



# Meeting Agenda

**The Provincetown Board of Selectmen will hold a public meeting on Tuesday, May 27, 2014 at 6:00 p.m. in Judge Welsh Room, Town Hall, 260 Commercial Street, Provincetown, MA 02657.**

*Consent Agenda – approval required for the following items*

- 1) *Treasurer's Transfer – Beautification Committee Gift Fund – Invoice for ME Obrien & Sons - \$449.00.*
- 2) *Parade Permit: CASAS Benefit - Annual Pet Parade -September 28, 2014.*
- 3) *Treasurer's Transfer- John Anderson Francis Scholarship Fund - Scholarship America & USPS Invoice - \$204*
- 4) *Request to apply for a Design and Resiliency Teams (DART) grant from NEMSN and AIA – Town Planner*
- 5) *Auditorium Beer and Wine Request Provincetown Film Festival (June 18-22, 2014)*
- 6) *Auditorium Beer and Wine Request WOMR (July 11, 2014)*

1. Public Hearings - Votes may be taken on the following items:
  - 1A. NSTAR Pole Public Hearing – Request to install a new pole adjacent to 44 – 48 Winslow Street.
2. Public Statements – Five minutes maximum, Selectmen do not respond to Public Statements.
3. Selectmen's Statements – Initial comments from the Selectmen. Discussion dependent – Votes may be taken.
4. Joint meeting / Presentations - Votes may be taken on the following items:
  - 4A. George Price National Seashore Update
  - 4B. Joint meeting with the Library Board of Trustees; Status of the Library Out-Building, Appointment of vacant member (Stephen Desroches for a term to expire on May 5, 2015)
  - 4C. Joint meeting with the Provincetown Community Housing Council. Update of CHC activities; Discussion of the Housing Action Plan; Re-evaluation of the sale of the Community Center - 46 Bradford St; Discussion of the development of the VFW site – 3 Jerome Smith Rd.
5. Appointments - Votes may be taken on the following items:
6. Requests - Votes may be taken on the following items:
  - A1. VSB - Cooperative Marketing Grant in the amount of \$20,000 (Chamber of Commerce) and \$20,000 (PBG)
  - A2. VSB – FY2015 Tourism Promotional Grant Awards (ATM Article 13)
  - B. VSB – Public Relations Contract Renewal for FY 2015 with Marmillion + Company
  - C. VSB -- Graphic Artist Contract Renewal for FY 2015 with Ellsworth Creative
  - D. OPEB Trust Agreement Appointment of one selectman and one individual as trustees.
7. Town Manager / Assistant Town Manager - Votes may be taken on the following items:
  - A. Town-Wide Goals for FY 2015 –Goals setting exercise – Selectmen provide initial goals to the Town Manager for inclusion in the draft goals statement.
  - B. Board of Selectmen's Rules of Procedure, annual review process
  - C. Town Manager follow-up
  - D. Other - Other matters that may legally come before the board not known at the time of posting - votes may be taken.
8. Minutes – Approve minutes of previous meetings. Vote may be taken.
9. Closing Statements - Closing comments from the Selectmen. Discussion dependent, motions may be made, votes may be taken.



Provincetown Board of Selectmen  
**AGENDA ACTION REQUEST**  
MAY 27, 2014

01

## CONSENT AGENDA

Approval required for the following items:

Requested by: BOS Chair Tom Donegan

Action Sought: **Approval**

### Proposed Motion(s)

**MOVE that the Board of Selectmen vote to approve items listed on the consent agenda as submitted.**

### Additional Information

See attached materials for each of the following consent agenda items:

- 1) Treasurer's Transfer – Beautification Committee Gift Fund – Invoice for ME Obrien & Sons in the amount of \$449.00, leaving a balance of \$5,424.54.
- 2) Parade Application Permit submitted by Sherry Brec, PO Box 1826 Provincetown, MA on behalf of the CASAS to be held on Sunday, September 28, 2014, starting at 2:00 P.M. to 3:00 P.M.
- 3) Treasurer's Transfer- John Anderson Francis Scholarship Fund in the amount of \$204.00 leaving a remaining balance in the John Anderson Francis Scholarship Fund of \$1,137,940.03.
- 4) Request to apply for a Design and Resiliency Teams (DART) grant from The New England Municipal Sustainability Network and the American Institute of Architects – Town Planner Gloria McPherson. No matching grant required.
- 5) Auditorium Beer and Wine Request - Provincetown Film Festival (June 18 – 22, 2014 30 minutes prior to first screening each day)
- 6) Auditorium Beer and Wine Request – WOMR Music Concert “Vintage Trouble” (July 11, 2014 7:00 – 10:30 pm)

### Board Action

<i>Motion</i>	<i>Second</i>	<i>Yea</i>	<i>Nay</i>	<i>Abstain</i>	<i>Disposition</i>



# TOWN OF PROVINCETOWN

## REQUEST FOR TRANSFER OF FUNDS

Date: May 27, 2014  
To: Constance Boulos, Treasurer  
From: Board of Selectmen

As Commissioners of the Town of Provincetown Gift Funds, permission is hereby granted to you, the Treasurer of the Town of Provincetown, to approve the use of **\$449.00** from the Beautification Committee Gift Fund for the payment of the attached invoice(s):

<u>\$ 449.00</u>	M.E. O'BRIEN & SONS, INC. Invoice #I140159-IN, Date: 3/25/2014
<b>\$ 449.00</b>	<b>TOTAL</b>

The Honorable Board of Selectmen:

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Thomas N Donegan, Chair

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Erik Yingling, Vice Chair

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Cheryl Andrews, Selectman

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Raphael Richter, Selectman

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Robert Anthony, Selectman

**Town of Provincetown, Massachusetts**

**May 26, 2014  
Voucher to Pay**

To: **O'Brien & Sons Inc**  
**PO BOX 650**  
**Medfield MA 02052-0650**

	<b>Item</b>	<b>Inv #</b>	<b>Total</b>
<b>16050200-520000</b>	<b>Beautification Committee</b>	<b>I140159-IN</b>	<b>\$449.00</b>
		<b>03/25/2014</b>	

**Total: \$449.00**

**05/26/14**

**Approved By David Gardner, Assistant Town Manager**

# INVOICE

Original



M.E. O'Brien & Sons, Inc.  
 PO Box 650  
 93 West Street - Unit F  
 Medfield, MA 02052-0650  
 (508) 359-4200

INVOICE NUMBER: I140159-IN  
 INVOICE DATE: 3/25/2014

ORDER NUMBER: S140052  
 MEO PO #: PO34129  
 ORDER DATE: 1/31/2014

SALESPERSON: 15MA  
 CUSTOMER NO: BEA260M

Sold To:  
 BEAUTIFICATION COMMITTEE  
 BARBARA RUSHMORE  
 260 COMMERCIAL STREET  
 PROVINCETOWN, MA 02657

Ship To:  
 DPW BLDG & GRDS/TOWN CEMETERY  
 M/F JOHANSON BENCH  
 TONY LEMME  
 24 CEMETERY ROAD  
 PROVINCETOWN, MA 02657

ORDERED BY: SHERRY PRADA  
 sprada@provincetown-ma.gov

JOB: JOHANSON BENCH, PROVINCETOWN MA

CUSTOMER P.O	SHIP VIA	SHIP DATE	F.O.B.	TERMS	TAX STATUS
SIGNATURE	MF	3/24/2014	DESTINATION	NET 30	046-001-274

ITEM NO.	VENDOR	UNIT	ORDERED	SHIPPED	PRICE	AMOUNT
39-60D	DUMOR	EA	1.00	1.00	674.00	674.00
6' BENCH WITH DOUGLAS FIR SLATS AND S-1 EMBED SUPPORTS, DF SLATS STAINED (WD1) DRIFTWOOD GREY AND SUPPORTS BLACK PC						

24HRS B4 DEL CALL TONY LEMME @ 508/487-7008

5/12/14

*David -  
 Please pay from  
 Beautification Gift Fund.  
 RJS*

**THANK YOU FOR  
 BUYING AMERICAN  
 RECEIVED**

MAY 12 2014

TOWN MGR OFFICE

**WARNING!! PROTECT YOURSELF**

Examine shipment before accepting. If damaged or short, request agent to show name on freight bill and send it to us at once. Unless you do this, credit cannot be allowed for loss or damage in transit.

A FINANCE CHARGE OF 1.5% PER MONTH WILL BE CHARGED ON PAST DUE ACCOUNTS.

ALL CLAIMS MUST BE MADE WITHIN 30 DAYS FOLLOWING SHIPMENT.

Net Invoice:	674.00
Freight:	0.00
Sales Tax:	0.00
<b>Invoice Total:</b>	<b>674.00</b>

## Beautification Minutes of April 2, 2014, 4:30 pm at Town Hall.

**Present:** Barbara Rushmore, Ross Sormani, Bill Docker, Anika Costa, prospective new member Frank Vasello and Eric Larsen, Deputy Director, DPW.

Excused absence: Dot Freitas.

On March 6<sup>th</sup>, Ghee Patrick resigned from the Beautification Committee "with the hopes that with the very good members on the Committee, her input will be missed less than it might be otherwise."

**BD moved and RS seconded:** BR to write a Letter of Thanks to Ghee Patrick for all her work. So voted 4-0.

**BR showed Craig Pixley's design** for the Mildred Greensfelder's, East End Playground sign which he is going to donate and put in place mid-May. BR to thank him and have him design and give us estimates for signs for the Fishermen's Memorial Park.

**BR moved to approve** the Minutes of March 3<sup>rd</sup>, RS seconded. So voted 3-0.

**RS reports:** Budget \$10,649.48  
Gift Fund \$6,722.49

*Gift*

**RS moved to pay O'Brien** \$674 from the ~~General~~ Fund. BD seconded. So voted 4-0.

**BR to meet with Tony Lemme** on installing dedicated benches and repairing the Old Library. The bench on the corner of Commercial St. near the Coast Guard Station needs to have some shells removed. The Committee would like to have the new workers help put the tree labels in the ground.

**BR is to contact Bayberry** Garden Center's Paul Souza about the Knockout Roses for the bed at the Ladies Room and the bed at the Chamber of Commerce near the Bus Stop Park. BR to contact Candy Boden first. We want to buy locally.

**RS likes the red and green** marine lights of The Brass Key. We all are to look at them. Eric Larsen feels that a transformer to take the Town electric down to a low and safer voltage with lights 20 ft. apart would do the job.

**Ground covers** were discussed. Vinca minor, Periwinkle and Hostas are to be tried.

**BR to contact Conny Hatch** about the "B" Garden, perhaps doing a public swap shop for plants.

**Our Next Meeting** will be at 4:30 Wednesday, May 14, 2014.

Respectfully submitted,



Barbara Rushmore



P.O. Box 650  
 93 West Street  
 Medfield, Massachusetts 02052-0650  
 Tel: (508) 359-4200 Fax: (508) 359-2817

www.obrienandsons.com

STATEMENT DATE: 3/28/2014

CUSTOMER NO: BEA260M

## STATEMENT OF ACCOUNT

BEAUTIFICATION COMMITTEE  
 260 COMMERCIAL STREET  
 PROVINCETOWN, MA 02657

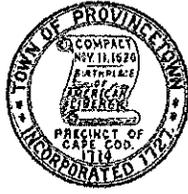
DATE	REFERENCE #	DESCRIPTION	CHARGE	CREDIT	BALANCE
10/21/2013	PREPAY-PP	Ref: 83520		225.00	225.00-
12/11/2013	I131809-IN	MANUEL SMITH BENCH, PROVINCETOWN MA	1,017.00		
3/10/2014		Payment Ref: 85585		1,017.00	0.00
12/23/2013	I131866-IN	BOLGER BENCH, PROVINCETOWN MA	920.00		
3/24/2014		Payment Ref: 85793		920.00	0.00
1/23/2014	I140051-IN	SLATS FOR MANUEL SMITH BENCH, PROVINCET	1,080.00		
3/17/2014		Payment Ref: 85685		1,080.00	0.00
2/28/2014	FEB0003-FC	Finance Charge	0.00		0.00
3/25/2014	I140159-IN	JOHANSON BENCH, PROVINCETOWN MA	674.00		674.00

CURRENT	30 DAYS	60 DAYS	90 DAYS	120 DAYS	BALANCE DUE
674.00	0.00	0.00	0.00	225.00-	449.00

Listed above are invoices that have been previously mailed to you.  
 If you are missing a copy, please call us.

# Town of Provincetown

James F. Golden  
Chief of Police, Acting  
jgolden@provincetown-ma.gov



# Police Department

26 Shank Painter Road  
Provincetown, MA 02657  
Phone: (508) 487-1213  
Fax: (508) 487-4077  
www.provincetown-ma.gov

**To:** Provincetown Board of Selectmen  
**From:** Acting Chief of Police James Golden  
**Subject:** CASAS (Carrie A. Seamen Animal Shelter) Parade Permit  
**Date:** May 21, 2014

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Sir,

I have reviewed the parade application of Sherry Brec on behalf of the CASAS (Carrie A. Seamen Animal Shelter) Charity Walk/Pet Parade on Sunday September 28, 2014.

They estimate approximately 60 attendees. This is a change from last year's estimate of 100.

The event is scheduled from 2:00pm to 3:00pm and will navigate a route beginning on Commercial Street starting at the Saint Mary's of the Harbor Church complex and ending at the Pied Piper Bar 199 Commercial Street. This is an annual event.

- Traffic on Commercial Street will need to be re-directed 5 minutes prior to the event and will be slowed for the duration of the event. One Police Officer will be required for this function. A police vehicle will be needed to escort the participants along the intended parade route.
- Historically the dedicated Animal Control Officer (Ruthanne Cowing) has acted as the escort in order to be part of the procession. We will endeavor to provide the service with on duty personnel again this year.

Please let me know what questions you may have.

**Town of Provincetown**  
**Parade Permit Application**

**Note:** This form must be submitted to the Board of Selectmen's office at least four weeks prior to the date of your event.

Applicant's Name: CASAS  
Address: PO BOX 1374 Phone: 508 487 4243  
City/Town: Provincetown State: MA Zip Code: 02657  
Email: CASAS4Rescue@COMCAST.net

Applicant is:  Private Individual  Business  Non-Profit Corp

Individual Responsible: Name: Sherry Brec  
Address: PO BOX 1826, Provincetown, MA 02657  
Phone: 617 817 0478  
Email: sbrec@yahoo.com

Will charges or fees be collected?  Yes  No

Name & Purpose of Parade: ANNUAL WALK FOR SHELTER / PET PARADE  
Date of Parade: 28 Sept 14 Rain Date (if any): \_\_\_\_\_  
Schedule: Start Time: 2 pm Finish Time: 3 pm  
Number of Marchers: APPROX 60 Number of Vehicles: 1  
(Please indicate actual or estimated.)

**Note:** Use the attached map, highlight and provide a written plan of parade route including assembly and disassembly locations, special parade features or events as well as stopping locations if any are requested.

The undersigned applicant agrees that the applicant and parade participants will conform with applicable laws, by-laws, and regulations as well as with special requirements that may be made a condition of the granting of a parade permit pursuant to this application. I/we agree to hold the Town of Provincetown harmless from any and all liability and will defend the Town of Provincetown in connection therewith

Signature of Applicant: Sherry Brec Date: 14 MAY 14  
Application received by: Mary Don Date: 5/16/2014  
(Secretary to Board of Selectmen)

**CONDITIONS and REQUIREMENTS**

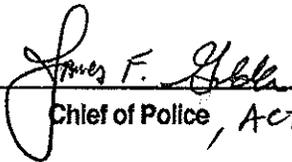
It is the obligation of applicants, organization(s) and responsible individuals to assure that their parade(s) is (are) orderly. Unless specifically authorized, there will be no parades held during the hours of darkness and no stopping of the parade to advertise or perform.

All parades will be assigned and will follow a police cruiser on the approved route. If the Chief of Police deems it necessary to assign additional officers as part of the parade permit, then the cost of such special duty officers will be borne by the applicant.

Any violation of applicable laws, by-laws, regulations, the above requirements, and/or special requirements made a condition of the granting of a Parade Permit will be grounds for immediate revocation of the Parade Permit, prosecution, and denial of future parade permissions.

**PARADE ROUTE. SPECIAL CONDITIONS. REQUIREMENTS. ETC.** (Please PRINT or TYPE and allow margin space)

**APPROVALS**

  
\_\_\_\_\_  
Chief of Police, Acting

Date 05-20-2014

**Board of Selectmen**

\_\_\_\_\_  
Chairman, Board of Selectmen

\_\_\_\_\_  
Selectman

\_\_\_\_\_  
Selectman

\_\_\_\_\_  
Selectman

\_\_\_\_\_  
Selectman

Date: \_\_\_\_\_





# TOWN OF PROVINCETOWN

## REQUEST OF TRANSFER OF FUNDS

Date: May 27, 2014  
To: Constance Boulos, Treasurer  
From: Board of Selectmen

As Commissioners of the John Anderson Francis Scholarship Fund permission is hereby granted to you, the Treasurer of Provincetown, to pay the following award(s).

\$ 120.00	Enrollment Fee Scholarship America #101492
84.00	US Postal Service Annual PO Box #1174
\$ <u>204.00</u>	Total

The Honorable Board of Selectmen:

\_\_\_\_\_  
Thomas N Donegan, Chair

\_\_\_\_\_  
Erik Yingling, Vice Chair

\_\_\_\_\_  
Raphael Richter, Selectman

\_\_\_\_\_  
Cheryl Andrews, Selectman

\_\_\_\_\_  
Robert Anthony, Selectman





Invoice: 101492  
Client ID: FRANCIS  
Department: SMS-NY  
Invoice Date: 04/25/2014

Due Date: 05/25/2014

Bill Schneider  
Chairperson  
John Anderson Francis Family Scholarship  
PO Box 1174  
Provincetown, MA 02657

# INVOICE

Description	Amount
John Anderson Francis Family Scholarship Fund	
2014 John Anderson Francis Family Scholarship Fund	
Enrollment fee	100.00
Evaluation of applications (2 applications @ \$10 each)	20.00
Please pay Scholarship America	120.00

----- Please detach and return with payment -----

Scholarship America  
c/o First National Bank Minnesota  
P.O. Box 240  
St. Peter, MN 56082

Invoice: 101492  
Client ID: FRANCIS  
Department: SMS-NY  
Amount: \$120.00

**Town of Provincetown  
John Anderson Francis Family Scholarship Committee  
Meeting Minutes of Monday, May 19, 2014  
Provincetown Town Hall**

Chairman Bill Schneider convened the meeting at 3:04 PM noting the following members present: Mary Ann Cabral, Olympia Ciliberto, Bill Schneider and Robert Speiser. Julia Perry was also present.

There were no public comments.

Chairman Schneider requested an update from Mr. Speiser regarding the Charter Review Ad Hoc Committee.

Eleanora Irving arrived at 3:09 PM

The Committee reviewed the applications submitted by Mary Beck and Julia Perry to serve as an alternate member.

**MOTION:** Move to appoint Julia Perry to serve as an alternate member of the John Francis Family Scholarship Committee for a three-year term.

**Motion by:** Mary Cabral; **Seconded by:** Robert Speiser; **Yea: 5 Nay: 0 Abstain: 0**

Chairman Schneider announced he will be resigning his position on the Committee effective June 30, 2014 and requested nominations for a successor chairman. Members of the Committee could not reach a consensus on a nominee; therefore, this item was tabled until the next meeting.

Chairman Schneider provided the Committee with an overview of available fund balances provided by the Town Treasurer.

**MOTION:** Move to have Robert Speiser draft correspondence to businesses and individuals who have previously awarded scholarships to Provincetown High School graduates and send the draft to the Chairman for distribution.

Chairman Schneider presented an invoice received from Scholarship America in the amount of \$120.00, representing the enrollment fee for processing scholarship applications for the Class of 2014.

**MOTION:** Move to approve payment of the invoice from Scholarship America in the amount of \$120.00.

**Motion by:** Mary Cabral; **Seconded by:** Olympia Ciliberto; **Yea: 5 Nay: 0 Abstain: 0**

Chairman Schneider presented an invoice received from the U.S. Postal Service in the amount of \$84.00 for renewal of the post office box maintained by the Committee.

**MOTION:** Move to approve payment in the amount of \$84.00 to the U.S. Postal Service for the post office box rental on behalf of the John Anderson Francis Family Scholarship Committee.

**Motion by:** Mary Cabral; **Seconded by:** Olympia Ciliberto; **Yea: 5 Nay: 0 Abstain: 0**

The Committee discussed the protocol for awarding scholarships to the Class of 2014 and the announcement to the local media.

The Committee adjourned to meet in executive session at 3:42 PM.

**MOTION:** Move award three scholarships in the total amount of \$7,000 to the Class of 2014 as recommended by the John Anderson Francis Family Scholarship Committee.

**Motion by:** Olympia Ciliberto; **Seconded by:** Robert Speiser; **Yea: 5 Nay: 0 Abstain: 0**

Chairman Schneider distributed the draft minutes from the Committee's meeting.

**MOTION:** Move to approve the minutes of the May 19, 2014 meeting of the John Anderson Francis Family Scholarship Committee.

**Motion by:** Robert Speiser; **Seconded by:** Eleanora Irving; **Yea: 5 Nay: 0 Abstain: 0**

The meeting was adjourned at 4:17 PM.

**MINUTES APPROVED**

A handwritten signature in black ink that reads "Bill Schneider". The signature is written in a cursive, slightly slanted style.

Bill Schneider, Chair  
May 19, 2014

**Town of Provincetown  
Town Scholarship Committee  
Meeting Minutes of Thursday, May 19, 2014  
Provincetown Town Hall**

Chairman Bill Schneider convened the meeting at 4:17 PM noting the following members present: Mary Ann Cabral, Olympia Ciliberto, Eleanora Irving, Bill Schneider and Robert Speiser.

There were no public comments.

Chairman Schneider requested an update from Mr. Speiser regarding the Charter Review Ad Hoc Committee.

The Committee discussed the messaging options for taxpayers wishing to make contributions to the Scholarship Funds when paying their property tax.

Chairman Schneider announced he will be resigning his position on the Committee effective June 30, 2014 and requested nominations for a successor chairman. Members of the Committee could not reach a consensus on a nominee; therefore, this item was tabled until the next meeting.

Chairman Schneider provided the Committee with an overview of available fund balances provided by the Town Treasurer.

The Committee discussed the protocol for awarding scholarships to the Class of 2014 and the announcement to the local media.

The Committee adjourned to meet in executive session at 4:23 PM.

The Committee discussed the proposed recipient of the Town Scholarship.

**MOTION:** Move to award the Provincetown Town Scholarship in the amount of \$1,500.00 to the designated recipient.

**Motion by:** Robert Speiser; **Seconded by:** Mary Cabral; **Yea:** 5 **Nay:** 0 **Abstain:** 0

Chairman Schneider distributed the draft minutes from the Committee's meeting.

