

**TOWN OF PROVINCETOWN - BOARD OF SELECTMEN  
REGULAR MEETING MINUTES  
TUESDAY, DECEMBER 15, 2015 6:00 p.m.  
TOWN HALL – JUDGE WELSH ROOM**

Chairman Tom Donegan convened the meeting at 6:00 p.m. noting the following:

Board of Selectmen attending: Tom Donegan, Erik Yingling, Raphael Richter, and Robert Anthony.

Excused: Cheryl Andrews

Other attendees: Town Manager David Panagore; Asst. Town Manager David Gardner; Housing Specialist Michelle Jarusiewicz; Police Chief Jim Golden; DPW Director Richard Waldo; Harbormaster Rex McKinsey; CCC Planner Caroline Harper; COMCAST Rep. Kevin Rekos; CCNS Superintendent George Price; CCNS Rep. Mary-Jo Avellar; Mary McCrann, AICP, Senior Planner & Greg Pellerin, Engineer from Woodard & Curran; Mark Borrelli, Ph.D., Center for Coastal Studies, and EDC Chairman Steven Latasa-Nicks.

Recorder: Loretta Dougherty

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

A. *Bond Anticipation Note #1107 – Dan Hoort – Approval Required.*

**MOTION:** Move that the Board of Selectmen vote to renew Bond Anticipation Note #1105 in the amount of \$2,850,000 dated December 18, 2015 at 0.65% (\$9,869.88) interest payable at maturity to Eastern Bank due June 30, 2016.

B. *Treasurer's Transfer – Library Gift Fund – pay invoices totaling \$280.40 to Recorded Books, Inc.*

**MOTION:** MOVE that the Board of Selectmen vote, as Commissioners of the Town of Provincetown Gift Funds, pursuant to MGL C44 § 53A, to approve the use of \$280.40 from the Library Gift Fund to pay for the attached invoice(s).

C. *Treasurer's Transfer – Library Gift Fund – pay invoice in the amount of \$99.00 to Recorded Books, Inc.*

**MOTION:** MOVE that the Board of Selectmen vote, as Commissioners of the Town of Provincetown Gift Funds, pursuant to MGL C44 § 53A, to approve the use of \$99.00 from the Library Gift Fund to pay for the attached invoice(s).

D. *Approval of resale of 6 Sandy Hill Lane, Provincetown, MA, Units #11 & #12 with affordable housing deed riders & certificates of eligibility to secure the future affordability of unit.*

**MOTION:** MOVE to approve of the resale of 6 Sandy Hill Lane Unit #11 to Tito Diaz Perez and Unit #12 to Joanne Milbury Cove & Steven Cove as being in compliance with the affordable housing deed rider encumbering the units; accept new mortgages and affordable housing deed riders on the units from the purchaser thereof to secure the future affordability of each unit; and, further, to sign and/or authorize the Chair to sign on the Board's behalf, an eligible buyer certificate and any and all other documents necessary or convenient to accomplish the foregoing.

E. *Approval to the revision of Cemetery Rules and Regulations – Cemetery Commission Chair Richard Olson.*

**MOTION:** Move that the Board of Selectmen vote to approve the revision of the Cemetery Commission Rules and Regulations, as submitted by Cemetery Commission Chair Richard Olson.

Without objection Selectman Donegan waived the reading of the consent agenda and without objection it was unanimously approved.

## **1. Public Hearings:**

### **A. Draft – Hazard Mitigation Plan Update presentation and hearing:**

Erik read the Public Hearing Notice. The Hazard Mitigation Plan may be found in the Board's agenda packet on the Town's website.

DPW Director Rich Waldo presented an updated Hazard Mitigation Plan. In May of 2015 a planning team was created with the assistance of the Cape Cod Commission who met weekly for planning. They are submitting a draft of the Hazard Mitigation Plan to engage the Board and the public to receive feedback.

