

TOWN OF PROVINCETOWN - BOARD OF SELECTMEN
MEETING MINUTES – REGULAR MEETING
MONDAY, DECEMBER 11, 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, Members Robert Anthony, Tom Donegan and Louise Venden

Excused: Vice Chair Erik Yingling

Other attendees: Town Manager David 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. *New Gift Fund — to approve the establishment of a special gift fund to be named the Marijuana Wellness (MW) Gift Fund*
- B. *Treasurer’s Transfer – as Commissioners of the Library Gift Fund to approve the use of the gift fund to pay \$100.00 to Raymond L. Rigoglioso, for his appearance as the featured speaker at the Writer’s Voice Café*
- C. *Treasurer’s Transfer – as Commissioners of the Library Gift Fund to approve the use of the gift fund to pay \$100.00 to Christine Morin for her appearance as the featured speaker at the Writer’s Voice Café*
- D. *Treasurer’s Transfer – as Commissioners of the John Anderson Francis Fund to approve the use of gift funds to pay out \$9,000 in scholarships to five students.*
- E. *Treasurer’s Transfer – as Commissioners of Captain Joseph Oliver Fund to approve the use of gift funds to pay out \$4,500 in scholarships to five students.*
- F. *Treasurer’s Transfer – as Commissioners of the Holiday Lights Gift Fund to approve the use of gift funds to pay \$15,000 to Ocean State Pyrotechnics for the January 1, 2018 Fireworks display.*
- G. *Treasurer’s Transfer – as Commissioners of the Historical Commission Gift Fund to approve the gift funds to pay \$300 to David Colombo as a deposit for the restoration of the East Harbor Dike Plan Artwork.*
- H. *New Gift Fund – to approve the establishment of a special gift fund to be named the Council on Aging Gift Fund, for the purpose of programming and support to those assisted by the Provincetown Council on Aging.*
- I. *Treasurer’s Transfer – as Commissioners of the Library Gift Fund to approve the use of the gift fund to pay \$175.00 to the American Library Associations for a one year membership for the Provincetown Public Library*
- J. *Treasurer’s Transfer – as Commissioners of the Library Gift Fund to approve the use of the gift fund to pay \$150 to the Massachusetts Library Association for a one year membership for the Provincetown Public Library*
- K. *Treasurer’s Transfer – as Commissioners of the Library Gift Fund to approve the use of the gift fund to pay \$228.03 to Out of Print Clothing Company for payment of library merchandise expenses.*
- L. *Request for parking ban from December 28, 2017 until January 2, 2018 on Commercial Street between Johnson and Court Streets for the “First Light Provincetown” Event from – Police Chief Jim Golden.*

M. Board of Selectmen End of Year Re-appointments

Selectman Donegan pulled B and C off the consent agenda and Chair Andrew pulled agenda M.

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:

A. Joint Public Hearing with the Water and Sewer Board to consider Water Rates Increases

Acting Chair Kathy Meads called the Water and Sewer Board into session noting the following J H, K and Gary Palmer Staff members present were DPW Director Rich Waldo, Water superintendent Cody S and water facilitator John Goodrich.

Selectmen Donegan read the public hearing notice. Public hearing began at 6:05 pm.

John Goodrich gave a brief presentation on the proposed water rate increases. They are recommended rising rates over a 10-year period to prevent a higher one-time increase down the road. Changes won't go into effect until the November 2018 bill.

There were no comments or questions from the public. The Water and Sewer Board feel this is the fairest way to achieve their goals for the next 10 years. Feel they are being fiscally responsible to move forward at this time.

Selectman Venden – I think it is very well prepared and the kind of thing we need to do to be proactive to protect a much needed resource. And hope we continue to work on water conservation.

Selectman Anthony – I would like to concur with the chair of the water and sewer board.

Selectman Donegan – The \$40 charge is charged year round?

Town Manger Panagore – the minimum charge is per billing period which is twice a year.

Chair Andrews – if these changes were approved, when would the rates go into effect? I feel that raising both the water and sewer rate at the same time, so my no vote is not based on the presentation.