**MOTION:** Move to approve the minutes of the May 19, 2014 meeting of the Town Scholarship Committee.

**Motion by:** Olympia Ciliberto; **Seconded by:** Mary Cabral; **Yea:** 5 **Nay:** 0 **Abstain:** 0

The meeting was adjourned at 4:29 PM.

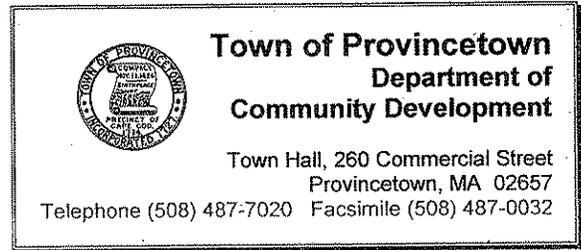
**MINUTES APPROVED**

Bill Schneider

Bill Schneider, Chair

May 19, 2014

**To:** Board of Selectmen  
**From:** Gloria McPherson  
Town Planner  
**Date:** May 21, 2014  
**Subject:** AIA Grant Application



### **Background**

Planning for community resiliency, ranging from climate adaptation to a wide range of other social, environmental and economic sustainability issues, is increasingly critical for most municipalities. To address this need, the New England Municipal Sustainability Network (NEMSN) and the American Institute of Architects' Center for Communities by Design have collaborated to create the Design and Resiliency Teams (DART) program for 2014.

Applications are currently being invited for this new pilot grant program. The purpose of a DART is to assist local governments to address resiliency issues through an intense charrette with a multi-discipline team of outside experts. Teams will be custom selected to meet the needs of each selected community, with roughly half the team drawn from around New England and half from across the country.

The program is open to any local government or local government partner located in New England and in the New York Capital Region. There is no direct cost to local governments or their partners, but communities must show that they are ready to address resiliency and sustainability issues and that the time is right for an intense charrette effort.

Applications will be considered starting on May 27th and will be accepted until two projects are selected for 2014. The application for the program is attached. There are no matching funds required for this grant, and all out-of-pocket expenses (travel, food, hotel, drinks, etc.) of the DART Team will be covered by the AIA.

### **Discussion**

The NEMSN identified and reached out to Provincetown as a potentially strong applicant that might want to host a DART team. The Town of Provincetown is in a unique position to apply for this grant because multiple resiliency issues are tightly interwoven: housing is impacted by economic viability, the economy is based on tourism, tourism is dependent on the environment in a seaside community, and the environment is impacted by climate change. The DART program is designed to be a strategic, rather than broad, effort and it is my intention to focus the grant application on housing resiliency.

The grant seems timely as a way to "kick start" the Local Comprehensive Planning process. If selected, a DART team would come to Provincetown for an intense three-day design workshop to help create strategic agendas for our resiliency and sustainability issues. The team would engage citizens and staff for their thoughts and experiences and would then build on that information and what they observed to identify new strategic opportunities for resiliency for the community to focus on.

The process would generally be:

1. May-June 2014: Provincetown would apply to participate. There is NO fee to play, but we would need to commit staff and volunteer resources to get the community engaged, to collect information for the team, and to provide all public meeting and team work space during the visit.
2. July-Sept 2014: AIA staff will visit and meet with staff and several key stakeholders to help refine exactly what the challenge is that the entire team will work on and identify the skill set needed for the team.
3. Aug-Oct 2014: Staff would collect relevant local documents and make them available (on an AIA FTP site) for team members to review.
4. Sept-Nov 2014: DART Team members donate their time and agree not to take consulting work that comes out of project (to avoid any bias) and conduct an intensive three day workshop, prepare a final PowerPoint presentation with specific recommendations, and provide a short report documenting those recommendations.



## **2014 AIA Design and Resiliency Team (DART) APPLICATION**

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A pilot program developed in cooperation between the New England Municipal Sustainability Network (NEMSN) and AIA's Center for Communities by Design.

For any community in New England and in New York's Capital Region (which collectively make up the NEMSN region).

## • **Introduction**

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The New England Municipal Sustainability Network (NEMSN) in partnership with AIA's Center for Communities by Design is soliciting applications for its New England Design and Resiliency Teams (DART).

A DART can help a community develop a strategic vision and framework for a resilient future. Resiliency includes climate adaptation and host of other social, environmental and economic opportunities needed for stable and healthy communities. The focus of each DART will vary depending on community needs and opportunities. The program brings together multidisciplinary teams of professionals to work with community decision-makers and stakeholders through an intensive planning process.

DARTs are interdisciplinary team is made up of experts in their field. For the resiliency and climate adaptation DARTs, approximately half the team members will be from New England and half from across the country, selected in collaboration between the AIA and NEMSN, and customized to fit the key issues present in the community. Teams can include (but are not limited to) sustainability professionals, architects, economic and finance experts, planners, landscape architects and engineers.

A DART will involve stakeholder focus groups, a town-hall style public workshop, team work time and tours, and a final community presentation on the team's findings.

## • **Local requirements and timeline**

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The multi-disciplinary team members provide communities with pro bono consulting services. AIA covers all of the team and AIA staff travel and other expenses. AIA does not provide any funding to communities.

Partner communities must demonstrate the capacity to convene diverse community leaders and stakeholders for an intensive, collaborative resiliency planning process. AIA is focused on identifying communities that have the ability to build strong partnerships for implementation.

Communities provide appropriate venues for two public workshops during the DART and for DART working space. DART working space needs access to a copier, internet access, and, if possible, a scanner. Most communities use municipal funds or raise funds to cover local costs associated with project implementation (public outreach materials, meeting and facilities, copy costs etc).

**Application review will commence on May 27, 2014, but applicants will continue to be accepted until two projects for 2014 are provisionally selected.** AIA hopes to provisionally select projects in June, 2014. AIA reserves the right to cancel the program.

Preliminary site visits involving AIA staff and the project team leader will be held between July and mid-September 2014. The preliminary visit allows AIA to determine if a DART is appropriate for the community and if local resources and support are sufficient to sustain the process. Final determination of the community's suitability will be determined by the conclusion of the preliminary visit.

Full team visits will be held in the fall and be completed by the end of 2014.

## **Background and Frequently Asked Questions**

The AIA is committed to sustainable design that creates communities and advances enduring public and environmental well-being. DARTs help communities support cultural, environmental, and economic systems, creating more sustainable and resilient human settlements. DARTs 1) use a multidisciplinary team approach; 2) ensure the objectivity of the team members; and 3) require broad, inclusive public participation and support.

The DART is modeled on five decades of experience with over 210 Design Assessment Teams. The five-decade old Regional and Urban Design Assistance Teams (RUDAT) program provides communities with specific design solutions. The decade old Sustainable Design Assessment Team (SDAT) program provides broad assessments to help frame and plan policies and design solutions.

The Design Assessment Team (DAT) program is a public service of the American Institute of Architects. Communities across the country apply to have SDATs and RUDATS. For more information see [www.aia.org/about/initiatives/AIAS075265](http://www.aia.org/about/initiatives/AIAS075265).

### ***Where else has this process been used? What are the typical outcomes?***

Over 210 communities have hosted SDATs and RUDATs, including several in New England. Each project has resulted in key priorities and recommendations formulated in a presentation and final report. As a result, DAT communities have built effective platforms for collaboration and collective action involving the entire community.

### ***How much is this process costing the community?***

For the resiliency and climate adaptation pilot, the American Institute of Architects is covering the travel and direct team and AIA staff expenses, at a cost of up to \$15,000 per community. The host community is providing all community outreach, venues for meetings and team work space but does not have any cash match requirement. All of the team members serve pro bono, so there are no fees or costs for services.

### ***Who is the team made up of? What is their agenda?***

Teams are interdisciplinary and made up of experts in their field. For the DART, the team will be a mix of members from New England and from across the country, selected by AIA and customized to fit the key community issues. Teams might include, for example, sustainability professionals, architects, economic experts, planners, landscape architects and engineers. This is **not** another team of consultants. Consultants work for somebody, DARTs are a public service for the community, for *everybody*. The team's mission is to serve the public interest by listening to the community and sharing their best professional advice about local resiliency issues and opportunities facing the area. Team members are selected from outside the community, are not paid for their service, and are prohibited from pursuing business opportunities that result from the DART.

### ***Who should participate in a DART?***

All are welcome. If you are interested in the future of the community, come!

### ***What are the final products?***

The DART includes a town hall workshop and a final community presentation and report to help identify a strategy and actions that realize a community's values and vision.

### **• Applications**

---

Applications must include the following project information:

1. **Table of Contents**
2. **Project Summary (1 page)**
  - a. **Project Title:** include the name of the community in a short project title (e.g., *Cache Valley, Utah: Valley on the Verge*; *Guemes Island, WA: Creating a Sustainable Guemes*; *Pittsfield, Massachusetts: and Sustainable Urbanism in the Heart of the Berkshires*)
  - b. **Primary Contact:** name, email, phone number
  - c. **Project Abstract**
3. **Community Description** (1-2 pages) include:
  - a. History
  - b. Population and demographics
  - c. Economic information
  - d. Form of Local Government
  - e. Geography/Topography data
  - f. Important project or contextual information
  - g. Regional setting and influences
  - h. Brief summaries of past and/or ongoing relevant planning efforts and reports
4. **Problem Statement and Issues Analysis** (3-4 pages, plus maps), include:
  - a. *Define and describe the proposed study area* (e.g., the entire municipality, two municipalities, a portion of the community)
  - b. *Identify existing barriers* (physical, social, economic, political) that have limited the community's ability to address its concerns or agree on solutions. Include a brief assessment of your community's most significant resiliency needs (e.g., climate adaptation, natural hazards, and public health issues). Describe any past attempts that have failed to resolve community issues. Include as much graphic material as needed to describe existing conditions.
  - c. *Identify strategic areas* which the DART should focus and why those areas are critical to the community. Describe how the issues relate to development concerns at the regional, municipal, and neighborhood scales. Issues can include any aspect of resiliency, as broadly defined (e.g., climate adaptation, hazard mitigation, public and environmental health, social inequities, and unstable urban centers).
5. **Objective of the DART Process** (1 page) include:

A brief statement defining the project objective. DARTs evolve during the process, but it is important to understand the community objectives at the start of the process.
6. **Steering Committee Information**

The DART process requires that the applicant partner to form a Steering Committee to guide

and implement the process. Local government staffers often staff and serve on the local effort, but the Steering Committee should be broader than only staff because it helps coordinate community outreach and support the community conversation both before and after the DART. There are no minimum or maximum committee size or membership requirements, but your committee should be appropriate for your community and effort.

List the committee chair (or co-chair) and committee members:

- a. Name and affiliation, if any
- b. Email addresses
- c. Phone number

#### **7. Funding Information**

There is no cost to the community for AIA and the Team's expenses. The community, however, is responsible for providing appropriate venues for two public workshops during the DART, light refreshments for the workshops, DART working space with access to a copier, internet access, and, if possible, a scanner. The community is also responsible for all of their community outreach, including any advertising of the project.

Describe how your community will be able to provide will cover the local costs, either through fundraising, existing funds, or in-kind contributions.

#### **8. Educational Partners**

Reports and presentations are greatly improved if the community can partner with local or regional colleges, especially those with programs in Architecture, Urban Design, Landscape Architecture, Environmental Studies or other relevant disciplines. Please describe whether such partnerships are possible and how you will pursue these options. This item will be discussed in more detail during the preliminary site visit for provisionally accepted communities. Letters of commitment from a program to participate is a plus for any application but is not required.

#### **9. Communication and Media Outreach Plan**

Describe how you will reach out to media and the community to generate media coverage and invite the widest range of stakeholders to the two public workshops.

#### **10. DART Project Timeline**

The preliminary visit will be held between early July and mid-September with the full visit between September and the middle of December. Please include a contextual rationale and information regarding events that may affect the timing of any part of the DART process (e.g., six months before scheduled comprehensive plan revisions). Typically, a successful DART project requires a period of at least 6-8 weeks between the preliminary visit and the full team visit. AIA will work with communities to schedule DART implementation in a manner that complements ongoing planning activities, but dates may be adjusted based upon program needs and availability of team members as necessary.

#### **11. Community Partnerships and Support**

The key to DART success is diversity and community participation; the process involves multiple disciplines and multiple stakeholders. The DART process includes not only the national team but also government agencies and officials, private businesses, schools and students, community members, and other parties as appropriate. The process encourages the active participation of all sectors of the community. The team members who visit your

community will seek the opinions and comments of the public as well as community leaders and interested groups. Applications should demonstrate community support and participation by including letters of support from a broad base of community members (public elected and appointed officials, public agencies, neighborhood groups, community leaders, houses of worship, service clubs, businesses, local AIA chapters, and institutions).

12. **Supplemental Documents**, include:

- a. Relevant Existing and Past Planning Documents (e.g., zoning or plan excerpts)
- b. Graphic Illustrations (e.g., maps, study area plans, photos and aerial photos, illustrative maps showing locations and concentrations of specific community needs)
- c. Information on the community (e.g., newspaper articles, tourism materials, economic development materials)
- d. Anything you need to tell your story and help describe community needs, existing conditions, and prevailing issues.

• **Evaluation Criteria and Process**

The evaluation process will be conducted by a DART Application Review Panel. Review begins on May 15, 2014 and continues until two projects are provisionally selected. AIA hopes to select projects in June, 2014. AIA reserves the right to cancel the process or do fewer than two DATs.

Preliminary site visits (by AIA staff and the project team leader) will be held in July, August, or the first half of September 2014. The preliminary visit will allow the team leader and AIA staff to determine if a DART is appropriate for the community and if local resources and support are sufficient to sustain the process. Final determination of the community's suitability will be determined by the conclusion of the preliminary visit, and logistical planning for the full team visit will then commence as appropriate.

Full team visits will be held in the fall and be completed by the end of 2014.

The Application Review Panel will analyze based on:

- Application comprehensiveness and ability to portray the community
- Self-evaluation and assessment of relevant issues
- Problem statement and project clarity
- Community, political, and staff will to address issues
- Organization and project logistical support
- Clear and specific Project Objective
- Feasibility

**Submission Deadline and Inquiries**

Applications should be submitted as a PDF file(s) to [CommunitiesbyDesign@aia.org](mailto:CommunitiesbyDesign@aia.org). If the files are too large to send electronically, please email the above address for additional instructions. **Applications will be considered beginning on May 27, 2014 and accepted until the two pilot projects for 2014 are decided.**

Applicants seeking additional information should consult the AIA Communities by Design

[www.aia.org/about/initiatives/AIAS075265](http://www.aia.org/about/initiatives/AIAS075265) or email Communities by Design staff:

Erin Simmons, Director, Design Assistance, [Esimmons@aia.org](mailto:Esimmons@aia.org), 202.626.7492; or  
Joel Mills, Director, Communities by Design [joelmills@aia.org](mailto:joelmills@aia.org), 202.626.7405

## **DAT Case Study**

DATs have been held in communities ranging from the largest cities (e.g., New York City, LA) to the smallest communities (Guemes Island, population 600) and everything in between. Port Angeles provides a case study in how one project worked.

### ***Port Angeles, Washington (pop. 17,000)***

Port Angeles, Washington provides an example of how to inspire pride in change by creating a truly public revitalization process. Their success has been built around involving everyone in the process.

In 2009, Port Angeles hosted an SDAT to focus on downtown revitalization and waterfront development. Port Angeles had suffered declining fortunes as the result of mill closures and reduced productivity from natural resource industries. The three-day charrette process created enormous civic energy to pursue a vision for the city's future.

"Just two weeks after the SDAT presented more than 30 recommendations, the Port Angeles Forward committee unanimously agreed to recommend 10 of those items for immediate action," said Nathan West, the City's Director of Community and Economic Development. "Public investment and commitment inspired private investment, and, less than a month later, the community joined together in an effort to revamp the entire downtown, starting with a physical face-lift. Community members donated paint and equipment, and residents picked up their paintbrushes to start the transformation."

During the first summer of implementation, over 43 buildings in the downtown received substantial upgrades, including new paint and other improvements. This effort led to a formal façade improvement program that extended the initiative exponentially. The city dedicated \$118,000 in community development block grants (CDBG) for the effort, which catalyzed over \$265,000 in private investment. The city also moved forward with substantial public investment in its waterfront, which had a dramatic impact in inspiring new partnerships and private investment. Three years later, the city had over \$75 million in planned and completed investments and had turned the corner by producing huge civic momentum across the community. In June 2012, Port Angeles was recognized with a state design award for its waterfront master plan, designed by LMN Architects. The city will break ground on construction in the fall.

As West concluded, "The City of Port Angeles SDAT experience was far more than just a planning exercise. This opportunity for our community was a catalyst for action, implementation and improvement. Three years after the SDAT team arrived, the progress and excitement continue. A primary outcome has been that the process awakened community pride and inspired a "together we can" attitude. Today the inspiration remains and the elements and recommendations of the program continue to be the driver for publicly endorsed capital projects and investments in our community. More importantly this sustainable approach has tapped into the core values and priorities of our citizens to ensure a better and more balanced future for our City."



FILE COMPLETED FORM WITH THE LICENSING AGENT

# Town of Provincetown Application for Public Use of Town Hall

Pursuant to Regulations Adopted By the Board of Selectmen (Rev 09/27/2010)

DATE RECEIVED  
OFFICIAL USE ONLY

### PART 1 - TO BE FILLED IN BY APPLICANT

Applicant  Private individual  Private for-profit business  non-profit organization *[attach copy of Form 501(3)(c)]*

Organization Name: Provincetown Film Society  
 Address: 237 Commercial St Provincetown MA 01970

Authorized Representative Name: Shawn Nightingale  
 Mailing Address: P.O. Box 605 Provincetown, MA  
 Email Address: shawn@nightingale.com

Telephone Days: 508-556-8967 Mobile: In Provincetown:

Event Date(s): 6/18 Event Time: 6/22

Requested Setup & Breakdown times & Dates: (note: setup dates are not reserved and scheduling conflicts might result with preference given to reserved events. Applicant is responsible for coordinating setup and breakdown directly with Town Custodial Staff 508-616-6117)  
 June 18 - 23 2014 10 AM BD: 6/23

Description of Proposed Event: (attach additional information if necessary)  
 Provincetown Film Festival

Anticipated Attendance: 428 Number of Staff Members: 10 Number of Private Security: N/A

Will there be food service?  Yes  No *If Yes, special food service permit is required*

Will there be beer or wine service?  Yes  No *Caterer of Licensed entity:*

*Beer and wine service only permitted with Board of Selectmen approval and with proper licensing. Allow 60 days prior to event for beer and wine approvals.*

Does the entertainment include nudity as described in MGL Chapter 140 Section 183A?  Yes  No  
*If yes, please furnish further information concerning the entertainment.*

**CERTIFICATE OF INSURANCE MUST ACCOMPANY THIS APPLICATION**  
 Police Details may be required. Contact the Police Department directly at 508-487-1212.  
 I agree to the conditions specified in the Regulations for Public Use of Town Hall as adopted by the Board of Selectmen, and to accept the responsibilities of a Responsible Party as set forth therein.

*Shawn Nightingale* 10/25/13  
 Signature of Authorized Representative/Applicant Date

Approval hereof is subject to payment of fees as follows: Reservations must be accompanied by a deposit.

### PART 2 - TO BE FILLED IN BY TOWN AGENT

**FEES:** 300 x 1

Rental/Utility Fee \$ 200 x 4 x No. of Days 5 = \$ 1100

DEPOSIT AMOUNT (50% OF TOTAL RENTAL FEE) = \$ 550 Paid On 10/7/13 Ch# 7016

Remainder of Rental Fee due upon event completion: \$ 550

Custodial Fee \$33/hour x No. of Hours \_\_\_\_\_ = \$ \_\_\_\_\_

FINAL AMOUNT DUE UPON EVENT COMPLETION = \$ \_\_\_\_\_ Paid On \_\_\_\_\_ Ch# \_\_\_\_\_

The above application is hereby approved:  
 Distribute copies of approved applications to Town Hall Custodian, and Chief of Police [ Revised 09/03/2013 ]

Signature of Town Manager or Designee Date

**PROVINCETOWN FILM FESTIVAL - BEER AND WINE IN TOWN HALL**

*Beer and wine service to film festival patrons during screenings at Town Hall for the 16th Provincetown International Film Festival. Service will begin 30 minutes prior to first screening each day, with last call 1 hour following start of final show each day. Staffed by TIPS trained bartenders and featuring and stationed at entrance to the auditorium at Town Hall.*





FILE COMPLETED FORM WITH THE LICENSING AGENT

# Town of Provincetown Application for Public Use of Town Hall

Pursuant to Regulations Adopted By the Board of Selectmen (Rev 09/27/2010)

DATE RECEIVED  
OFFICIAL USE ONLY

### PART 1 - TO BE FILLED IN BY APPLICANT

Applicant  Private individual  Private for-profit business  non-profit organization *(attach copy of Form 501(3)(c))*

Organization Name: WOMR (LOWER CAPE COMMUNICATIONS)  
 Address: 494 COMMERCIAL ST PROVINCETOWN

Authorized Representative } Name: JOHN BRADEN  
 Or Contact } Mailing Address: PO BOX 975 PROVINCETOWN MA 02657  
 Email Address: JOHN@WOMR.ORG

Telephone Days: 5084872619 Mobile: \_\_\_\_\_ In Provincetown: \_\_\_\_\_

Event Date(s): 7-11-14 Event Time: \_\_\_\_\_

Requested Setup & Breakdown times & Dates: (note: setup dates are not reserved and scheduling conflicts might result with preference given to reserved events. Applicant is responsible for coordinating setup and breakdown directly with Town Custodial Staff)  
7-11 AFTER 12 NOON

Description of Proposed Event: (attach additional information if necessary)  
MUSIC CONCERT "VINTAGE TROUBLE" BAND

Anticipated Attendance: 450 Number of Staff Members: 10 Number of Private Security: \_\_\_\_\_

Will there be food service?  Yes  No *If Yes, special food service permit is required*

Will there be beer or wine service?  Yes  No *Caterer of Licensed entity: \_\_\_\_\_*  
*Beer and wine service only permitted with Board of Selectmen approval and with proper licensing. Allow 60 days prior to event for beer and wine approvals.*

Does the entertainment include nudity as described in MGL Chapter 140 Section 183A?  Yes  No  
*If yes, please furnish further information concerning the entertainment.*

### CERTIFICATE OF INSURANCE MUST ACCOMPANY THIS APPLICATION

Police Details may be required. Contact the Police Department directly at 508-487-1212.

I agree to the conditions specified in the Regulations for Public Use of Town Hall as adopted by the Board of Selectmen, and to accept the responsibilities of a Responsible Party as set forth therein.

[Signature] 4/10/14  
 Signature of Authorized Representative/Applicant Date

Approval hereof is subject to payment of fees as follows: Reservations must be accompanied by a deposit.

