

**TOWN OF PROVINCETOWN – SELECT BOARD  
MEETING MINUTES – REGULAR MEETING  
AUGUST 10, 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 John Golden, Members Robert Anthony, Lise King and Louise Venden

Excused:

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

Recorder: Elizabeth Paine

The August 10, 2020, the Provincetown Select Board is about to be convened. My name is David Abramson, Select Board Chair, and I will begin by taking a roll call for quorum.

Chair David Abramson: Here

Vice Chair John Golden: Here

Robert Anthony: Here

Lise King: Here

Louise Venden: Here

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, therefore this meeting of the Provincetown Select Board is being conducted via remote participation. 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.

Public comment participation is only available through telephone by dialing (833) 579-7589 and entering conference number 718 183 694 #. Clearly state your name when asked to do so, wait to be called on before speaking and use \* 6 to mute and unmute your phone. Please remember to keep your background noise to a minimum and keep your phone muted when not talking.

Packet materials are available for viewing on the Town website. We will post a record of this meeting on the Provincetown's website as soon as possible. If it appears the meeting cannot or should not proceed the meeting will be continued to a later date and time.

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

- A. Reappointment of Thomas Steel, Provincetown Constable with a term to expire on June 30, 2023***
- B. Appoint Hilary McHugh as a regular member of the Provincetown Cultural Council with a term to expire on December 31, 2020***
- C. Appoint Paul Kelly as a regular member of the Provincetown Cultural Council with a term to expire on December 31, 2022***
- D. Reaffirmation of allocation of State of Limited Capacity gallons for priorities to address Public Health Failures.***

**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**

- **Amy Davies** – Spoke about Comcast closing their Provincetown office and hope the town can advocate to have Comcast consider reopen the office.
- **Steve Casella** – Speaking on two agenda items. In support of the formation of the part time resident/resident task force. Voicing support of Sal’s place request to have outdoor seating.
- **Heather Baker** – Calling to show support for Sal’s Place.
- **Alexandra** – Part Timer – Calling in support of formation of Task Force.
- **Neil** – Calling in of support of the formation of resident/nonresident Task Force.
- **LJ Mitchel** – Part-time resident property owner, highly support the opportunity for voices of part-time resident owners to brainstorm and come up with solutions for all the challenges facing Provincetown.
- **Pat Miller** – Part-time resident calling in support of the formation of the Task Force.
- **David Burbank** – Voice support of Sal’s Place.
- **Speaker** – Expressed support for Task Force
- **John Harrington** – support of Sal’s Place to have outdoor dining.
- **Mike** – Frequent visitor of Sal’s, calling in support of their request.
- **Pat** – calling in support of part time resident task force.
- **Melissa** – In support of the formation of the task force and allowing Sal’s place to have outdoor seating.
- **Shelly** – Most part timers are only here 6-8 weeks. Can we give non-residents a 1/3 vote? Also calling in support of Sal’s getting their outdoor seating.
- **Brent** – Resident at 93 Commercial Street, has no issues of the use of the beach for restaurant seating.
- **Claire Willis** – Expressed support of Sal’s Place.
- **Caller** – Also in support of Sal’s outdoor seating application
- **Alan Lipkind** – Representing neighbor, calling to expressing opposition to outdoor seating application.
- **Speaker** – Calling in support of Sal’s outdoor seating request.
- **John Simpson** – Support of Sal’s outdoor seating.
- **Don Murphy** – in Support of Sal’s outdoor seating
- **Alan Roth** – Thinks nonresident/resident task force is an excellent idea. Mr. Hatch needs to be held accountable for online behavior
- **Regina Binder** – Suggest signage and handouts would solve problem Commissioner brings up in the opposition. Encourages the Board to approve seats.
- **Speaker** – voice opposition beyond what has already been granted. Sal’s has a pattern of over setting their bounds.
- **Stephanie Baker** – Calling in to support Sal’s application.
- **Scott Van Hove** – Thanked part time residents for supporting the town. Thanked part timers for the contribution their taxes make to the Town. Support of formation of Task Force.
- **Michele Murphy** – Sal’s place is not open year-round due to insulation of the building. Many of our employees are year-round employees. Live here year-round and take part in the local government and volunteer time.
- **Speaker** – Employed by Sal’s and currently live at Harbor Hall. Asking the Board to support the application for outdoor seating.
- **Dora** – Part time resident in Provincetown, calling in strong support of the creation of the task force.

