

TOWN OF PROVINCETOWN - BOARD OF SELECTMEN
MEETING MINUTES – REGULAR MEETING
MONDAY, NOVEMBER 27, 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, Tom Donegan and Louise Venden

Excused:

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

Recorder: Elizabeth Paine

1. Swearing in Ceremony of newly appointed Police Officer Kas-Wayne Samuels and Police Officer Jefferson Wills

Police Chief Golden gave a brief summary of the ceremony. This ceremony is for a community introduction and swearing in of newest Provincetown Police Officers. Town Clerk Van Alstyne swore in the newest members.

2. Joint Meeting with Senator Julian Cyr and Representative Sarah Peake. Legislative update. Topics include pending home rule petitions, short term room occupancy tax, residential exemption expansion, and potential Cape & Island wastewater district & fund.

Representative Sarah Peake and Senator Cyr gave a brief summary of all the home rule petitions. House 2637; House 2638 – 3859 (.05 Real Estate Fee) Hearing on 6/13 - reported favorably. Currently sits in 3rd reading; House 2639 – Exemption extension (year round rentals) Hearing on 6/13 – reported favorably. House voted once. In Senate 3rd reading committee; House 3865- Mike Trovato – Public Service Hearing 9/19 – still in committee. Suggested amendment to allow employment past retirement age, cannot add to retirement or towards last highest salary.

Two topics that were discussed in a bit further are the Room Occupancy Tax and a proposed Waste Water bill for Water Protection Collaboration. Short term rental – Due to the popularity with AirBNB it is changing the legislative for Short Term rental tax. This tax would be applied to all of the short term rentals. The 4.5-billion-dollar Waste Water bill that is currently being proposed for the Cape is being discussed to see how it could be affordable for the communities. One of the ideas is that a waste water surcharge would be added to any place someone stays. There is currently no legislation on this bill to present as it is currently in the draft form. Cannabis Control Commission and Cannabis Advisory Commission has been formed by December they will start discussing regulations. Can currently add up to 3% tax to sales. Hosting fee can be negotiated at the time of the permit being issued, another 3-6% up to 36 months. Would like to have the regulations done by December 29th, 2017, would like to begin use by July 1, 2018 and the chairs are fully committed to getting this forward. There will be public comment period. Regulation around who can obtain a Medical Marijuana Card are being tightened up.

The Board members, Ms. Peake and Mr. Cyr commented for about one hour.
No Motions were made and no votes were taken.

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

- a. Treasurer’s Transfer – Cemetery Gift Fund – approve the use of cemetery gift funds to pay \$450.00 to Sunderland Printing as the final payment of an invoice related to the printing of the Provincetown Cemeteries Guide Booklet.**
- b. Parade Permit request by Rik Ahlberg on behalf of the Provincetown Bicycling Committee’s Light Bright Bike Ride to be held on Sunday, December 31, 2017 at 4:30 pm**
- c. Approve the reappointment of Barbara Prato as Provincetown Constable with a term to expire on December 31, 2020**

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

4. Public Hearings - Votes may be taken on the following items: None

5. Public Statements – Three (3) minutes maximum. Selectmen do not respond to Public Statements.

- None

6. Selectmen’s Statements – Initial comments from the Selectmen. Discussion dependent- votes may be taken.

- **Erik Yingling** – Acknowledge the great article of Wilsa Ryder, I applaud them for being so open with her alcoholism. I would like to do something as a Board to address this issue within our community
- **Tom Donegan** – Happy Thanksgiving. I had a nice rested holiday. There have been some graffiti that Chief Golden has posted; I want to speak out against hate stuff that we are seeing. That time of year to remember we have a Navigator program, the library has been a leader in making this happen, it is a resource for us all, to get the help one needs.
- **Louise Venden** – Endorse what Tom says and also our Health Director Morgan Clark has been posting about who you can reach out to. Judy Cicero is another community activist who passed away, tireless supporter of community endeavors.
- **Robert Anthony** – I think it is very important that we get the message out to potential hate crimes. I attended the lighting of the Pot, I would estimate around 2000 people attended. Great weekend for Provincetown.
- **Cheryl Andrews** – I will save my comments to the end.

7. Joint meeting / Presentations - Votes may be taken on the following items:

a. Joint Meeting – Library Board of Trustees – interview and appoint Barbara Klipper

Interim Library Director Brittany Taylor was in attendance as well as Library Board of Trustee members Chairman Laura Shabott, Joan Prugh and Stephen Desroches as well as applicant Barbara Klipper.

Chairman Shobott called the Trustees to order at 7:30. Vice Chair Yingling thanked the applicant for applying. Selectman Venden thanked the Trustees for the volunteering. Selectman Donegan thank you for apply and thanked the trustee for contributing to creating the library into a community haven.