### PART 2 - TO BE FILLED IN BY TOWN AGENT

#### FEES:

Rental/Utility Fee \$ \_\_\_\_\_ x No. of Days 1 = \$ \_\_\_\_\_

DEPOSIT AMOUNT (50% OF TOTAL RENTAL FEE) = \$ 250 Paid On 4/16 Ch# 5836

Remainder of Rental Fee due upon event completion: \$ \_\_\_\_\_

Custodial Fee \$33/hour x No. of Hours \_\_\_\_\_ = \$ \_\_\_\_\_

FINAL AMOUNT DUE UPON EVENT COMPLETION = \$ \_\_\_\_\_ Paid On \_\_\_\_\_ Ch# \_\_\_\_\_

The above application is hereby approved:

Distribute copies of approved applications to Town Hall Custodian, and Chief of Police [ Revised 09/03/2013 ]

\_\_\_\_\_  
 Signature of Town Manager or Designee Date



Licensing Board for the Town of Provincetown

260 Commercial Street, Provincetown, MA 02657
Tel: 508-487-7000 ext.535 | Fax: 508-487-0032

APPLICATION FOR SPECIAL ONE-DAY ALCOHOLIC BEVERAGE LICENSE

The local licensing authorities have approved, pursuant to the provisions of Chapter 138 Section 14, issuance of a special liquor license as described herein.

Date: 04/23/14

Type of Host: [ ] Individual [x] Non-Profit Corp. [ ] For-Profit Corp.
Name of Host: WOMR
Address of Host: 494 Commercial St. Provincetown MA 02657
Contact Information: Phone: (508) 487-2619 Email: info@womr.org
Effective Date(s) of License: July 11, 2014
Authorized Hours of Sale: 7-10:30 PM

Rain Date of Dates & Hours of Sale (must be completed): none

Description of Licensed Premises: Provincetown Town Hall auditorium

License for Sale of: All Alcoholic Beverages [ ] Wines & Malt Beverages Only [x] Wines Only [ ] Malt Beverages Only [ ]
Alcohol will be (check one): Sold [x] Given Away [ ]

I hereby certify under the pains and penalties of perjury that the above is true and accurate information, and that I will be responsible for the proper observance of the laws governing the dispensing of such alcoholic beverages.

Signature of Authorized Representative: [Handwritten Signature]

For official use only

Restrictions attached to the license by the local authority:

THE LOCAL LICENSING AUTHORITIES

[Blank lines for local licensing authorities signature]

Date approved: \_\_\_\_\_

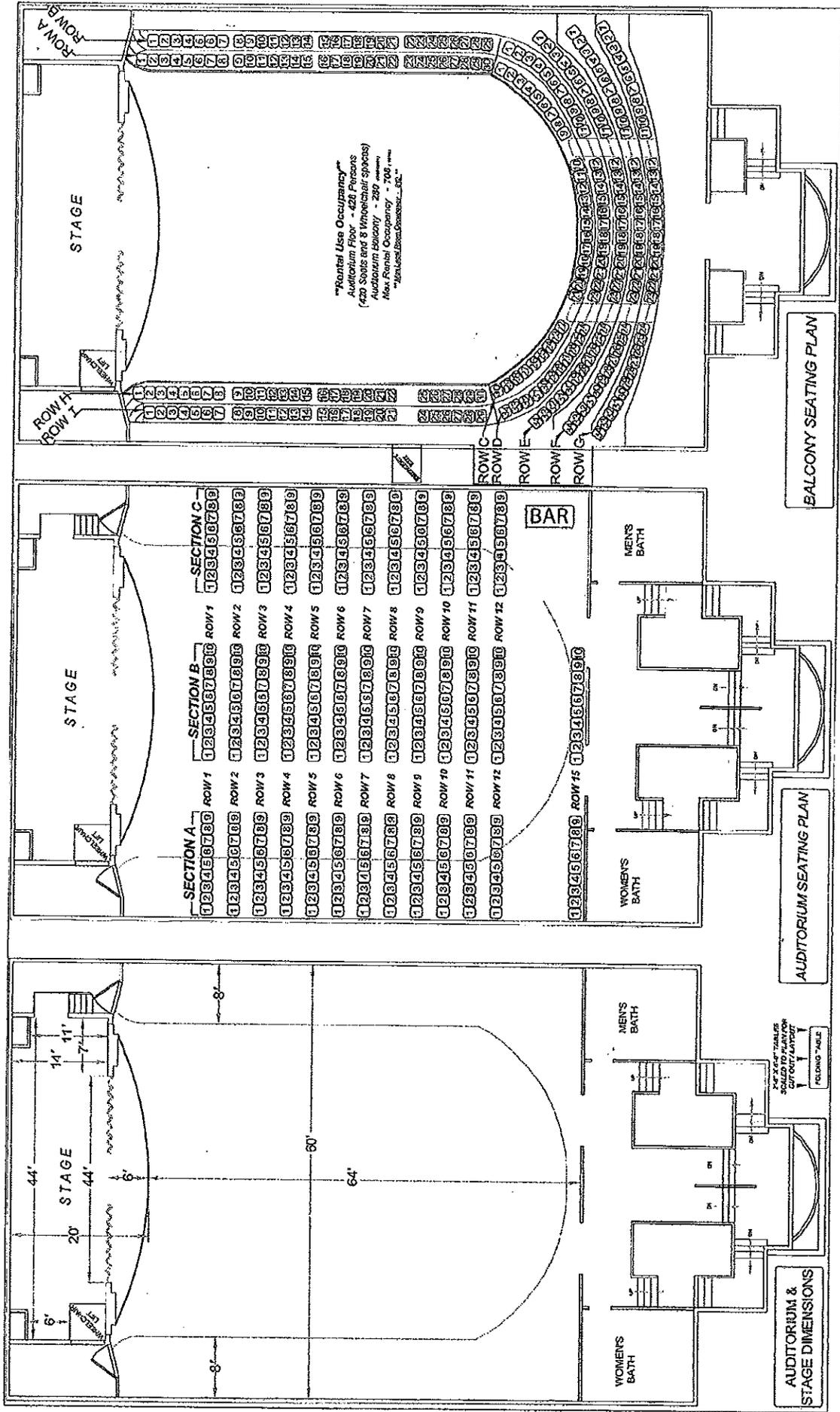
## **Vintage Trouble playing in a benefit for WOMR**

On July 11<sup>th</sup>, the band Vintage Trouble and opening act Jenny Dee & the Deelinquents will perform rock & soul music in benefit for WOMR. We will be selling beer and wine for this event as well. The show will begin at 8:00 with doors opening at 7:00. The show will finish up at 10:30.

Tickets will be sold to walk-ins at a table on the first floor. We expect the bulk of the tickets will be sold online ahead of the event.

We will be placing the bar at the back of the hall, on the east side of the building. Those wishing to purchase beer, wine and water will purchase tickets from a separate table where they will also be carded and given a wrist band.

Respectfully submitted  
John Braden  
5/21/14



Amended floor plans for Lea DeLaria - May 24, 2014



Provincetown Board of Selectmen  
**AGENDA ACTION REQUEST**  
May 27, 2014

1A

## PUBLIC HEARING

### NSTAR Pole Installation (25/12.5) adjacent to 44-48 Winslow Street

Requested by: NSTAR, 9/12/11

Action Sought: Public Hearing/Approval

#### Proposed Motion(s)

**MOVE** that the Board of Selectmen vote, pursuant to MGL C.166,§22, to approve the request of NSTAR to install a new pole – 121/5.5; as indicated on a plan No. 103788, WO# 1991017 dated April 10, 2014 to service the property located at 44-48 Winslow Street, Provincetown, MA.

#### Additional Information

A copy of NSTAR's petition is attached.

#### Board Action

<i>Motion</i>	<i>Second</i>	<i>In favor</i>	<i>Opposed</i>	<i>Disposition</i>

# Public Hearing

## **Proposal by NSTAR to install new pole (25/12.5) adjacent to 44-48 Winslow Street**

The Provincetown Board of Selectmen will hold a public hearing on Tuesday, May 27, 2014 at 6 P.M. in the Judge Welsh hearing Room, 260 Commercial Street, Provincetown, MA 02657 pursuant to MGL Chapter 166, Section 22, on the request of NSTAR to:

Install one new pole to be labeled 25/12.5 as indicated on a plan No. 103788, WO# 1991017 dated April 10, 2014 submitted by NSTAR to service the property located at 44-48 Winslow Street, Provincetown, MA.

The public is encouraged to submit any written comments by Tuesday, September 24, 2013 by 5 PM, to the Office of the Town Manager and/or Board of Selectmen, Town Hall, 260 Commercial Street, Provincetown, MA 02657, or in person at the hearing.

*Elaine Anderson, Chairman*

Posted: Town Hall, <http://www.provincetown-ma.gov>  
*Published Banner:* May 8, 2014 and May 15, 2014

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484 Willow St. W. Yarmouth, MA 02673  
Phone 508-957-4522  
FAX 508-957-4508

**April 11, 2014**

**Board of Selectmen  
Town of Provincetown  
260 Commercial Street  
Provincetown, MA 02657**

**Dear Board:**

**Herewith petition for permission to install 1 new pole to be labeled 25/12.5 on Winslow Street.**

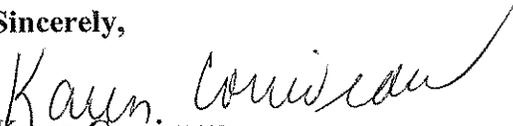
**Please see attached detailed sketch.**

**This petition requires a hearing and is needed to provide electric utilities to 44 and 48 Winslow Street.**

**Would your Board kindly act on this petition at its regular meeting?**

**If you have any questions please call me at 508-957-4522.**

**Sincerely,**

  
**Karen Corriveau  
Right of Way Agent  
NSTAR ELECTRIC**

Enc.

**PETITION FOR JOINT OR IDENTICAL POLE LOCATIONS**

West Yarmouth, Massachusetts  
To the Board of Selectmen Provincetown, Massachusetts.

April 11, 2014

**NSTAR ELECTRIC COMPANY  
VERIZON NEW ENGLAND INC.**

request permission to locate poles, wires, cables and fixtures, including the necessary sustaining and protecting fixtures to be owned and used in common by your petitioners, along and across the following public way or ways:

Install 1 new pole labeled 25/12.5

Wherefore they pray that after due notice and hearing as provided by law, they be granted joint or identical locations for permission to erect and maintain poles, wires, and cables, together with such sustaining and protecting fixtures as they may find necessary, said poles to be erected substantially in accordance with the plan filed herewith marked Plan No. 103788 Dated April 10, 2014.

Also for permission to lay and maintain underground cables, conduits, wires, and necessary equipment in the above or intersecting public ways for the purpose of making connections with the poles and buildings as each may desire for distributing purposes.

Your petitioners agree to reserve space for one crossarm at a suitable point on each of said poles for the fire, police, telephone and telegraph signal wires belonging to the municipality and used by it exclusively for municipal purposes.

**NSTAR ELECTRIC COMPANY**

By Karen Conisland  
RIGHT OF WAY AGENT

**VERIZON NEW ENGLAND, INC.**

By Daryl Crossman 4/16/14

## ORDER FOR JOINT OR IDENTICAL POLE LOCATIONS

To the Board of Selectmen Provincetown, Massachusetts.

Notice having been given and a public hearing held, as provided by law,  
IT IS HEREBY ORDERED:  
that NSTAR ELECTRIC COMPANY and  
VERIZON NEW ENGLAND INC.

be and they are hereby granted joint or identical locations for permission to erect and maintain poles and their respective wires and cables to be placed thereon, together with such sustaining and protecting fixtures as said Companies may deem necessary, in the public way or ways hereinafter referred to, as requested in petition of said Companies dated the 10th day of April, 2014.

All construction under this order shall be in accordance with the following conditions:

Poles shall be of sound timber and reasonably straight, and shall be set substantially at the points indicated upon the plan marked Plan No. 103788 Dated April 10, 2014 filed with said petition. There may be attached to said poles by said VERIZON NEW ENGLAND, INC. not to exceed 40 wires and 4 cables and by said NSTAR ELECTRIC COMPANY necessary wires, cables and fixtures

and all said wires and cables shall be placed at a height of not less than 18 feet from the ground at highway crossings, and not less than 16 feet from the ground elsewhere.

The following are public ways or parts of ways along which the poles above referred to may be erected, and the number of poles which may be erected thereon under this order:

Winslow Street, -install 1 new pole to provide electric service to 44 and 48 Winslow Street

Also that permission be and hereby granted to each of said companies to lay and maintain underground cables, conduits, wires, and necessary equipment in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each may desire for distributing purposes.

I hereby certify that the foregoing order was adopted at a meeting of the Board of Selectmen for the Town of Provincetown, Massachusetts held on the \_\_\_\_\_ day of \_\_\_\_\_ 2014.

\_\_\_\_\_  
Clerk of Selectmen.

We hereby certify that on \_\_\_\_\_ 2014, at \_\_\_\_\_ o'clock,  
\_\_\_\_\_ M. at \_\_\_\_\_ a public hearing was held on the  
petition of the

**NSTAR ELECTRIC COMPANY  
VERIZON NEW ENGLAND INC.**

for permission to erect the poles, wires, cables, fixtures and connections described in the order herewith recorded, and that we mailed at least seven days before said hearing a written notice of the time and place of said hearing to each of the owners of real estate (as determined by the last preceding assessment for taxation) along the ways or parts of ways upon which the Companies are permitted to erect poles, wires, cables, fixtures and connections under said order. And that thereupon said order was duly adopted.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
**Board of Selectmen  
The Town of Provincetown,  
Massachusetts**

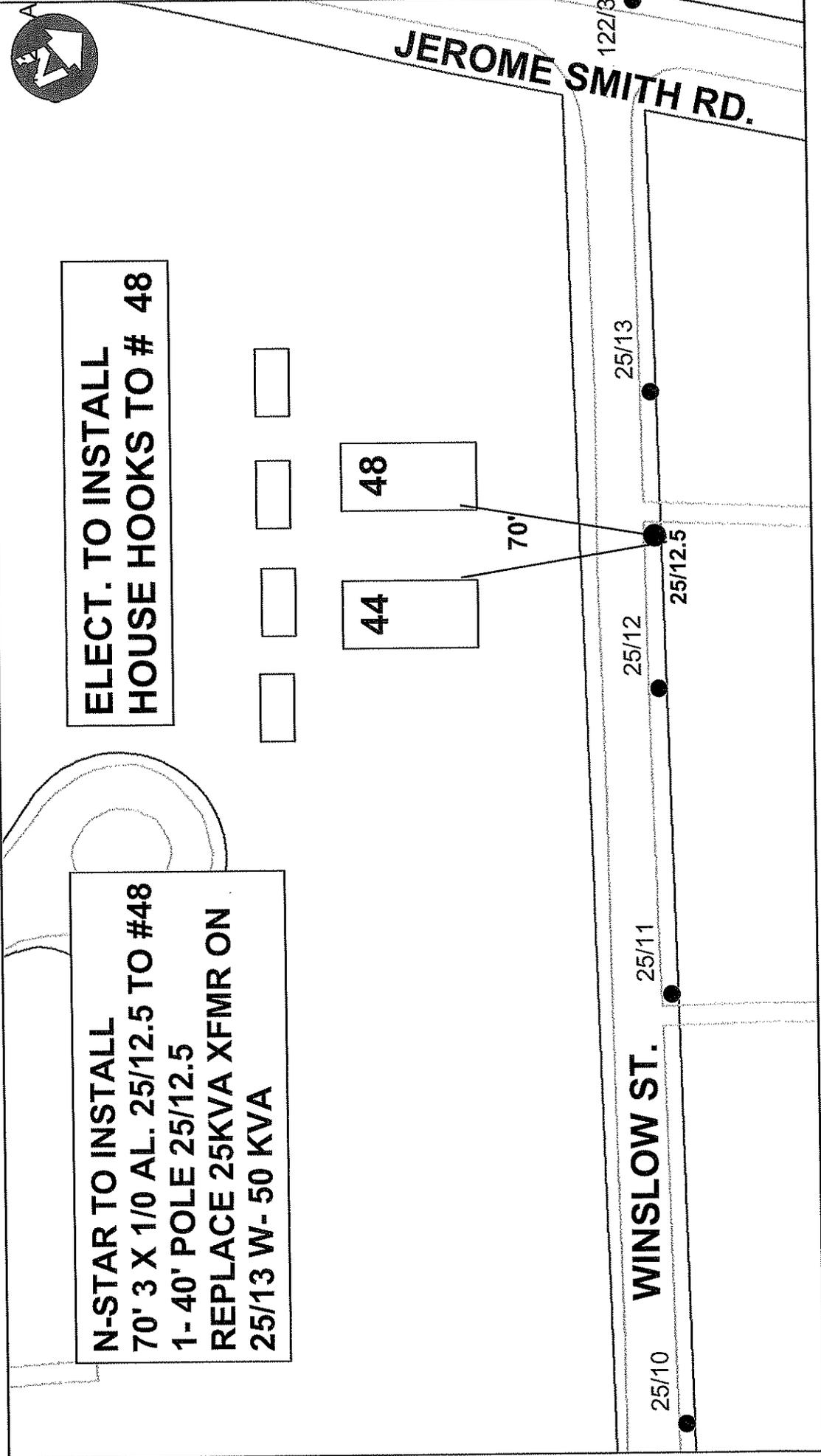
**CERTIFICATE**

I hereby certify that the foregoing is a true copy of a joint location order and certificate of hearing with notice adopted by the Board of Selectmen for the Town of Provincetown, Massachusetts, on the \_\_\_\_\_ day of \_\_\_\_\_ 2014, and recorded with the records of location orders of said Town, Book \_\_\_\_\_, Page \_\_\_\_\_. This certified copy is made under the provisions of Chapter 166 of General Laws and any additions thereto or amendments thereof.

Attest:

\_\_\_\_\_  
Town Clerk.

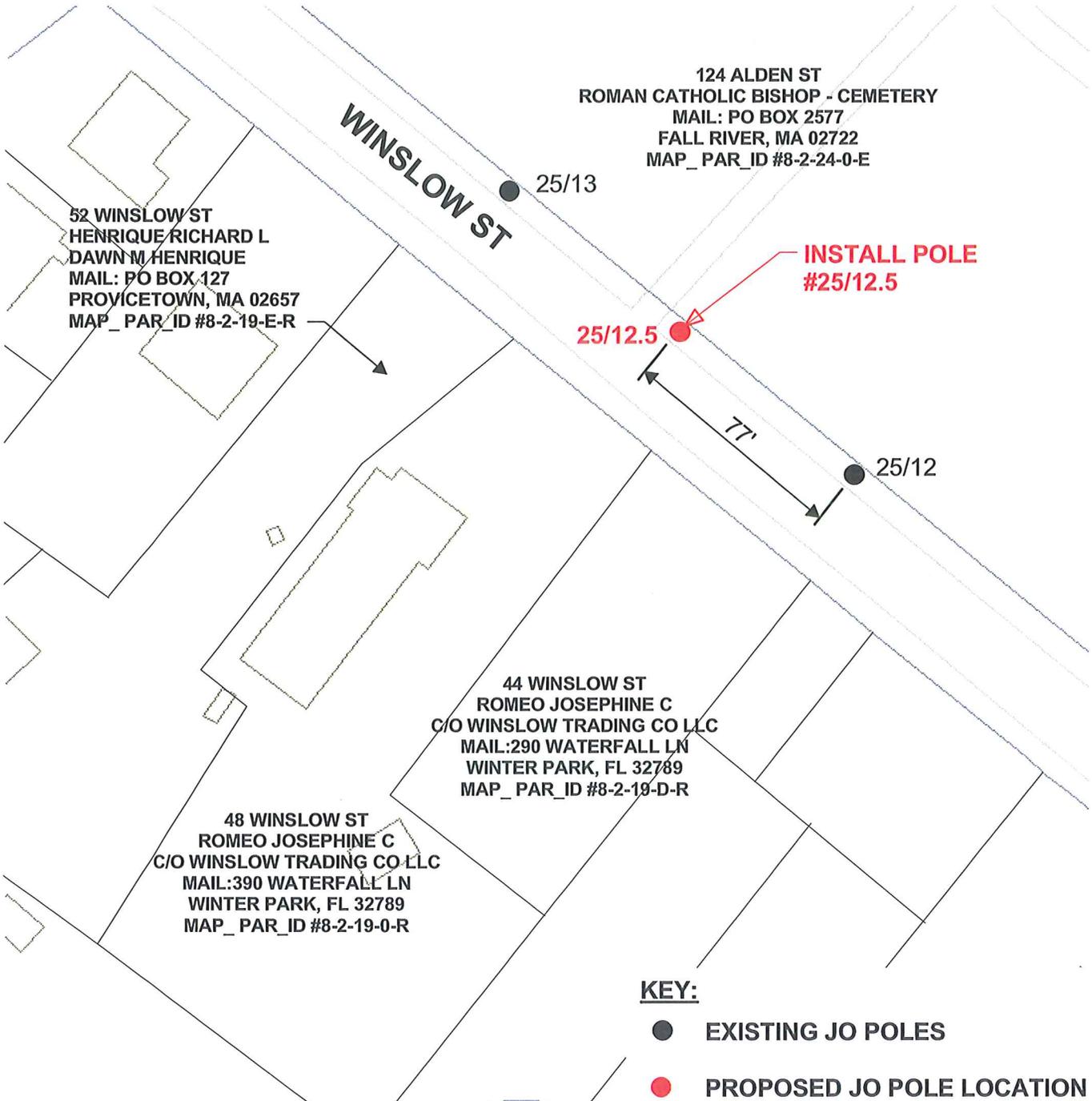
Service Address: <b>48 WINSLOW ST</b>	City: <b>PROVINCETOWN</b>	Page Number: 1 of 1 Pages	Auth. No.	Work Order Number: 1991017
Customer's Name/Title: <b>48 WINSLOW ST</b>	Prepared by: <b>TIM WALL</b>	Date: <b>4-2-14</b>		
Sales Representative: <b>JIM SAVKO</b>	<b>NEW UG SERVICE POLE &amp; XFMR</b>			
Electrician: <b>JIM=508-400-8936</b>	Circuit Number: <b>4-96-675</b>			
Switch Size: <b>400 AMP</b>	TLM: <b>450355</b>			
	Secondary Sheet Number:			



TOWN <b>PROVINCETOWN</b> 48 WINSLOW ST	DATE <b>APRIL 10, 2014</b>	PLAN NO. <b>103788 - W/O# - 1991017</b>
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Plan to accompany petition of  
**NSTAR ELECTRIC COMPANY**  
**AND**  
**VERIZON NEW ENGLAND, INC**

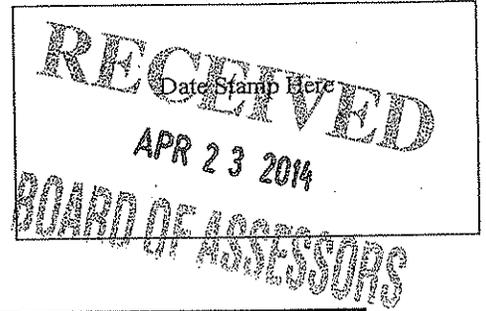
For PROPOSED JO POLE LOCATION



**ASSESSORS MAP #8-2**      **ALL PARCEL LOT LINES ARE APPROXIMATE**

Labels to  
MARY TIMMONS

Fee Paid: \$	_____
Cash	_____
Check	_____
Entered in Log	<i>Conry</i>



Town of Provincetown  
DMF/Assessors  
CERTIFIED ABUTTERS LIST

Person Making Request	<i>NSTAR</i>		
Address			
Phone (Home)		Phone (Work/Bus)	

Property Location (Street Address)	<i>48 Winslow</i>
Map/Parcel Number	<i>8-2-19, 19-E</i>

Board of Submission	Criteria	Check One	Board of Submission	Criteria	Check One
Board of Health	Immd. Abutters	<input type="checkbox"/>	Licensing Board	75 Feet	<input type="checkbox"/>
Cape Cod Commission	Immd. Abutters	<input type="checkbox"/>	Planning Board	300 Feet	<input type="checkbox"/>
Conservation Commission	100 Ft	<input type="checkbox"/>	Pole Hearing	Immd. Abutters	<input checked="" type="checkbox"/>
Curb Cut	Immd. Abutters	<input type="checkbox"/>	Zoning Board of Appeals	300 Feet	<input type="checkbox"/>
Historic District Commission	75 Feet	<input type="checkbox"/>	Liquor License	500 Feet Sch/Church	<input type="checkbox"/>

**Certification**

I certify to the Board of Submission (see above) that the following list contains all parties in interest and their addresses, as set forth in Massachusetts General Laws, c 40A, § 11, consisting of persons who are owners of land immediately abutting the above-identified property, owners of land directly opposite said property on any street or way, abutters to abutters within (see above criteria) feet of the said property, and/or parties in interest, all as they appear on the most recent applicable tax list.

