

**TOWN OF PROVINCETOWN - BOARD OF SELECTMEN
MEETING MINUTES - SPECIAL MEETING
MONDAY – DECEMBER 19, 2016 – 5:00 p.m.
JUDGE WELSH ROOM – 260 COMMERCIAL STREET**

Chairman Raphael Richter convened the open meeting at 5:00 p.m. noting the following attendees: Board of Selectmen members: Raphael Richter, Erik Yingling Tom Donegan, Cheryl Andrews and Robert Anthony.

Other attendees: Town Manager David Panagore

Recorder: Loretta Dougherty

1. Interviews and Appointments of Trustees to the Year-Round Market Rate Rental Housing Trust:

There was a random order drawing for interviewing of applicants. There was a one year term; two two-year terms, and two three-year terms of which Tom Donegan is one of the three-year termers.

Erik drew **Louise Venden**.

Louise Venden has lived in Town for many years. She has served on a number of boards during that time. She is very interested in the housing problem. She has a year-round renter and realizes how important it is for the vitality of the community. She is committed to this cause and was on the Finance Committee when this Home Rule Petition went before the Legislature. She will give up her seat on the Finance Committee if selected as a Trustee.

Cheryl believes it will be critical that the Trustee not be on any other boards. She asked about conflicts of interest in this role and Louise does not see any at this time. She believes in keeping everything confidential and keeping that trust.

Robert stated that this is new road we are traveling down and is very exciting for the town. He asked her what she sees as a long-range plan down the road. What would she like to accomplish with this committee.

Louise hopes it will move forward to acquire properties and set up procedures for future acquisitions. It is a wide open piece of legislation and the 26 unit Harbor Hill properties that the Trust will be looking at is a very good piece of property to start with.

Erik asked if the Trust would raise taxes or assume debt to purchase properties.

Louise believes that it is possible; debt through Town Meeting and always brought before the Board. The Trust will have to leverage it and do it wisely and carefully. She is very pleased that Town Meeting has voted three times to put money into this Trust.

Erik asked if she has an active real estate license anywhere and she stated not at this time. She has an inactive license. Erik wanted to know why she wants to be a Trustee and she stated that it is her background. She has always been interested in housing.

Tom appreciates all she has done for the town. There is no current real estate or does not have any in the future. He asked if she was near any Town-owned properties as an abutter to any of them and she responded no.

Raphael asked her to recognize that the Board is the appointing authority and will work closely with the Trust.

Cheryl wanted to know if she wants a one, two or three year term and Louise would like to at least serve for two years.

Tom drew **Christopher Andrews**.

Christopher is a year-round resident and business owner since 2010. He was involved in real estate in the property management area previously in western Massachusetts.

Cheryl asked if he has any conflicts and he state no. He is not on any other town boards and has never been. His preference of term limits is not an issue.

Robert asked what he sees as the forward motion of the Trust. Chris wants to have a more year-round community.

Erik asked if the Trust should raise taxes and borrow. Chris stated that it would be necessary at some point in the future. Chris does not have an active real estate license. Erik asked him how he sees the Trust working over the next 5-10 years. Chris mentioned the Harbor Hill property and how he believes it would bring the year-round community back.

Tom asked him if he had any other business interests and Chris stated that he has no conflicts; no other property is owned by Chris.

Raphael asked what types of real estate experience he had in western Massachusetts. Chris had two real estate firms and 30 rental units, a laundry mat and two car washes. Chris is willing to work with the Board of Selectmen as the appointing authority.

Cheryl asked if he had to explain to someone why it is important for Provincetown to do this what would he say. Chris has seen some of his peers leave because there were no rentals for them to rent year-round. It is important to have a year-round community.

Robert drew **Chris Mathieson**. Chris started on the Finance Committee earlier this year. His mom was a developer and he has been in real estate for a number of years. He no longer works in the field; he is focused on the service. He is concerned about not having a quorum for the Finance Committee. He has done billions of dollars in sales; marketing, management, and purchasing sides of the real estate business. He would be a benefit as a Trustee. He loves Provincetown and the town supported him when he was very ill and he wants to give back whether on the Finance Committee or as a Trustee.

