

TOWN OF PROVINCETOWN - BOARD OF SELECTMEN
MEETING MINUTES – REGULAR MEETING
MONDAY, SEPTEMBER 25, 2017 6:00 PM
TOWN HALL – JUDGE WELSH ROOM

Chair Cheryl Andrews convened the open meeting at 6:00 pm noting the following:

Board of Selectmen attending: Chair Cheryl Andrews, Vice Chair Erik Yingling, Robert Anthony, and Tom Donegan

Excused: Louise Venden

Other attendees: Town Manager David B. Panagore, Assistant Town Manager David Gardner and Board Secretary Elizabeth Paine

Recorder: Elizabeth Paine

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

- A. *Approve the reappointment of Regina Binder as a regular member on the Provincetown Public Pier Corporation with a term to expire July 29, 2022.*
- B. *Approve the appointment of Daniel Wagner to the Zoning Board of Appeals from alternate to regular member with a term to expire on December 31, 2018*

Without objection Chair Andrews waived the reading of the consent agenda and without objection it was approved unanimously by the Board of Selectmen

1. Public Hearings:

2. Public Statements:

- **No public statements.**

3. Selectmen’s Statements:

- **Erik Yingling** – I was reading the banner this past week and also online, I was very upset by an article the PBG posted online titled “How Straight People have Ruined Provincetown” and I found it deeply offensive in many ways. If the roles were reversed, I think it would be met with a lot of ranker. It is not the Provincetown that love that is a place for everyone. So I encourage the PBG leadership to be more thoughtful of comments in the future. It is very divisive and hurtful. I grew up here, I am straight and I have not ruined anything.
- **Tom Donegan** – We just finished the tropical storm that didn’t happen and congratulation to town staff for being prepared. Also the Tennessee festival and Pet Appreciation Parade, which are two great community events. Provincetown is built on diversity and we have a lot of opportunity to experience that diversity. I am a gay man and I came to Provincetown as a gay man and I came to Provincetown after founding an anti-gay violence group. I have a long history of working to make the world a safer place for gay men, lesbians, bisexuals, transgender, and whole gamete. It is an important part of our history. I have experienced more divisiveness in the last few months than in my entire Provincetown experience and I think that is unfortunate. Provincetown is the birth place of liberty. I have the opportunity to serve on the Board with Bobby Anthony who was Chief of Police and bridge many of

those divides many years ago. We are a product of our diversity. I am here because it is a safe place for gay men but I want it to be a safe place for anyone. Whether you are straight or gay you are a valued piece of the community. For me my comment is more geared to the article posted, and the comments show divisiveness. I think a lot of the really homophobic stuff is from the wash-a-ways.

- **Robert Anthony** – When I was the Chief of Police I started back in 1992 this town was really in turmoil. There was a lot of friction; there were a lot of good people. There was a lot of hate crimes. Mr. Bergman, the town managers took the bull by the horns and it really rang out about what Provincetown was all about. And any one was welcome in Provincetown, and I still feel that way. What is difficult, there are a lot of things going on and everything is in turmoil. But I don't feel we have regressed that much and I think Jim has done a great job and is really carrying on what this community is all about. And I hope we don't regress to what we were back in those days. 1992 we had 21 hate crimes, in 1997 we had zero. I just hope things come around a little bit and we still have that core of openness and welcoming to the town of Provincetown. This community derives itself on diversity. There is no other community that I know of that we have the openness and willingness, and the frame of mind, people feeling comfortable. Feeling of security, I was born and raised in Provincetown; I didn't consider myself straight or gay but a part of Provincetown. I didn't have a label. This is my home, this is my town. I take offense when people are singled out because of who you are and what you are. When I was growing up here, I was just part of the fabric growing up. We never got into that type of stuff. For someone to straight labeling, I don't think it is very conducive for what this town is about. People come to Provincetown, they feel good, feel free and that they can express themselves.
- **Cheryl Andrews** – I had the privilege of coming in 1986, which was lucky, by virtue of my job; I had a very quick introduction of the various groups that lived here. I got to meet a lot of people who were in the 90's right away, I met that generation before they past and got to know them. Than the people moving in. I tend to think more about a word like freedom and safety. I remember when Miss Ellie came to town and it hit me like a ton of bricks that there were a lot of places in the US that would threaten or hurt her and I watched the crowd and that is what I love about this town, that this town protect. We provide a safe haven for all those kinds of folks. What we do know, is we argue about things, but what does happen is when you step into something and poke at a wound, you get into a different conversation. I think this towns soul is safe and on the right page, but every once in a while we need to look inward and have that conversation. I think you are hearing from a number of people who love this town and are upset.