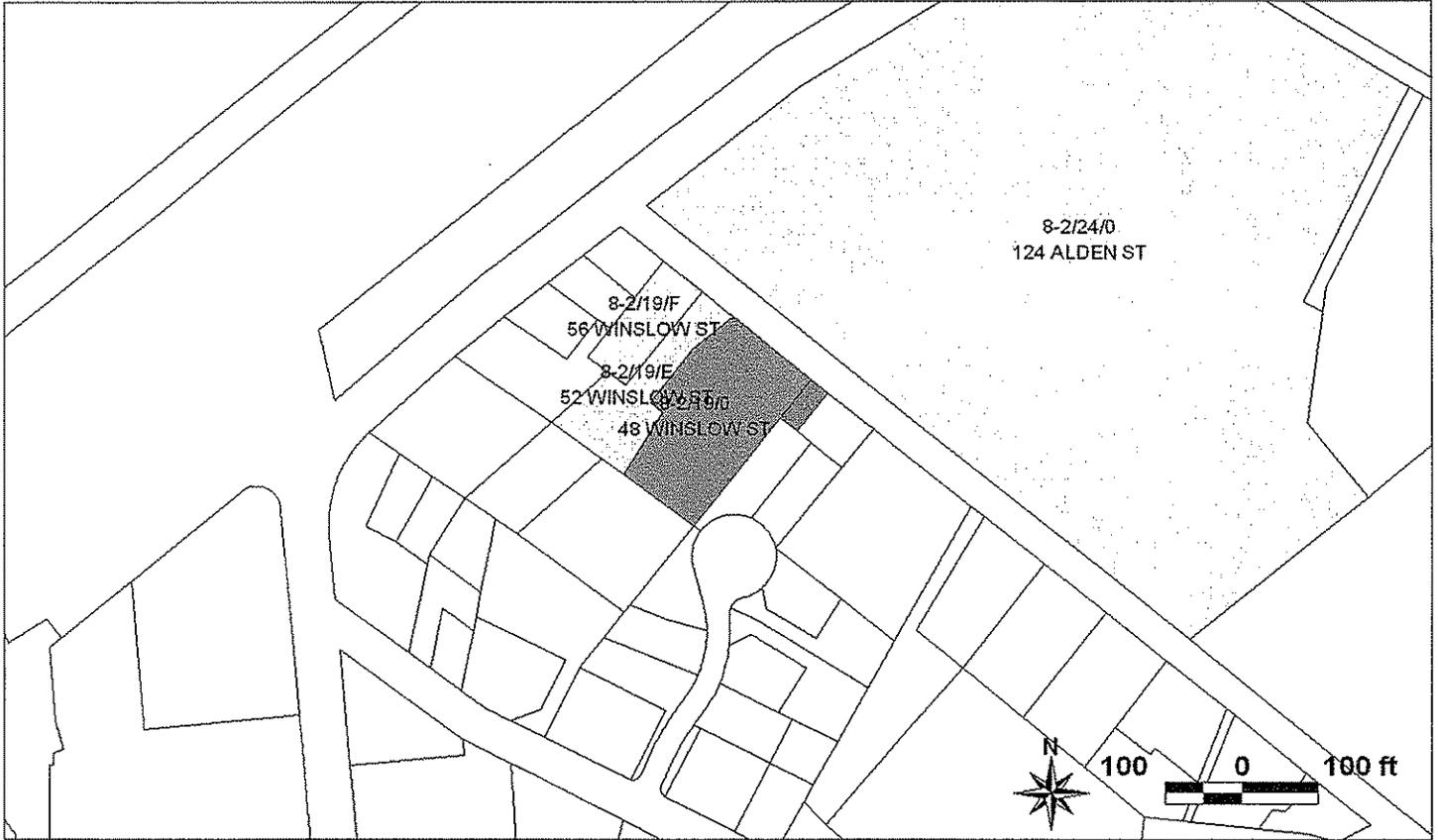
This certification shall be valid for a period of thirty (30) days from date of process.

*Paul M Gavin*  
Paul M Gavin  
Principal Assessor

(We have ten days to process request)

TOWN OF PROVINCETOWN, MA  
 BOARD OF ASSESSORS  
 260 Commercial Street

Custom Abutters List



Key	Parcel ID	Owner	Location	Mailing Street	Mailing City	ST	ZipCd/Country
1637	8-2-18-A-R	STEELE ABS REALTY TR ANNA BARBARA STEELE TTEE	40-A WINSLOW ST	C/O WILLIAM STEELE 4 PEBBLE BROOK RD	ATKINSON	NH	03811
1643	8-2-19-E-R	HENRIQUE RICHARD L DAWN M HENRIQUE	52 WINSLOW ST	PO BOX 127	PROVINCETOWN	MA	02657
1644	8-2-19-F-R	LAVECCHIA FRANCESCA ET AL MARY DEROCO	56 WINSLOW ST	56 WINSLOW ST	PROVINCETOWN	MA	02657
1652	8-2-24-O-E	ROMAN CATHOLIC BISHOP OF FALL RIVER	124 ALDEN ST	PO BOX 2577	FALL RIVER	MA	02722



Provincetown Board of Selectmen  
**AGENDA ACTION REQUEST**  
May 27, 2014

2A

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## PUBLIC STATEMENTS

Requested by: Board of Selectmen

Action Sought: Open

Proposed Motion(s)

Five minutes maximum. Selectmen do not respond during Public Statements.

Additional Information

Board Action

<i>Motion</i>	<i>Second</i>	<i>Yea</i>	<i>Nay</i>	<i>Abstain</i>	<i>Disposition</i>



Provincetown Board of Selectmen  
**AGENDA ACTION REQUEST**  
May 27, 2014

3A

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## SELECTMENS STATEMENTS

Requested by: Secretary to BOS, Mary Timmons

Action Sought: Discussion

### Proposed Motion(s)

*Motions may be made and votes may be taken.*

**Bobby Anthony**

**Raphael Richter**

**Erik Yingling**

**Cheryl Andrews**

**Tom Donegan**

### Additional Information

### Board Action

<i>Motion</i>	<i>Second</i>	<i>Yea</i>	<i>Nay</i>	<i>Abstain</i>	<i>Disposition</i>

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Provincetown Board of Selectmen  
**AGENDA ACTION REQUEST**  
May 27, 2014

4A

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## Cape Cod National Seashore Park Superintendent George Price Update

Requested by: George Price

Action Sought: Update

### Proposed Motion(s)

### Discussion Dependent

### Additional Information

Cape Cod National Seashore Park Superintendent George Price will provide an updated report.

### Board Action

<i>Motion</i>	<i>Second</i>	<i>In favor</i>	<i>Opposed</i>	<i>Disposition</i>



Provincetown Board of Selectmen  
**AGENDA ACTION REQUEST**  
May 27, 2014

4B

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## JOINT MEETING LIBRARY BOARD OF TRUSTEES

Requested by: Library Board of Trustees

Action Sought: **Approval**

### Proposed Motion(s)

**Move that the Board of Selectmen vote to appoint Stephen Desroches as a regular member of the Library Board of Trustees with a term to expire on May 5, 2015.**

### Additional Information

See Attached application.

### Board Action

<i>Motion</i>	<i>Second</i>	<i>Yea</i>	<i>Nay</i>	<i>Abstain</i>	<i>Disposition</i>

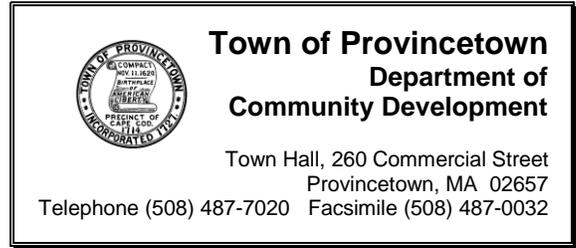
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**To:** David Gardner, Acting Town  
Manager

**From:** Russell Braun  
Building Commissioner

**Date:** April 25, 2014

**Subject:** Library Storage Building



## MEMORANDUM

On April 16, 2014 Local Building Inspector Anne Howard, Health Agent Brian Carlson and I visited the subject property to determine, based solely on visible and other detectible evidence, whether there was cause to deem the space unsafe. The space had also been viewed by Eric Larsen, Deputy DPW Director, on a prior visit. Our collective findings are as follows:

There are a number of significant structural issues that are concerns although nothing that we saw indicated imminent failure. What we did see was a pervasive presence of mold and/or mildew. The reasons for this could be many but one thing is certain – water is infiltrating the building and there are multiple obvious ways that water is getting in and no way to control it once it does.

There are grading issues around the building that have caused cracking in the upper courses of block most likely due to frost heave. Rotted doors and door frames in the basement allow water into the basement. Poorly drained window wells do the same. Unknown is whether or not there exists damp-proofing on the exterior of the basement wall but, regardless, the presence of moisture in the basement will cause vapor pressure to force moisture to migrate throughout the building.

Due to pressure differentials on opposite sides of buildings during high wind and rain events, it is common, in our environment, that moisture is literally sucked into buildings if exterior building envelopes are not carefully sealed. On the main level there are through-cracks in the masonry and cracks around the doors and windows where one can see daylight. This is where air, and consequently moisture, can freely pass. The area between the top of the masonry and the roof is wood framed and finished on the outside with T-111 plywood siding which has visible holes and gaps at joints. And then there is the masonry itself. It is single thickness concrete block that is unpainted and probably not sealed. Therefore, at this point the masonry is a sponge. I suspect that there is currently high moisture content in the block. Remember, these are things that we saw on a 30 minute purely visual inspection. No probing was done nor testing of materials conducted. I suspect that what we saw was a fraction of the problem.

As individuals we can decide whether or not such a building should be used if it were our own. It is, however, a public building and as such should not be used by the public until such a time as the mildew/mold is remediated, the existing moisture is brought under control and steps are taken to “tighten” the building to ensure a proper interior environment for building’s intended use.

I have asked to opine as to the cost of doing the necessary work to make the building safe or whether it is more cost effective to replace it. I will leave that job to others. I don’t wish to post the building and will leave it to the Town’s good graces not to use the space. If we find that the space continues to be used we will post an “UNSAFE” placard on the building.



## PROVINCETOWN DEPARTMENT OF PUBLIC WORKS

# Memo

To: Board of Selectmen  
From: Eric L. Larsen  
Cc: Richard J. Waldo; David Gardner, Acting Town Manager  
Date: May 22, 2014  
Re: **Public Library Outbuilding Assesment**

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Upon discovering the deteriorating condition of the Library outbuilding, the Department of Public Works has been in contact with the Building Commissioner to assist in overall evaluation of the structure. Following our inspection, there was sufficient evidence that there were some substantial structural issues with the foundation and building shell. Just as concerning, there is a substantial amount of mold present in the actual book storage area.

Working in conjunction with Library personell, the Department of Public Works contacted a mold testing and remediation contractor as well as a Structural Engineer. The mold testing was performed Thursday May 15 and the structure was evaluated Wednesday May 21. We are currently waiting on the mold test results, a remediation plan and the structural evaluation report which will aid in the decision making process as to the future of this building.



**TOWN OF PROVINCETOWN**

**Application for Town Board Membership**

Name: Stephen Desroches

Resident Address: 42 Pearl St. Please type or print Provincetown, MA 02657

Mailing Address (if different): \_\_\_\_\_

Telephone #: 508-954-9703 Work # (\_\_\_\_) \_\_\_\_\_

Email address: skd-us@yahoo.com

Please consider this as my application for [ membership [ ] reappointment on the following Town Board(s). (Please list order of preference.)

1. Board of Library Trustees
2. \_\_\_\_\_
3. \_\_\_\_\_

Listed below are the applicant's skills, experience, background, or other factors which would contribute to these committees:

- B.A. Wheaton College / MS. Columbia University
- Former intern @ Martha's Vineyard Museum (which has library)
- volunteer @ various libraries, museum and archives

I hereby certify that I am a resident of the Town of Provincetown.

Steph Desroches 5 May 2014  
Signature of Applicant Date

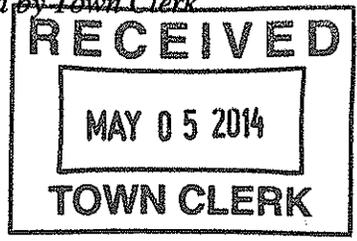
**TO THE APPLICANT: FILE COMPLETED FORM WITH THE TOWN CLERK**

Town Clerk Certification: Applicant is a registered voter:  
 Yes  No  
D. Johnston  
 Name of Town Clerk

This application will remain on file in the Town Clerk's Office for 364 days from the date received.  
 Application Termination Date: 5/4/2015

Date Received by Board of Selectmen

Date Received by Town Clerk





*Certificate of Appointment*  
**Town of Provincetown**  
PROVINCETOWN, MASSACHUSETTS 02657

To: Stephen Desroches  
42 Pearl Street  
Provincetown, MA 02657

Date: May 27, 2014  
Phone: 508-954-9703  
Email: skd-us@yahoo.com

In accordance with the Charter of the Town of Provincetown adopted by the voters on April 17, 1990,  
You are hereby appointed a member of Provincetown Library Board of Trustees  
For and within the Town of Provincetown for a term expiring May 5, 2015 or until your  
successor is chosen and qualified.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Library Board of Trustees

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Board of Selectmen

Barnstable, ss.

Date: \_\_\_\_\_

Personally appeared the above-named Stephen Desroches appointee to the office of  
Library Board of Trustees and took the oath necessary to qualify him/her for said office.

\_\_\_\_\_  
TOWN CLERK

I hereby accept this appointment.

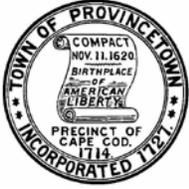
\_\_\_\_\_  
SIGNATURE OF APPOINTEE

I acknowledge that the Town Clerk has provided me with a copy of the Massachusetts General Law 268A§ 23  
Supplemental Provisions; Standards of Conduct.

\_\_\_\_\_  
Signature of Appointee

**TO THE APPOINTEE:** RETAIN ONE COPY AS PROOF OF APPOINTMENT AND PRESENT ORIGINAL TO THE TOWN CLERK FOR  
PROCESSING. IF NOT ACCEPTED WITHIN 30 CALENDAR DAYS THIS POSITION WILL BE CONSIDERED VACANT.

Library Board of Trustees				
	First	Last	Position	Term End
1	Donna	Valliancourt		May-15
2	Evelyn	Kratz	Chair	May-15
3	James	Johnson		May-17
4	Mark	Westman		May-17
5	AP 3/25/14			May-16



Provincetown Board of Selectmen  
**AGENDA ACTION REQUEST**  
May 27, 2014

4C

**JOINT MEETING COMMUNITY HOUSING COUNCIL**

**Provincetown Community Housing Council Activities including Community Center RFP Process**

Requested by: Community Housing Council

Action Sought: Update

Proposed Motion(s)

**Discussion Dependent**

Additional Information

See Attached Housing Action Plan

Board Action

<i>Motion</i>	<i>Second</i>	<i>Yea</i>	<i>Nay</i>	<i>Abstain</i>	<i>Disposition</i>

# HOUSING ACTION PLAN

Provincetown  
Massachusetts

Prepared by  
John J. Ryan, Principal  
DEVELOPMENT CYCLES

Prepared for the  
Town of Provincetown

March 2014

**PROVINCETOWN HOUSING ACTION PLAN**

March 2014

A group of Provincetown officials, citizens and stakeholders came together on December 9, 2013, January 10, 2014 and again on February 28, 2014 to prepare a plan of actions that address Provincetown's housing needs. The individuals listed in Appendix A presented the following list of recommended actions to the Provincetown Community Housing Council (CHC). The CHC in turn voted to accept these recommendations; to present the Housing Action Plan to the Provincetown Board of Selectmen; and to ask the Board of Selectmen to endorse the actions herein and provide ongoing support to see these actions implemented.

## **PURPOSE**

The motivation to undertake the following Housing Actions comes out of a deep-felt desire to sustain Provincetown as a thriving year-round community that provides safe, secure and affordable housing for year-round and seasonal residents who work in town, for businesses looking for the stable population and housing base needed to expand the community's year round economy, for families hoping to raise their children here, and for seniors hoping to stay in the community as they age.

## **PROBLEM STATEMENT**

The unique characteristics of Provincetown's restricted land base, its low-wage seasonal economy, and the attractiveness of its housing for seasonal use, are steadily eroding the town's capacity to sustain itself on a year-round basis. The community-housing problem is long-standing and is inherent in these conditions. There are no easy solutions. What is needed, and what those assembled to create this plan bring, is a sense of urgency; a common commitment to do whatever is needed to sustain a viable, diverse year-round community; and the steady commitment to increasing the stock of housing that serves the needs of the community. See Appendix B for the 2013 Provincetown's Housing Needs Assessment.

## **APPROACH**

There is no one entity in Town that can ensure that these actions happen any more than there is any one entity that can ensure that Provincetown remains a viable year-round community. Ultimately everyone's help is needed: renters and homeowners, young and old, individuals and families, government officials, seasonal residents, realtors, housing developers, and local employers. Everyone is a stakeholder in this endeavor. The actions listed in this document have identified a number of existing entities that can carry forward the actions recommended. In other cases, new entities will need to form to do the work needed. This plan envisions a network of diverse groups working in concert to accomplish these

individual actions and others that will follow. The Provincetown Community Housing Council (CHC) offers to serve as the hub for that network: facilitating communications between the network partners; engaging ever-broader participation; and monitoring, evaluating and communicating progress on multiple fronts.

## **KEY LEVERAGE AREAS**

Seven leverage areas focus and organize these proposed actions. These are the key places where community efforts can leverage large changes in the town's capacity to meet its Affordable and Community Housing goals as defined in the zoning by-laws. The seven areas include:

1. Education
2. Affordable and Community Housing Development and Redevelopment
3. Getting the Incentives Right
4. Slowing the Loss of Year-Round Rental Stock
5. Engaging the Second Home Community
6. Connecting Owners and Renters
7. Funding the Effort

## **TARGETS**

When faced with a large and difficult challenge like this, it is important to aim for real and positive change that can be measured year-to-year. With that in mind, the proposed actions are intended to help meet two numeric targets:

- **We set a target of doubling the number of Affordable and Community Housing units from 200 to 400 by 2025** (see Appendix B);
- **Each year from 2014 to 2025, our target is to add more units of Affordable and Community Housing than the number of housing units lost to condominium conversion**
- **We set a short-term target of achieving a 10 percent level of the state's Subsidized Housing Inventory by 2017.**

This will require a broad array of micro- and larger scale, as well as both short-term and permanent additions to the town's Affordable and Community Housing stock. The nature and severity of the Affordable and Community Housing need demands flexibility of approach to meet the scale of these targets.

## ACTIONS

The following identify specific actions within each leverage area aimed to achieve the targets of this 2014 Affordable and Community Housing Action Plan.

### 1. EDUCATION

This leverage point is critical to the success of all the others. Education covers a range of ongoing actions needed to communicate the nature of the housing situation in Provincetown and its impact on the sustainability of the year-round community. Education includes the sharing of accurate information about the progress of efforts to address the problem. This leverage point includes engaging parts of the community (such as the young, families, renters, employers and the like) who are the “real faces” of this problem and whose involvement will promote positive change, as well as communicating with other sectors of the community whose concerns may be impeding progress.

**Action 1.1. Task the Provincetown Community Housing Council (CHC) to develop a broad housing education plan to identify key audiences, including second-homeowners, engage key opinion leaders, develop the networks to communicate information, craft effective messages to communicate the importance of this issue, and develop methods for providing information to key audiences on a regular and as needed basis.**

**Action 1.2. Task the CHC with educating the community by identifying and publicizing a resource/point of contact for anyone experiencing discrimination based on race, color, sex, sexual orientation, national origin, religion, disability, marital status, ancestry, veteran status, children, age, family makeup, or those who are protected by the Fair Housing Law.**

The CHC may serve at first only to convene this effort and ensure that a plan develops in a timely fashion. The CHC will serve as the hub in implementing this plan through many other organizations.

### 2. AFFORDABLE AND COMMUNITY HOUSING DEVELOPMENT& REDEVELOPMENT

In order to address the scale of the community-housing need, Provincetown will need to support new project-scale developments, as well as reuse of existing structures, and micro-developments aimed at creating as little as one unit at a time. Given the limited opportunities to develop land or existing structures, the focus should be on dedicating as much of these limited resources to Affordable and Community Housing purposes. Key actions include:

**Action 2.1. Task the Provincetown Housing Authority (PHA) with accelerating its efforts to expand Maushope Senior Housing.**

The PHA has been working on the development of an additional 16-19 units of senior housing to the existing Maushope project. The need for additional acquisition and state financing represent key hurdles to making this happen. Highlighting this action is a way of providing support and encouragement for the PHA to accelerate to make this happen. The CHC invites the PHA to use the Council as a resource to address their development challenges.