Cheryl asked if he see any potential conflicts as a Trustee and he sees no conflicts of interest. He will resign from any boards/committees. Preference in term; he deferred to the Board for whatever is needed. She asked him to make case, in short way, as to why this is important and he believes all different types of people are needed in a community from all economic brackets. For happiness in life and to feel a sense of community we need year-round housing; we are at a tipping point and if we can make a change now we can turn it around in the right direction. If the town can acquire the Harbor Hill's property it will bring back a lot of people to our community year-round.

Robert asked what he sees as the benefits moving forward. Chris wants to bring everyone back into town; no longer part-timers versus year-rounders. Due to the Jobs Act you can now do funding on real estate projects. The community has a say on what is going on and can become invested in it. He would like everyone to be on the same page.

Erik asked him what he sees the role of the Trust over next five years. Chris stated that it will dictate how we will be moving forward if we get Harbor Hills. He cannot conceive what it will look like in five years. He has an inactive real estate license at this time.

Tom asked if he would be willing to resign as a Trustee, if he had an active real estate license. Chris is not an abutter to any of the properties the Trust is dealing with.

Raphael pointed out that he would be working with the Board and Chris understood.

Cheryl drew **Maria Murelli (not here this evening)** so she drew **Scott Caldwell**. He owns two condos in Town. He has been on two Boards; Zoning & Licensing. He moved here 15 years ago. Things have changed so much over the last 15 years and he wants to be a part of the solution in helping people with their year-round housing needs. He wants to start small and learn from the things we have done in the past. He wants us to think this through; we need year-round housing but we also need jobs. This position is going to be both a good and horrible place to be (Trustee), but he wants to be a part of it and knows the conflicts that might arise.

Cheryl asked if he sees any conflicts re: his business or through property he owns. He left the Zoning Board because most people do not have experience; different decisions for different properties. He is not on any boards. He would like a three year term. He sees the goal but does not see a plan as yet; he wants to take smaller steps.

Robert asked how what he sees moving forward. Scott has nothing to base this answer on except that he has read the legislation. Raising taxes or incurring more debt is the same answer. He wants to work with what we already have. It is better to have differing opinions so that perhaps meeting in the middle with a decision is the best.

Erik asked his perspective on funding. Scott is not a big fan of having bills floating around.

Erik asked about a real estate license and Scott has never been involved in real estate. Erik asked about the goals in the next five years and Scott does not know enough about what this Board can do yet; it is the very beginning. He will show up and he is a big fan of small properties; work with existing rentals (subsidizing their rent). He will work with the Board of Selectmen and Town Meeting.

Tom asked if Scott was an abutter and he answered that he is not. Tom stated that this is for community housing. Scott believes they are the same (affordable or community); it is your home. You are helping someone stay in a home.

Raphael asked if he could work with the Board of Selectmen as appointing authority and he said yes.

Erik drew **Mitch Yates (not here this evening)** so then he drew **Rob Anderson**.

Rob moved here six years ago and opened up a restaurant four years ago. They now have 60 employees. He was a chef and now is a community organizer; housing is a big part of that. This year they bought property to house their workers; two properties and a lot of tenants. He is a landlord to seasonal and year-round workers. He believes that good housing is about comfort, building a family, and having security. With the housing problem it is an issue of having a future in this town. He believes this Trust is a positive opportunity to break out of the negative cycle. He wants to bring a pragmatic and practical voice to the Trust. He wants to see that things are getting done. He grew up in Detroit and would not like to see the bad decisions and gridlocks that happened there happen here.

Cheryl asked about any conflicts of interest; properties that he owns. He sees no problem. He will resign from the Zoning Board, if appointed a Trustee. He has no preference about the term limit. Cheryl asked him how he would explain to someone why this Trust is important. He had an employee who had rental housing and then lost it and was living in her car and he became aware of the problem when she was having trouble with her work. He then started making sure that his employees had housing and were safe. You cannot have businesses flourish in Town if you don't have workers and people walking through the door. Housing is the first lynch pin in the larger equation.

Robert asked what he sees for the Trust looking down the road. Rob believes this Board/Town needs to understand exactly how many houses we want and need. We need to know how many houses we are aiming for and figure out who would be the right people to manage these houses. He sees a lot work that will need to be done in the first 3-5 years; ground work.

Erik asked him his thoughts on whether we should assume debt or raise taxes. Rob would like to raise money through donations and free cash. Some debt would need to be raised and he is comfortable doing that, if necessary. He has no active real estate license.