- **Seth** – Graduated from Provincetown and now a part time homeowner. Calling in support of Sal’s outdoor seating.
- **Mark** – Support of Sal’s application for outdoor seating.
- **Don** – Express nonsupport of Sal’s application based on Commissioner Howards comments.
- **Pete Gallagher** – It is not time for Sal’s to open period.
- **Kevin** – Supportive of the formation of the Task Force
- **Meredith Lobur** – President of the Police Union – ask the Select Board to read the letter in entirety before discussion of the FY2021 Budget issues.
- **Ryan** – Year-Round homeowner and employee at Sal’s. All employees are either year-round resident of Provincetown, Truro or Wellfleet. Full support of outdoor seating.
- **Speaker** –Requesting the board mark the non-parking/standing parking spots on Commercial Street with hash paint lines to prevent people from parking there.

## 2. Select Board Member’s Opening Statements

- **Lise King** – Wanted to start the evening by recognizing Leo “Skip” Childs, beloved member of the community in Truro and Provincetown, who passed away in a tragic accident at the cemetery. Honor his long time serve to the communities of Truro and Provincetown. He served on the Truro fire department before serving as a volunteer fire fighter. Sending condolences out to his family and friends. Recognize the Fire Chief and his team. Would ask that the chair place the Economic Stabilization Committee on the next agenda.
- **Louise Venden** – Choose the term non-resident/resident terms because of voting status. The idea about the task force was to engage community members who live here may not vote here. There are a lot of people who live in town who are people of color, who cannot vote here. We need to think more broadly. We cannot continue to fight each other on whether or not and how members of the finance committee members are appointed, how tax money is spent and voting at town meeting. Some residents who vote here are part time residents as well. My hope is we can engage each other and come up with ideas of how we can share resources.
- **John Golden** – Thank you Louise for explaining the makeup of the committee, it is more enlightening than what was in the proposal and motion. Things appear to be going well, our numbers are good. There are a lot of people in town. There is a lot of animosity going on. People are trying their best to survive. If you live here on a normal summer, we are making a lot of nose past 11 pm. Hoping everyone can ride this out, as we only have a few more weeks to Labor Day. Let’s try to be kind to each other.
- **Robert Anthony** – I don’t have anything; I will be speaking on the agenda items.
- **David Abramson** – We have a large agenda. I will speak during the agenda items.

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

### A. Temporary Use of Town Property – 99 Commercial Street - Sal’s Place

Acting Town Manager David Gardner and applicant Michela Murphy presented the application. Pursuant to the Joint Emergency Order, the expansion of outside dining onto Town-owned beaches is subject to approval by the Board of Health and the Select Board. Expansion of dining on to private beaches is subject to approval of the beach owner and the Board of Health. Town Counsel has advised that as the defined area is not within the control of the property owner and is intertidal, that the Town should consider a Temporary License for the Use. Sal’s Place is looking to expand the outdoor seating onto the beach. Approved for 44 seats due to complaints the seats were reduced to 19 seats. Without approval from the Select Board, they only have 6 tables inside and 3 in their parking lot. Regina Binder explained the requested area is commonwealth tidal land, and a four-foot access

way can be granted by the Town, therefore the seating can be granted this evening. The Select Board Members each spoke about their personal opinion on allowing the expansion of their outdoor dining. Member Venden, Member Anthony and Vice Chair Golden support the expansion. Member King supported the expansion but asked for clarity on the area on the beach being proposed and noted that there should be a wider beach access designation for the neighborhood. Chair Abramson felt that since the area being extended out is into the tidelands and east of the property, he would be going with the Building Commissioners recommendation and voting to not approve the applications.

**Move that the Select Board vote to approve the temporary outdoor dining on Town Land and/or in the intertidal zone application by Michela Murphy on behalf of Sal’s Restaurant, subject to the attached Temporary License For Use of Property For Outdoor Dining drafted to form by Town Counsel as amended by the David Gardner’s statement.**

**Motion: Louise Venden**

**Seconded: John Golden**

**Roll Call Vote:**

**Chair David Abramson: No**

**Vice Chair John Golden: Yes**

**Robert Anthony: Yes**

**Lise King: Yes**

**Louise Venden: Yes**

**Motion passed 4-1-0**

**B. Discuss FY2021 Budget**

Acting Town Manager David Gardner and Finance Director Josee Young presented the revised FY2021 budget. The approach budget includes cuts personnel cuts, deferred expenditures and CIP. The intent is to minimize the reliance on free cash. The assumptions that we applied is that the COVID Pandemic would greatly impact our revenue sources that depend on our tourism industry. The Board thanked Mr. Gardner and Ms. Young for their hard work and each member each spoke about their concerns. The Board all felt the furlough program cost wasn’t worth the negative effects and didn’t fit with the philosophy of the Town. Member Venden asked whether or not there were any anticipating fund for social services through CARES ACT being allocated for social services. Chair Abramson asked about the fleet replacement program and would there be any reimbursement grant funding. Member King asked if it was appropriate time to add the indigenous consultant, the board agreed to place it on the Town Meeting Warrant.