Water and Sewer Acting Chair Meads moved that the Water and Sewer Board vote to recommend approving the water and charges and rates as published in the Provincetown Banner on November 23 and 30, 2017.

Gary Palmer seconded the motion

VOTED

**In Favor: 4
Opposed: 0
Abstain: 0**

Selectman Donegan moved that the Board of Selectmen vote, as recommended by the Water and Sewer Board, to approve the water charges and rates as published in the Provincetown Banner on November 23 and 30, 2017.

Selectman Venden seconded the motion

VOTED

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

2. Public Statements: NONE

3. Selectmen's Statements:

- **Tom Donegan – Congratulations to Outer Cape Chorale and Holy Folly. Terrific concert. Wishing everyone a happy holiday. Electric rates are out and have gone up, please contact cape wide compact for discounted rates. Could we get an update on Provincetown 400?**
- **Louise Venden – Cape Chorale had a successful concert, and I also attended the Judy Cicero's memorial and that was very well attended. I have heard from a member of a Board, I just want clarification when individual Selectman attend those meetings, are we speaking on the behalf of the Board of Selectmen or as an individual.**
- **Robert Anthony – wish everyone a happy holiday. Cape Police and Fire had toys for tots fundraiser and Provincetown came in second. Kudos to the Provincetown police department for coming in second.**
- **Cheryl Andrews – I had questions about the Tourism Fund, was that able to get into the packet? As we get to our 6-month mark, I want to check in on my board about agenda items that have been brought up, if you have items that haven't been heard yet and you would like an update, please drop me a note. I attended the annual PBG dinner, the annual Provincetown Museum Dinner and the annual David Asher Senior Citizen luncheon.**

4. Joint meeting/Presentations:

A. Provincetown Community Resource Navigator Biannual Report of the Program – Health Director Morgan Clark, Forest Malatesta and Leo Blandford.

Health Director Clark turned the meeting over to Leo Blandford, who is the director of the community base at Outer Cape Health. He presented their 3rd 6 month reports. So far they have worked with 81 patients. They are helping residents connect to existing services, they are seeing about 40% of clients are still struggling with substance abuse. Primary needs that are not being met are, access to detox bed, access to housing for mental health and stable affordable housing. Hoping to increase their database access over the next 6 months to look at overall trends. They are increasing their capacity to service the rest of the 7 Outer Cape Towns. Forest Malatesta, community resource in the navigator program, trends show more referral coming in during the summer but interaction is more in depth in the winter. Seeing good success in client care, it does take persistence and a lot of time. Overall it is continuing to go well. Mental health is one of the biggest hurdles we are seeing people need help with. Health Director Clarke sever and persistence mental health housing is lacking and it is something we are seeing again and again.

Selectman Venden – I know the program was approved at a special town meeting warrant, I must say that I originally envisioned that it would also be a program that would be done in conjunction with the public safety and I don't see this. I am also not seeing the budget. One of the things that struck me, are substance abuser,

very few of them want to engage in these programs. So the real program is not just access but getting them to agree to these programs. In the challenge we have, I think it would be great, if we could fund some kind of special housing, with other towns. I don't know anything about these programs, self-assessment as a tool, it seems like that when you talk about getting more data, if in fact the measure you use to judge, is that the tool you typically use? What is the kind of length of time you have with a client? You have seen 81 clients but how many are active and how much often do you see them.

FM – it is the tool, so we are basing their needs based on what they are coming to us with. If they are having difficulties with certain needs, we would need their buy in. Often times, this is the tool that is available. If we are given a refer with from the police, they not only are getting more involved, but especially in Provincetown, we are seeing more and more officers becoming more trained. As we are ahead of the game off extended services, we are now ahead and now we seeing hospitals starting to use similar services as well.

MC – I think every report should involve our logic model. We are still in our infancy, but it deals with our program on a global level. Moving forward, we are really trying to get some of the long term data. The idea is that as this program, it will hopefully have success in some of our long term goals. Self-reporting should not be dismissed, because it is about building relationship.