Move pursuant to MGL Chapter 41, Section 11, that the Board of Selectmen, in conjunction with

the remaining members of the Library Board of Trustees, vote to appoint Barbara Klipper as a member of the Provincetown Library Board of Trustees with a term to expire on May 2, 2018.

Roll Call Vote:

Tom Donegan: Yes
Erik Yingling: Yes
Cheryl Andrews: Yes
Louise Venden: Yes
Robert Anthony: Yes
Laura Shabott: Yes
Stephen Desroches: Yes
Steven Borkowski: absent
Joan Prugh: Yes

Chair Shabott adjourned meeting at 7:33 pm

b. Joint Meeting – Provincetown Public Pier Corporation – Review preliminary forecast of revenues and expenditures and discuss capital projects

Harbormaster Rex M, Vice Chair Regina Binder and LeRoy “Scott” Fraser were present at the meeting. The Pier Corp will be switching Auditioning firms. They presented the preliminary revenues and expenditures. Finance Director Josee Young will also be working with them to help them make some changes. Harbormaster requested possibilities to adjust timeframe for when the Pier Corp and Selectmen meeting. He also gave a brief summary on the 295 Budget. Capital Improvement Article regarding dredging and beach re-nourishment is being brought forth.

CA – I have a question about the county dredge, is that the new one? Going forward we want to start looking at what will also be on the town meeting floor but also looking at a history of things.

RM – Yes but we will not be using the new one.

LV – thank you very much. I have enjoyed spending a bit of time at your meetings. I think it would be helpful to figure out a format with your little nuances

RB – it is great that Town Manager Panagore recommended we work with the Finances Director will be working with us.

TD – I am glad you have finally put stake in the ground and say this is how we are going to doing it. It sounds like you might be using Munis?

SF – the Finance Director is on board with us doing this online QuickBooks as she and the Treasure will have real time access to our data.

DP – last fall it was asked by RA to resolve the Pier Corp, we have been looking at different models.

TD – my sense is the money should stay with the Pier Corp, so I am not sure what that decision would

be. You have two years of tracking the harbormaster expenses. Is there a soft landing approached? Where it should be increased partly this year? It is easier to go 3/3/3 than go 9?

DP – are you asking for an increase in the Harbormaster Budget increase?

TD – if we have confidence, I think we should increase. Let's address it when we know it.

SF – can I suggest that Rex works with the Town Manager to come up with a Budget to address the issue?

LV – the structure of the way these function and relate to the town. There is a lot more risk in running the Harbor and Pier. That being said, I saw a January 2015 memo that addresses this issue. Simply this in regards to budgeting for the town, going to town meeting because at this point I am not really sure if this an extra burden. Governance is a different issue.

SF – one of the things I think we need to do is simply structure. We are in two businesses, Harbormaster and Real Estate by levying rents. I think we need to think about how it operates today.

RB – it is one of our goals to look at organizational structure to see how staff is managed. We need to separate the Harbormaster and Pier Corp Management.

RA – I am very pleased with the response. I just need some clarification to last year's town meeting.

DP – Prior town meeting we put money into reserve because they had previous depleted their reserve. The Pier Corp has now reached their reserve amount and the 200k will now be used to replace the pilings.

TD – The money that comes in that is relative to the revenues generated by Pier Corp; mooring fees & water ways funds.

DP – the information is providing in a number of places and what we are talking about is giving something that gives a clearer picture. I am not seeing any synergy by separating the functions. I really think we have an incredible access in the waterfront and we need to look at the operations as a whole. When we think about successful entities, really need to look at it as a totality.

RB – we are doing the harbor plan, we are going to do a LCP, why not take a 30k foot view to color in a bigger picture.

RM – this is why we have hired a private consultant to help us discuss it on a broader picture.

TD – we are going to have the Town Manager recommend what to do with the 295 Budget? The other process is looking at the 21 k and where it should go.

DP – Yes. I think we are making progress.

RA – I think I read in the banner about the windmill?

RM – you may remember we had a small wind turbine and we were approached by someone. We have not yet had a meeting to have the proposal presented. New weather tool is now online.

CA – the transparency appears much clearer. I will be curious to hear what your thoughts on with personal for Harbormaster. Also I have question about the Pavilion, when would that get repainted.

RM – that was painted three years ago, and I am looking to do that again this spring.

8. Appointments - Votes may be taken on the following items:

9. Requests - Votes may be taken on the following items:

a. Tourism Department – Follow-up to Selectmen’s directive to the Visitor Services Board regarding logo marketing effectiveness study and marketing program.

Tourism Director Anthony Fuccillo was present at the meeting. VSB feels based on everything that has happened recently it would be best to do the visitor survey before going further.

RA – what action did the VSB take in regards to the motion we made on October 23rd?