**Move that the Select Board approve the Town Manager’s revised FY2021 Budget and to further refer the revised budget to the Finance Committee for comments prior the closing of the September 21, 2020 Town Meeting Warrant as follows:**

<b>Division I General Government in the amount of .....</b>	<b>\$959,767</b>
<b>Division II Finance in the amount of .....</b>	<b>\$10,888,307</b>
<b>Division III Public Safety in the amount of .....</b>	<b>\$6,817,281</b>
<b>Division IV Public Works in the amount of .....</b>	<b>\$3,793,968</b>
<b>Division V Public Services in the amount of .....</b>	<b>\$1,007,317</b>
<b><u>Division VI Education in the amount of .....</u></b>	<b><u>\$4,331,244</u></b>

For a total budget of ..... \$27,797,884

**Motion David Abramson**

**Second John Golden**

**Roll Call Vote:**

**Chair David Abramson: Yes**

**Vice Chair John Golden: Yes**

**Robert Anthony: Yes**

**Lise King: Yes**

**Louise Venden: Yes**

**Motion passed 5-0-0**

### **C. Insertion of Annual Town Meeting Articles**

Acting Town Manager David Gardner presented the draft Town Meeting warrant. Staff look at the warrant and tried to determine which articles are essential and which articles can be deferred to the April 2021 Town Meeting.

**Move that the Select Board direct staff to draft a warrant article for the indigenous people project consultant in the amount of \$12, 607**

**Motion Lise King**

**Second John Golden**

**Roll Call Vote**

**Chair David Abramson: Yes**

**Vice Chair John Golden: Yes**

**Robert Anthony: Yes**

**Lise King: Yes**

**Louise Venden: Yes**

**Motion carries.**

### **D. Approve and execute Interim Town Manager's contract – Charles Sumner**

**Move that the Select Board approve and execute a contract with Charles Sumner for Interim Town Manger as submitted.**

**Motion David Abramson**

**Second John Golden**

**Roll Call**

**Chair David Abramson: Yes**

**Vice Chair John Golden: Yes**

**Robert Anthony: Yes**

**Lise King: Yes**

**Louise Venden: Yes**

**Motion carries.**

**E. Discuss Select Board Rules of Procedures – Select Board Member’s Statement Time limit**

Member Venden request this item be continued to the next meeting.

**4. Town Manager Administrative Matters – Topics to include but not limited to: (Votes may be taken on the following items):**

**1. Town Manager’s Report**

Acting Town Manager David Gardner gave a brief update on the Governor’s order now in effect and the

**5. Minutes – (Votes May Be Taken)**

**A. July 13, 2020 6 pm**

**B. July 20, 2020 5 pm**

**C. July 27, 2020 6 pm**

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

**July 13, 2020 6pm (Regular) [ ] as printed [ x ] with changes so noted**

**July 20, 2020 5pm (Special) [ ] as printed [ x ] with changes so noted**

**July 27, 2020 6pm (Regular) [ ] as printed [ x ] with changes so noted**

**Motion: David Abramson**

**Second: Lise King**

**Roll Call**

**Chair David Abramson: Yes**

**Vice Chair John Golden: Yes**

**Robert Anthony: Yes**

**Lise King: Yes**

**Louise Venden: Yes**

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

**A. Pending Items List**

- **Lise King** – Thank everyone for the work on the interim town manager process and wishing Mr. Sumner the best of luck and looking forward to working with him on Wednesday.
- **Louise Venden** – Disappointed with the lack of enthusiasm in my ideas being proposed. I am an elected official so I will continue to serve. Good night.
- **John Golden** – Wanted to mention the passing of Villa Brown, father of several children in town and husband to Liz Lovati, local business owner.
- **Robert Anthony** – Good job Lise in regard to the negotiations.
- **David Abramson** – It is after 10 pm, so I will pass on any statement.

Motion to adjourn without objection

**Without objection the meeting was adjourned at 10:04 pm**

**Minutes transcribed by Elizabeth Paine**