

**TOWN OF PROVINCETOWN - BOARD OF SELECTMEN  
MEETING MINUTES - REGULAR MEETING  
MONDAY – JUNE 13, 2016 – 6:00 p.m.  
JUDGE WELSH ROOM - 260 COMMERCIAL STREET**

Chairman Richter convened the open meeting at 6:00 p.m. noting the following attendees:  
Board of Selectmen members: Raphael Richter, Erik Yingling, Cheryl Andrews, and Robert Anthony.

Other attendees: Town Manager David Panagore; Assistant Town Manager David Gardner; Alzheimer's Family Support Center Executive Director Molly Perdue; DPW Director Richard Waldo and Mary McCrann – Woodard & Curran Engineer, Mark Borrelli – Center for Coastal Studies Scientist; President/CEO Provincetown Center for Coastal Studies Richard Delaney, PTV Executive Director Amy Davies, and President of the Board of Directors for PTV Robert Klytta.

Excused: Tom Donegan

Recorder: Loretta Dougherty

**Presentation of the Community and Government Service Award to Rachel White:**

Rachel White was presented with the Community and Government Service Award by the Board of Selectmen, and a medal had already been placed on the plaque on the wall with Rachel's name on it. Raphael read a list of some of her accomplishments throughout the many years of her service to the Town.

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

Erik recused himself on Consent Agenda item A.

- A. *Parade Permit submitted by Heidi Bolinder & Christine Walker, 16A Burgess Lane, Wellfleet, MA 02667, on behalf of the Provincetown Film Festival, for closing a portion of Commercial Street between Carver & Court Streets for the Provincetown International Film Festival Closing Night Party, to be held on Sunday, June 19, 2016, from 8:00 p.m. to midnight.*  
**Move that the Board of Selectmen vote to approve the Parade Application Permit submitted by Heidi Bolinder & Christine Walker, 16A Burgess Lane, Wellfleet, MA 02667, on behalf of the Provincetown Film Festival, 237 Commercial Street, Provincetown, MA 02657, requesting the closing of a portion of Commercial Street between Carver & Court Streets, for the Provincetown International Film Festival Closing Night Party, to be held on Sunday, June 19, 2016 from 8:00 p.m. to midnight.**
- B. *Treasurer's Transfer – Library Gift Fund – pay an invoice from Blackstone Audio, Inc. for audiobook purchases in the amount of \$405.00.*  
**Move that the Board of Selectmen vote, as Commissioners of the Library Gift Fund – (#1107), pursuant to MGL C44 § 53A, to approve the use of the funds in the Library Gift Fund (#1107) to pay \$405.00 the attached invoice from Blackstone Audio, Inc.**
- C. *Treasurer's Transfer – History Project Gift Fund – pay an invoice from W.B. Mason for photo paper for history project in the amount of \$18.98.*  
**Move that the Board of Selectmen vote, as Commissioners of the Town of Provincetown History Project Gift Fund – (#1126), pursuant to MGL C44 § 53A, to approve the use of the funds in the History Project Gift Fund (#1126) to pay \$18.98 for the attached invoice from W.B. Mason.**
- D. *Treasurer's Transfer – Library Gift Fund – pay invoices from Recorded Books, Inc. for audiobook purchases in the amount of \$198.00.*  
**Move that the Board of Selectmen vote, as Commissioners of the Library Gift Fund – (#1107), pursuant to MGL C44 § 53A, to approve the use of the funds in the Library Gift Fund (#1107) to pay \$198.00 the attached invoice from Recorded Books, Inc.**
- E. *Treasurer's Transfer – Library Gift Fund – pay an invoice from Ellen Battaglini for transcription services in the amount of \$87.50.*  
**Move that the Board of Selectmen vote, as Commissioners of the Library Gift Fund – (#1107), pursuant to MGL C44 § 53A, to approve the use of the funds in the Library Gift Fund (#1107) to pay \$87.50 for the attached invoice from Ellen Battaglini.**
- F. *Treasurer's Transfer – Library Gift Fund – pay invoices from Staples for various printing work in the amount of \$244.98.*

Move that the Board of Selectmen vote, as Commissioners of the Library Gift Fund – (#1107), pursuant to MGL C44 § 53A, to approve the use of the funds in the Library Gift Fund (#1107) to pay \$244.98 for the attached invoice from Staples Credit Plan.

