

**TOWN OF PROVINCETOWN - BOARD OF SELECTMEN
MEETING MINUTES – REGULAR MEETING
MONDAY, MARCH 13, 2017 6:00 PM
TOWN HALL – JUDGE WELSH ROOM**

Chairman Richter convened the open meeting at 6:00 pm noting the following:

Board of Selectmen attending: Chairman Raphael Richter, Vice Chairman Erik Yingling, Members Dr. Cheryl Andrews, and Robert Anthony.

Excused: Tom Donegan

Other attendees: Town Manager David Panagore, Asst. Town Manager David Gardner, Board Secretary Elizabeth Paine

Recorder: Elizabeth Paine

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

- A. *Parade Permit – National MS Society’s MS Cape Cod Getaway Bike Ride to be held on June 25, 2017.*
- B. *Parade Permit – Provincetown Portuguese Festival ‘s Portuguese Culture – to be held June 24, 2017*
- C. *Parade Permit – Provincetown Portuguese Festival’s Portuguese Blessing of the Fleet - to be held June 25, 2017*
- D. *Referral of Zoning Bylaw amendments to the Planning Board for review and public hearing on Thursday, March 23, 2017 in order to be placed on the April Town Meeting Warrant.*
- E. *Parade Permit –Heroes in Transition’s Ruck 4 Hit Cape Cod Relay- to be held on Friday May 5, 2017.*
- F. *Parade Permit – Wounded Warriors’ 2017 Soldier Ride – to be held Saturday September 23, 2017*
- G. *Approval of resale of 6 Sandy Hill Lane, Provincetown, MA, Units #3 with affordable housing deed riders & certificates of eligibility to secure the future affordability of unit.*

Without objection Chairman Richter waived the reading of the consent agenda and without objection it was approved unanimously by the BOS.

1. Public Hearings:

NONE

2. Public Statements:

Mary Jo Avellar – The Board’s Representative to the Cape Cod National Seashore Advisory. The North Parking lot out at new beach doesn’t appear anything special will occur will try to get as many spaces in there as possible. Park Service 2018 projects, this lot is number 1, the lot will be re-configured. Other topics of conversation were Nauset Beach and Marconi parking lot problems. Highland Light when moved in 1996, filled in all the space between the three layers of brick, now that is detraining, 1.5-million-dollar project in the works. Damage to North Parking, was much more significant than years past.

Vincent Breglia – speaking against doing anything further to the community center, the town is in a housing crisis. The voters voted in 2011 to sell the community. Let the Town vote decide on the Community Center during this housing crisis.

Gordon Siegel – 2011 town voted to sell the community the center. The Town is in a housing crisis. He would like to see the former VFW and community center to be used for housing. Delay any further discussion of the community center, would like to see a town meeting review, and have the town vote on this.

Louise Venden - Appreciates the work everyone has done to look into the history of the property. A number of steps have been taken by leadership of the town, very important things that have come to the board of selectmen. She is supporting Community Center.

Peter Haukling – Co chair of Creative commons. Applied and received support for the use of the community center. He wanted to start by thanking the staff. By leasing the building, it creates a public endowment. Rather than on lump sum, this allows this building to remain an asset that the town can barrow against, allows for a consistent rent to be paid to the town. He believes this is rational public policy.

Chairman Richter read into the minutes 2 letters.

3. Selectmen’s Statements:

- **Erik Yingling** - none
- **Thomas Donegan** –none
- **Cheryl Andrews** – She would like to thank the folks who worked so hard to put together the Year Rounders. When first returned to the Board, felt the community center should be used as housing. The numbers didn’t work out. The original vote, she believes only authorized the Selectman to sell it. Would have to look at the originally article to see what the actual language of the warrant is. Believes the town has been working hard to come up with a solution for that building that is very viable and creative.
- **Robert Anthony** - None
- **Raphael Richter** – Wished to hold off making any statement on the Creative commons until the agenda item.

4. Joint meeting/Presentations:

A. Presentation by Superintendent Bob Sanborn on the FY2018 Cape Cod Tech High School Proposed Budget and update on Capital Plan.