Tom asked him if he believes he would have any conflicts such as having to purchase any properties for his employees' housing. Rob stated no. Rob believes that communication is a problem and he hopes to be able to help with this. He was an editorial writer for the Boston Globe so he has that talent to offer.

Raphael asked if he would be able to work with the Board of Selectmen. Rob yes.

Robert drew **Gordon Siegel**. Gordon has been a licensed MA real estate broker for about 20 years and has experience in buying, selling, lease writing, long-term and short-term rentals. He has lived here since the 1990s and is aware of the situation. He has a BA in accounting and believes he would be a great fit due to real estate experience. He feels he would be a good fit.

Cheryl referred to big/small projects; debt versus raising taxes. Does he have any strong thoughts? He believes a Trustee will need to work with existing units in Town, the Board of Selectmen, and he thinks buying multi-units versus single units is the best way to proceed. How many properties does he own? He stated one address and three condos and he sees no conflicts of interest unless the town wants to buy his properties. He is not on any boards at present and has no preference as to a term limit. He believes we are coming from behind re: community housing. We need jobs/housing together. He believes in public/private partnerships. He believes we need this or more people will be leaving and there will be a shorter season for stores to be open.

Robert asked what he sees for the future working with this Trust. Gordon believes that negotiating the best deal so people can get into year-round housing is very important. He likes larger projects, but will work with whatever comes the Trust's way.

Erik asked his feelings regarding incurring debt or raising taxes. Gordon thinks this will become a part of the town. He believes any taxes/debt will be taken on, if necessary.

Tom was concerned about potential competition with the Trust and asked him if he thought this would be a problem. Gordon said no. We have to solve the housing problem to get more jobs.

Raphael asked if he would have a problem working with the Board of Selectmen as the appointing authority and Gordon stated he would not.

Raphael drew **Kevin Mooney**. Kevin and his wife have been year-round renters for two years and visitors for 20 years. He works for Cape Cod Five in Orleans, MA in IT Management. He believes this is a good opportunity to contribute to the town and feels passionate about this. He is a middle class family with means but no guarantee that his rental lease will remain the same from year-to-year. He is in the donut hole. They have good well-paying jobs but the inventory for secure housing is not here.

Cheryl stated that the Trust did state that it was preferable that we have a member who is a renter in market rate. She asked if he would have any conflicts of interest. Kevin stated that he is not a banker; there will be no conflicts. He is the Director of IT Management only. He has no preference with regards to a term limit. He wants to help advocate and educate the public and believes that this will make a positive difference in people's lives. It will also be an example to other towns on the cape.

Robert asked what he sees moving forward. Kevin believes that within a year to 18 months there should be some success stories; incrementally or in mass. It is important to think about the future; success stories and a solvent trust.

Erik asked about his thought on debt and/or raise taxes. Kevin thinks that there may be some form of secured debt re: mortgage. He wants the Trust to be solvent. He has no real estate license here or elsewhere.

Tom asked whether he has access to any information at the bank where bidders might believe he has proprietary information. He stated that he is not in any of the systems as he deals only with IT management issues.

Raphael asked if he would have a problem working with the Board of Selectmen as the appointing authority and he stated he would not.

Interviews concluded and there was a brief recess at 6:31 p.m.
Back from recess at 6:34 p.m.

Tom and Raphael were pleased that so many showed up to interview.
The Board discussed their preferences and made the following motions.

MOTION: Move that the Board of Selectmen appoint Rob Anderson as a Trustee to the Year-Round Market Rate Rental Housing Trust for a term to expire on December 31, 2018.

Motion: Erik Yingling

Seconded: Robert Anthony

Erik likes him; he likes to get things done; is very personal, and brings a skill set. Cheryl agrees he is a hard worker.
5/0/0 Motion passed.

MOTION: Move that the Board of Selectmen appoint Christopher Mathieson as a Trustee to the Year-Round Market Rate Rental Housing Trust for a term to expire on December 31, 2019.

Motion: Erik Yingling

Seconded: Robert Anthony

Erik Chris brings real estate background and willing to do a lot of work.
5/0/0 Motion passed.

MOTION: Move that the Board of Selectmen appoint Kevin Mooney as a Trustee to the Year-Round Market Rate Rental Housing Trust for a term to expire on December 31, 2017.

Motion: Cheryl Andrews

Seconded: Erik Yingling

Erik likes that he is local renter.
5/0/0 Motion passed.