Caroline Harper laid out the plan for the Board. Provincetown is vulnerable to a wide range of natural hazards that threaten life and property. Current FEMA regulations and guidance under the Disaster Mitigation Act of 2000 require, at a minimum, an evaluation of a full range of natural hazards identified in the most recent Massachusetts State Hazard Plan. An evaluation of human-caused hazards (i.e., technological hazards, terrorism, etc.) is encouraged but not required for plan approval. Provincetown has included an assessment of natural hazards only in the 2016 Provincetown Hazard Plan. Hazards profiled with their probability as determine by the Planning Team were Coastal Erosion and Shoreline Change

(highly likely); [Dam] Culvert Failure (possible); Earthquake (possible); Fire: Urban and Wildland (highly likely that an urban fire will impact Provincetown and possible that it will impact the planning area); Flood (highly likely); Hurricanes and Tropical Storms (highly likely); Landslides (possible); Nor'easters (highly likely); High Winds (highly likely); Thunderstorms (likely); Extreme Temperatures (possible); Tornadoes (possible); Drought (possible); Severe Winter Weather: Snow, Blizzards and Ice Storms (highly likely); Tsunami (unlikely), and Sea Level Rise (highly likely).

**Chief Golden** has been working with the team for several months and they are ready to validate the plan. This is a federal requirement in order to get FEMA funding.

No written or public comments.

**Raphael** asked if there are other benefits to the town other than FEMA.

**Dr. Carrie** stated that the Town is a part of the community rating system and Provincetown is at a class 9 which allows lower rates on flood insurance. They went back to the 1800's to look at the flood and hurricane history and they included in this plan an accountability section (FEMA requirement) and beefed up the public outreach as well.

**Tom** asked about erosion barriers. There has been a lot of talk about flooding of the Police Dept.; where do we see anything other than aerial flooding? Do we see coastal flooding in that area at all? How does this inform us so we can make the necessary decisions; especially in terms of building our police station? He wants to make sure that the data is correct.

**David P.** will follow up with staff to answer all of the Board's questions.

**Rich** stated that we are a narrow peninsula surrounded by water with ground water underneath us, and we are trying to put all the pieces together.

**Dr. Carrie** stated it will take six months for FEMA to review the plan and then the Commission will come back to the Board.

**MOTION: MOVE that the Board of Selectmen vote, as required by the Federal Emergency Management Agency under the Disaster Mitigation Act of 2000, to approve the DRAFT updates to the 2011 Hazard Mitigation Plan, for the Town of Provincetown, MA, dated November 30, 2015, and to forward to FEMA for approval as submitted.**

**Motion:** Raphael Richter

**Seconded:** Robert Anthony

4/0/0 Motion passed.

#### **B. Tax Rate Classification hearing – FY2016 Property Tax Rate. Principal Assessor Scott Fahle.**

**Erik** read the Public Hearing Notice.

**Provincetown Principal Assessor Scott Fahle** gave a brief overview of where the town is this year. Applying formulas using FY2016's proposed single tax rate of \$7.31, would yield a residential rate of \$6.58 and a CIP tax rate of \$10.97. He went over the various choices that the Board could make. Complete documents may be found in the Board's agenda packet on the Town's website. The Board's choices were: A) a residential factor of "1" which would keep the tax rate the same for all classes of property; B) a split tax rate using a residential factor of less than 1, the effect of which would be to tax commercial property at a higher rate than that for residential property; C) a residential exemption which would redistribute up to 20% of the average assessed residential value from domiciled properties to non-domiciled properties, and D) a small-commercial exemption which would lower taxes on parcels occupied by small businesses (assessed at less than \$1 million) and shift those taxes to other commercial and industrial parcels.

No public comments.

**Tom** read the email from Cheryl Andrews. (Addendum 1)

**Raphael** stated that this is a great thing for the town. We want to give an exemption to those people who are renting to year-rounders. The Home Rule Petition regarding this has not as yet been passed. We are rated as a #1 vacation destination; a lot of income can be made by those who are not domicile owners. Provincetown citizens of all types need to come together and solve this. He will support the 20% residential exemption.