FM – a critical part of this working well, is meeting with police officers regularly. We have a very open conversation about what is going on with people and most of this is with client's consent. There will be referral with folks they may have connected with and they feel there may be concerns with them.

LB – part of our struggle and our potential to improve our data, is our tools are very limited. They police do not have the same confines we have as health care providers. Progress takes time, often times often peoples struggles have taken years to get at, and we are doing the best we can to offer therapeutic relationships.

FM – have about 30 active patience. The amount of time I spend with them varies.

RA – do you have a working report with Cape Cod hospital? Do they do referrals back to your group? I know it takes a lot of time, effort and counseling working with these individual. Do you have this type of relationship with Cape Cod Hospital or outreach?

LB – we do have access to Cape Cod Hospital in their psychiatric care and ER. They do not come to our meetings, but we are invited to their coordinating meetings. We get calls directly from Cape Cod Hospital in regards to patients that live in Provincetown. Cape Cod Hospital is now developing their own navigator program similar to Provincetown's program.

TD – yesterday in church we had someone who showed up and Officer Enos, who has just graduated from the crisis prevention training, was able to connect with Forest, and this person was transported to a facility rather than be incarcerated. I think the idea when people hear about this outside of Provincetown; your results are quiet successful. I think in some measures it is a lot of money and in other measures it is no money at all. I have been in talk with the Town Manager with having first responders having more training, like fire and EMT. DO you think there are some gaps? This year we worked with five towns to work on a house for Autism. Let's begin to look at this model to work with for the outer cape. On the next report, can we include how many police are trained?

LB – there are some gaps, there are services out there but they tend to be hard to access due to geography. The closed home or mental health is in Eastham.

DP – 8 of the 17 officers have been trained on crisis and mental health.

B. Joint meeting with the Economic Development Committee to review the finalists for the Micro and Macro Grants – EDC Grant Administrator Michelle Jarusiewicz

Regina Cassidy called the EDC to order at 7:13 pm, in attendance Steven Baker, and Michelle Jarusiewicz.

Steven - There are two types of grants, micro grants up to a \$1000 and macro grants up to \$5000. They are reviewed by the Committee. We received 2 micro grants that we awarded to the Day of the Dead and Buoy Boy Polo. For our Macro grants we received 14 applicants, we awarded 7 grants based on rank. We were excited to see there were four aquaculture businesses, aquaculture has been identified as a growth business. We feel this set of seven helps shoulder businesses and off season businesses.

LV – I see that one of them is awarding Inn money for capital improvements.

RC – this particular inn was bought to provide an affordable place for people to stay. They want to keep this inn open year round and keep it affordable. This particular inn, is looking to fill that little niche that allows people to come in to Provincetown and have it be affordable. They are trying to fill something that the town has been moving away from over the years.

CA – in terms of that kind of situation, I am more use to people go down to the county. I think there is a different approach that people need to take.

MJ – there is housing rehab programs.

TD – Cape Light Compact offers business loans. I am wonder for that one, I am wonder if we should refer that to Cape Light Compact and then look at the copay amount.

TD – move to postpone Charm Provincetown award until the January 8th meeting.

RA – seconded

TD - I would like to see other program options, and if at the January 8th meeting the owners come back and say there are no other options.

LV – now that you have given the reason behind awarding the grant, I am not in support of voting for the grant. My concern would be the bureaucracy that it would take to go through the other options. I support whole heartily anything that people wish to do to support year round visiting.

MJ – It would create a smaller window of time frame for the grantee.

LV - MOVE to approve the recommendations of the Economic Development Committee for the following Economic Development grants as presented in the memo presented to us totally \$24, 998:

RA seconded the motion

\$4,840 to Shoal Hope Ciderworks for filter equipment,
\$3,000 to Provincetown Oysters for oyster cages & portable washer,
\$2,858 to Alex Brown/Victory Fisheries for shellfish equipment and seeds,
\$3,000 to Cape Cod Bay Shellfishing for seed, cages, & equipment,
\$2,500 to PAAM & Coastal Studies for BROTO,
\$4,300 to Charm Provincetown for B&B Capital Improvements to winterize,
\$2,500 to Outer Cape Oysters for oyster bags, trailer, & coolers
\$1,000 to Day of the Dead for operating costs including art instructors & performing artists
\$1,000 to Buoy Boy Polo for start-up expenses

VOTED

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

EDC adjourned at 7:38 pm.