*[Note: A Massachusetts Community Development Block Grant was submitted for \$800,000 on 2/14/14 for a sewer connection and for planning funds to allow for expansion. Awards may be announced in June 2014.]*

**Action 2.2. Task the Provincetown Board of Selectmen (BOS) and the town's state legislative delegation to support Community Housing Resource's effort to accelerate the development of Stable Path, a 23-unit rental project proposed off Race Point Road.**

Stable Path is a proposed 23-unit rental development located off Race Point Road. The developer Community Housing Resource, Inc. (CHR) secured \$540,000 in Community Preservation Act (CPA) funding in 2009. The Community Housing Council also approved an additional \$175,000 in Provincetown Affordable Housing Trust Funds on 7/18/13. The project remains in the funding pipeline with the MA Department of Housing & Community Development (DHCD). The Board of Selectmen approved a strong letter of support on 2/24/14. CPA funds committed by the CPC and Town Meeting are a critical piece of the funding and must remain committed. There is the need for the BOS and the state legislative delegation to continue support for and lobby to accelerate the funding to develop this project.

**Action 2.3. Task the CHC with inviting the Cape Cod chapter of Habitat for Humanity to partner with them to identify and create new housing opportunities using Habitat for Humanity in Provincetown.**

Habitat for Humanity is active in Truro and several other Cape communities. In addition to offering a well-proven model for creating small-scale additions to Affordable and Community Housing, Habitat for Humanity is often a highly effective generator of community participation and engagement in the challenges of affordable housing generally.

**Action 2.4. Task the Board of Selectmen with requesting from the Town's Housing Specialist an updated assessment of the development potential of existing town-owned land and buildings for creation of Affordable and Community Housing.**

This assessment should consider the potential for a land swap involving the school departments land at Motta Field as well as the ability of the Town to apply for CDBG funds for infrastructure improvements to support development of town owned parcels for Affordable and Community Housing purposes.

**Action 2.5. Task the CHC with inviting local employers, town officials, and developers to discuss the potential development of seasonal workforce housing that could include utilization of the Grace Gouveia building (if available) or Old Community Center among its options.**

*[NOTE: Proposals have been received by the Town and are under review that may meet this action step.]*

**Action 2.6. Task the CHC to invite the Provincetown Chamber of Commerce, the Provincetown Business Guild, the Provincetown Visitors Service Board, and the business community to discuss a meaningful assessment of the need for seasonal housing.**

### 3. GETTING THE INCENTIVES RIGHT

Provincetown has tried a number of incentives to promote using existing structures as Affordable and Community Housing additions, but to date the utilization of these incentives remains low. Participants at the housing summit recognized that when created the goal of these incentives was to create long-term affordability covenants in exchange for the tax or use relief offered. Given the under-utilization of these incentives and the critical need for even short- and medium-term increases in affordable rental stock, the length and character of the restrictions need to better match the willingness of residents to utilize them. As part of an overall plan to reduce owners' reluctance to renting to seasonal and year-round residents, the next set of actions ask the Planning Board to adjust the incentives to promote greater utilization.

**Action 3.1. Task the Provincetown Planning Board with amending appropriate articles of the Zoning By-law that affect the permitting of accessory units by changing the 20-year deed restriction to a shorter-term contract with the Town. Accessory units are allowed under zoning by-law section 4800. As part of this action, task the Provincetown Community Preservation Committee (CPC) with proposing the use of CPA funds to contract for outreach and administration of units in program.**

**Action 3.2. Task the Board of Selectmen to adopt a policy authorizing eligibility under the current Property Tax Exemption program [Chapter 408 of the Acts of 2002] to allow for eligibility up to 80% AMI [Area Median Income] in a manner that reflects the**

need across a range of eligible incomes. This increase from the current 60% AMI will allow for greater incentives to allow for greater participation.

**Action 3.3. Task the Planning Board with reviewing the existing special permits, sub-division approvals, and zoning by-laws for language that prevents or discourages the use of any residential property for year-round rental and provide a plan of action to remove those discouragements.**

Certain special permits and sub-division approvals may contain language that prohibits rentals. An effort to identify those restrictions and where possible eliminate or work around them would remove both a real and perceived hindrance to making more year-round rentals available.

**Action 3.4. Task the Planning Board with examining ways to allow accessory dwelling to be separate from OR attached to a main building, if such dwellings are used expressly for year-round Affordable and Community Housing.**

**Action 3.5. Task the Town Planner to identify the mechanism that would allow for forgiveness of sewer betterment and other permitting fees when “Affordable and Community Housing” units are created.**

**Action 3.6. Task the CHC and CPC with working together to create a mechanism to subsidize the cost of rehabilitation done for the purpose of using existing structures to increase Affordable and Community Housing options.**

**Action 3.7. Task the BOS with updating the Local Comprehensive Plan (LCP).**

#### 4. SLOWING THE LOSS OF YEAR-ROUND RENTAL STOCK

While the Town of Provincetown has been sincerely committed to filling the bucket of Affordable and Community Housing options, the steady conversion of multi-family residences to seasonal condominiums represents a hole in that bucket. Though the creators of this plan understand that this is a politically charged and legally sensitive issue, to do nothing to stem the loss of these units seems untenable. The following actions seek to explore what can be done within the framework of state law to stem the loss of multi-family units in this way; and also to explore whether there may be some way for the process of condo-conversion to be diverted to serve Affordable and Community Housing needs more effectively.

**Action 4.1. Task the BOS with authorizing legal counsel to prepare a report on legal avenues to reducing the conversion of residential properties to condominiums except where those conversions add to the stock of year-round, Affordable and Community Housing.**

**Action 4.2. Based on the report from Town Counsel (Action 4.1), task the Planning Board with amending the applicable provisions of the zoning bylaw relating to condominium conversions to reduce the rate of conversion of residential properties to condominiums except where those conversions add to the stock of year-round Affordable and Community Housing.**

**Action 4.3. Task the Planning Board and Zoning Board of Appeals to give priority in decisions for year-round affordable and community housing units when determining community benefit in the granting of Special Permits and Site Plan Approvals.**

It will be important for the BOS, in its appointing authority, to ensure promotion of this action.

**Action 4.4. Task the CHC with inviting local realtors and condo-conversion development specialists to engage in discussions over the potential for the condo-conversion process to create Affordable and Community Housing rather than reduce the stock of year-round housing available.**

Local developers and realtors use condominium conversion law to meet the needs of vacation-home buyers. If even one Realtor or developer was willing to put their considerable skill and experience to using the condo-conversion process to help resolve the problem, it would create a partnership that could utilize the financial and political support to compete more effectively when properties became available for conversion.

## **5. ENGAGING THE SECOND HOME COMMUNITY**

In community housing consultant John Ryan's view, Provincetown's second home community holds the key to the town's future, for better or for worse. This element of the community possesses organizational capacity, political influence, and financial means far beyond what exists among the town's year-round residents. By tapping a common love for the community and what it stands for; understanding and respecting each others' needs and motivations; and creating meaningful opportunities to deepen a sense of belonging and investment in the community, residents can ensure that their influence creates a better Provincetown. No investment in time or effort; no change in policy or shift in tax burden has greater potential to address Provincetown's Affordable and Community Housing need than a sincere investment in making second homeowners true partners in the community.

**Action 5.1. Task the CHC, the PHA and the Council on Aging (COA), with beginning a dialogue with the Provincetown Part-time Resident Tax Payers Association (PPRTPA) and other second homeowners about the critical housing issues that Provincetown faces and to discuss ways that the second home community could engage more**

**meaningfully in helping realize a thriving year-round community that addresses the core interest of both seasonal and year-round residents.**

Such discussions are already underway but need to remain a focus of the CHC until such time as an entity emerges with the specific mission of fostering partnership between the year-round and second home communities.

**Action 5.2. Task the CHC, BOS and the leadership of the (PPRTPA) and other second homeowners with exploring the possibility of holding a community gathering with its second home community (similar to that done in Eastham), sometime in the summer of 2014, that includes a community forum intended to kick off a concerted effort to engage the second home community in helping realize the town's vision for a viable year-round community, especially as it relates to Affordable and Community Housing needs.**

This action is a time-sensitive and thus prioritized part of that dialogue.

**Action 5.3. Task Provincetown's Housing Specialist with examining appropriate vehicles including the Affordable Housing Trust Fund to deliver tax-deductible benefits for any charitable giving that may arise from partnership with the second home community.**

One motivation for building a stronger partnership with the second-home community is to seek their financial help in addressing the cost of creating community-housing opportunities. This action ensures that an effective structure exists to seek and receive charitable giving.

## **6. CONNECTING OWNERS AND RENTERS**

A series of cost-effective strategies can alleviate some of the stress in knowing whether a prospective tenant (or landlord for that matter) represents a good match. These strategies are aimed at speeding up the exchange of information, providing supports that help reduce the psychological barriers to opening up one's home to a stranger. The actions address needs of seasonal and year-round renters, older residents, and second homeowners differently, as follows:

**Action 6.1 Task the CHC with inviting CHR, the Cape Cod Landlords Association, the Connecting Owners and Renters Working Group, and PPRTPA to discuss the option of some new or existing entity serving to assist both potential homeowners looking to mitigate the risks of renting and to qualified renters seeking appropriate housing.**

This action is aimed at creating an entity to deliver incentives for potential landlords already in our midst with speedy education and access to resources, bureaucratic assistance and financial rewards, specifically:

- Streamline the renting process by acting as liaison between renters and potential landlords;
- Education: Providing programs for existing and prospective landlords;
- Referral: directing potential landlords to state resources, like the Cape Cod Landlord's Association, which offers seminars in vetting rental applicants and doing reference and credit checks;
- Matching: Establish a web-based matching program for renters and landlords to find each other, like a tenant adoption database; and
- Program Employees: Helping address the specific housing needs of J-1 and H2B employees.

**Action 6.2 Task the CHC with examining the viability of creating a fund-raised indemnity fund.**

This fund would help new second-home owners who take the initiative to rent seasonally or year-round to year-round residents recover at least some of the un-recouped costs resulting from damage caused by tenants.

**Action 6.3 Task the Connecting Owners and Renters Working Group and the CHC with identifying the issues, process and structure of establishing a home-sharing program.**

**7. FUNDING THE EFFORT**

There is the clear recognition that the cost of reaching these targets that are necessary to ensuring a viable year-round community is great. There is no single or even multiple sources of money at this point to fund this effort. The following actions represent a start in identifying new sources of financing needed to create community-housing opportunities in Provincetown going forward. The task of continuing to seek funding to make these actions happen will be ongoing.

**Action 7.1. Task the CHC, CPC, BOS and Provincetown Finance Committee with supporting a Town Meeting warrant article to once again reserve 60% of CPA funds for Affordable and Community Housing uses.**

Current restrictions provide that 10% of CPA funds be dedicated to affordable housing initiatives, 10% for historic preservation initiatives, 10% for open space/recreation initiatives and the remaining 70% undesignated and available for any category. While flexibility currently exists in utilizing 70% of CPA funds, it is suggested that the allocation of CPA funds to affordable housing initiatives be maximized. It is understood that this initiative is already in process.

**Action 7.2. Task the CHC, BOS and Provincetown Finance Committee with supporting a Town Meeting warrant article to reserve the revenue from any expansion of the rooms tax or the realization of any real estate transfer tax to be dedicated to Affordable and Community Housing purposes.**

**Action 7.3 Task the CHC with soliciting interest in the creation of an organization dedicated to Affordable and Community Housing fundraising**

Currently, there are major fundraising events held during various times throughout the year. The principal beneficiaries include ASGCC, HOW and SKIP, each highly deserving organizations providing valuable services to the community. ASGCC and HOW also include an element of affordable housing within their mission. However, there is a lack of comparable fundraising events held which are devoted entirely to affordable housing. Consider, for example, the 2013 Halloween Beaux Arts Ball. While Town residents are among the attendees at this event, many attendees also come from outside the community. Such an event held for affordable housing initiatives could draw donor dollars from outside the community that are currently not being captured.

Another concept -- Adopt-A-Project -- envisions an initiative to combine community outreach with targeted, personalized fundraising projects. For example, a specific individual or family situation could be spotlighted, in a manner which protects their personal identity if appropriate. The spotlight could explain the current situation, the goal to be accomplished and the amount of money and effort it would take to reach that goal. By personalizing situations, it helps to "put a name or a face" to the housing crisis and can spur action and hopefully financial contributions that might not otherwise be made.

**Action 7.4. Task the Provincetown Town Manager with determining the feasibility of providing for a voluntary donation check box on property tax bills.**

## **APPENDICES**

Appendix A. Listing of Participants attending each Housing Summit meeting and those who voted on the Housing Action Plan approved on February 28, 2014

Appendix B. Provincetown's Community Housing Inventory, 2014

Appendix C. The 2013 Provincetown's Housing Needs Assessment prepared by John Ryan, Development Cycles

Appendix D. Matrix of Proposed Housing Actions

# Provincetown Housing Action Plan

## APPENDIX A

### Attendees at Housing Summit 1/10/14 and/or Follow-up Meeting 2/28/14

	Ainikki- Helena	Riikonan		Mary-Jo	Avellar
V	Amy	Davies		Maureen	Hurst
	Andrea	Lavenets		Maxine	Smith
	Andrew	Nelson		Michelle	Genova
V	Ann	Maguire	V	Michelle	Jarusiewicz
	Ann	Wood	V	Nancy	Jacobsen
V	Betty	Williams	V	Nancy	Lynch
	Bill	Meadows		Norman	Barry
	Candace	Collins-Boden		Pamela	Haley
	Carl	Brotman		Patrick	Manning
	Cass	Benson		Paul	Ruchinskis
V	Catherine	Russo		Polly	Burrell
V	Char	Priolo		Rachel	Butler
	Cheryl	Andrews		Raphael	Richter
V	Chris	Hottle	V	Rev Brenda	Haywood
	Chris	Morin		Richard	Kapler
	David	Gardner		Robert	Jason
V	David	Lupone		Sally	Brotman
	David	McChesney	V	Sarah	Bailey
V	Dian	Hamilton		Shira	Kavon
V	Donna	Szeker	V	Stephen	Milkewicz
	Duane	Steele		Susan	Avellar
	Elaine	Anderson	V	Susan	Cook
	Erik	Yingling	V	Ted	Malone
	Francis	Santos		Tiffany	Crain
	Gloria	McPherson	V	Tom	Bifani
	Jack	Horner		Tom	Donegan
	Jennifer	Cabral		Vida	Hamnquist
	John	Economos			
	John	Ryan			
V	Kate	Wilkinson			
V	Khristine	Hopkins			
V	Kitty	Cotter			
V	Kristin	Hatch			
	Lorraine	Kujawa			
V	Louise	Silver			
	Maggie	Flanagan			
	Marjorie	Sanson			
	Mark	Weinress			
V	Maria	Marelli			
	Mary	Abt			

V = voted on Action Plan on 2/28/14

**HOUSING ACTION PLAN**

**APPENDIX B**

***Provincetown Community Housing Units***

Massachusetts Department of Housing & Community Development			
<u>Chapter 40B Subsidized Housing Inventory</u>			
Town of Provincetown <i>as of 2/18/14</i>	2/1/2014 DHCD Certified		
Property	40B Units rental	40B Units ownership	Year end
Harry Kemp Way [Ch 667-1, Housing Authority]	24		perpetuity
Pearl/Court [Ch 705-1, Housing Authority]	5		perpetuity
Harry Kemp Way [Ch 705-2, Housing Authority]	4		perpetuity
214 Bradford Street [Foley House]	10		2036
27A Conwell Street	5		2017
Housing Rehab Program		7	2017-2021
35 Conwell St [Hensche estates]		7	2041
27 Nelson Avenue	2		2031
56 West Vine Street		1	2042
24 Captain Bertie's Way		5	2041
32 Conwell Street	18		2042
56B West Vine Street		1	2042
83 Shank Painter Rd	15		perpetuity
139 Bradford Street	1		2041
5 Fritz's Way [Habitat]		2	2053
122 Bradford St Ext [Meadows]	5	9	perpetuity
40A Nelson Ave	6		2103
54-58 Harry Kemp Way	4		2054
Herring Cove Village		3	perpetuity
90 Shank Painter Rd [Province Landing]	50		perpetuity
			<b>8.67%</b>
<b>total SHI units</b>	<b>149</b>	<b>35</b>	<b>184</b>

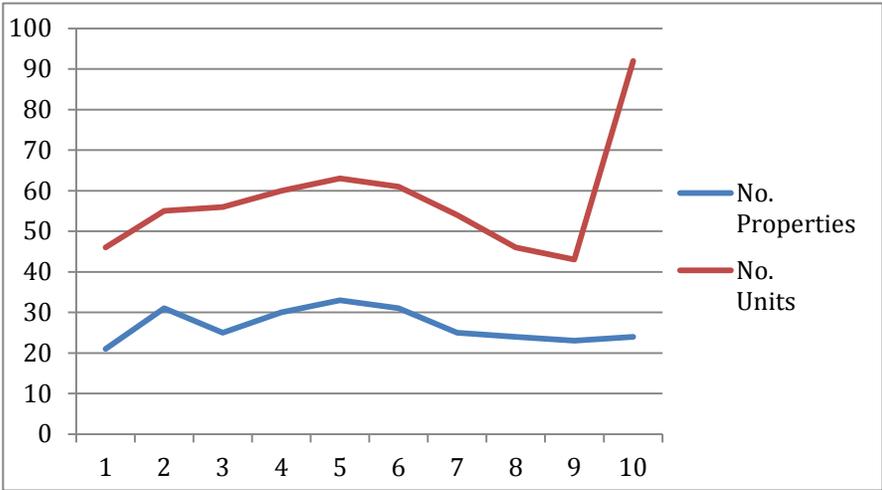
*Note that the SHI currently double counts 5 of the 83SP units*

<b>Deed Restricted Units NOT on SHI</b>			
48 Race Point Rd		1	perpetuity
68 Race Point Rd		1	perpetuity
34- 36 Conwell St		1	2045
CEM Care Campus	9		perpetuity
Sandy Hill		4	
<b>total non-SHI Deed Restricted units</b>	<b>9</b>	<b>7</b>	

GRAND TOTAL	158	42	200
-------------	-----	----	-----

## Affordable Housing Tax Exemption

Fiscal Year	No. Properties	No. Units	Tax Amount
2004	21	46	\$32,110
2005	31	55	\$51,902
2006	25	56	\$48,955
2007	30	60	\$57,167
2008	33	63	\$70,103
2009	31	61	\$64,620
2010	25	54	\$50,606
2011	24	46	\$49,707
2012	23	43	\$46,723
2013	24	92	\$60,728



**HOUSING  
NEEDS  
UPDATE**  
**Provincetown**  
Massachusetts

Prepared by  
John J. Ryan, Principal  
DEVELOPMENT CYCLES  
Amherst, MA

Prepared for the  
Town of Provincetown

December 2013

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## I. INTRODUCTION

The Town of Provincetown engaged consultant John Ryan, Principal of Development Cycles in East Montpelier, VT to prepare a summary update of key changes affecting the availability of and need for community housing options in Provincetown, MA. This update uses the 2006 Housing Needs Assessment prepared by Development Cycles as its baseline.

In performing this update, the consultant returned to the sources of information used in the initial housing needs assessment in 2006, and looked to provide the most up to date new information available. Sources include the U.S. Census of Population and Housing and the American Community Survey for demographic information; the MA Department of Workforce Development (DWD) to track changes in local jobs and wages; the U.S. Department of Housing & Urban Development (HUD) for estimates of household income by family size as well as Fair Market Rent (FMR) by bedroom size. The Provincetown Housing Authority, The Community Builders, and Community Housing Resource provided information on waiting lists and rental housing costs. Banker & Tradesmen provided information on home sales. The website for Sweetbriar Realty provided information on current homes for sale. A variety of on-line sources provided data on current market rentals.

This update retains the same definitions used in 2006 for terms to describe the community's housing need, namely:

- “Workforce Housing” acknowledges the community’s larger goal of creating a sustainable year-round economy that will support a stable population of year-round residents. Workforce housing is housing to support year-round working residents at an affordable cost given the wage structure of the local job market.
- “Community Housing” describes housing created or acquired with the help of the Town that provides housing stock that is reserved for residents and which does not trade on the open market. The goal of community housing is to provide a core of housing whose value is pegged to the earnings of those residents who perform the critical work of the community. Community and Workforce housing are used more or less interchangeably in this assessment. The community itself will need to define the specific characteristics of selection to meet their community workforce needs (i.e. income restrictions, residency requirements, type of critical employment, rental or ownership).
- The primary focus of the consultant’s review is year-round Provincetown residents as well as year-round employees working in Provincetown but

living elsewhere. The needs for seasonal housing are considered only as they impact the supply and cost of housing that supports residents year-round.

- By its very nature, a Housing Needs Assessment focuses on those households who do not already own a home. This includes current renters and newly forming households. These are the key groups who typically struggle most to find secure affordable housing, be it rental or ownership.

At the community’s request, the consultant looked at needs for a broad range of household incomes, defined in this Update as follows:

- “Very Low Income” residents whose household income is less than 50 percent of the non-PMSA portion of Barnstable County’s Area Median Income (AMI) for a household of their size as estimated each year by the U.S. Department of Housing & Urban Development (HUD).
- “Low-Mod Income” households earning between 50 and 79 percent of HUD’s AMI adjusted for household size;
- “Moderate Income Residents” earning between 80 and 99 percent of HUD’s AMI; and
- “Median Income Residents” earning between 100 and 120 percent of HUD’s AMI.

Figure I.1 indicates the current upper limit of those HUD estimates of Area Median Income.

Fig. I.1  
**HUD Income Limits**  
 Provincetown, FY 2013

Household Size	Very Low Income (50%)	Low-Mod Income (80%)	Moderate Income (100%)	Median Income (120%)
1 person	\$28,700	\$45,100	\$57,400	\$67,700
2 persons	\$32,800	\$51,550	\$65,600	\$77,300
3 persons	\$36,900	\$58,000	\$73,800	\$88,400
4 persons	\$40,950	\$64,400	\$81,900	\$98,000

**SOURCE:** HUD

As with the original assessment, this update has a number of limitations to consider when reviewing the findings and recommendations provided:

- The study assumes relatively stable conditions will persist over the next several years. Specifically, it assumes that neither Massachusetts nor the United States will suffer a major decline or depression.
- The study based all dollar amounts on the 2013 value of the dollar unless otherwise noted. In order not to overstate the available levels of need, the projections are not adjusted to reflect the effects of future inflation.
- The information, estimates and opinions contained in this report were derived from sources considered to be reliable. The consultant assumes the possibility of inaccuracy of individual items and for that reason relied on no single piece of information to the exclusion of other data, and analyzed all information with a framework of common knowledge and experienced judgment.