MOTION: Move that the Board of Selectmen appoint Chris Andrews as a Trustee to the Year-Round Market Rate Rental Housing Trust for a term to expire on December 31, 2018.

Motion: Erik Yingling

Seconded: Tom Donegan

Erik stated that he is a local renter. Erik wants to see Louise stay on the Finance Committee and does not want to lose her talents.

Tom appreciates his skill set. Chris is well qualified and has a great real estate background. Cheryl likes Gordon due to his broad understanding of the market.

Robert wants to see Louise become a Trustee as she has a lot of experience in her past real estate interests.

Raphael feels that Gordon would be a great choice and his experience and his time in town was very intriguing to him. Everyone who appeared this evening would be good but he would be inclined to support someone else for this fourth position. He would like Gordon or Louise but he does not want to see Finance Committee crippled by taking two of their members.

Erik's concern is that Gordon has an active broker's license and a conflict of interest may transpire.

Cheryl wanted to know if we should wait on this fifth appointment.

Raphael believes this would be okay, if needed. Raphael thinks Gordon is qualified; Chris A. has great experience and perception. He wants a well-balanced Board. If we cannot arrive at a 5/0/0 we can bring it back at the next meeting.

Tom would like to hear from Mitch and Maria we were not able to attend this evening as well. Raphael asked to put this as an agenda item on either the meeting of December 27th or January 3rd.

1/3/0 (Nays: Robert Anthony, Cheryl Andrews, and Raphael Richter)(Abstained: Tom Donegan) Motion failed.

MOTION: Move that the Board of Selectmen take the remaining applicants and ask them to appear before the Board at the next logistically available meeting.

Motion: Raphael Richter

Seconded: Tom Donegan

5/0/0 Motion passed.

2. Discussion and Vote on Final Macro Grant Application – Creative Commons:

Raphael asked the Board to consider the grant request.

Tom feels that if you have to ask a lawyer three times how to do something you probably should not do it. The optics appear bad to the other bidders and the town.

Cheryl asked if this grant is location specific.

Raphael stated it is not. The member stated clearly that it was non-profit moving forward. We tabled it at the last meeting to get Town Counsel's opinion.

Tom believes that optics are important; we are held to a standard.

Raphael still struggles with this one but it is only a modest amount of funds. He feels that it was appropriate for the Economic Development Committee to bring it down from the \$5,000 to the current amount. He is comfortable supporting this.

Erik wants to go forward with this.

Raphael stated that Town Counsel has determined that there is a clear legal basis for taking a vote on it and this has no bearing on the solicitation before us.

Erik wanted to make sure he disclosed that he was on the scoring committee and that there was not conflict for him to vote.

David P. stated that scoring criteria does not have anything to do with this. Disclosure having been just stated would allow a vote.

Erik feels comfortable supporting this.

MOTION: Move that the Board of Selectmen vote to approve the Macro Grant for The Creative Commons of Provincetown in the amount of \$2,310, as presented.

Motion: Erik Yingling Seconded: Robert Anthony

3/1/0 (Tom Donegan-Nay/Cheryl Andrews-Abstained) Motion passed.

3. Minutes: The Board reviewed the minutes and with one revision in minutes for December 13th by removing Cheryl Andrews as excused the minutes were passed as follows:

MOTION: Move that the Board of Selectmen approve the minutes of September 20, 2016 (Special), as presented.

Motion: Tom Donegan Seconded: Robert Anthony

3/0/0 (Abstained: Raphael Richter & Cheryl Andrews) Motion passed.

MOTION: Move that the Board of Selectmen approve the minutes of December 13, 2016 (Special), as revised.

Motion: Tom Donegan Seconded: Erik Yingling

5/0/0 Motion passed.

MOTION: Move that the Board of Selectmen approve the minutes of December 14, 2016 (Special), as presented.

Motion: Tom Donegan Seconded: Erik Yingling

4/0/0 (Abstained: Cheryl Andrews) Motion passed.

4. Others: Raphael spoke about a preliminary scheduling for calling a Forum close to the meeting dates: January 18th, January 21th or February 4th and asked the Board to think about it to discuss at the next meeting.

Cheryl would like to see one Forum and not two.

Tom likes two Forums; the last two produced good results. Seashore Point and COA has also been very good in the past.

Without objection the meeting was adjourned at 7:36 p.m.

Minutes transcribed by: Loretta Dougherty