4. Joint meeting/Presentations:

A. Presentation by Mike Goodman of UMass Dartmouth – A Baseline Assessment of Economic Conditions in Provincetown, Massachusetts.

Town Manager Panagore presents Mr. Goodman and his colleague Elise Korejwa Mr. Goodman and Ms. C gave a brief presentation on their baseline assessment of economic conditions in Provincetown findings.

Mr. Goodman spoke about Provincetown's economy being dominated by hospitality and tourism. Over 60% of the residents pay over 35% of their income to their rent. The 65 + population is growing while the younger population is declining.

Ms. Korejwa spoke about water and sewer, both of peak periods showed problems. Ms. Korejwa went over the optimal reserves in the peak seasons. It is really the holidays such as July 4th and carnival along with rain

that affect the capacity use. There is significant room to grow in the off season. The capacity is only used during these periods of time, especially when it rains.

A discussion ensued.

B. Joint meeting with the Recreation Commission regarding the Recreation Commission's July 4th Parade Policies

David Oliver, Chairman of the Recreation Commission called the commission to order. Lori Dalomba, Robert Enos II and Kirstin Hatch along with Recreation Director Brandon Motto and Assistant Recreation Director Angel Lammie also present.

DO -We felt a lot of the original policies needed tweaking and the policy as stood we would like to bring to you. We feel it is a pretty good policy, we don't know the legality of the policy and the couple of the people who wanted to be a part of the parade thought they matched the policies but we didn't.

CA – we go out of our way to provide to every group in town, we don't have a lot for the kids. This parade is mostly about the kids, so how do we balance this out?

TD – I marched with one of the groups that was controversial. What made me uncomfortable, is that we put the rec director in a particular uncomfortable spot. I think the policy that rests with a single town employee, is troubling to me. I think it is very hard in Provincetown to say what crosses the line. I think there is a path, and I think we can do it in a way that satisfies our first amendment rights.

DP – if you allow political speech, you cannot monitor content.

DO – who we let in and who we don't let in, where we draw the line.

EY – I remember when Rev Phelps came to town and tried to stir up trouble. I agree with tom, I think having town employees decide, is not ok. Can we add into this about public safety, and change the chairman as the contact?

RA – I believe in the first amendment, a staff person shooting from the hip. I think as group with town counsel we need to create a policy.

DP – making decisions in the moment, is trying not to offend someone and would create a case. I think being cleared and having it approved and agreed upon beforehand needs to happen.

CA – do we want to open the kids the parade to everyone.

TD – so I think when you think about the political speak, and civic speech. One is candidates walking and promoting elections. If you let in civic speakers in, the cost of the first amendment, we have to be prepared to wrestling with a group that oppose our values and be prepared to defend our values.

DP – I think Erik's comment about public safety is the correct wording.

EY –

CA – think the next step might be having a public hearing.

DO – I was the rec director and it was the worse day of the year.

RA – do you give out application?

BM – we put out applications out in April, and it is always banging down doors and getting people in the parade. The past 3 years have been very difficult to get applicants.

CA – I am hoping we can do something better and that the public buy into this and help out. I think we should hold a public hearing.

EY – are you looking more assistants from other groups such as the chamber of commerce?

RE – in other communities there are sub committees that have the chief of police and fire chief involved. There are other towns that have similar polices and the entries are decided by sub committees.

Vice Chair Yingling moved that the Board of Selectmen vote to schedule a public hearing pending suggestions on parade polices and expanding parade policy committee.

No second – no action taken.

CA – if a parade becomes private, can they then restrict?

TD – look at the Saint Patrick parade in Boston.

CA – can we talk about; can we carve out a space for kids. If the answer is to have a private organization run the kids parade, and have the town parade right after.

Selectmen Donegan move that the Board of Selectmen direct Town Manager submit the parade regulation to town counsel to determine what is legally appropriate.

Vice Chair Yingling seconded the motion.

VOTED

In Favor: 3
Opposed: 0
Abstain: 1(ca)

LV - Can you look at content and process? Either we are going to let one person decide, or we are going to make a different structure. There has been a various conversation about what the thoughts the parade is about. If we can put tools in the hands of people who are making decision, then we won't have it open to discussion.

C. Presentation by Community Development Partnership Executive Director Jay Coburn and Business &

Homeownership Program Manager Andrea Aldana on their upcoming Cape Housing Institute

Jay Coburn was present at the meeting. Mr. Coburn gave a brief presentation. The Housing Institute is being presented in collaboration with Mass housing Institute.

EY – thank you for the presentation and I think this is suburb.

TD – I really appreciate you bringing this to Provincetown.

JC – we have a housing supply problem.

5. Appointments:

A. Board of Selectmen Representative to the School Building Committee

Selectmen Donegan, this is a state regulated board. I have been on this for a long time.