Superintendent Sandborn was present to give the Board an update on the FY2018 update. The building will be new construction. Mashpee’s concerns are the total cost of the product. Provincetown’s enrollment is around 0.81%. Barnstable is the largest student base, Truro the smallest. He believes that the new school would be able to accommodate around 650 students. 1.89% increase. Majority of budget comes from Assessment. Teacher salaries and health insurance are large parts of the budget. Significate high needs school. The school is hoping to get a new facility in the future. Post-Employment Benefits (OPEB) joined Plymouth County contribution is \$80,000. He is hoping to double it next year. The FY2018 assessment for Provincetown is \$97,409. October 24, 2107 from 12-8, majority vote of the district, will vote to approve the debt of the new building.

Dr. Andrews moved that the Board of Selectman vote to approve the Cape Cod Tech High School’s recommended FY2018 Budget in the amount of \$97,409

Chairman Richter seconded the motion.

VOTED

In Favor: 3
Opposed: 0
Absented: 0

Vice Chairman Yingling joined the meeting at 7:11 p.m.

B. Presentation by the Pilgrim Monument and Provincetown Museum Board of Directors

Pilgrim Monument and Provincetown Museum members Christopher J. Snow, K. David Widner and Mike Glasflet on requested by acting Chair Yingling and Member Anthony, presented to the BOS a presentation of access to the Pilgrim Monument from Bradford Street. The monument has done many studies as percussion before they cut into the hill. They have paid 1.8 million into the structure of the monument to ensure the monument withstands another 100 years. They are here to present a concept to the town of future plans. The hill is a barrier, this concept, joins the access to the green. The

lift they are proposing would connect the harbor front to the monument. They are trying to replicate the same path as the original tract of when the monument was first built. Access barrier was still there if they did a stairway. See this access way as a gateway to redesigning the museum.

Cheryl Andrews expressed concern that it reminds her of a rendering of a “fish eyed bowl”. She is having a hard time picturing this much time between the green and the building. So when presenting, give a more realistic size. How many people would it carry and how much time would it take?

CK – It is out of scale. Would carry about 15 people and take about 5 minutes in each direction.

CA – Have you considered giving rides without a ticket?

CK – Everything is still in the early stages and discussions have been made but nothing has been decided.

RA – Discussion of access to the monument on the hill has been a topic of discussion for many years. Hopefully it will create the corridor.

CK- Right now it is just a concept. Hoping the project could be done by 2020.

RR – enthusiastically support the project. He sees this as a unique attraction.

EY – Ball park figure and funding source

CK- 1.8 – 2 million is what we believe it would cost. Current culture grant they applied for is 450k, combined with other contributions and internal funding they currently have almost half.

EY – His unsolicited advice to the Monument Board would be to communicate openly with town.

CA – Suggested utilizing social media.

5. Appointments:

A. Appointment of Dan Vanwaus, Chamber of Commerce Representative to the Visitor Services Bureau effective March 13, 2017, and expiring on June 30, 2018.

Has been coming to Provincetown many years became a full time resident 3 years ago. He has been in the hospitality for over 25 years. Currently works as the Assistant Manager of Sage. He would like to see the VSB work together with other entities in town and start marking together and as a team.

CA – How do you see that you would represent the Chamber of Commerce while working on the VSB?

DV – There are specific organization that market towards certain organization. He has been on various organizations and believes that people come to Provincetown to experience it as a whole. He doesn't necessarily need to market to specific themes. He wants to still include those groups, but he is going to work hard to try to work hard.

Mr. Yingling moved that the Board of Selectmen vote to approve the appointment of Dan Vanwaus, as the Chamber of Commerce Representative to the Visitor Services Board effective March 13, 2017 and expiring on June 30, 2018.

Mr. Anthony seconded the motion.

VOTED

In Favor: 4
Opposed: 0
Absented: 0

6. Requests:

A. Review and potential update/revision to Selectman Policy Statement 2012-01-09 Remote Participation – requested by Chairman Richter

Review and potential update/revision to selectmen policy statement 2012-01-09 remote participation, votes may be taken

Yingling – He is torn on the idea, for time when people cannot attend, it allows for people to participate. Based on personal experience, it is more challenging when calling in to be a part of the discussion.