**Erik** agreed with Raphael. A residential exemption means a tax break. We will have more residents retiring on fixed incomes in the coming years. It is time to see how this can help our town. This echoes what Town Meeting wants. He asked everyone to lobby their Legislators.

**Robert** will support the motion and agrees with his Board members. People living on a fixed income cannot propel themselves in regards to an extra tax. We sacrifice to live here; a little break for those living in Provincetown is good. He will support this.

**Tom** stated that this does not raise any revenue for the Town. If we adopt this it would give a tax benefit to the lowest; we are helping out those who have the lower housing values. This is not an easy vote. He took note that the DOR has recommended it to us. It is progressive in nature and benefits the population that needs it the most. It is the best thing we have right now. This is trying to keep people in their homes. We are getting denser.

**Scott** will take smaller properties and give better adjustments. Some of the larger commercial properties are owned by residents, but larger houses are owned by non-residents. He has started drafting a questionnaire (application form) that will ask for state & federal income tax forms (pg. 1 that you are filing from Provincetown), and supporting documentation.

**MOTION: Move that the Board of Selectmen vote, pursuant to MGL C.40,§56, as follows relative to the FY2016 property tax:**

- 1. To establish a residential factor of "1".**

2. To adopt a "residential exemption" of 20.
3. Not to adopt a "small business exemption".
4. To identify \$117,385.51 in unused property tax levy capacity.

**Motion:** Raphael Richter  
4/0/0 Motion passed.

**Seconded:** Erik Yingling

**C. To perform work within a public way along Winslow Street and in front of 48 Winslow Street, submitted by R.W. Bryant Contracting for COMCAST.**

Kevin Rekos from COMCAST stated that the developer did not get the approval initially. He described what process will be used as reflected in the motion.

**MOTION:** Move that the Board of Selectmen vote, pursuant to MGL C.166 §22, to approve the request of R.W. Bryant Contracting for COMCAST, to start at riser pole #25/13 and hand dig approximately 50 feet along Winslow Street, boring under Winslow Street to transformer #10076-010, located in front of the house at 48 Winslow Street with all work taking place on the edge of the road and under Winslow Street and that all work in the request shall be in accordance with the conditions as stated on the attached Form of Order.

**Motion:** Erik Yingling  
4/0/0 Motion passed.

**Seconded:** Robert Anthony

**2. Public Statements:**

**Marcene Marcoux** would like the Board to look very closely at the Piping Plover problem. She finds the options that are to be presented in the Shorebird Management Plan later this evening problematic. She stated that it is hard to value one species over another. All species need to be respected.

**3. Selectmen's Statements:**

**Robert** wished everyone Happy Holidays.

**Raphael** wished everyone Happy Holiday wishes and gave kudos to the Town for making it festive with all the lights.

**Erik** wished everyone Happy Holidays and invited all to come to Provincetown for the New Year's events.

**Tom** wished everyone Happy Holidays. He stated that it has been an outstanding fall; tourism is booming across the board. He is proud of everyone's efforts in making the Town stay alive, and no matter what the weather New Year's will be great.

**4. Joint meeting / Presentations:**

**A. Shorebird Management Plan Presentation – Cape Cod National Seashore Superintendent George Price and CCNS Representative Mary-Jo Avellar; Mary Hake.**

**Mary-Jo** stated that the poison that may be used on predator crows is a quick acting poison that would not affect coyotes or other predators that might eat the dead crow. She has received a lot of information since 5 years ago.

**Supt. Price** stated that 5 years ago we were focused on one species (crows). They embarked on a public program working with a number of scientists. They distributed this plan to the public on Nov. 9<sup>th</sup> for public comment, and have extended the public comment period to Jan. 11<sup>th</sup>.