G. *Declare as Surplus the 2007 Ford Taurus Sedan (former police cruiser).*

Move that the Board of Selectmen vote to declare as surplus the 2007 Ford Taurus Sedan, a former police cruiser, and to authorize the Chief of Police to dispose of the vehicle by trade-in with Bonnell Motors, Inc., Winchester, MA 01890.

H. *Accept the Lower Cape Traffic Initiative Grant up to an amount of \$7,500.*

MOVE that the Board of Selectmen vote to accept the Lower Cape Traffic Initiative Grant up to an amount of \$7,500.

Raphael waived the reading of the Consent Agenda and without objection the Consent Agenda B – H was unanimously passed. Consent Agenda Item A was approved 3-0-1 (Erik Yingling Abstained).

1. **Public Hearings:** None.

2. **Public Statements:**

Bob Klytta is on the Charter Enforcement Commission and he encouraged town voters to come forward and apply. It is an important commission and asked voters to come forward and join. Applications may be obtained from the Town Clerk's office.

3. **Selectmen's Statements:**

Robert had no comments.

Erik spoke about the tragedy in Orlando, FL, where 50 LGBT individuals were killed and asked the Board, as well as our whole community, to join in efforts to stop the sale of assault weapons, and made the following motion.

**MOTION:** Whereas the state of Massachusetts currently has a ban on so-called high capacity assault weapons, we move that the Board of Selectmen send a letter to our members of congress and the President of the United States calling for a federal ban on the possession and sale of all semi-automatic weapons and assault weapons.

**Motion:** Erik Yingling

**Seconded:** Robert Anthony

Cheryl thanked Erik for making the motion. The Board thought that it would be good for everyone to be able to recognize our elders (Rachel White) who have participated in government the way people no longer do. This shows the kind of citizenry that needs to happen; it matters. This award is very valuable in recognizing these citizens who take their time to come out and participate in government. Each year people stop coming to our meetings; they watch it on TV. Rachel White sets a wonderful example for us all. Cheryl hopes that something is done about the assault weapons and hopes this tragedy will help stop the madness.

Raphael stated the greatest thing we can do is live our lives not in fear; conduct your business with family and friends. We cannot let terrorists chip away at the bedrock of our lives. Continue to live our lives; finding a better path for America, Massachusetts and the world. He feels at a loss as a member of our society that we have not been able to do anything about this. Assault weapons are not appropriate for people to own; it is wrong and serves no purpose for this society. Constitutional rights have to have a limit; we do not want to go down this path over and over again. He hopes all local, state and federal leaders will take the right action. It is not hopeless, and he hopes everyone in this community will join in delivering this message.

Robert feels that it is very important to congratulate all the officers, healthcare workers and especially the 11 police officers who helped in getting the perpetrator. It was a hostage situation and they freed at least 20-30 patrons that could have been killed.

**4/0/0 Motion passed.**

**4. Joint meeting / Presentations:**

**A. Presentation by Woodard and Curran, Final Report on the Coastal Zone Management Grant: Increasing Coastal Resiliency and Reducing Infrastructure Vulnerability by Mapping Inundation Pathways.**

DPW Director Rich Waldo introduced Mary McCrann, Engineer for Woodard & Curran and Mark Borrelli the Center for Coastal Studies Scientist. In 2014, the town reached to the Office of Coastal Zone Management through one of their Coastal Resilience Grant Programs to fund a project which would provide a town-wide vulnerability assessment to show us where we were vulnerable and where could we improve our storm management preparations for any storm that may happen. The assessment was also to help show us where we can better focus in our Capital Improvement Program (CIP) and which projects should be the most critical projects that should be brought to the forefront. In December 2015, we were awarded a grant in the amount of \$155,145.00 with a 40% match through their storm water infrastructure. This presentation is the final report on this project. (A copy of the final report may be found in the Board's agenda packet on the Town's webpage.)