Chair Andrews moved that the Board of Selectmen vote to approve the appointment of Robert Anthony as the Board of Selectmen representative o the School Building Committee commencing immediately.

Vice Chair Yingling seconded the motion.

VOTED

In Favor:	4
Opposed:	0
Abstain:	0

6. Requests:

A. Discussion and Review of the Visitor Services Board Round Table discussions and prepare for fall Joint Meeting.

CA – I have placed this on the agenda to have a much broader conversation. And leading up to the presentation of the 5-year plan, we should have this on the agenda more often.

TD – I think this might be a good perspective where second homeowners should be able to have a spot. I would like to wait for the public hearing. I believe the logo is a symptom not a problem. I do think there is an understanding that the town is both the client and the product.

CA – the way this board was created, was 20 years ago, and despite the fact the spending would be under the board of selectmen the VSB has the idea that they are autonomic. This is public money, approved by town meeting, and has to be transparent. I wanted the interaction between the VSB between the chamber about their video and I didn't feel it was professional. Now we have a logo where a third of the vote is not in agreement. Add into this the PBG's article. I am seeing a pattern. I am not sure what the answer is going to be, but what we have been doing these last 20 years, it is no longer working. I am agreeing with you, we need

a broader discussion, I am fair number of people, that are not happy with the way the board is functioning but don't want to say it in public. That is another red flag.

TD – I do believe our troubles are a structural.

RA – the article that was brought to the floor 20 years ago is still in affect? We have an issue that they are not abiding to.

CA – we have to own it, as we vote on it. I don't think it has been priorities for a long time.

TD – it is the Board of Selectmen's job to spend the money. But untimely it is our job and that is what is in town meeting article. We have to as a board to begin to approve in more pieces.

EY – we own it, we have to get more specific.

7. Town Manager / Assistant Town Manager:

A. Execution of Lease agreement with Creative Commons

Town Manager Panagore – we brought this before you last time; we have in addition, the Provincetown Commons letter. Treasurer and CFO Mark Hatch is here to answer any questions. I do believe they have satisfied the LDA.

Selectman Donegan moved that the Board of Selectmen vote to authorize the execution of the Lease agreement.

Vice Chair Yingling seconded the motion.

VOTED

In Favor:	4
Opposed:	0
Abstain:	0

B. Town Manager's Report – Administrative Updates

Town Manager Panagore gave a status update on Harbor Hill, they are down to the last 23 authorizations that they need. We anticipate this is a three to five-month process to close. We have put out bids for architecture and up next is a property manager. Selectmen Donegan – we had a site visit this weekend. We have a very good idea of our absorption rate. We will have a few of the initial rental rule outlines on the 11th. There will be a public forum tentatively at the high school on the 25th. We still have a variety of things we have to do. The important part is the Trust is looking forward to meeting with the Board of Selectmen and Fincom and has done a lot of work. Mass housing partnership has been great.

Work we have been doing with Opengov would simplify our budget process and really make our budge live. We have been look at what we can do before 2020.

RA – where are we on Shankpainter Road?

DP – we are in the design phase. Part of the design work is to see what we can do with the intersection. Let me have Rich give us an update and I will send it along.

TD – people have been talking about the chairs in the auditorium.

DG – we have carried it in the CIP, it wasn't as large of an amount as we thought. The funds are available, now it has to be decided who gets to decide the chairs.

CA – what are the leasing options? Since storage has always been a problem. The contact company deals with the wear or tear.

DG – the hall is rented all summer, and are we leasing them for the whole summer.

TD – is upstairs an economic driver or a money maker? Our main purpose is town meeting.

DP – we have a cost structure right now, do we want these chairs for all these events, we end up with five months of rentals.

TD – I think we asked for the difference between non-profit and profits groups would pay for the chairs.

8. Minutes: Approve minutes of previous meetings.

Selectmen Donegan moved that the Board of Selectmen approve the minutes of: September 11, 2017 6:00 pm (regular), and September 13, 2017 5:30 pm (special) with changes so noted;

Selectman Venden seconded the motion.

VOTED

In Favor: 4
Opposed: 0
Abstain: 0

9. Closing Statements/Administrative Updates:

- **Erik Yingling** – Wishing you a Shana Tova and Happy New Year.
- **Tom Donegan** – I was contacted twice about adopting a town in Puerto Rico. I am not sure what our roles as the town would allow us to do that. Could we look for an earmark for the Provincetown 400?
- **Robert Anthony** – I am all set.
- **Cheryl Andrews** – I did attend the first responder event and the wounded warriors this weekend. this Thursday is the governors meeting in Boston. There is no money, and I think we will get some free advertisement and that is about it.

Without objection the meeting was adjourned at 9:07 pm

Minutes transcribed by: Elizabeth Paine