**Mary Hake** with the CCNS appeared before the Board and gave an overview of the four alternatives: A) no-action alternative; B) action alternative that would implement a comprehensive plan, accommodating most recreational uses with some restrictions that would include selective lethal predator selective removal of avian and mammal predators through an integrated predator selective removal program; greater protection for staging and migratory shorebirds, and flexible selective removal of piping plovers in areas of high use recreation; C) offers similar protection and management of special status shorebirds and similar management of recreational uses as alternative A, but would also include selective lethal predator management of avian and mammal predators through an integrated predator selective removal program and a total ban on kite boarding and kite surfing throughout the national seashore, and D) would provide similar protection and management of special status shorebirds and similar management of recreational uses as alternative B, but with no lethal predator management. DRC 1339 is the lethal poison that would be used and there have been no documented case of secondary toxicity since it has been used. She asked the Board to consider doing something about these endangered birds.

**John Thomas** read the plan and made some observations which he gave to the Board: there is a subtheme going on regarding dogs. He referred to alternative A – page 23, marsh areas such as Hatches Harbor would be closed if 100 or more staging birds were located. Local people go to these areas to walk their dogs. He stated that other removal methods such as shooting and trapping can be used. He referred to page 40; he does not believe that chemicals should be used. The language does not state certainty about the effects on other animals. He referred to page 87; people bringing dogs being referred to as a new trend is not factual. He asked that the Board think about this.

**Erik** understands this issue. He has concerns about access to the seashore being a problem. He has no idea of how the poison works.

**Mary** stated that it would be injected into hard-boiled eggs: crows, black birds and starlings would eat them. Not much gull predation.

**Supt. Price** spoke to the need to keep the dogs on leashes. Studies are underway by Mass Audubon to learn more about the migrating species.

**Robert** asked about trapping the animals and releasing them. There are certain ways of protecting the nests.

**Tom** agrees with protecting the shorebirds. We need access to the beaches; balance the needs of the species and our people. Coyotes and foxes adapt very well to our environments.

**Raphael** understands the logic and he will not vote for a recommendation from this Board to kill other animals. He does not believe it is the right thing to do; shooting & poisoning.

**Tom** asked John Thomas to draft something for the Board. The best we can do is to go on record.

**No action was taken on this item.**

8:05pm BOS took a short break.

8:10pm BOS came back from break.

**B. Coastal Zone Management Grant Presentation – DPW Director Richard Waldo, Mary McCrann, AICP, Senior Planner, Greg Pellerin, Engineer / Woodard & Curran and Mark Borrelli, Ph.D. / Center for Coastal Studies.**

**DPW Director Rich Waldo** updated the Board stating that the goal of this project was to develop a high-resolution, inundation pathway map of public and private infrastructure and resources in Provincetown, excluding lands within the boundaries of the Cape Cod National Seashore. Examples of pathways that may serve as direct hydraulic connections include: natural low spots in natural topography (e.g. low lying earthen berms, barrier beaches, and dune systems susceptible to erosion and breaching); human-made low spots in built environment (e.g., roads, walkways, seawalls, etc.), and low lying infrastructure that can serve as unintended conduits (e.g., storm water system, sanitary sewers, electrical/utility conduits.)

**Mary McCrann** stated that the purpose of the Adaptive Strategies to Increase Coastal Resiliency in Provincetown, MA is to assess the potential impacts to critical infrastructure from natural hazards. The project is a collaborative effort between the Provincetown Department of Public Works, Woodard & Curran and the Center for Coastal Studies. The main goal of the project is to identify vulnerabilities and then develop adaptive strategies to increase coastal resiliency and reduce and mitigate vulnerabilities where possible. The project was funded in part by a grant from the Massachusetts Office of Coastal Zone Management (CZM). See gave a brief overview of what the work includes.