Mary thanked Rich and Mark for their help and gave a brief summary of our community's vulnerabilities due to natural hazards, major storm events and sea level rise. This report shows how to help identify and prepare mitigation actions for critical facilities and infrastructure. The goal of the project was to identify the most critical facilities and infrastructure, conduct a detailed risk assessment, identify vulnerabilities and help prioritize mitigation projects and adaptation strategies for Provincetown. It also focused on preparing site-specific GPS surveys and exploring the horizontal extents of documented flood elevations associated with coastal inundation to help minimize uncertainties associated with sea level rise projections. The project also included the installation of an interactive tide gauge and the production and installation of four 20-foot tide staffs. The project was designed with the intent of better informing public education and outreach efforts associated with the vulnerabilities of the community. She went over the project phases that included a risk analysis, identifying storm tide pathways and developing recommendations for adaptive strategies.

Mark gave a slide presentation showing how photos of the downtown and surrounding areas were draped with an aerial photo over it showing the inundation pathways which helped them understand how water gets in those areas and when. Secondary pathways were looked at next showing where the water is and at what elevation it will spread. Elevation data taken from the GPS can help see where and when it will rise. They obtained very accurate data from the highest elevation blizzard of 1978.

Robert asked about a possible breach at Herring Cove.

Mark stated that you would need a really big storm or sea level rises that might happen in the future in order for a breach to occur at Herring Cove; the water would have to come through the dunes.

Erik asked if wind direction was taken into consideration when doing the modeling.

Mark stated that no wind or waves because you would have to do each shoreline and there would be a large amount of uncertainty. They believe the best data to be obtained by looking at the water level.

Cheryl stated that we have been having heavy duty rain experiences lately with flooding problems. We are dealing with huge rain storms and asked if this model addresses only the sea level rises.

Mark stated that these can be used for this type of rain storms as well.

Rich stated that we have the sea level part and the rain storms part as well. We can use these two studies and be more complete on the FEMA grants. We have proof that we have done studies and need to fund this project.

Cheryl asked about recommendations for the sewer based on this report and other information learned over the last couple of years.

Rich agrees with a lot of recommendations and believes this report is very comprehensive. The Town has been very active in terms of our approach. The Board will hear about this in the CIP as well as about the Hazard Mitigation Plan from DPW.

Robert stated that ground water is a different study altogether and asked if we are going to be doing a study on ground water.

Rich stated that ground water will not impact us immediately, but we will be doing a town-wide study on it down the road.

Robert asked if the National Seashore was aware of this study and how it would impact to their property.

Mark stated that they know of it but he wanted to bring it before the Board first.

Raphael complemented them on the excellent data and stated that when reviewing the next CIP this will be kept in mind. He would like to see more information on the water transmissions.

**No action was taken on this item.**

**B. Presentation by Alzheimer's Family Support Center Executive Director Molly Perdue to give an overview and update on the free supportive services currently being provided.**

Melanie Braverman handed out a packet and gave a brief overview of the differences between dementia and alzheimers. The Cape is home to 8% of the dementia and Alzheimer's population. You need someone to take care of you with alzheimers and it requires a great deal of care giving. It takes about one to three unpaid family caregivers for one alzheimers patient. Melanie and Molly (her wife) took care of her mother who had alzheimers. In order to receive public support in the form of insurance you have to have a diagnosis. Caregivers are not covered under insurances and they suffer lost wages and out of pocket expenses. Families are becoming impoverished. These services through the Family Support Center are free of charge. They provide service right away so families do not have to wait. There are support groups for caregivers and those in various stages of the disease. They run all the groups in Provincetown. New York University has asked them to be part of a caregiving study. Fund raising is done in Provincetown because the Town knows how to take care of each other. They are starting to make partnerships all over the cape; COAs are working together, and they are make partnerships with towns to offer dementia training for first responders (police/fire dept.). The more we get the word out that the help is here the earlier the diagnosis can be made.

