

**TOWN OF PROVINCETOWN - BOARD OF SELECTMEN  
MEETING MINUTES - SPECIAL MEETING  
TUESDAY – DECEMBER 27, 2016 – 5:00 p.m.  
JUDGE WELSH ROOM – 260 COMMERCIAL STREET**

Chairman Raphael Richter convened the open meeting at 5:01 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:**

Raphael invited Mitch Yates to speak to the Board for consideration of becoming a Trustee. Mitch has been coming here for 30 years in the summer and has been here for 20 years permanently. He has operated a business called Yates and Candy for 8 years now. He won the lottery for a home many years ago. He went to the Forum in November and was very impressed with the Town Planner's presentation and has become interested in getting involved in helping find a way to provide year-round housing.

Cheryl asked if he has any conflicts of interest to his knowledge. He does not. He is not in the real estate business nor does he believe he will ever be in it. Cheryl asked him to explain why it he believes the Trust is important should he be asked by anyone. He believes that people who are living here do not have any security, if they are renting. He has friends who want to come back to town but he has to tell them it is still impossible to get rentals in Town. He remembers that 20 years ago it was a year-round community and he has watched it go down year after year. Cheryl asked what skills he will be bringing to the Trust. He stated that he has been here so long and knows many people who are still living here. Being a local and invested in the town and knowing the struggles give him better understanding of what needs to be done.

Robert asked him if he owns are rents. Mitch stated that he now owns; after four times being on the lottery. Robert asked him what he would like to see this committee achieve. Mitch stated that the town owns a lot of properties that could be developed for affordable and/or community housing. He wants to see something concrete happen.

Erik asked him his opinion on raising taxes or acquiring debt on behalf of the Trust. Mitch stated that debt is not necessarily a bad thing. He does believe there are different ways of doing things and there are many avenues to be considered.

Tom asked about his living so close to Harbor Hill and would he have any financial interest in what might happen with the Harbor Hill property. Mitch stated he does not have any problem or financial interest and does not see any in the future. As this Trust succeeds, Tom asked him what the economic advantages would be to the town. Mitch stated that he knows some professionals such as his dentist who travels over an hour to get to town and if he could find a rental he would move to town which in turn would affect the economy in town.

Raphael asked if he would be willing to work with the Board and Mitch stated he would.

Mitch disclosed that he is here full-time for 9 months and then he goes to trade shows and visits relatives so he is here on and off during the other months. April-January he is here. He wanted to let the Board know up front.

Erik stated that it could be done remotely if the Trust needed a quorum.

Raphael stated that Christopher Andrews, Gordon Siegel and Mitch Yates are the three remaining candidates to be considered and wanted to know if the Board was ready to vote. (See Addendum 1 for

withdrawals from Scott Caldwell and Maria Murelli). He also would like to have an agenda item to discuss a potential alternate Trustee position for the Trust.

Cheryl wants to watch the interviews again from the last meeting before she makes a decision but if the Board has strong views she is open to voting.

Erik he is torn between Chris Andrews and Mitch Yates.

Robert liked Mitch's presentation but is concerned about his time away and this being a new Board. He wants to look at the interview again of Chris Andrews.

Tom believes Mitch gave a good interview and has a good understanding of what we need. He wants to make sure that he can participate on the Harbor Hill matter. Tom asked the Assessor who are the abutters and Mitch is a distant abutter according to the records.

David P. will check on the footage re: abutters.

Erik believes that a Disclosure would suffice in Mitch's instance. He wants to get going on this and take a vote.

Raphael is not concerned about the conflict; but he does have a concern about Mitch not being available year-round. Chris indicated that he will be here year-round and does not go away. He will vote if at least four of the Board members would be willing to take a vote. He believes that Chris and Mitch are the top qualified candidates and given the difference in availability, he would go with Chris at this point.

Erik agrees with Raphael and that Chris would be the best choice due to availability.

Robert and Cheryl want to wait. Raphael asked this item to be put on the January 3<sup>rd</sup> agenda.

**No action was taken.**

Robert Anthony recused himself from discussion of the Harbor Hill property due to his working for a real estate company. He wants to make sure that there is no perception of wrong doing.

The Board voted to go into Executive Session at approximately 5:39 p.m.

**2. MOTION: Move that the Board of Selectmen vote to go into Joint Executive Session with the Year-Round Rental Housing Trust Board of Trustees and members of the Finance Committee pursuant to MGL c30A, Section 21(a), Clause 6 for the purpose of:**

**Clause 6** – To consider the purchase, 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. (Real Estate-Harbor Hill in Provincetown) and not to convene in open session thereafter.

**Motion: Tom Donegan  
(Roll Call Vote)**

**Seconded: Cheryl Andrews**

**Raphael Richter: Yes**

**Erik Yingling: Yes**

**Tom Donegan: Yes**

**Cheryl Andrews: Yes**

**Yea: 4 Nay: 0 (Recused: Robert Anthony) Motion passed.**

The Board went into Executive Session at approximately 5:40 p.m.

**Tom stated that the Board of Trustees had already voted to go into Executive Session and is still in session.**

**3. Others: None.**

Without objection the open meeting was adjourned at 5:40 p.m.

*Minutes transcribed by: Loretta Dougherty*