hove** – I want to suggest to the taxpayers of Provincetown to pay attention to the cost of retirement to the Town. Why is no one asking what are we going to be doing about this? How the heck are you going to pay for a new police station, a new DPW facility and a new fire station when the OPEB keep ballooning.

2. Select Board Member’s Opening Statements

- **John Golden** – We have had a hell of a week, looking forward to trying to figure out what we have to do about a new Town Manager, how we can keep a new town manager and either something went wrong. We each have to look at ourselves and think about how to make it a better situation for each to bring in. I

think we are doing very well with masks on the street and hopefully we can make that better.

- **Robert Anthony** – I want to thank everyone who supported me in the last election. And those who didn't support me I will be working twice as hard to get your support. I have great concerns with what is happening down in the southern states; Florida and Texas. And those people may be heading this way. I want to be proactive instead of reactive. Looking down the road and asking everyone to wear a mask.
- **Lise King** – I want to say congratulation to Bobby and Louise. For anyone who has not sat in this chair, it is hard to know how hard this job is. I am concerned that there is a tone among some people that the pandemic is over. We have been very lucky that we are situated in Provincetown and in the Commonwealth of Massachusetts. While it has been difficult and an inconvenience, we really are the better for it. As we watch these spikes happen, maybe we won't get as much of a crowd as we did on July 4th. The concern is people bringing it here and we need to continue talking about measures to keep people safe. It is important that it is worth a deeper look at the behavior of the FINCOM especially consideration of the ethic allegation. We can at least acknowledge this controversy. I would like to propose we discuss using Zoom or a different platform.
- **Louise Venden** – I want to say how much I appreciate the town staff, especially David Gardner for picking up the mantel to take on this role during a difficult time, he certainly knows his job. Very grateful we have experience people like Morgan Clark, Josee Young and Rich Waldo and all of their staff who know their job. People should know that the whole situation that is happening with the Town Manager makes sense, we will be moving forward and we will make every effort to ensure that we understand and whom every the candidate is understand the difficulties in this community. At this point we are in good hands.
- **David Abramson** – I think the people in the public should take faith in the town staff, they were part of the planning and execution of the pandemic response. For someone who was asking for a point of order, chair and vice chair expire after one year and nomination do not need to be seconded.

3. Appointments – (Votes may be taken on the following items)

A. Zoning Board of Appeals Alternate: Erik Borg

Erik was not on the call.

4. Joint Meeting/Presentation/Requests – (Votes may be taken on the following items):

1. Mask Policy Re-Evaluation

Chair Abramson opened the item by reading the motion.

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.

Motion: David Abramson

Second: Louise Venden

For Discussion:

Chair Abramson proposed this after consulting with the Board of Health Chair, that it has been determined that do to the public health risk that we should expand the mask mandate to 24/7 in the Town's Commercial Center Zoning District. The area will have signs posted so people know when they are entering the area. Looking for input on whether the board wishes to consider the Bas Relief and how to address people who are eating, drinking and smoking within the mask zone. Board of Health Chair Steve Katsurinis stated this change is supported by the Board of Health and if the language is approved this evening, he would present it to the Board of Health at their next meeting.

The Board members discussed their individual concerns with the proposed order.

Move that the Select Board add the language "24 hours 7 days a week"

Motion David Abramson

Second Lise King

Roll Call

DA – Aye

JG – Aye

RA – Aye

LK – Aye

LV – Aye

Move to exclude the Bas Relief and Town Hall Lawn.

No second.

Move that we expand the mask order to include the entire public way

Motion David Abramson

Second Lise King

Roll Call

DA – No

JG – No

RA – No

LK – Yes

LV – No

Move to expand the current police to include the TCCZD

Motion Dave Abramson

Second: John Golden

DA: Aye

JG: Aye

RA: Aye

LK: Aye

LV: Aye

Move that we exclude the eastside commercial pier, with signage to improve people from coming on and

off the pier.

DA: Aye
JG: Aye
RA: Aye
LK: Aye
LV: Aye

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 from Bang Street to Pleasant Street and include the Town's Commercial Center Zoning District 24 hours a day, 7 days a week. The Eastside Commercial Fishing Docks of McMillian pier would be excluded. 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.

**Motion: David Abramson
Second: Louise Venden**

Roll Call Vote

DA: Aye
JG: Aye
RA: Aye
LK: Aye
LV: Aye

2. 4th of July Update: Manager's Report

Acting Town Manager David Gardner gave a summary of staff reports for the July 4th weekend.

3. Discuss promoting visitors to Provincetown – VSB Chair Jay Gurewitsch and Tourism Director Anthony Fuccillo

Tourism Director Anthony Fuccillo and VSB Chair Jay Gurewitsch wanted to provide an update on what the Tourism Department has been doing since the last meeting. Since June all of the advertisement has included the language letting people know they need to wear a mask. The Board thanked Mr. Fuccillo and Mr. Gurewitsch for their report. The board stated they would like to see more diversity of people of color in their digital advertisement in the future.

4. Discuss Temporary Use of Town Property for Dining – 335 Commercial Street – requested by Regina Binder

Applicant withdrew.

5. Submission of August deficit spending plan.

Finance Director Josee Young presented the summary of the August Deficit spending plan for approval by the Select Board as required by the State. The Board previously was presented with the July, August and September, that requests that each month be approved.

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

Motion David Abramson

Second John Golden

Roll Call

DA – Aye

JG-Aye

RA – Aye

LK- Aye

LV - Aye

6. Approve the Purchase and Sale Agreement - 668R Commercial Street.

Environmental Planner Timothy Famulare along with Open Space Chair Dennis Minsky and President of the Conservation Trust Member William Mullin presented the purchase and sale agreement for 668R Commercial Street. The lot would be paid for with Open Space funds. Town Meeting would have to approve this purchase and sale agreement. The Town will also be applying to a grant that would reimburse the town ½ of the purchase price.

The Board appreciates all the work that has been done. Great presentation, thank you for all you do. Chair Abramson stated he didn't support adding buildable land to conservation while there was housing equality issues going on.

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.

Motion: David Abramson

Second: John Golden

Roll Call Vote

DA: No

JG: Yes

RA: Yes

Lk: Yes

LV: Yes

Motion Carries

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

- **John Golden** – I’m good. Thank you.
- **Robert Anthony** – I’m good.
- **Lise King** – Expressed appreciation to staff.
- **Louise Venden** – Thanked the staff and Board members who have carried a heavy burden during this time.
- **David Abramson** – Thank staff as well. And reminded public to be on the lookout for business staff testing notice.

Motion to adjourn.

Motion: John Golden

Second: Lise King

Roll call vote.

Roll Call

DA – Aye

JG-Aye

RA – Aye

LK- Aye

LV - Aye

Without objection the meeting was adjourned at 10:38 pm

Minutes transcribed by: Elizabeth Paine