Raphael and Erik thanked her for all their hard work and Erik ask to put this information on the Town's website.

Melanie stated that 90% of every dollar goes into the services and stays on the Cape.

Cheryl thanked Melanie for her communication skills and complimented her on the super job of getting the word out.

**No action was taken on this item.**

5. **Appointments:** None.

6. **Requests:**

A. **Lease Agreement with the Provincetown Center for Coastal Studies for the temporary use of the building located at 3 Jerome Smith Road – President and CEO Richard Delaney.**

David G. has been working with the Center for Coastal Studies to provide them with an alternate site while construction is going forward at their permanent facilities. They are looking to gain access in July expected to stay into December. In November a number of years ago, the Center for Coastal Studies opened their doors to us during our period of construction at no cost. He is still working with them on the exact terms; seeking an agreement in concept and direction to authorized Board and Town Manager to finalize the agreement.

Richard Delaney thanked the staff and is very comfortable with this lease. They have 30 employees year round and one of the larger employers in town. They cannot work from home for four months. There are not a lot of other places in town to look at for this type of use. They will incur the cost of getting the building up and running again; turning on the utilities and setting up the technical systems. The major construction work on their facility will start sometime in August or September.

Erik is a big fan of the Center for Coastal Studies. He asked if the construction will be completed in December.

Richard stated this is just temporary and they are scheduled to be out by December.

David P. made reference to Attachment B. The town will be reimbursed for all expenses.

Erik asked about parking spaces.

David P. stated that we are sharing the parking spaces and per Domenic of the Parking Dept. it will not affect our revenue.

**MOTION: Move that the Board of Selectmen vote to approve the terms of the lease agreement for the temporary use of the 3 Jerome Smith Road property for the sum of \$1 per month plus reimbursement to the Town for all expenses considered to be essential prior to occupancy, and to authorize the Chair of the Board of the Selectmen and the Town Manager to finalize the terms of the agreement, as printed.**

**Motion: Erik Yingling**  
4/0/0 Motion passed.

**Seconded: Cheryl Andrews**

**B. Provincetown Television PTV Access Agreement 6 month extension – Executive Director Amy Davies.**

President of the Board of Directors for PTV Bob Klytta and Executive Director Amy Davies appeared before the Board.

Raphael explained that this agreement allows for a six month extension to look at the terms for a new contract.

Amy stated that they have looked at this and want to make no changes.

Bob stated that this gives them an opportunity to work with the Town Manager and Amy to look at a three year agreement.

Amy stated they get paid directly from Comcast and received no internet fees.

Bob stated that they will received \$151,000; a little over what they thought they would get. They need to be very modest on what to expect from Comcast. Years ago monies came into the town and then went into a reserve fund. About three years ago Town Meeting voted to allow the funds to go directly to PTV.

**MOTION: Move that the Board of Selectmen vote to approve a Limited Extension of Access Corporation Agreement between Provincetown Community Television (“PTV”) and Town of Provincetown, Mass.**

**Motion: Erik Yingling**  
**4/0/0 Motion passed.**

**Seconded: Robert Anthony**

Raphael and Cheryl asked for their financial reports for the last three years to be brought before the Board.

**C. Approval of Kayak Rack locations throughout Provincetown.**

Harbormaster Rex McKinsey and Harbor Committee Chair John Santos appeared before the Board and asked for a motion to approve the kayak rack locations. Rex stated that the kayak rack project has been evolving over time. They now have assigned spaces in more places. By the end of the season, they will have interesting data to present to the Board; types of vessels, what is out there and how they are being used.

John stated that paddle boats are also being used.

**MOTION: Move that the Board of Selectmen vote to approve the locations of Kayak Racks throughout Provincetown, as presented and that we also revisit the Kayak Rack Program locations prior to the 2017 season.**

**Motion: Erik Yingling**

**Seconded: Robert Anthony**

Cheryl asked for public hearings to be held anytime the Board will be giving permission to install things on public property. She asked if the kayak racks will be staying there for the winter.