TD – agenda items to look at current staff recommendation for grants
LV – 2nd
4/0/0

C. OpenGov-Brian May-demonstration on the budgeting, forecasting and performance measures software.

Brian May presented a quick overview of what has begun so far with the county commission, doing a live demonstration to the Board.

5. Appointments:

A. Recycling & Renewable Energy Committee – Carolyn Clough

Carolyn Clough, I am here year round and very interested in joining the Recycling and Renewable committee and while Provincetown is a green community, I see a lot of opportunity for things that can be done. I really want to volunteer and get involved.

TD – you are here year round and are able to attend the meetings?

CA – have you attended any of the meetings?

Selectman Venden moved that the Board of Selectmen vote to appoint Carolyn Clough as a member to the Recycling & Renewable Energy Committee effective December 11, 2017 and expiring on December 31, 2020.

Selectman Anthony seconded the motion.

VOTED

In Favor: 4
Opposed: 0
Abstain: 0

B. Building Committee – Linda Fiorella

I have been a homeowner in Provincetown for a few years and became a full time resident in April. I am looking at getting involved and volunteering for a town that has given back to me. I have a lot of attention to detail.

LV – what interests you in building committee?

**Selectman Donegan move that the Board of Selectmen vote to appoint Linda Fiorella as a member to the Building Committee effective December 11, 2017 and expiring on December 31, 2020.
Selectman Venden seconded the motion**

VOTED

**In Favor: 4
Opposed: 0
Abstain: 0**

6. Requests:

A. Discuss sending comments to the Cape Cod National Seashore on their proposed rate increases.

Mary Jo Avellar attended the meeting as the Town of Provincetown representative of the Cape Cod National Seashore, reports there has not yet been a meeting and is not in support of this fee change at all.

Selectman Donegan moved that the Board of Selectmen approve and sign a letter regarding the Proposed Entrance Fee Increase for the Cape Cod National Seashore.

Selectman Anthony seconded the motion.

VOTED

**In Favor: 4
Opposed: 0
Abstain: 0**

B. Review of fees and parking permit data

Town Manager Panagore gave a brief summary of the data being provided. Parking administrator Dominic Rosetti present for the meeting to answer any questions.

TD – I had brought this forward at the Traffic Hearing. I withdrew pending the Desmond report.
DG – in the old days we use to hear this at the spring traffic hearing, held on the 2nd week of March.

TD – one of my proposals is that we give seniors free parking tickets regardless of status.
CA – I wonder if the thought process really fits when the retirees here tend to have a lot of money.

LV – I am one of those seniors, where it is a household like my household, where we have two cars, getting one free is enough. In general, I don't know if this is something we really need to do for seniors. How many people would that effect? I don't know what the implications are in regards to revenue. But it seems to me to have something a little more permit than registration.

TD – I do believe that if you look at the senior parking permit sales, they have gone down. It just feels to me to be fair. The second one I see is the non-resident fee at \$100 and we know this parking spot is valued at over \$600 a season. And the other sticker is the nonresident sticker at \$200. I would love to hear what my colleagues think.

DG – the parking permit fee last changed in 2011.

LV – I agree with Tom.

TD – nonresident property owner goes to \$150, grace hall goes to \$175 and nonresident goes to \$350.

C. Bringing back 00B, 00C and 00M.

TD – I pulled 00B and 00C because I feel very uncomfortable to pay these two speakers as I see these as salary.

DG – these are seen as programs. We did incorporate this into the budget for FY19. The good news is they are doing more programming.

LV – it seems to me that

CA –

TD – move that we put off 00B and 00C to the January 8th meeting

CA – 2nd

3/1(iv)/0)

CA – I pulled 00M because of a Historic District Commission reappointment of Lisa Pacheco Robb as I keep seeing her name come up with applications and I would like to contact her and offer her an opportunity to interview her.