## II. WORKFORCE RENTAL NEED

The following section looks at key changes in demand for year-round rental housing since 2006

### *1. Changes in Employment & Wages*

The following highlights key employment changes since 2006.

- The average number of local jobs in town stayed the same from 2006-2012 but there was a 13.3% decline in the average number of employed residents: this almost certainly means that an increasing number of workers are commuting to Provincetown from other communities.
- Provincetown registered a significant increase in the community's already high unemployment rate, averaging 23.4% in 2012 compared to 6.7% statewide.
- Local employers paid a 22% increase in average weekly wage from \$545/ week in 2006 to \$666/ week in 2013. This rate of increase is higher than the state or county, but the town's average wage is still only 56.9% of the statewide average.
- The concentration of low-wage local jobs continues moving from 67.4% of all jobs in 2006 to 73.0% in 2012. By comparison, 46.1% of jobs in Barnstable

County are in these low-wage sectors, while only 25.1% of jobs are in these sectors statewide.

Fig. II.1

**Summer- Winter Employment**

Provincetown, 2006-2012

	Feb	July	Annual Average
<i>2006</i>			
Labor Force	2,423	2,160	2,228
Employed	1,672	2,077	1,834
Unemployment Rate	31.0%	3.8%	17.7%
<i>2013 through October</i>			
Labor Force	2300	1907	2,074
Employed	1422	1817	1,589
Unemployment Rate	38.2%	4.7%	23.4%
<i>Change 2006-2013</i>			
Labor Force	-123	-253	-154
Employed	-250	-260	-245
Unemployment Rate	+7.2%	+0.9%	+5.7%

SOURCE: MA DWD, 12/13

Fig. II.2

**Average Wage & Percent Jobs in Low Wage Industries**

Provincetown, Barnstable County & Massachusetts, 2006-2012

	Provincetown	County	Massachusetts
<i>2006</i>			
Average Weekly Wage	\$545	\$700	\$1,008
% Statewide Average	54.4%	69.9%	100.0%
% Low Wage Jobs*	67.4%	40.6%	24.3%
<i>2012</i>			
Average Weekly Wage	\$666	\$785	\$1,171
% Statewide Average	56.9%	67.0%	100.0%
% Low Wage Jobs*	73.0%	46.1%	25.1%
<i>Change 2006-2012</i>			
Average Weekly Wage	22.0%	12.1%	16.2%
% Statewide Average	4.6%	-4.1%	n/a
% Low Wage Jobs*	8.3%	13.5%	3.3%

*\* Jobs in Retail Trade, Leisure & Hospitality and Other Service sectors (all pay less than 80% of statewide average wage)*

**SOURCE:** MA DCS/DUA, 12/13

## *2. Demographic Changes*

The following highlights a number of key demographic changes among Provincetown renters that bear upon current housing need:

- Population & Households: According to the US Census, Provincetown lost close to 500 residents (-6.0%) from 2000 to 2010. Over the same decade, the town declined by 92 households, or 5.0%. The number of residents living alone declined from 977 to 933 (54.3% of all households); the number of households with children under 18 dropped from 175 to 131; and the number of households with a resident 65 and over stayed about the same.
- Tenure: During the last decade the number of renter households dropped by 68, or 8.2%. Renters now constitute 44% of the town's year-round households.
- Renters, By Household Type: There has been a decline in all types of renter households since 2000.
- Renter Household income by AMI: There has been an increase in the concentration of renters earning less than 80% of Area Median Income since 2006, according to models developed by the consultant. In 2006, an estimated 355 or 52.5% of non-elderly renter households earned less than 80% of the AMI; today, that number has grown to 370 or 58.5%.
- Rent Burden: Despite a drop in overall renters from 2000-2010, the number of renters paying more than 35% of their gross income for housing has increased from 346 to 463, or from 41% to 59% of all renters. All age groups have increased in concentration of rent burden, with younger renters <35 years old growing fastest in this regard.

Fig. II.3

**Renters Households, by Household Type**

Provincetown, 2000-2011

	Provincetown 2000	Provincetown 2010	Change 2000- 2010
Live Alone	520	510	-10
Married Couple Family	110	92	-18
Single Parent Family	64	50	-14
Other	157	130	-27
<b>Total</b>	<b>851</b>	<b>782</b>	<b>-69</b>

**SOURCE:** U.S. Census 2000, STF-3, H73, 2010 QT-H2. 2007-2011 ACS B25011 adjusted

Fig. II.4

**Model of Non-Elderly Renter Households, by Percentage of AMI**

Provincetown, 2006-2013

	2006 HHs	% of Renters	2013 HHs	% of Renters
Less than 50% of AMI	186	27.5%	196	31.0%
50-79% of AMI	169	25.0%	174	27.5%
80-99% of AMI	118	17.5%	106	16.7%
100-120% of AMI	51	7.5%	42	6.6%
More than 120% of AMI	152	22.5%	115	18.2%
<b>Total</b>	<b>676</b>	<b>100.0%</b>	<b>633</b>	<b>100.0%</b>

**SOURCE:** Development Cycles, 8/06, 12/13

Fig. II.5

**Renters Paying 35 Percent or More of Income for Housing**

By Age of Householder, Provincetown 2000-2011

	2000	% (Within Age Cohort)	2012	% (Within Age Cohort)
Under 35 Years Old	41	40%	40	62%
35-64 Years Old	239	40%	340	60%
65 and Over	66	44%	83	56%
<b>Total</b>	<b>346</b>	<b>41%</b>	<b>463</b>	<b>59%</b>

**SOURCE:** U.S. Census 2000, STF-3, H96, 2011 ACS B25072 adjusted to match 2010 US Census totals for renter households.

**3. Rental Market Changes**

Key changes in the rental market over the past seven years include:

- CHR Notification List: Compared to 2006 data, Community Housing Resource's current notification list indicates a 15% increase in households seeking the rental housing they manage and a substantial drop in the numbers looking for ownership housing. CHR officials explain that the organization only recently "scrubbed" their list of applicants who were no longer in the area or still interested in housing so that the change says more about their administrative process than about the historic reality. In addition, the lack of CHR ownership housing to purchase helps explain the drop in interest for that option. CHR's "up-to-date" list includes 329 households seeking rental housing and 109 households interested in being notified if an affordable home owning opportunity arises. Of the total households on their notification list 181 live in Provincetown; 58 in Truro; 33 in Wellfleet; 55 live in other communities on Cape Cod; and 55 live off-Cape.
- PHA Waiting List: The Provincetown Housing Authority's Waiting List for elderly housing has grown from 51 to 62 since 2006, though the number of local residents on that list has not changed much in that time. The Agency now separates out disabled applicants under 60 years of age: that group totals 53 of whom nine currently live in Provincetown. Its current waiting list for family housing now totals 19 one-bedroom, 89 two-bedroom, and 77 three-bedroom applicants for the family units they manage. Of these 185 applicants, only ten live in Provincetown currently.
- Province Landing: The Community Builders manages Province Landing at 90 Shank Painter Road, a development first that opened in 2011. According to their property manager, the original rent up had more than 500 total applicants. Forty-five of the 50 initial occupants were Provincetown residents or employees. All the rest had prior ties to the community. TCB closed the wait list for the project and maintains a current list of over 350 applicants.
- Market Rents: The median price one-bedroom rent has increased faster than average wages since 2006 (28% compared to 22% for wages). Two bedroom units have increased at the same rate as wages, while three-bedroom units have increased more slowly than wages in this time period. Local housing and social service professionals suggest the availability of year-round and even winter rentals has declined sharply in the last several years.
- Additions to Rental Housing inventory: Since 2006, there have been two new additions to the town's affordable housing inventory. Province Landing and 83 Shank Painter Road have added a total of 60 new rental units. Both projects rented up immediately with 8-10 times the number of applicants as apartments available. Sally's Way in North Truro also came on line this year

with 16 affordable units. The four one-bedroom units attracted more applicants (49) than did the 12 two- and three-bedroom units (41). CHR reported working through their entire list of applicants for this project before finding qualified tenants for their three-bedroom units.

- **Reductions from Town’s Rental Stock:** According to the Town’s Assessor, there have been 376 condominium units permitted since FY 2007. The vast majority of these units are conversions of small multi-family properties to second homes. These units constitute a not insignificant share of the town’s remaining rental stock. The number of such conversions has declined after averaging more than 100 units/year from FY 2006-2008. In the past 3½ years, there have been 125 such conversions.

Fig. II.6

### Waiting List Information

Provincetown 2006-2013

	Studio/ One Bedroom	Two Bedroom	Three Bedroom	Total
<i>Community Housing Resource</i>				
<i>Notification List for Housing, 2006</i>				
To Rent	190	81	24	295
To Purchase	181	107	32	320
<i>Notification List for Housing, 11/2013</i>				
To Rent	184	104	57	345
To Purchase	81	33	19	109
<i>Provincetown Housing Authority</i>				
<i>Waiting List for Housing, 2006</i>				
Elderly	51	0	0	51
Scattered Site Family	19	165	148	329
Foley House (SRO)	8	0	0	8
<i>Waiting List for Housing, 11/2013</i>				
Elderly	62			62
Disabled/ Under 60 <sup>1</sup>	53			53
Scattered Site Family	19	89	77	185
Foley House (SRO)	5	0	0	5
<i>The Community Builders</i>				
<i>Waiting List for Province Landing</i>				350

<sup>1</sup> PHA breakdown for Under 60 Disabled was not collected in 2006.

NOTE: Duplication almost certainly occurs between the three lists.

SOURCE: CHR and PHA, 5/06 & 12/13

Fig.II.7

**HUD Fair Market Rents & Current Year-round Market Rents**

Provincetown, 2013

# of Bedrooms	HUD FMR FY 2013	Current Median Market Rent	2006 Median Market Rent	Difference 2006-2013
1	\$945	\$1,150	\$900	27.8%
2	\$1,267	\$1,450	\$1,200	20.8%
3	\$1,657	\$1,800	\$1,600	12.5%

SOURCE: HUD FMRS, CHR, Craigslist, Realtor Listings & Cape Cod Times, 8/06 & 12/13

Fig. II.8

**Changes in Affordable Rental Housing Inventory**

Provincetown, 2006-2013

Project Name	Year 1 <sup>st</sup> Occupied	# of Affordable Units	AMI Range Served
Province Landing	2010	50	<30% to 80% AMI
83 Shank Painter Road	2011	13	<30% to 80% AMI

SOURCE: Interviews with Housing Managers, 12/13

Fig. II.9

**Condominium Filings**

Provincetown, FY2006-FY2013 YTD

Year	Units	Year	Units
FY 2013 YTD	33	FY 2009	40
FY 2012	30	FY 2008	110
FY 2011	23	FY 2007	98
FY 2010	42	Total	376

NOTE: Not all condominiums are residential conversions; however, according to the Building Inspector, the vast majority are conversions of smaller multi-family homes. SOURCE: Provincetown Building Inspector, 12/13.

**4. Summary: Workforce Rental Housing**

It was the consultant’s view in 2006 that Provincetown had a critical shortage of affordable year-round rental housing. Despite the addition of two new affordable rental developments on Shank Painter Road, Provincetown’s need for community’s workforce rental housing has only deepened since 2006. The continued loss of multi-family rental units to condominium conversion has significantly outpaced the production of new rental units. The concentration of

renters paying more than 35% of their income for rent has gone from 44% in 2000 to 59% in 2010. The community has fewer renter households; fewer employed residents, both winter and summer; and a greater concentration of renters who earn less than 80% of Area Median Income. Waiting lists dwarf the number of available units, even when only local residents are considered. Since 2006, the trend toward single person occupancy has continued and perhaps as a result, the cost of a one-bedroom apartment has outpaced the growth in wages. Until the number of new units annually outpaces the number of units lost to conversion, it is hard to see how this situation improves.

The Table below represents the consultant’s estimate of the change in the number of rental housing units needed to address the rental housing shortage in Provincetown. In the consultant’s view, there is a greater need for units to serve renters earning less than 50% of AMI; a slightly reduced need for renters earning greater than 50% of AMI. The focus of this need continues to center on one-bedroom units.

The needed year-round rental housing continues to embrace a range of bedroom sizes and income levels. Given the demographics, waiting list, and survey information reviewed, the consultant recommends that roughly 50 percent of the housing should serve those very low income workers earning less than 50 percent of the AMI; 25 percent should serve those “low-mod” residents earning between 50-79 percent of AMI; another 20 percent is needed for moderate income renters earning between 80-99 percent of AMI; and 5 percent is needed to serve those between 100 and 120 percent of AMI.

Fig. II.10

**Changes in Workforce Rental Housing Need**  
Provincetown 2006-2013

Income Limit	2006 Total	2013 Total	Change 2006-2013
<50% of AMI	80-100	85-110	+5
50-79% of AMI	50-65	45-60	-5
80-99% of AMI	50-60	45-55	-5
100-120% of AMI	20-25	20-25	0
Total	200-250	190-240	-10

SOURCE: Development Cycles, 2006 & 2013

### III. WORKFORCE OWNERSHIP NEED

The following section summarizes changes in the homeownership housing market in Provincetown since 2006 and analyzes the gap between the income for Provincetown’s non-owning residents and workforce, and the cost of housing today.

#### 1. Current Housing Market

The following represent an update of key need indicators for residents hoping to move into ownership housing.

- **Median Home Prices:** According to the Warren Group, the median price single family home this year sold for \$775,000, while the median priced condominium for \$370,000. Single-family home values have risen slightly since 2006, while condominiums have lost 2.6% of their value since 2006. During that same period, the average wage paid for jobs in Provincetown increased by 2.2% annually. Interest rates during that time period have also declined significantly. The number of sales transactions is also down sharply since 2006.
- **Homes Currently on the Market:** Sweetbriar Realty’s website provided Multiple Listing Service (MLS) listings for 152 single-family homes or condominiums for sale in Provincetown on December 5, 2013. The median asking price for a studio or one-bedroom unit is \$389,000, with two-bedroom properties asking \$469,000, and three or more bedrooms asking \$879,000. This pricing is roughly comparable to asking prices in July 2006.

Fig. III.1

#### Median Home Price

Provincetown, 2006-2013 (through 10/31)

	2006	2013- 10/31	Change 2006- 2013
Single Family	15 @ \$727,000	40 @ \$775,500	+166.7% +6.7%
Condominium	164 @ \$380,000	91 @ \$370,000	-44.5% -2.6%

SOURCE: The Warren Group, 12/13

Fig III.2

**Condominiums Currently On the Market**

Provincetown December 2013

Bedroom Size	#	Median	Lowest Quartile of Pricing
Studio/ One Bedroom	44	\$389,000	\$279,000
Two Bedroom	68	\$469,000	\$389,000
Three Bedroom	40	\$879,000	\$619,000

SOURCE: Sweetbriar Realty, 12/5/13

**2. Gap Analysis**

A first-time buyer looking for entry-level year-round ownership housing is looking at a market that offers the following:

Bedrooms	Lowest Quartile of Pricing
Studio/ One Bedroom	\$279,000
Two Bedroom	\$389,000
Three Bedroom	\$619,000

Provincetown renters at 80-120% of AMI, have borrowing power ranging between \$165,000 and \$355,900 depending on income family size and mortgage program (see III.3). Figure III.4 represents the difference in dollars between what a buyer at the top of their AMI scale can afford and what it would actually cost to purchase a home today at the bottom quarter of the Provincetown market.

Fig. III.3

**Borrowing Power, by Household Size and AMI**

Provincetown, 2013 estimate

Persons in Household	One	Two	Three	Four
<i>MHP Soft Second</i>				
@ 80 Percent of AMI	\$165,500	\$196,600	\$219,500	\$243,000
@ 90 Percent of AMI	\$188,300	\$230,000	\$316,100	\$323,000
<i>Conventional Financing</i>				
@ 120 Percent AMI	\$251,300	\$298,000	\$323,300	\$355,900

SOURCE: MHP Web Site Mortgage Calculator, 12/13

Fig. III.4

**Down Payment Needed to Purchase**

Provincetown, Dec 2013

	One Person 1 bdrm	Two Person 1 bdrm	Two Person 2 bdrm	Three Person 2 bdrm	Four Person 3 bdrm
@ 80% of AMI	\$113,500	\$82,400	\$192,400	\$179,500	\$376,000
@ 90% of AMI	\$90,700	\$49,000	\$49,000	\$72,900	\$296,000
@ 120% of AMI	\$27,700	\$13,950	\$13,950	\$65,700	\$263,100

**Note:** Based on Condominiums on Market, 12/5/13

@ Lowest Quartile Asking Price **SOURCE:** Sweetbriar Realty MLS Listings (12/5/13), MHP Mortgage Calculator (www.mhp.net)

**3. Ownership Need Summary**

Given somewhat higher incomes, slightly lower prices and significantly lower interest rates, working residents today have a roughly \$50,000 smaller gap between what they can mortgage and what the bottom quartile of the current market offers when compared to 2006. Part of this greater buying power has been diminished by much tighter underwriting standards than were in place in 2006.

For a resident earning at 80% of AMI, today, the down payment needed to buy a two-bedroom condominium ranges from \$179,500 to \$192,400 based on household size. At 80% of AMI, buying a three-bedroom condominium at the lowest quartile of price requires a down payment of \$376,000 for a four-person household. For those seeking anything but the smallest one-bedroom condo, the home-buying reality in Provincetown remains as it was in 2006; a market that provides no opportunity for homeownership to most low, moderate or even middle-income first-time homebuyers.

Given the smaller renter population, a reduction in renters earning between 80-120% of AMI, and the smaller number of renters seeking notification of community housing to purchase, the consultant sees a reduced demand for deed-restricted community ownership housing. Whereas, the 2006 study indicated an immediate need for 40 units to serve a population earning less than 120% of AMI, the consultant sees a need for 24 to 30 such units today, split evenly between those affordable to residents earning < 80% of AMI, 80-99% of AMI, and 100-120% of AMI.

As was so in 2006, affordable ownership opportunities need to be priced well below market rates to serve the current first-time buyer population. To provide a

realistic opportunity for purchase, the consultant recommends studio and one-bedrooms ranging in price around \$150,000- \$200,000; two bedrooms around \$200,000- \$250,000; and three bedrooms from \$250,000- \$350,000. These represent similar pricing to that recommended in 2006. Deed restrictions will be continue to be needed to keep the homes from appreciating beyond what is affordable to the community’s core workforce as time passes.

Fig III.5  
**Changes in Ownership Housing Needs**  
 Provincetown 2006-2013

Income Limit	2006 Total	2013 Total
<80% AMI	12	8-10
80-99% AMI	13	8-10
100-119% AMI	15	8-10
<b>Total</b>	<b>40</b>	<b>24-30</b>

**SOURCE:** Development Cycles, 5/06 & 12/13

#### IV. SENIOR HOUSING NEED

The following summarizes a number of key characteristics of senior housing need in Provincetown.

- **Senior Population:** From 2000-2010, the number of Provincetown residents 65 and over dropped by 11, to 599. At the same time, the number of senior households increased slightly from 427 to 444.
- **Tenure:** In 2000, 115 of the community’s senior households rented their home. All but six lived alone. In 2012, the number of senior renters remains unchanged, while the number of two-person senior renters has increased by six. It is important to note that over 60 of these senior households live in market rate rental housing.
- **Income:** The following models the income of households with a householder at least 65 years old, by percentage of Area Median Income, based on data included in the 2010 US Census and 2011 American Community Survey. A total of 183 or just over 40% of Provincetown senior households earn less than 50% of AMI. This number includes roughly 90% of senior renters. Another 78 senior households earn between 50-79% of AMI and could qualify for some forms of affordable rental housing. These numbers have changed only slightly since 2006.

Fig. IV.1

**Model of Senior Households, By Percentage of AMI**

Provincetown 2013

	HUD Limit	One Person	%	HUD Limit	Two Person	Percent
Less than 50% of AMI	\$28,700	125	46%	\$32,800	58	33%
50-79% of AMI	\$45,100	48	18%	\$51,550	30	17%
80-99% of AMI	\$57,400	44	16%	\$65,600	40	23%
100-120% of AMI	\$67,700	26	10%	\$77,300	17	10%
> 120% of AMI	>\$67,700	27	10%	>\$77,300	29	17%
<b>Total</b>		<b>270</b>	<b>100%</b>		<b>174</b>	<b>100%</b>

**SOURCE:** Development Cycles, 12/13

Since 2006, there has been no new senior rental housing developments built in Provincetown, though some seniors have found rental housing at the new non-restricted developments in Provincetown and Truro. The 2006 Housing Needs Assessment recommended the creation of 40 additional units of housing for seniors with incomes below 120% of AMI. The consultant sees that need being relatively unchanged, with slightly more of the focus on seniors earning less than 80% of AMI.

Fig IV.2

**Changes in Senior Housing Needs**

Provincetown 2006-2013

Income Limit	2006 Total	2013 Total
<80% AMI	12	16
80-99% AMI	13	12
100-119% AMI	15	12
<b>Total</b>	<b>40</b>	<b>40</b>

**SOURCE:** Development Cycles, 5/06 & 12/13

## Appendix D

### MATRIX OF PROPOSED COMMUNITY HOUSING ACTIONS

#### Provincetown, MA 2014

Leverage Area	Action	Responsible Party(ies)	Priority	Proposed Start Date	Proposed End Date		Funding Needed and Source to Accomplish Action
<i>Education</i>							
1.1.	Develop a broad housing education plan	CHC	High	Mar-14	Ongoing	No	
1.2.	Identify resource/point of contact for housing discrimination	CHC	Mod	Mar-14	Ongoing	No	
<i>Housing Development</i>							
2.1	Accelerate efforts to expand Maushope Senior Housing	PHA	Mod	Mar-14	2018	Yes; \$? Million	DHCD, CPA, Fundraising, Other
2.2.	Support accelerated CHR Stable Road development	CHC, BOS, legislators	Mod	Mar-14	2016	Yes; \$? Million	DHCD, CPA, Barnstable Co. HOM Consortium, MHP
2.3	Invite Habitat for Humanity Partnership	CHC	High	Mar-14	Jun-14	No <sup>1</sup>	
2.4	Update development potential of town-owned properties	Housing Specialist	High	Mar-14	Dec-14	No <sup>1</sup>	CD Dept., Assessor
2.5	Invite discussion of seasonal housing dormitory options	CHC	Mod	Apr-14	ongoing	No <sup>1</sup>	
2.6	Invite Chamber, PBG, VSB, & businesses to discuss assessment of need for seasonal housing	CHC	Mod	Apr-14	ongoing	No <sup>1</sup>	Chamber, PBG, VSB, Businesses
<i>Getting the Incentives Right</i>							
3.1	Amend auxiliary unit by-law to reduce length of restriction	PB	High	Mar-14	Dec-14	No	
3.2	Amend tax incentive bylaws	BOS	High	Mar-14	Jun-14	No <sup>1</sup>	
3.3	Remove rental restrictions from special permits and subdivision approvals	PB	Low	Oct-14	Apr-15	No	
3.4	Allow for a separate accessory dwelling for community housing	PB	Mod	Oct-14	Apr-15	No	
3.5	By-law forgiving sewer betterment & other permitting fees	Town Planner	Mod	Oct-14	Apr-15	No <sup>1</sup>	
3.6	Create a mechanism to subsidize the cost of community housing rehabilitation	CHC, CPC	Mod	Oct-14	Apr-15	No <sup>1</sup>	
3.7	Update Local Comprehensive Plan	BOS	Mod	Apr-14	Jul-05	No <sup>1</sup>	
<i>Slowing the Loss of Year-Round Rental Stock</i>							
4.1	Prepare a report on legal avenues to reducing the conversion	BOS, Town Counsel	High	Mar-14	Jun-14	Yes; unknown	General Funds



# Proposed Police w/ Affordable Housing Alternative





Provincetown Board of Selectmen  
**AGENDA ACTION REQUEST**  
May 27, 2014

5A

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## BOARD OF SELECTMEN APPOINTMENTS

Requested by: Mary Timmons, Secretary BOS

Action Sought: **Approval**

### Proposed Motion(s)

***Discussion Dependent***  
***See Attached Vacancies***

### Additional Information

### Board Action

<i>Motion</i>	<i>Second</i>	<i>Yea</i>	<i>Nay</i>	<i>Abstain</i>	<i>Disposition</i>



# Town of Provincetown Town Clerk

Direct Line 508-487-7013

To: Board of Selectmen  
Town Moderator  
Acting Town Manager David Gardner

Date: April 30, 2014

From: Town Clerk Doug Johnstone

Re: Appointment to Town Boards

The report format provides the appointing authority with a comprehensive view of vacant positions on each Town Board. Each table identifies the amount and type of positions that are vacant; the authority for making the appointment; the length of the term and the date on which the appointment devolves to the next appointing authority. Following the table contains names of individuals requesting consideration to fill a vacancy.

