



Minutes

The Provincetown Licensing Board will hold a Public Meeting on **Tuesday, September 8, 2020** at 5:15 p.m. in the Judge Welsh Room, Town Hall, 260 Commercial Street.

Meeting Agenda

NOTE: THIS IS A REMOTE PARTICIPATION MEETING

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 Licensing 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 number: **380 376 472#** When prompted, state your name, then press #. Please do not speak until the chair or the meeting moderator asks for public comments or questions. If possible, please mute your phone until you are called upon to speak.

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.

Members present by remote: Robert F. Cameron (RC), Chair; Shawn Byrne (SB), Vice-Chair; Bernice Steisel (BS); Donald R. German (DG); Julie Knapp (JK), Alternate; Russell L. Dutra (RD), Alternate.

Staff: Linda Fiorella (LF), Licensing Agent, Moderator.

LF gave opening remarks at 5:17pm and called for quorum by remote.

RC called the meeting to order, then gave the meeting over to LF who read the rules governing Public Meeting under current State guidelines, pursuant to the coronavirus pandemic.

Public Hearings

Special Entertainment

Ken Abert presented; said the Tennessee Williams Festival has been a staple in Town for the past 15 years and that this year the schedule has been pared down to reflect the State restrictions in place due the pandemic; shows are coming in fully rehearsed and will only be utilizing the performance spaces for show times as posted; event staff is down to (15) from (100) and the festival is only being promoted as a Cape-wide event and certain performances will be viewed by audience members from their cars, masks to be worn at all times in public.

SB asked if the (3) license requests could be taken as a group to which RC said they could not as there are different moving parts to each venue.

Mr. Abert said the shows are all Williams plays and all actors will be masked for when they are in less than 6' from each other or staff and will not interact with other on stage in less than the mandated frame and the audiences will be 15 feet back from the lip of the stage; no singing. RD asked per the required distance, which LF said is 25' back for singing and horn instruments and (15) feet back for spoken performances.

1. Petition from Ken Abert representing the ***Provincetown Tennessee Williams Theater Festival*** for a ***Special Entertainment License*** for events to be held September 21, 2020 through September 27, 2020 from 10:00am to 7:00pm at Bas Relief Park at 106 Bradford St., Provincetown, MA. No rain dates requested.

RC made a motion to approve as presented. SB seconded the motion and it passed, 6-0-0; RC, SV, BS, DG, JK, RD.

2. Petition from Ken Abert representing the ***Provincetown Tennessee Williams Theater Festival*** for a ***Special Entertainment License*** for events to be held September 21, 2020 through September 27, 2020 from 10:00am to 7:00pm at, at Grace Hall Parking Lots #3 and #4 at 23 Captain Bertie's Way, Provincetown, MA. No rain dates requested.

LF confirmed to RC that Town Meeting's rain date for special meeting would coincide with this event, but noted it has not yet been approved by the Town Manager's office. Mr. Abert said all performances at this event will be completed by 5:00pm before Town Meeting, which starts at 5:30pm. SB asked if times could be altered, to which Mr. Abert said the end time could be changed to 4:00pm, or another time, at Town Manager's discretion.

RC made a motion to approve as presented pending approval from the Town Manager's Office. BS seconded the motion and it passed, 6-0-0; RC, BS, SB, DG, JK, RD.

3. Petition from Ken Abert representing the ***Provincetown Tennessee Williams Theater Festival for Special Entertainment Licenses*** for events to be held September 21, 2020 through September 27, 2020 from 10:00am to 7:00pm at the Waterfront Park at 387 – 395A Commercial St., Provincetown, MA. No rain dates requested.

Mr. Abert said patrons will enter on the right-hand side and area will be coned-off with names on a list for paperless tickets; no amplification of sound or singing; patrons bringing their own chairs. LF said there is no current plan to survey the Festival venue set-ups by the Licensing Department.

Heather Manning of 385 Commercial St. asked if there would be continuous performances during the times requested. Mr. Abert said there are only two scheduled one hour events at the venue: Saturday, September 26, 2020 at 3:00pm and Sunday, September 27, 2020 at 10:30am; total of people assembled per show will be 45-50 including all staff and volunteers and the Park will be open to the public as usual, including picnic tables. Ms. Manning expressed concern for the number of people to be assembled as her property directly abuts the venue. No other speakers came forth when signaled.

JK said she felt two one-hour performances should be acceptable for the neighborhood. All other Board members agreed.