**Mark** spoke about the mapping inundation pathways. He gave some examples of the scenarios that could happen during certain types of events using the FEMA National Flood Hazard Layer, Flood Zone Designation maps which showed critical facilities, storm tide pathway points, and storm tide pathway contour areas in Provincetown. These maps may be viewed in their entirety on our webpage in the Board's agenda packet for December 15, 2015. He will be working with Harbormaster McKinsey on predictions.

**Erik** asked about the Shank Painter area and the possibility of flooding in that area as it is very important to the Board in considering future building projects.

**Robert** asked if they considered ground water in this project.

**Mark** stated that they have not considered ground water as this is the first step in this project; it has really never been done before. He stated that would be a good next step, but we would need more funding.

**Raphael** is looking forward to the final report.

**Tom** looked at the incoming water (slosh map). We are protected from Tsunamis because of the way we are faced.

**No action was taken.**

**C. Joint Meeting with the Economic Development Committee (EDC) 2016 Grant Guidelines Draft – Chairman Steven Latasa-Nicks.**

EDC members present: Steven Latasa-Nicks; Mike Miller; Bryan Armstrong; Carin Capoto and Jean Cassidy. **Steven** stated that they have been meeting weekly since they last met with the Board. He read the EDC Grant Guidelines Summary and asked for feedback from the Board regarding the Selection Committee & Criteria.

**Raphael** thinks the criteria are right on, but was concerned about the deadline. He asked about someone having an event that runs from December through January does it have to be spent by then.

**Steven** stated that this fall there would be another process for proposals and spending for grants. The Town will not vote to allocate more money unless they see where the money is going.

**David P.** has been meeting with the group all the way through the process.

**Raphael** supports this.

**Erik** asked about the micro and full grants.

**Steven** stated that \$5,000 is for a micro grant and \$20,000 for the other.

**Erik** encouraged them to shy away from peak seasons, as well as Sept. Make sure they are separating themselves from PBG, Tourism, VSB, etc.

**Steven** is very much aligned philosophically. They will not play where someone else is playing. They don't expect there to be any event focused grants. They will be more for job creation, capital improvements and the like.

**Tom** thanked the EDC. He is not sure that the Board can add anything to the Selection Committee. There are a variety of people who have toiled these types of projects; one man started in a small shack and now owns a store on Commercial

Street. This is a terrific presentation once again.

**Bryan** is doing a survey based on arts, tourists, and business owners. He stated that they want to keep the money here. If a business owner lives in Truro, but has a business in Provincetown, the money will be kept here. They are also looking at streamlining the process to help businessmen open businesses in Provincetown.

**No action was taken.**

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

Board requested to take 5B out of order without objection.

#### **B. Reappoint Marcene Marcoux as a regular member of the Historic District Commission, with a term to expire December 31, 2018.**

**Raphael** recused himself from HDC issues as his wife has an application that is to come before the commission.

**Tom** asked to look at how we can modernize our standards (solar panels) without losing the historic values within Provincetown.

**Marcene** stated that we have had a solar panel policy for a number of years, and on the whole the Commission has accepted solar panels. However, there is a need to maintain the historic presence on some streets. She spoke against replacing all of the wood with manufactured wood; some are carcinogenic producing.

**Tom** would like to see the goals of the Board and those of the Commission come into alignment. The Town should be speaking with a common voice.

**Marcene** asked the Board to let the Commission know their goals.

**Erik** asked about the roles between Staff and the Commission.

**Marcene** is concerned about precedence as they are a regulatory board. They need to write the decisions and not staff; based upon legal issues they must write them.

**No motion was made and no action was taken on her reappointment.**

#### **A. Board of Selectmen End of Year Re-appointments with terms to expire December 31, 2018.**

**MOTION:** Move that the Board of Selectmen vote to reappoint the following Board and Committee members, as noted in the attached list, with the exception of David McGlothlin, to an additional three-year term to expire on December 31, 2018.