## Airport Commission

Vacant Positions	Appointing Authority	New Term Expires	Appointing Authority Expires
1 Alternate Position	Airport Commission	12/31/14	

Requesting Appointment: Stephen Katsurinis

## Art Commission

Vacant Positions	Appointing Authority	New Term Expires	Appointing Authority Expires
1 Alternate Position	Art Commission	12/31/16	

Requesting Appointment: No Applications on File.

## Bicycle Committee

Vacant Positions	Appointing Authority	New Term Expires	Appointing Authority Expires
1 Regular Position	Bicycle Committee	12/31/16	
1 Alternate Position	Bicycle Committee	12/31/15	

Requesting Appointment: No Applications on File.

## Board of Assessors

Vacant Positions	Appointing Authority	New Term Expires	Appointing Authority Expires
1 Alternate Position	Board of Assessors	12/31/15	

Requesting Appointment: No Applications on File.

## CCNSGMPIAC

Vacant Positions	Appointing Authority	New Term Expires	Appointing Authority Expires
1 Regular Position	CCNSGMPIAC	6/30/16	
1 Alt. Position	CCNSGMPIAC	6/30/16	

Requesting Appointment: No Applications on File.

## Community Housing Council

Vacant Positions	Appointing Authority	New Term Expires	Appointing Authority Expires
1 Alternate Position	Com. Housing Council	6/30/14	

Requesting Appointment: No Applications on File.

## Conservation Commission

Vacant Positions	Appointing Authority	New Term Expires	Appointing Authority Expires
1 Alternate Position	Conservation Com.	12/31/16	
1 Alterate Position	Conservation Com.	12/31/14	

**Requesting Appointment:** No Applications on File.

## Council On Aging

Vacant Positions	Appointing Authority	New Term Expires	Appointing Authority Expires
1 Regular Position	Council On Aging	12/31/16	
1 Regular Position	Council On Aging	12/31/14	

**Requesting Appointment:** No Applications on File.

## Cultural Council

Vacant Positions	Appointing Authority	New Term Expires	Appointing Authority Expires
1 Regular Position	Cultural Council	12/31/14	

**Requesting Appointment:** Mark Del Franco

## Finance Committee

Vacant Positions	Appointing Authority	New Term Expires	Appointing Authority Expires
1 Regular Position	Town Moderator	4/30/15	6/10/14
2 Alternate Positions	Finance Committee	4/30/17, 4/30/16	

**Requesting Appointment:** Mark Juair, Mark Hatch

## Human Services Committee

Vacant Positions	Appointing Authority	New Term Expires	Appointing Authority Expires
1 Regular Position	Town Moderator	6/30/14	5/9/14

**Requesting Appointment:** Alex Brown, Joseph Murphy

## Licensing Board

Vacant Positions	Appointing Authority	New Term Expires	Appointing Authority Expires
1 Regular Position	Board of Selectmen	12/31/14	5/11/14

**Requesting Appointment:** No Applications on File.

## Open Space Committee

Vacant Positions	Appointing Authority	New Term Expires	Appointing Authority Expires
1 Regular Position	Open Space Committee	12/31/15	
1 Alternate Position	Open Space Committee	6/30/14	

**Requesting Appointment:** No Applications on File.

## Personnel Board

Vacant Positions	Appointing Authority	New Term Expires	Appointing Authority Expires
1 Regular Position	Town Moderator	12/31/15	5/24/14

**Requesting Appointment:** No Applications on File.

## Recreation Commission

Vacant Positions	Appointing Authority	New Term Expires	Appointing Authority Expires
1 Alternate Position	Recreation Commission	12/31/15	

**Requesting Appointment:** No Applications on File.

## Shellfish Committee

Vacant Positions	Appointing Authority	New Term Expires	Appointing Authority Expires
1 Regular Position	Shellfish Committee	12/31/16	

**Requesting Appointment:** No Applications on File.

## Zoning Board of Appeals

Vacant Positions	Appointing Authority	New Term Expires	Appointing Authority Expires
1 Regular Position	Board of Selectmen	12/31/15	6/24/14
1 Alternate Position	Board of Selectmen	12/31/14	3/14/14
1 Alternate Position	Zoning Board of Appeals	12/31/16	

**Requesting Appointment:** No Applications on File.



Provincetown Board of Selectmen  
**AGENDA ACTION REQUEST**  
May 27, 2014

6A<sub>1</sub>

## VISITOR SERVICES BOARD

### FY 2014 Co-Op Marketing Grants – Chamber, PBG (ATM 13)

Requested by: Visitor Services Board

Action Sought: Approval

#### Proposed Motion(s)

**MOVE** that the Board of Selectmen vote to approve the FY 2015 co-operative marketing grant agreements with the Provincetown Chamber of Commerce for \$20,000 and the Provincetown Business Guild for \$20,000 as recommended by the Visitor Services Board.

#### Additional Information

See attached staff memo from Director of Tourism Anthony Fuccillo.

#### Board Action

<i>Motion</i>	<i>Second</i>	<i>In favor</i>	<i>Opposed</i>	<i>Disposition</i>

# Memo

To: Board of Selectmen

From: Anthony Fuccillo

Copy: David Gardner - Acting Town Manager

Date: May 27, 2014

Re: FY 2015 Tourism Grant Award Recommendations – ATM Article 13

---

The annual Tourism Grant process for FY2015 began in December 2013. Attached please find a matrix outlining each of the 44 requests for funding that were received. A total of \$337,290 in funding was requested.

A public meeting was held on December 18, 2013 to review the applications submitted to the Visitor Services Board (VSB). The VSB and Provincetown Tourism Office recommend the Board of Selectmen approve 40 promotional grant requests in the amount of \$132,021 and 2 co-operative grants in the amount of \$40,000 (\$20,000 for the Provincetown Chamber of Commerce and \$20,000 for the Provincetown Business Guild). The Board of Selectmen already approved funding for these grants when it approved the budget recommended by the VSB on November 25, 2013, and pursuant to 2014 Annual Town Meeting \$125,000 in Tourism Funds has been approved for disbursement of tourism grants. Supplemental funding of \$7,021 in previously awarded grants in prior fiscal years that remains unused was also recommended by the VSB for disbursement to new grantees in FY2015. The average recommended grant award is \$3,300 (versus 3,928 in FY 2014, 3,756 in FY 2013 \$3,840 in FY2012, \$3,892 in FY2011, \$3,681 in FY2010, \$2,861 in FY2009, \$3,567 in FY2008 and \$4,169 in FY 2007).

Eight grants representing **9%, \$11,500** of total funding are for new or not previously funded events. Five grants representing **11%, \$14,750** of funding are for peak season, resulting in 35 grants representing **80%, \$105,771** of total funding are for off-peak season events (defined as any time other than July and August) or are enhancement grants.

An original copy of each grant application received for consideration is available for review in the Board of Selectmen's office.

Attachment



# Request for Tourism Fund Expenditure

*To the Board of Selectmen:*

*I. REQUEST BY THE VISITOR SERVICES BOARD:*

**The Visitor Services Board has voted to recommend the following expenditure from the Tourism Fund:**

Date of VSB meeting	Amount Requested	To be transferred from (Budget)	Balance in budget
4.16.14	\$20,000	FY 2015 Grants	

Vote: 5 Yea 0 Nay 0 Abstain

**The amount requested will be used for the purposes described below:**

Provincetown Chamber of Commerce: To set aside funds for co-op advertising in FY2015 in the amount not to exceed \$20,000 or 50% of the total marketing expenditure, whichever is lesser.

\_\_\_\_\_  
Signature: Visitor Services Board Chair May 27, 2014  
Date

*II. DIRECTOR OF TOURISM RECOMMENDS:*

- Approval
- Approval of Different Amount (specify: \$ \_\_\_\_\_ )
- Disapproval

\_\_\_\_\_  
Signature: Director of Tourism May 27, 2014  
Date

DIRECTOR of TOURISM: Submit to Town Manager to be placed on future Board of Selectmen's Agenda.

*III. ACTION OF BOARD OF SELECTMEN:*

Date of Meeting: May 27, 2014

Agenda Action Item #:

Sum Voted	Disapproved	In favor	Opposed	Disposition

If approved with conditions (specify):


**IV. FOLLOW-UP ACTION BY BOARD OF SELECTMEN'S SECRETARY:**

DISTRIBUTE SIGNED COPIES TO: Director of Tourism, Town Accountant and Visitor Services Board.

Date Distributed: \_\_\_\_\_ By: \_\_\_\_\_

/vgp 4/06



# Request for Tourism Fund Expenditure

To the Board of Selectmen:

*I. REQUEST BY THE VISITOR SERVICES BOARD:*

**The Visitor Services Board has voted to recommend the following expenditure from the Tourism Fund:**

Vote: 5 Yea 0 Nay 0 Abstain

Date of VSB meeting	Amount Requested	To be transferred from (Budget)	Balance in budget
4.16.14	\$20,000	FY 2015 Grants	

**The amount requested will be used for the purposes described below:**

Provincetown Business Guild: To set aside funds for co-op advertising in FY2015 in the amount not to exceed \$20,000 or 50% of the total marketing expenditure, whichever is lesser.

\_\_\_\_\_  
 Signature: Visitor Services Board Chair May 27, 2014  
Date

*II. TOURISM DIRECTOR RECOMMENDS:*

- Approval
- Approval of Different Amount (specify: \$ \_\_\_\_\_ )
- Disapproval

\_\_\_\_\_  
 Signature: Director of Tourism May 27, 2014  
Date

DIRECTOR of TOURISM: Submit to Town Manager to be placed on future Board of Selectmen's Agenda.

*III. ACTION OF BOARD OF SELECTMEN:*

Date of Meeting: May 27, 2014

Agenda Action Item #:

Sum Voted	Disapproved	In favor	Opposed	Disposition

If approved with conditions (specify):


**IV. FOLLOW-UP ACTION BY BOARD OF SELECTMEN'S SECRETARY:**

**DISTRIBUTE SIGNED COPIES TO:** Director of Tourism, Town Accountant and Visitor Services Board.

Date Distributed: \_\_\_\_\_ By: \_\_\_\_\_



## VISITOR SERVICES BOARD

### FY 2015 Tourism Promotional Grant Awards – ATM Article 13

Requested by: Visitors Service Board

Action Sought: Approval

#### Proposed Motion(s)

**MOVE that the Board of Selectmen vote to approve funding, from the Tourism Fund, for the following FY 2015 Tourism Promotional and Enhancement Grants, as recommended by the Visitor Services Board:**

1	Afterglow	3,000	21	Mr. New England Leather	1000
2	Bear Week	1,750	22	Mr. New England Rubber Contest	1000
3	Cabaret Fest	2,000	23	Outer Cape Chorale	2,500
4	Campus Provincetown	2,000	24	PAAM 100	9,000
5	Dance Festival	1,000	25	Peregrine Theater Ensemble	1,500
6	Disability Commission	1,500	26	PMPM 2014 Exhibit and Events	3,500
7	Encaustics Conference	1,000	27	Portuguese Festival	6,000
8	Family Week	1,000	28	Provincetown Dahlia Show	1,000
9	Fantasia Fair	2,000	29	Provincetown 10K	1,000
10	FAWC Radio Ads	3,250	30	Swim for Life & Paddler Flotilla	2,000
11	Film Festival	15,000	31	Provincetown	5,000
12	Flag Football	1,000	32	Recycling Committee	1,000
13	NGPA Cape Cod Classic	1,000	33	Single Women's Weekend	5,500
14	Ghost Town	2,000	34	Tennessee Williams Festival	6,000
15	Girl Splash	7,500	35	Winter Weekends	3,000
16	Great Music on Sun @5	3,500	36	Women of Color	5,000
17	Great Schooner Regatta	7,500	37	Women's Week	9,750
18	Holly Folly	4,000	38	WOMR Benefit Film Series	1,000
19	Mates Leather Weekend	3,000	39	WorldFest	521
20	Miss Gay MA/NE US of A	1,750			

#### Additional Information

See attached memo from 6B1, and fund expenditure sheets and recap FY2014 events. VSB voted 6/0/0 in favor of the 2015 grant expenditures.

#### Board Action

<i>Motion</i>	<i>Second</i>	<i>In favor</i>	<i>Opposed</i>	<i>Disposition</i>



# Request for Tourism Fund Expenditure-

To the Board of Selectmen:

## I. REQUEST BY THE VISITOR SERVICES BOARD:

**The Visitor Services Board has voted to recommend the following expenditure from the Tourism Fund:**

Date of VSB Meeting	Amount Requested	To be transferred from (Budget)
12/18/13	\$3,000	FY2015 Grants – 12530200 534201

Vote: Yea 6 Nay 0 Abstain 0

**The amount requested will be used for the purposes described below:**

Entering its fourth year Afterglow is Provincetown's acclaimed, progressive live performing arts festival. It next takes place September 8-14, 2014 at the Crown & Anchor and ancillary venues. Afterglow has proven to bring to Provincetown directional consumer-minded visitors from all over the region, the country, and abroad, to see our festival of internationally award-winning acts, those audiences can only see, singly, in major cities or at other festival cities like Rome, Sydney, Berlin, San Francisco and Edinburgh. Our featured performers make headlines as artists and cultural icons; and while boasting Grammy, Tony, Sundance, Obie and Academy Award nominations or awards among them, they remain independent creatives evolving the medium of live performance today. Afterglow presents dramatic work, neo cabaret, progressive sketch, solo narrative, interpretive dance, performance art, electronic and poetic music performance, rock opera, musical comedy and other modern forms, distinguishing Provincetown as a thriving live arts center. Afterglow seeks to nurture both participating and local talent—designers, costumers, composers, choreographers, playwrights—in the production of the festival and in the addition of workshops, and theater labs for training and development. The festival is collaborating with the FAWC on a playwright initiative, and pursuing a visual-arts festival component with local galleries. Afterglow received promotion from The Public Theater (Joe's Pub) in New York and enjoyed national press coverage in its second year.

\_\_\_\_\_  
Signature: Visitor Services Board Chair

5/27/14  
Date

## II. DIRECTOR OF TOURISM RECOMMENDS:

- Approval
- Approval of Different Amount (specify: \$ \_\_\_\_\_ )
- Disapproval

\_\_\_\_\_  
Signature: Director of Tourism

5/27/14  
Date

**DIRECTOR of TOURISM: Submit to Town Manager to be placed on future Board of Selectmen's Agenda.**

## III. ACTION OF BOARD OF SELECTMEN:

Date of Meeting: 5/27/14

Agenda Action Item #:

Sum Voted	Disapproved	In favor	Opposed	Disposition

If approved with conditions (specify):


## IV. FOLLOW-UP ACTION BY BOARD OF SELECTMEN'S SECRETARY:

**DISTRIBUTE SIGNED COPIES TO: Director of Tourism Town Accountant and Visitor Services Board.**

Date Distributed: \_\_\_\_\_ By: \_\_\_\_\_



























# Request for Tourism Fund Expenditure-

To the Board of Selectmen: REQUEST BY THE VISITOR SERVICES BOARD:

***The Visitor Services Board has voted to recommend the following expenditure from the Tourism Fund:***

<i>Date of VSB Meeting</i>	<i>Amount Requested</i>	<i>To be transferred from (Budget)</i>
12/18/13	\$2,000	FY2015 Grants – 12530200 534201

Vote: Yea 6 Nay 0 Abstain 0

***The amount requested will be used for the purposes described below:***

***Ghost Town*** is a walk-through haunted Halloween attraction. Guests take a 12 to 15 minute journey through intriguing, small vignettes that combine storytelling with local folklore, special effects, animatronics, and live theater. The guests experience a combination of sights and sounds that scare and entertain them. The attraction will be open 8 nights in 2014 at the historical Aquarium Mall located at 207 Commercial Street. The attraction is geared toward all ages and demographics. In 2013, customers came from as far as Hyannis, Plymouth and Boston to attend and more than 40% of the customers were not from Provincetown. Ghost Town is the only professional haunted attraction located on Cape Cod. It is one of a small number of events Cape wide that is geared to Halloween.

\_\_\_\_\_  
Signature: Visitor Services Board Chair

5/27/14

Date

## II. DIRECTOR of TOURISM RECOMMENDS:

- Approval
- Approval of Different Amount (specify: \$ \_\_\_\_\_ )
- Disapproval

\_\_\_\_\_  
Signature: Director of Tourism

5/27/14

Date

***DIRECTOR of TOURISM: Submit to Town Manager to be placed on future Board of Selectmen's Agenda.***

## III. ACTION OF BOARD OF SELECTMEN:

*Date of Meeting:* 5/27/14

*Agenda Action Item #:*

<i>Sum Voted</i>	<i>Disapproved</i>	<i>In favor</i>	<i>Opposed</i>	<i>Disposition</i>

If approved with conditions (specify):


## IV. FOLLOW-UP ACTION BY BOARD OF SELECTMEN'S SECRETARY:

***DISTRIBUTE SIGNED COPIES TO:*** Director of Tourism, Town Accountant and Visitor Services Board.

Date Distributed: \_\_\_\_\_ By: \_\_\_\_\_



# Request for Tourism Fund Expenditure-

To the Board of Selectmen: REQUEST BY THE VISITOR SERVICES BOARD:

***The Visitor Services Board has voted to recommend the following expenditure from the Tourism Fund:***

<i>Date of VSB Meeting</i>	<i>Amount Requested</i>	<i>To be transferred from (Budget)</i>
12/18/13	\$7,500	FY2015 Grants – 12530200 534201

Vote: Yea 6 Nay 0 Abstain 0

***The amount requested will be used for the purposes described below:***

***Girl Splash*** is a week for women during the summer. It was created in response to innumerable requests by women tourists for "something for women in summer" on the annual Provincetown calendar to go along with Circuit Week, Bear Week, Family Week, etc.

Also, with other national destination events occurring in the spring (Palm Springs' Dinah Shore) or fall (Miami's White Party,) Girl Splash provides a summer event for vacation for women. Girl Splash also appeals to specific professions, like teachers, who cannot vacation in the spring or fall. Our five day event schedule highlights Provincetown's summer offerings. Girl Splash's demographic is primarily professional women in their 30's to early 50's, capturing an audience that is the in middle of the age between Memorial Day weekend visitors and Women's Week. With more and more nationally advertised women's events being offered - from Puerto Rico to Mexico - it is essential that Provincetown offer an event that appeal to the segment of the market that wants a warm weather, beach vacation.

Girl Splash also draws international travelers with guests traveling from as far away as New Zealand, South Africa, France, United Kingdom, Wales, Italy, Ireland, Australia and more.

\_\_\_\_\_  
Signature: Visitor Services Board Chair  
Date: 5/27/14

**II. DIRECTOR of TOURISM RECOMMENDS:**

- Approval
- Approval of Different Amount (specify: \$ \_\_\_\_\_ )
- Disapproval

\_\_\_\_\_  
Signature: Director of Tourism  
Date: 5/27/14

***DIRECTOR of TOURISM: Submit to Town Manager to be placed on future Board of Selectmen's Agenda.***

**III. ACTION OF BOARD OF SELECTMEN:**

*Date of Meeting:* 5/27/14

*Agenda Action Item #:*

<i>Sum Voted</i>	<i>Disapproved</i>	<i>In favor</i>	<i>Opposed</i>	<i>Disposition</i>

If approved with conditions (specify):

--

**IV. FOLLOW-UP ACTION BY BOARD OF SELECTMEN'S SECRETARY:**

***DISTRIBUTE SIGNED COPIES TO:*** Director of Tourism, Town Accountant and Visitor Services Board.

Date Distributed: \_\_\_\_\_ By: \_\_\_\_\_









# Request for Tourism Fund Expenditure-

To the Board of Selectmen: REQUEST BY THE VISITOR SERVICES BOARD:

***The Visitor Services Board has voted to recommend the following expenditure from the Tourism Fund:***

<i>Date of VSB Meeting</i>	<i>Amount Requested</i>	<i>To be transferred from (Budget)</i>
12/18/13	\$3,000	FY2015 Grants – 12530200 534201

Vote: Yea 6 Nay 0 Abstain 0

***The amount requested will be used for the purposes described below:***

***Mates Leather Weekend (MLW)*** began in 1994 and was hosted by a social group of residents called Provincetown Mates. The group disbanded and the event ended in 1996. Recognizing a need for an event geared towards the segment of the community, MLW began producing the event in 2000 and had 225 people in attendance. Attendance increased each year with a record 780 people in 2007. MLW is held the weekend before Columbus Day weekend each year, which is typically a slower tourist period otherwise. MLW markets the event to the leather community through local, regional and national advertising and through website exposure. MLW also provides the local accommodations, restaurants, retailers and night clubs with promotional material in order to cross-sell the event throughout the year. The event consists of 13 social gathering over four days and nights that are designed to bring similar-minded men and women together to express and nurture their common interests. MLW is the only event of its kind in Provincetown and is well received and anticipated by lodging facilities, restaurants, retailers and bars alike because of the constant patronage and respectfulness of its participants. Feedback from participants indicates their repeat attendance each year is due to the quality of the program presented and quality of men and women that attend.