TD – move that the Board of Selectmen vote to reappoint the following Board, Committee and Commission members, as noted in the attached list, withholding Lisa Pacheco Robb, to an additional three-year term to expire on December 31, 2020.

LV –seconded

4.0.0.

D. Discussion of Development of Community Interest (DCI)

Assistant Town Manager David Gardner presented a brief memo on Development of Community of Interest projects. Town Manager Panagore, Town Manager Gardner and the Board discussed different ideas they have about trying to create a public process. They all agreed it falls between becoming a regulation and a volunteered process. Improving the process is very important, but a higher level of scrutiny needs to be given to a larger scale project.

TD – this proposal is a great beginning, we need to bring this back onto the agenda again and continue to discuss where it is we need to fill the gap.

DG – I would caution against created a policy, when you start putting threshold, you will do two things, you will catch too many and some that have a public interest will get missed.

LV – if the town has the web site, where the application lived, when you got the noticed, you would go to that site and see all the information.

DP – we do not want to be in the place of staff being the proponent of the application. Threshold need to be established.

TD – size, change of use, view scape, and public interest.

DP – I would like to get a sense from staff if these are the guidelines, how many come through this year.

CA – I agree with them, that a really major change of use, defiantly riles peoples. Possibly another is building square foot to land use. Traffic counts would be another.

DP – what David is trying to do is to build based on examples. The Board asked for a staff recommendation, and our recommendation is that you allow us to develop a process as projects come before us.

CA – I am thinking we should bring before us the chairs of the regulator boards and discuss current regulation.

Schedule regulator board round tables with chairs.

7. Town Manager / Assistant Town Manager:

A. Town Manager’s Report – Administrative Updates.

Town Manager Panagore gives a brief update on updates. Last week he attended a FEMA meeting in Boston, Police Department came in 2nd for Toys for Tots. Sargent Spoor, just completed training course for supervisory positions. He highlighted a few updates from staff memos. Winter Wednesday will be happening again this winter. Police Station continues to move along. December 16th, the Holiday Breakfast will happen at the VMCC from 9-11 am. Any follow up on Legislation update?

CA – I feel strongly about the trust and I just wanted to let you know I have been contacted. If there are going to be any hearing on any of these bills, I am wondering if we can send each a letter and have them notify us on when these hearing will occur. I think we should stay very engaged.

TD – think all the towns that have “Pipes and Pumps” get together and talk about this together. 2nd part, how do we keep people’s hands out of our wallets?

LV – I don’t think the legislation is done yet, and I think we need to keep track of that. And I think getting in touch with those other towns is a good idea.

8. Minutes: Approve minutes of previous meetings.

Selectmen Donegan moved that the Board of Selectmen approve the minutes of: August 28, 2017 6:00 pm (regular), with changes so noted;

Selectman Venden seconded the motion.

VOTED

In Favor:

Opposed:

Abstain:

9. Closing Statements/Administrative Updates:

- Erik Yingling –
- Robert Anthony –
- Tom Donegan –
- Louise Venden –
- Cheryl Andrews – If you are going to be absent, please let me know.

9A. The Board of Selectmen will vote to go into Executive Session pursuant to MGL c30A, Section 21(a), Clause 3 for the purposes of:

Clause 3 – Litigation update on TMC New England LLC v Zoning Board of Appeals for 132 Bradford Street

Selectman Donegan moved that the Board of Selectmen vote to go into Executive Session pursuant to MGL c30A, Sections 21 (a), Clause 3 for the purpose of:

Clause 3 – Litigation update on TMC New England LLC v Zoning Board of Appeals for 132 Bradford

And not to convene in open session thereafter.

**Roll Call Vote: Tom Donegan: Yes
Cheryl Andrews: Yes
Louise Venden: Yes
Robert Anthony: Yes**

Board of Selectmen went into executive session at 9:45 pm

Without objection the meeting was adjourned at 10:15 pm

Minutes transcribed by: Elizabeth Paine