**Motion:** Tom Donegan

**Seconded:** Erik Yingling

4/0/0 (Raphael Richter – Recused) Motion passed.

**MOTION:** Move that the Board of Selectmen vote to reappoint David McGlothlin, as a regular member of the Historic District Commission, to an additional three-year term to expire on December 31, 2018.

**Motion:** Erik Yingling

**Seconded:** Robert Anthony

2/1/0 (Tom Donegan) (Raphael Richter – Recused) Motion passed.

#### **C. Appoint Anna M. Meade as the Provincetown Representative to the Cape & Vineyard Electric Cooperative (CVEC), with a term to be determined by the BOS.**

**Anna** has been an environmental engineer for over 25 years mostly in New York state. She has technical qualifications.

She works with the Recycling & Energy Committee and is very positive about helping to create more renewable energy. She can travel up Cape once a month.

**MOTION:** Move that the Board of Selectmen vote to appoint Anna M. Meade as the Provincetown Representative to the Cape & Vineyard Electric Cooperative with a term to expire 12/31/18.

**Motion:** Erik Yingling

**Seconded:** Raphael Richter

4/0/0 Motion passed.

#### **D. Appoint Zoe Babe, as a regular member of the Water and Sewer Board, with a term to expire December 31, 2018.**

**Zoe** was told by her neighbor Susan that this would be a good idea in terms of community service. She has experience in Water Boards; small mountain town close to where she is from. She is interested in learning about all the ocean issues. She lives here full time and is an attorney; municipal law-civil litigation for 10 years.

**MOTION:** Move that the Board of Selectmen vote to appoint Zoe E. Babe, as a Regular member to the Water & Sewer Board, with a term to expire on December 31, 2018.

**Motion:** Erik Yingling

**Seconded:** Robert Anthony

4/0/0 Motion passed.

#### **E. Appoint Jeffrey Gould, as a regular member of the Water and Sewer Board, with a term to expire December 31, 2018.**

**No action taken on this item, as Mr. Gould had withdrawn his application.**

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

**A. "First Light Provincetown" Event – Request for parking ban on Commercial Street between Johnson and Winthrop Streets.**

David P. explained the need for this request to help with safety and the flow of traffic.

Chief Golden can post temporary traffic notices and offices will begin with courtesy notices at the appropriate times.

**MOTION: MOVE that the Board of Selectmen vote to ban parking on Commercial Street between Johnson Street and Winthrop Street during the Provincetown First Light Event from 2:00 AM on December 31, 2015, until 9:00 AM on January 3, 2016.**

**Motion:** Tom Donegan  
4/0/0 Motion passed.

**Seconded:** Robert Anthony

Erik Yingling moved to take 6D out of order. Raphael Richter seconded the motion.  
4/0/0 Motion passed.

**B. Police Report for the Month of November 2015 – Police Chief Jim Golden.**

Chief Golden read the Police Report and it can be found on the Police Dept.'s website.

Tom asked about how he sees the year, and Jim touched upon the highlights stating that there was an uptick in October. November was definitely busier than last year.

No action was taken.

**C. Order of Alteration of Layout of Harry Kemp Way - 34A Pearl St - David Gardner.**

David G. gave a brief overview of the order stating that previously the Board had referred this to the Planning Board for an endorsement. They have approved it and now the Board is being asked to approve the following motions:

**MOTION: Move that the Board of Selectmen vote to approve the Order of Alteration of layout of a portion of Harry Kemp Way as a public way to exclude from the layout of said way the parcel of land shown as "Excluded Portion Parcel 1" on a plan entitled "Plan of Land in Provincetown As Surveyed for Jeffrey D. Mulliken and Elbert Ruff," dated December 8, 2015, prepared by William Rogers, and further**