AF – it has been removed from any marketing piece that applied it. You Belong Here is still being used as a tagline. The cost of the marketing was examined and it was decided to not go forward until the visitor survey was completed. After the visitor survey has been complete, start looking at rebranding than. Next survey will be done without targeting any particular groups. The VSB want us to gather more information before going forward.

CA – what is did was proposed motions to hopefully address some issues. And what I am hearing from the VSB is they are not excited about spending 14k to do a marketing logo until a visitor survey is completed.

TD – I would suggest we do rescind that part of the motion.

TD - Move that the Board of Selectmen rescind the portion of our October 23, 2017 vote that requested further market research on the so-called rainbow logo, as recommended by the Visitor Services Board.

EY – seconded

5/0/0

TD – the other question, is this survey that I feel we have been talking about for years. I am eager to see the survey result, I am not sure about an expedited meeting or not, but what does the survey tell us and what have we already seen from Red Thread. To me that is a whole different can of worms.

CA – just for clarity purposes, what does the VSB need to achieve before they meet with us. I am interested in where the VSB wants to go from those. Some ideas trickled up our way and some didn't. I would like them to get the visitor survey, analysis and vote a plan.

DP – I think having a meeting in February would give both Boards a change to have a conversation to

get a little clearer sense. I think a dialog based on data and a survey. I can see them reasonably wanting to have a dialogue with the board before they committee to some action.

TD – Louise is already pointed out to us, is what they have gotten the survey done, we have more specific. We now have a defined target, and now that is what the strategy is.

AF – the VSB would like the questions to be shared with the BOS and get input. Once it is launched the survey will take 5-6 weeks to go forward.

CA – other than choose the firm, what part does the VSB play in the visitor survey?

AF – They will be providing funding; the survey is being done digitally. There are a few different parts of the process is to send emails and also panel survey. They need to reach about 30 thousand people to get a return of 3% as our target is 1000.

TD – if you could send a proposal of that it is you are looking for, that would be helpful.

CA - Move that the Board of Selectmen wait to hear from the VSB for results from their visitor survey and schedule a meeting after.

EY – seconded.

5/0/0

10. Town Manager / Assistant Town Manager - Votes may be taken on the following items:

a. Reaffirmation of the Town Manager’s appointment of the Police Chief James Golden

Town Manager Panagore brought this forward again to allow Vice Chair Yingling and Selectman Donegan a vote of the appointment of James Golden

CA - Move that the Board of Selectmen approve the Town Manager’s appointment of James Golden as Chief of Police in accordance with the terms and conditions of the Police Chief contract as presented by the Town Manager.

LV – seconded

5/0/0

b. Town Manager’s Report – Administrative Updates.

Town Manager Panagore gave brief summary of potential town meeting articles, Opengov presentation on the 11th of December and weekly staff reports. Complement the Health Director for putting together the Navigator and the COA also runs a group. And on Town Talk this Friday, it will be discussed on the radio with the COA Director, Health Director Clark and a Gosnold representative. Also discussed the Transcription Memo given by MIS Director.

11. Minutes – Approve minutes of previous meetings. Votes may be taken.

Selectman Venden moved that the Board of Selectmen approve the minutes of: November 13, 2017 5:00 pm (Special), and November 13, 2017 6:00 pm (Regular) with changes so noted;

Selectman Anthony seconded the motion.

VOTED

In Favor: 5
Opposed: 0
Abstain: 0

Selectman Venden moved that the Board of Selectmen approve the minutes of: November 20, 2017 5:00 pm (Special) with changes so noted;

Selectman Anthony seconded the motion.

VOTED

In Favor: 4
Opposed: 0
Abstain: 1(ca)

12. Closing Statements/Administrative Updates - Closing comments from the Selectmen. Discussion dependent; motions may be made; votes may be taken.

- **Louise Venden** –
- **Erik Yingling** – We should discuss comments we want to submit to the new cannabis commission at our next meeting.
- **Robert Anthony** – none
- **Tom Donegan** – Someone made a comment to me about the Fireworks for Frist Light on Monday. What I would like to see, is how much of our debt has already been paid for the Waste Water betterment has already been paid. Can we ask KP about withdrawing from the case?
- **Cheryl Andrews** – Bradford Street climbing lanes, we had talked about 500 feet abutters notice and staff noticed it would be close to 1000 mailings, if we reduce this down to 100 feet we will send only about 50. Second, thank you Erik, Bobby and Louise for coming together on Monday to help the PBG. Thirdly, thank you Erik for agreeing with me, and I want to discuss further this Waste Water Regionalization bill that is being about. I would like to edit the rules of procedures, might be time to change it.

Without objection the meeting was adjourned at 9:33 pm

Minutes transcribed by: Elizabeth Paine