Andrews – what is missing is the technology. It will be here soon, but the technology isn't there yet. I would like some feedback from some other boards.

Richter – if allowed some point of remote participation would help the technology along. As far as relating to the Board of Selectman, if they would be allowed into the discussion, not necessarily the vote and being restrictive so not allow someone to leave town for months on end.

Anthony – Is there any statute limitation to running a meeting with remote participation? If only under extreme measures and strict regulation would be he be supportive of this.

Richter – The remote participate would not create a quorum. Given that the Board is split, for now, tabling the discussing. Based on MIS discussion, there would need to be some major technology upgrade to enable the public to hear it and experience it.

Yingling – Could we get a memo from MIS on remote participation technology?

Richter – Going to discuss with staff and take comments into considerations, will place it on an agenda at a later date.

B. Consideration of revision to the existing Selectman Policy Statement - Economic Development Permit Criteria – requested by Chairman Richter

This item is a follow up as promised to a round table discussion on Economic Development. Chairman Richter added in some revisions and conditions to EDP's policy and criteria, he added some suggested changes and would like to have discussion with the other board members and possibly vote in the revises. Vice chair Yinglings brings up seasonal housing, he doesn't wish to see transient occupants. Selectman Andrews brings up the town's ability to prevent a property being converted from a business to a private residence and there is a big difference between giving people permission to expand seats and building house. David Gardner, the current demand for permits exceeds the remaining 3-years of the 5-year plan period. The limitation on the sewage system might be a factor on handing out permits. Chairman Richter would like to see the policy statement from February 2015 that the selectman voted on for ECO septic allotment. Andrews and Richter question the lan-

guage. Andrews would like to see the whole things edited to be clearer to the public. Staff feels this is in the same format of what all the other.

Mr. Yingling moved that the Board of Selectmen vote to adopt and approve Board of Selectmen Policy Statement 2017-03-13 as submitted.

Mr. Anthony seconded the motion.

VOTED

**In Favor: 4
Opposed: 0
Absented: 0**

Mr. Yingling moved that the Board of Selectmen vote to amend the Economic Development Permit guidelines and procedures.

Mr. Anthony seconded the motion.

VOTED

**In Favor: 4
Opposed: 0
Absented: 0**

7. Town Manager / Assistant Town Manager:

A. Recommendations on the Articles for the April 2017 Town Meeting Warrants.

1) Discussion of Town Meeting Calendar present – April

Chairman Richter’s general sense is to delay the recommendations of the articles until the March 27th so that the full board will be in attendance. David Panagore’s goal was that the Selectmen have adequate time to prepare for Town Meeting.

Richter moved without objection to delay the recommendation of the Articles for the April 2017 Meeting until March 27, 2017.

B. Insert Ballot Questions for the May 2017 Annual Town Election.

“Shall the Town of Provincetown be allowed to exempt from the provisions of proposition two and one-half, so called, the amounts required to pay for the bonds issued in order to pay for the design and construction of a new police station and costs related thereto?”

Dr. Andrews moved that the Board of Selectmen vote, pursuant to MGL C.59, §21C(g), to insert the attached ballot question(s) onto the May 2, 2017, Annual Town Election, as presented by the Town Manager.

Mr. Anthony seconded the motion.

VOTED

**In Favor: 3
Opposed: 0**

Absented: 1 - EY

C. Land Development and Lease Agreement with Creative Commons – 46 Bradford Street

Selectman Yingling reclused himself and stepped out of the room at 8 am.

David Panagore went over the details of the development and lease agreement. Chairman Richter recognizes the need for housing; this allows the site to be utilized. One of Mr. Anthony's goals was to create a cultural center. In total agreement with the Chairman, this is nothing but a positive and believes this is one of the greatest things in the last three years.

Andrews moved that the board of selectman move to approve the land development and lease as presented. Anthony seconded the motion.