**MOTION: Move that the Board of Selectmen hereby declares that the parcel of land shown as "Excluded Portion Parcel 1 Area = 690+ Sq.Ft." on a plan entitled "Plan of Land in Provincetown As Surveyed for Jeffrey D. Mulliken and Elbert Ruff," dated December, 2015, prepared by William N. Rogers, Professional Civil Engineers & Land Surveyors, on file with the Town Clerk, currently held by it for public way purposes, is no longer needed for such purposes.**

**Motion:** Erik Yingling  
4/0/0 Motion passed.

**Seconded:** Robert Anthony

**D. Conflict of Interest Law Determination – Policy Decision – Shellfish Committee & Harbor Committee member David Flattery.**

David Flattery stated that he is a shellfish fisherman in the agriculture district area. He stated that the Division of Marine Fisheries allowed fishermen to start fishing in this area as a pilot program and he took it on as a hobby. It is a work in progress. He is trying to figure out what type of shellfish will take or not. He would like to be able to make recommendations and vote on regulations that could take place.

David P. stated that the decision is strictly with the Board concerning this matter. There is no set decision process. He referenced a memo received from Town Counsel in which was stated, "The statutory standard is that the appointing authority must find that 'the financial interest is not so substantial as to be deemed likely to affect the integrity of the services which the municipality may expect from the employee.'"

Tom stated that he is very conservative on this matter.

Robert asked how we determine a financial interest.

David P. stated that any financial interest triggers the review and the appointing authority is deemed sufficient to the process. There is no case law to determine material financial interest. It is up to the Board.

Erik asked David F. if this was his primary source of his income or 10% or 20%.

David F. stated that he is operating it in the negative; there is no income.

Tom stated that David F. should recuse himself when shellfish issues are being discussed in both the Shellfish & Harbor Committees. There are ways that David F. can be recused for necessity.

Raphael suggested that David F. should recuse himself, and make the decision on a case-by-case basis.

Erik was not sure that this was a wise decision.

No action was taken on this item.

**7. Town Manager / Assistant Town Manager:**

**A. Approval of April 4, 2016, Annual and Special Town Meetings Timetable.**

**MOTION: Move that the Board of Selectmen vote to approve the schedule for Special and the Annual Town Meetings to be held on April 4, 2016.**

**Motion:** Erik Yingling

**Seconded:** Robert Anthony

4/0/0 Motion passed.

**B. Town Manager's Report – Administrative Updates.**

Tom briefly talked about the Pier Corp requesting the abatement on their rent and how it will affect the levy. He would like to see us sort out our levy before the budgets get done.

Erik does not know if he wants to give a rent abatement to the Pier Corp.

Raphael wants to reserve thoughts until he sees the budget.

David P. spoke briefly on the following topics:

- providing another budget schedule for all activities through Town Meeting to see what can and cannot be fit in terms of the time it will take to get things done
- the Town Charter was amended which allows for one extra alternate member on both the Planning Board and Board of Health
- compliments to our Building & Grounds for the wonderful job they did putting up all the lights
- compliments for all the marketing done by Tourism, Visitor Services Board
- compliments to our Department of Public Works for all their hard work
- final budget reviews will be held this week

Tom asked David P. how things are going.

David P. stated that he is stunned at the amount of activity that is to be done within such a small amount of time. He is concerned about the quality of the work, but feels that we are working toward changing the baseline assumptions and in time we will be successful. Staff has been working well in putting the budget pieces together; performance based system in terms of metrics is going well. He has now met with nearly every Board and having dove in when he first arrived he is now ready to start delegating now.

Tom stated that he thinks everything is going well.

Erik likes seeing the Inclusionary By-law on the budget calendar.

David P. will have a draft of it for the Board just before Christmas. He will also update the Board on the Local Comprehensive Plan as the Local Comprehensive Planning Committee is just getting started.

**C. Other** – None.

**8. Minutes:**

The Board reviewed the minutes briefly and Raphael asked that a correction be made on the August 24<sup>th</sup> minutes, and to check a portion of language in the April 22<sup>nd</sup> minutes and correct, if needed. After Board Secretary reviewed both minutes, the August 24<sup>th</sup> minutes were corrected and the April 22<sup>nd</sup> minutes remained as presented.