Rex stated that they would unless there are problems.

**4/0/0 Motion passed.**

**7. Town Manager / Assistant Town Manager:**

**A. Discussion on Senate Bill 2311, An Act Promoting Housing and Sustainable Development (Zoning Reform Act).**

Erik introduced the bill; the full Senate voted on it in June and it is now going to the House. This bill gives incentives to developers which will help with affordable housing and it helps with streamlining the process for applicants. He asked the Board to send a letter of support to the House.

Cheryl is not prepared to stand by the bill as it is written. She is aware it is being debated. She wants to get feedback from those individuals who are more involved such as with the Planning Board and Zoning Board to find out what the impact on Provincetown will be.

Raphael is not ready quite yet to send a letter in support. He wants to see what has come out of the amendments and get more information on how the Senate has moved it forward and how it affects Provincetown.

David P. has not gone through the bill in detail, but will go back and review it from a staff point of view, draft things we like or don't like and then put together a letter.

The Board asked that this item be added to the Joint Meeting with the Planning Board to be held on July 11<sup>th</sup>.  
**No action was taken.**

**B. Discussion and Board comments of draft FY2017 Town-wide Goals.**

Raphael presented the draft of the FY2017 Town-wide Policy Goals to the Board which are subject to revisions at the Public Hearing to be held in 2 weeks. He anticipates discussions that will include the other Town departments and boards goals to be incorporated into the Board's goals should they decide to do so.

David P. is happy to work with the Board Chair. He wants to use this as basis for the departments' goals. He would like to add Review and Update to the all Hazards Plan as we need to focus on these issues. There has not been a lot of feedback from the departments or boards yet.

Raphael stated that the Board will work with the Town Manager to look at the Town Business Calendar and set timelines as appropriate. The Board will meet on the 27<sup>th</sup> and each member will offer their suggested changes, additions or deletions.

Robert wants to establish the goals and have the Town Manager utilizes the staff and the departments' heads to work on the goals as it pertains to that department or board.

David P. stated that these are more than policy goals; they are really Town-wide goals. He will take what the Board has presented and work with the Asst. Town Manager David Gardner; assign as part of their operational goals and include the progress in the By-weekly updates sent to the Board.

Raphael stated the Sept 16<sup>th</sup> Round Table discussion will be held on the spring town meeting process. He asked the Town Manager to overlay these goals with the schedules the Town Manager is working on for the first meeting in July.

**No action taken on this.**

**C. Town Manager's Report:**

**1. Update on the Harbormaster's approval of seasonal floats for the Provincetown Marina.**

The Provincetown Marina will have temporary seasonal floats at the end of Fisherman's Wharf. Rex has gone through all of the criteria, and these will remain in place for no longer than 4 months.

**2. Update on the May 26<sup>th</sup> Commercial Street Paving public meeting.**

The public outreach meeting held on May 26<sup>th</sup> at St. Mary's by the Harbor church went very well. DPW Director Rich Waldo was very pleased with the outcome. Lots of people showed up that would not come up to a public hearing. The construction is beginning in September.

**3. Provincetown's proposal to the 2016 Creative Economy Initiatives Fund, "Establishing a Strategic Partnership between UMass Dartmouth's Public Policy Center and Provincetown, MA", will be funded \$19,000.**

David P. presented the Board with the letter addressed to Professor Michael Goodman from the Policy Center at UMass Dartmouth informing him that his proposal to establish a strategic partnership between UMass Dartmouth's Public Policy Center and the Town of Provincetown will be funded in the amount of \$19,000.

The Board thanked Town Manager David B. Panagore.

**D. Others:** None.

**8. Minutes:** None.

**9. Closing Statements/Administrative Updates:**

Cheryl congratulated the staff on the Urban Land Institute's presentation.

David P. thanked everyone who showed up at the Harbor Lounge.

Erik thanked the Chair for driving the big bus all over town.

Raphael stated that the URI presentation was very professionally ran.

Without objection the meeting was adjourned at 8:20 p.m.

*Minutes transcribed by: Loretta Dougherty*