RC made a motion to approve as presented. SB seconded the motion and it passed, 6-0-0; RC, SV, BS, DG, JK, RD.

Public Statements

None.

Other Business

1. Discussion with Mary Jo Dorman re: Taxi Operator License, Pride Taxi

Mary Jo Dorman and Gail Gibbs, owner, presented. Ms. Dorman related the incident as traveling from Cabral's Pier where she had let out four people and then, while driving en route to MacMillan Pier, took her eyes momentarily off the wheel and hit a pedestrian, Dominic. She said she then called the local police as another pedestrian called 911; when the police arrived she was instructed to not speak to Dominic any further; said that while it was absolutely her fault she was not texting and wouldn't know how to do so, even as she received a ticket for texting while driving; expressed her concern for the health of Dominic and sincere regrets and apologies for her actions.

RC sought clarification that Ms. Dorman needed another driver to come and relieve her of dispatch duties, to which Ms. Dorman explained that she has a phone in a standard holder for that purpose, hands-free.

DG asked Ms. Dorman if she found herself driving too fast, to which she said she was working on and that she had been driving too rapidly at times when she first started on the road. DG said he was aware Ms. Dorman has a reputation for driving too fast and asked if she could make it a #1 priority to be mindful of her speed on the road. Ms. Dorman said DG was 100% correct and that even as she

was driving (2) miles an hour at the time of the accident, she takes the notice to heart and has a learned a valuable lesson the hard way.

Ms. Gibbs said she believes Ms. Dorman's version of the facts but fully expects her to do better; defended having a driver also be a dispatcher in a lawful manner, which RC said he felt was an unnecessary distraction. BS asked if Ms. Dorman ever had to go to driver safety school for any reason, to which Ms. Dorman said she had not. RD said he knew that Ms. Dorman had an excellent reputation for getting fares to their destinations expediently, but that she has learned her lesson; said drivers do answer their own calls as general taxi business policy.

RC said he thought the LB could let this go with a warning, and asked others for their input. SB, DG, BS, JK and RD all agreed. Ms. Dorman thanked the Board for its consideration.

Enforcement

None. LF said she hadn't heard from Officer Nolette and was not aware if she was back at the station.

Code Compliance

None.

Amend/Transfer License

New License

Vehicle for Hire Operator

1. Richard Wallace – Cape Cab

Mr. Wallace presented/ LF said Mt. Wallace has been driving for Cape Cab under a temporary license, awaiting a hearing.

RC made a motion to approve as presented. SB seconded the motion and it passed, 6-0-0; RC, SV, BS, DG, JK, RD.

Renew License

None.

Correspondence

None.

Minutes

RC made a motion to approve the meeting minutes of August 11, 2020 and August 18, 2020. DG seconded the motion and it passed, 5-0-0; RC, DG, BS, JK, RD.

Old business

None.

New Business

LF said she heard from Christine walker of Provincetown Film Society and would like to add a date of a private screening, non-ticketed and private of a local filmmaker's work; date is [ADD]. LF suggested an opportunity to bring in the presenters to the meeting of Tuesday, September 15, 2020 at 3:00pm.

LF related a complaint regarding Ms. Richfield interacting with audience members and a photo taken; said a fine was issued by the Code Compliance Officer as the issue is a pandemic, not licensing, regulatory issue. LF stated the Pilgrim House owner said the infraction would not be repeated and noted that Ms. Richfield's residence ends this week, although the establishment may try and book talent for Women's Week this fall.

BS asked LF of the status of a complaint she made about alcohol served at the Crown & Anchor without food, to which LF said the matter was in the hands of Aaron Hobart, Code Compliance Officer; said the establishment's license goes to the end of October, although there last ticketed show is scheduled for October 13th. JK asked what was the LB's position or responsibility regarding action to be taken when a violation like this occurs. LF said she would confer with Mr. Hobart and RC said he could relate to JK's sense of confusion over the Board's role during the past few months of the pandemic. BS said that when she and a friend were at the Crown & Anchor, her friend was served a drink without food and that if it happened to them, it was happening to others at the club and that the Crown & Anchor should have to abide by the same rules as everyone else.

Licensing Board Statements

None.

Licensing Agent Statements

None.

RC made a motion to adjourn the meeting at 6:30pm. DG seconded the motion and it passed, 6-0-0; RC, DG, SB, BS, JK, RD.

Respectfully Submitted,
Jody O'Neil