**MOTION: Move that the Board of Selectmen approve the minutes of January 14, 2015 (Special), as presented; August 24, 2015 (Regular), as revised; October 13, 2015 (Regular), as presented, and April 27, 2015 (Regular), as presented.**

**Motion:** Erik Yingling

**Seconded:** Robert Anthony

4/0/0 Motion passed.

**9. Closing Statements/Administrative Updates - Closing comments from the Selectmen:**

No closing statements.

The Board motioned to go into Executive Session at approximately 10:12 p.m.

**MOTION: Move that the Board of Selectmen go into Executive Session pursuant to MGL c30A, Section 21(a), Clauses 1,2,3,4,5,6,7, & 8 for the purposes of:**

**Clause 6** - To consider the purchase of, exchange, lease or value of real estate, if the chair declares (chair declared) that an open meeting may have a detrimental effect on the negotiating position of the public body. VFW (3 Jerome Smith Road) and related parcels. Votes may be taken.

**Clause 6** - To consider the purchase of, exchange, lease or value of real estate, if the chair declares (chair declared) that an open meeting may have a detrimental effect on the negotiating position of the public body. Old Community Center (46 Bradford Street). Votes may be taken.

**Clause 3** – To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares (chair declared). Votes may be taken.

**Clauses 1, 2, 3, 4, 6, 7, & 8** – To consider the approval and/or release of Executive Session Minutes for May 11, 2015; May 22, 2015; November 9, 2015, and November 23, 2015.

and not to convene in open session thereafter.

**Motion:** Raphael Richter  
(Roll Call Vote)

**Seconded:** Robert Anthony

Tom Donegan: Yes

Erik Yingling: Yes

Raphael Richter: Yes

Robert Anthony: Yes

Yea: 4 Nay: 0 Motion passed

The Board went into Executive Session at approximately 10:14 p.m.

**Minutes transcribed by:** Loretta Dougherty

12.15.15 BOS Mtg.

Addendum 1

1B

**Loretta Dougherty**

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**From:** Cheryl Andrews  
**Sent:** Thursday, December 10, 2015 4:06 PM  
**To:** Loretta Dougherty  
**Cc:** Tom Donegan; David Panagore  
**Subject:** Tax Classification Hearing - kindly read into the record

To the citizens of Provincetown and my fellow board members :

I am disappointed that our Annual Hearing is being held in December this year . I am unable to attend due to a long ago scheduled vacation. As you will recall, at last year's Annual Hearing, I voted in favor of Provincetown adopting a Residential Exemption. Today, I am still strongly in favor of our Town using this tool to support our year-round taxpayers.

During the last 13 months, I have discussed this with many taxpayers. I have read more about how this exemption works in other Towns. I know that change is difficult and that the transition phase we will enter in order to adopt this exemption will be a bit stressful for some. Still, after all that, it appears that adopting this policy will further the Selectmen's goal of taking action to support and enhance what, indeed, has become our own endangered species: the year-rounder.

I do realize that this would mean a small increase in property tax for many of our non-resident taxpayers. And they of course, have shared with us that many of them benefit from this type of exemption in their home communities.

Regardless, a good argument can be made, that the experience of ALL of our property owners will be enhanced by having some kind of year-round community here. We need them to run the volunteer programs and plan the summer events ...never mind volunteer on our municipal boards during the winter months...that we have all come to expect is part of the experience of living in Provincetown.

I hope someday to see the fruits of our efforts: a more vibrant and more age-diverse year-round population ; more winter residents invested in the long term health of our Town.

Living here year-round requires a bit of sacrifice. Let's reduce the pain, just a little bit. Lets take small steps to steer our Town in a better future direction.

Thank you

Cheryl L Andrews  
Member, Provincetown Board of Selectmen