VOTED

**In Favor: 3
Opposed: 0
Absented: 0**

Selectman Yingling returned to room at 8:13 p.m.

D. Town Manager's Report – Administrative Updates.

David Panagore discussed the meetings he attended last week. First meeting was with the State Water Transportation Advisory Council Meeting. The major presentation at the meeting was by Boston Harbors, a non-profit advocacy group that has led efforts in Boston for decades. They always have had strong leadership and their current executive is an ex-DEP official Kathy Abbott (who also was one of first bosses when I interned at DEP long ago). Massport and the DOT are funding a \$500,000 Ferry service study. This is a comprehensive baseline study that will benefit everyone for years to come. The study will model all aspects of operating a ferry at different times, size and costs. The study will identify 20 locations and then narrow down to three (3) locations to develop business plans for those three. They specifically have not asked for local money so that there is no appearance of a conflict, but will interview each Council member for input. As well we had a presentation by Winthrop on their municipally owned and operated ferry service to Boston that was a fascinating review of its operation, risk and potential reward. Winthrop has now a Council-Manager form of government and the ferry operates as a department. When he mentioned that we are an outlier and would benefit at times with being part of north and south shore as well as Boston conversations and meetings, they readily concurred and will be cognizant of that going forward. In conclusion, this is a good council of ferry advocates, and our presence on the Council is respected, heard and appreciated.

Vice Chair Yingling asked about what other factors affected the winter ferry; whale routes and weather. Dr. Andrews asked about how many ports were included? Mr. Anthony when talking to the fire chief about comparisons, to make sure it is apples to apple.

The second meeting was at the MMA legislative briefing in Lenox to discuss seasonal economies. This briefing had all the western mass state officials in one location. There were a lot of people who care about the same issues as Provincetown.

E. Joint Community Compact Information Technology Grant Program Application with the Towns of Wellfleet and Truro to purchase electronic voting equipment for shared use at town meeting.

The idea of doing electronic voting, to improve the processes is outlined in the memo. Truro is suggesting joint application with Wellfleet and Provincetown. There will be \$3-5k in yearly fees. Grant would come straight from the state. Vice Chair Yingling thinks by doing it jointly with regional cooperation, it becomes cost effective. He has heard that it creates a delay in between votes but would like to see how it works. Dr. Andrews is going to vote no. She feels it turns

every vote into a private ballot. She sees it as taking the town in the wrong direction. Mr. Anthony agrees with Dr. Andrews; it would change the dynamic of the town meeting. Town Meeting should be an open process, and when you use an electronic voting, it doesn't allow an open dialog. Chairman Richter likes every aspect to it but the private vote. Vice Chair Yingling feels there is a value in allowing people to vote privately at public Town Meetings.

Vice Chair Yingling moved that the Board of Selectmen, with Town Wellfleet and Truro, purchase electric voting equipment for shared use at Town Meeting.

No second.

No action taken.

F. Others – Other matters that may legally come before the Board not reasonably anticipated by the Chair 48 hours before the meeting. Votes may be taken

8. Minutes:

MOTION: Move that the Board of Selectmen approve the minutes of: January 3, 2017 (Budget), as printed; January 10, 2017 (Budget), as printed; January 23, 2017 (Special), as printed; February 27, 2017 (Regular), as printed; and March 1, 2017 (Special), as printed.

Mr. Yingling moved that the Board of Selectmen approve the minutes of January 3, 2017 (Budget); January 10, 2017 (Budget); January 23, 2017 (Special); February 27, 2017 (Regular); and March 1, 2017 (Special), with changes so noted.

Mr. Anthony seconded the motion.

VOTED

**In Favor: 4
Opposed: 0
Absented: 0**

9. Closing Statements/Administrative Updates:

- Cheryl Andrews – None
- Robert Anthony – None
- Erik Yingling – None
- Tom Donegan- None
- Raphael Richter –None

A. Thank you letter to Robert Costa, who resigned his position as the Provincetown Chamber of Commerce Representative on the Visitor Services Board effective February 23, 2017.

Without objection the meeting was adjourned at 8:49pm

Minutes transcribed by: Elizabeth Paine