MLW has been recognized nationally by being nominated for The Pantheon of Leather's Community Service Awards in 2004, 2006, 2010 and 2012. MLW has consistently gained exposure with many international title holders attending the event. Their travels are mentioned by people in the leather community worldwide and their attendance has brought MLW and Provincetown far-reaching attention.

\_\_\_\_\_  
Signature: Visitor Services Board Chair  
Date: 5/27/14

## II. DIRECTOR OF TOURISM RECOMMENDS:

- Approval
- Approval of Different Amount (specify: \$ \_\_\_\_\_ )
- Disapproval

\_\_\_\_\_  
Signature: Director of Tourism  
Date: 5/27/14

***DIRECTOR of TOURISM: Submit to Town Manager to be placed on future Board of Selectmen's Agenda.***

## III. ACTION OF BOARD OF SELECTMEN:

*Date of Meeting:* 5/27/14 *Agenda Action Item #:*

<i>Sum Voted</i>	<i>Disapproved</i>	<i>In favor</i>	<i>Opposed</i>	<i>Disposition</i>

If approved with conditions (specify):


## IV. FOLLOW-UP ACTION BY BOARD OF SELECTMEN'S SECRETARY:

***DISTRIBUTE SIGNED COPIES TO:*** Director of Tourism, Town Accountant and Visitor Services Board.

Date Distributed: \_\_\_\_\_ By: \_\_\_\_\_



# Request for Tourism Fund Expenditure-

To the Board of Selectmen: REQUEST BY THE VISITOR SERVICES BOARD:

***The Visitor Services Board has voted to recommend the following expenditure from the Tourism Fund:***

<i>Date of VSB Meeting</i>	<i>Amount Requested</i>	<i>To be transferred from (Budget)</i>
12/18/13	\$1,750	FY2015 Grants – 12530200 534201

Vote: Yea 6 Nay 0 Abstain 0

***The amount requested will be used for the purposes described below:***

***Miss Gay Mass US of A*** has been put on for the past 25 years, with help from the businesses in town and we are building interest in the contest. The tourism grant helps us reach out to other towns and cities in Massachusetts and surrounding areas. It takes at least 5 to 10 contestants for a successful contest.

\_\_\_\_\_ 5/27/14

Signature: Visitor Services Board Chair

Date

## II. DIRECTOR of TOURISM RECOMMENDS:

- Approval
- Approval of Different Amount (specify: \$ \_\_\_\_\_ )
- Disapproval

\_\_\_\_\_ 5/27/14

Signature: Director of Tourism

Date

***DIRECTOR of TOURISM: Submit to Town Manager to be placed on future Board of Selectmen's Agenda.***

## III. ACTION OF BOARD OF SELECTMEN:

*Date of Meeting:* 5/27/14

*Agenda Action Item #:*

<i>Sum Voted</i>	<i>Disapproved</i>	<i>In favor</i>	<i>Opposed</i>	<i>Disposition</i>

If approved with conditions (specify):


## IV. FOLLOW-UP ACTION BY BOARD OF SELECTMEN'S SECRETARY:

***DISTRIBUTE SIGNED COPIES TO:*** Director of Tourism, Town Accountant and Visitor Services Board.

*Date Distributed:* \_\_\_\_\_ *By:* \_\_\_\_\_







# Request for Tourism Fund Expenditure-

To the Board of Selectmen: REQUEST BY THE VISITOR SERVICES BOARD:

***The Visitor Services Board has voted to recommend the following expenditure from the Tourism Fund:***

<i>Date of VSB Meeting</i>	<i>Amount Requested</i>	<i>To be transferred from (Budget)</i>
12/18/13	\$2,500	FY2015 Grants – 12530200 534201

Vote: Yea 6 Nay 0 Abstain 0

***The amount requested will be used for the purposes described below:***

***The Outer Cape Choral*** is holding strong with approximately 140 members who travel to rehearsals weekly from as far away as Western Mass. We are a community chorus and hold fast to a policy of no tryouts under the director on Jon Arterton who merges the talents of all, from experienced singers to those who have been told not to sing, into a glorious whole. Rehearsals are held from September to December for the December concerts at Town Hall and from February to May for the Spring concerts. Many of our singers live here in town and the others are spread over the Cape and beyond. It is Jon's vision that brought us together and it is his talent and enthusiasm along with the hard work and dedication of the singers and the support of our audiences that keeps us together. We survive financially thanks to the generosity of our sponsors, our audience and the VSB. We hope to continue in FY15 and encourage the VSB to support us once again.

\_\_\_\_\_ 5/27/14  
 Signature: Visitor Services Board Chair Date

**II. DIRECTOR of TOURISM RECOMMENDS:**

- Approval
- Approval of Different Amount (specify: \$ \_\_\_\_\_ )
- Disapproval

\_\_\_\_\_ 5/27/14  
 Signature: Director of Tourism Date

**DIRECTOR of TOURISM: Submit to Town Manager to be placed on future Board of Selectmen's Agenda.**

**III. ACTION OF BOARD OF SELECTMEN:**

*Date of Meeting:* 5/27/14

*Agenda Action Item #:*

<i>Sum Voted</i>	<i>Disapproved</i>	<i>In favor</i>	<i>Opposed</i>	<i>Disposition</i>

If approved with conditions (specify):

--

**IV. FOLLOW-UP ACTION BY BOARD OF SELECTMEN'S SECRETARY:**

**DISTRIBUTE SIGNED COPIES TO: Director of Tourism, Town Accountant and Visitor Services Board.**

Date Distributed: \_\_\_\_\_ By: \_\_\_\_\_





# Request for Tourism Fund Expenditure-

To the Board of Selectmen: REQUEST BY THE VISITOR SERVICES BOARD:

***The Visitor Services Board has voted to recommend the following expenditure from the Tourism Fund:***

<i>Date of VSB Meeting</i>	<i>Amount Requested</i>	<i>To be transferred from (Budget)</i>
12/18/13	\$1,500	FY2015 Grants – 12530200 534201

Vote: Yea 6 Nay 0 Abstain 0

***Amount requested will be used as described below:***

***Peregrine Theater Ensemble*** - Our proposed event is a complete production season for our theatre company, which will run from early May through late October. The target audience is both locals and tourists, ranging in age from young to old. We will host events that are catered specifically towards families and children, and will also promote productions for adults. Currently we are in discussion with several venues in town, including the Provincetown Theater Foundation, Erik Pierce at the Provincetown Inn, and the Art House to determine which venue is most suitable for our needs and will benefit most effectively from our collaboration. The season will be executed by our managers, as well as a collected group of actors, both local and otherwise, and our dedicated Board. We are requesting VSB funds because we are still building our donor base, and more importantly, we are a nonprofit arts organization and the bulk of our funding needs to be generated through grants, donations and sponsorships. The idea of presenting a season of theatrical work, while not particularly unique, is in fact historically quite unique to the community of Provincetown. Our productions will directly showcase local artists and musicians, and will help carry on the historical tradition of theatre that has occurred in this community over the years.

\_\_\_\_\_  
 Signature: Visitor Services Board Chair Date 5/27/14

**II. DIRECTOR of TOURISM RECOMMENDS:**

- Approval
- Approval of Different Amount (specify: \$ \_\_\_\_\_ )
- Disapproval

\_\_\_\_\_  
 Signature: Director of Tourism Date 5/27/14

***DIRECTOR TOURISM:*** Submit to Town Manager to be placed on future Board of Selectmen’s Agenda.

**III. ACTION OF BOARD OF SELECTMEN:**

Date of Meeting: 5/27/14 Agenda Action Item #:

<i>Sum Voted</i>	<i>Disapproved</i>	<i>In favor</i>	<i>Opposed</i>	<i>Disposition</i>

If approved with conditions (specify):

--

**IV. FOLLOW-UP ACTION BY BOARD OF SELECTMEN’S SECRETARY:**

***DISTRIBUTE SIGNED COPIES TO:*** Director of Tourism, Town Accountant and Visitor Services Board.

Date Distributed: \_\_\_\_\_ By: \_\_\_\_\_



# Request for Tourism Fund Expenditure-

To the Board of Selectmen:

REQUEST BY THE VISITOR SERVICES BOARD:

*The Visitor Services Board has voted to recommend the following expenditure from the Tourism Fund:*

<i>Date of VSB Meeting</i>	<i>Amount Requested</i>	<i>To be transferred from (Budget)</i>
12/18/13	\$3,500	FY2015 Grants – 12530200 534201

Vote: Yea 6 Nay 0 Abstain 0

***The amount requested will be used for the purposes described below:***

***The Pilgrim Monument and Provincetown Museum (PMPM)*** will offer a series of programs designed to increase visitation during the fall of 2014. "Forgotten Port," a new exhibition on Provincetown's rich whaling history, will complement a larger regional program sponsored by Mystic Seaport for the 38th Voyage of the Charles Morgan. The historic whaling vessel will visit Provincetown Harbor among other historic ports. During the fall, we will increase awareness about Provincetown's whaling history including but not limited to the 10th Annual House Tour in September which will feature the homes of whaling captains, and culminate with the annual Lighting of the Monument on Thanksgiving eve.

\_\_\_\_\_  
Signature: Visitor Services Board Chair

5/27/14

Date

## II. DIRECTOR of TOURISM RECOMMENDS:

- Approval
- Approval of Different Amount (specify: \$ \_\_\_\_\_ )
- Disapproval

\_\_\_\_\_  
Signature: Director of Tourism

5/27/14

Date

***DIRECTOR of TOURISM:*** Submit to Town Manager to be placed on future Board of Selectmen's Agenda.

## III. ACTION OF BOARD OF SELECTMEN:

Date of Meeting: 5/27/14

Agenda Action Item #:

<i>Sum Voted</i>	<i>Disapproved</i>	<i>In favor</i>	<i>Opposed</i>	<i>Disposition</i>

If approved with conditions (specify):


## IV. FOLLOW-UP ACTION BY BOARD OF SELECTMEN'S SECRETARY:

***DISTRIBUTE SIGNED COPIES TO:*** Director of Tourism, Town Accountant and Visitor Services Board.

Date Distributed: \_\_\_\_\_ By: \_\_\_\_\_















# Request for Tourism Fund Expenditure-

To the Board of Selectmen: REQUEST BY THE VISITOR SERVICES BOARD:

***The Visitor Services Board has voted to recommend the following expenditure from the Tourism Fund:***

<i>Date of VSB Meeting</i>	<i>Amount Requested</i>	<i>To be transferred from (Budget)</i>
12/18/13	\$2,000	FY2015 Grants – 12530200 534201

Vote: Yea 6 Nay 0 Abstain 0

***The amount requested will be used for the purposes described below:***

***The Provincetown Swim for Life & Paddler Flotilla*** is the quintessential Provincetown weekend event, now in its 27th year. Not only does it bring thousands of visitors to town, many staying 2-7 days, but swimmers bring with them \$200,000 in pledges (75% from off-Cape) for AIDS Support Group of Cape Cod, Helping Our Women, Rescue, Ambulance, Soup Kitchen, Provincetown school, The Compact Community Fund; 400+ swimmers and 75+ kayakers will cross the 1.4 mile harbor on September 6, 2014, followed by the Mermaid Brunch, awards and entertainment at the Boatslip. The Celebration of Life Concert (free) the evening before at the UU Meeting House attracts 500 people.

*For those raising pledges, having the Town officially supporting the event helps in their fundraising efforts.*

\_\_\_\_\_  
Signature: Visitor Services Board Chair

5/27/14  
Date

## II. DIRECTOR of TOURISM RECOMMENDS:

- Approval
- Approval of Different Amount (specify: \$ \_\_\_\_\_ )
- Disapproval

\_\_\_\_\_  
Signature: Director of Tourism

5/27/14  
Date

***DIRECTOR of TOURISM:*** Submit to Town Manager to be placed on future Board of Selectmen's Agenda.

## III. ACTION OF BOARD OF SELECTMEN:

*Date of Meeting:* 5/27/14

*Agenda Action Item #:*

<i>Sum Voted</i>	<i>Disapproved</i>	<i>In favor</i>	<i>Opposed</i>	<i>Disposition</i>

If approved with conditions (specify):


## IV. FOLLOW-UP ACTION BY BOARD OF SELECTMEN'S SECRETARY:

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Date Distributed: \_\_\_\_\_ By: \_\_\_\_\_







## Request for Tourism Fund Expenditure-

To the Board of Selectmen: REQUEST BY THE VISITOR SERVICES BOARD:

***The Visitor Services Board has voted to recommend the following expenditure from the Tourism Fund:***

<i>Date of VSB Meeting</i>	<i>Amount Requested</i>	<i>To be transferred from (Budget)</i>
12/18/13	\$3,000	FY2015 Grants – 12530200 534201

Vote: Yea 5 Nay 0 Abstain 1

***The amount requested will be used for the purposes described below:***

***Winter Weekends*** 2013 was the 5th year of this promotion and the PBG continues to believe it has a huge potential to bring second home owners & regional visitors to town for the long holiday weekends by getting the word out that Ptown doesn't roll up their sidewalks & shut down during the winter. The schedule of events for each of the weekends were distributed through Constant Contact to the PBG email list of over 16,000 and posted on the PBG website & Facebook page. This year all weekends listed events/entertainment along with open shops, galleries and restaurants. These schedules continue to be well received based on the number of positive responses we received from the email blast recipients.

The PBG does hold 2 events as part of the Winter Weekends series. The traditional Thanksgiving Casino Night and the Pumpkin Patch Raffle of Halloween.

There is a general print ad campaign for all 5 weekends, starting in late summer after Carnival in Boston Spirit Magazine and on postcards and town maps the PBG produces. In 2013 we printed 35,000 and by this application almost all are gone. We also put full page ads in Get RI starting in September.

\_\_\_\_\_  
Signature: Visitor Services Board Chair  
5/27/14  
Date

### II. DIRECTOR of TOURISM RECOMMENDS:

- Approval
- Approval of Different Amount (specify: \$ \_\_\_\_\_ )
- Disapproval

\_\_\_\_\_  
Signature: Director of Tourism  
5/27/14  
Date

***DIRECTOR of TOURISM: Submit to Town Manager to be placed on future Board of Selectmen's Agenda.***

### III. ACTION OF BOARD OF SELECTMEN:

*Date of Meeting:* 5/27/13 *Agenda Action Item #:*

<i>Sum Voted</i>	<i>Disapproved</i>	<i>In favor</i>	<i>Opposed</i>	<i>Disposition</i>

If approved with conditions (specify):


### IV. FOLLOW-UP ACTION BY BOARD OF SELECTMEN'S SECRETARY:

***DISTRIBUTE SIGNED COPIES TO:*** Director of Tourism, Town Accountant and Visitor Services Board.

Date Distributed: \_\_\_\_\_ By: \_\_\_\_\_









# Request for Tourism Fund Expenditure-

To the Board of Selectmen: REQUEST BY THE VISITOR SERVICES BOARD:

***The Visitor Services Board has voted to recommend the following expenditure from the Tourism Fund:***

<i>Date of VSB Meeting</i>	<i>Amount Requested</i>	<i>To be transferred from (Budget)</i>
12/18/13	\$521	FY2015 Grants – 12530200 534201

Vote: Yea 6 Nay 0 Abstain 0

***The amount requested will be used for the purposes described below:***

***WorldFest*** is Provincetown's annual international cultural festival, created in 2011 to welcome, support, celebrate, integrate, and enhance the visibility of Provincetown's emerging and expanding international seasonal and year-round population. Each year, more than one thousand workers and students, primarily from Eastern Europe and the Caribbean, have become an essential part of Provincetown's economic infrastructure. Many bring with them largely untapped skills as artists and musicians. The target audience includes the workers and students, Provincetown and Cape Cod residents, and tourists who seek international cultural experiences. Several events (including an art exhibition and music concert) will occur in various business and entertainment venues ideally suited to provide settings for artistic, musical, cultural, social and interactive events. Venues include the Unitarian Universalist Meeting House of Provincetown, and, hopefully in future years, Town Hall. Flags of the workers' and students' countries are displayed on good weather Sundays on the UU Meeting House front lawn during June, July and August, which further informs visitors of the cultural diversity in their midst.

In 2013, dozens of Town employees and community volunteers created an "information for Seasonal Workers" booklet that is being distributed in hard copy format and online. This is a significant achievement for Provincetown and an example of the beneficial energies that WorldFest creates in our community.

\_\_\_\_\_  
Signature: Visitor Services Board Chair Date 5/27/14

## II. DIRECTOR OF TOURISM RECOMMENDS:

- Approval
- Approval of Different Amount (specify: \$ \_\_\_\_\_ )
- Disapproval

\_\_\_\_\_  
Signature: Director of Tourism Date 5/27/14

***DIRECTOR of TOURISM: Submit to Town Manager to be placed on future Board of Selectmen's Agenda.***

## III. ACTION OF BOARD OF SELECTMEN:

*Date of Meeting:* 5/27/14 *Agenda Action Item #:*

<i>Sum Voted</i>	<i>Disapproved</i>	<i>In favor</i>	<i>Opposed</i>	<i>Disposition</i>

If approved with conditions (specify):


## IV. FOLLOW-UP ACTION BY BOARD OF SELECTMEN'S SECRETARY:

***DISTRIBUTE SIGNED COPIES TO:*** Director of Tourism, Town Accountant and Visitor Services Board.

Date Distributed: \_\_\_\_\_ By: \_\_\_\_\_

## Recap of FY 2014 Events funded in part by the Tourism Fund

Project	Awarded FY2015	Attendance <small>(estimate provided by event sponsor)</small>	Comments/Notes
Afterglow	\$3,000	250	made the late-night show on E! with Chelsea Handler
Bear Week	\$1,750	8,000 - 10,000	majority of attendees stay 4-7 nights; more online ads; 13th year
Cabaret Fest	\$2,000	TBD	new producer in FY2015
Campus Provincetown	\$2,000	TBD	new application in FY2015
Dance Festival (8th Annual Ptown....)	\$1,000		added two more performances
Disability Commission	\$1,500		enhancement grant; mobi-mats at the beach. A new disability guide.
Encaustic Conference (5th Intl ...)	\$1,000		not due yet
Family Week	\$1,000	1,500	ABC's The Fosters was a sponsors. Launched Book Group Series. 2014 event in 19th year. Working on bringing international families.
Fantasia Fair	\$2,000	over 137 registered + non-registered attendees	39th consecutive year; domestic visitors as well as from Canada, Switzerland, South Africa, Turkey, UK; donations to Camp Lightbulb

		all classes were fully enrolled. Program offers 70 courses. Promotion on radio in April and May. International faculty.	students stay for long weekends, over 30,000 listeners reached, more online exposure sought
FAWC Promotional WBUR Campaign	\$3,250		
Film Festival	\$15,000		not due yet
Flag Football	\$1,000	120	7th annual Kate Clinton Classic; teams from
Gay Pilots' Association (National...)	\$1,000	200+ registered	more national exposure and making Provincetown more attainable to to members sought
Ghost Town Haunted Attraction	\$2,000	500+	Many people from down Cape attended. Halloween event that caters to everyone.
Girl Splash	\$7,500		more social media engagement sought; ads in Go Magazine
Great Music on Sundays @5	\$3,500	approx. 1,850 attendees	14th consecutive season; more media presence in the Boston area sought
Great Provincetown Schooner Regatta	\$7,500	5,000. 7 schooners participated. 121 ft schooner Virginia. First time participant schooner	best season in 15 years. Expanded marketing through paid and bartered media. More Boston-based media continued. Program diversity with integration of solid repeaters
Holly Folly	\$4,000	1,000+	great numbers for Drag Bingo, Speedo Race and Drag Brunch.
Mates Leather Weekend	\$3,000	500+	event held over 4 days/nights. \$3,460 raised for the ASGCC. Print and online ads.
Miss Gay Mass U S of A	\$1,750		goal is to bring more contestants from outside the Cape.

Mr New England Leather	\$1,000		new application in FY2015
Mr New England Rubber	\$1,000		new application in FY2015
Outer Cape Chorale	\$2,500		not due yet
PAAM 100	\$9,000		not due yet
Peregrine Theater Ensemble	\$1,500	approx 90 for all events	coupled with the Pilgrim Monument House Tour and Provincetown Trolley; wish for more town-wide involvement and promotion
Pilgrim Monument 2014 Exhibit & Events	\$3,500	612	9th annual house tour revenue increased by 28% and annual walking tour increased by 15%. E-blasts, radio spots, web calendars.
Portuguese Festival (Proivncetown...)	\$6,000		not due yet
Provincetown Dahlia Show	\$1,000		first year application
Provincetown 10 K	\$1,000		not due yet
Swim for Life	\$2,000	400+ swimmers	the event has grown and received great press
Provincetown Theater	\$5,000		not due yet
Recycling Committee	\$1,000		new application in FY2015
Single Women's Weekend	\$5,500		not due yet

Tennessee Williams Festival	\$6,000	1,678 patrons from 33 states and 4 countries(12% increase). Level of artistic and operational professionalism was very high. E-blasts and social media. 15k booklets distributed in Boston, South Coast Providence, Plymouth, etc.	Seven performances were sold out; use of e-blasts and social media; 15k booklets distributed in Boston, South Coast, Providence, Plymouth and the Cape. Need for more volunteers.
Winter Weekends	\$3,000	1,000+	weekend getaways from the Cape, Boston and NY areas
Women of Color	\$5,000		not due yet
Women's Week (27th Annual ...)	\$9,750	2,000+ attendees.	All flagship events were sold out. Outreach to new and younger attendees. 30th anniversary in 2014.
WOMR Benefit Film Series	\$1,000		not due yet
WorldFest	\$521	100+ attendees	the bike safety info and tune-up day was very successful



Provincetown Board of Selectmen  
**AGENDA ACTION REQUEST**  
MAY 27, 2014

6B

## VISITOR SERVICES BOARD

### FY 2015 Contract renewal with PR Firm (ATM 13)

Requested by: Visitor Services Board, 5/21/2014

Action Sought: Approval

#### Proposed Motion(s)

**MOTION:** Move that the Board of Selectmen vote to approve the request of the Visitor Services Board to renew existing contract with Marmillion + Company Strategic Communications 227 Commercial Street, Provincetown, MA 02657, as Provincetown's public relations firm to the Tourism Office in an amount not to exceed \$40,000 plus expenses; to commence on July 1, 2014, and expire on June 30, 2015.

#### Additional Information

See attached staff memo from Director of Tourism Anthony Fuccillo.

#### Board Action

<i>Motion</i>	<i>Second</i>	<i>Yea</i>	<i>Nay</i>	<i>Abstain</i>	<i>Disposition</i>

# Memo

To: Board of Selectmen  
From: Anthony Fuccillo  
Copy: David Gardner, Asst Town Manager  
Date: May 27, 2013  
Re: Recommendation for contract renewal with Public Relations Firm

---

The purpose of this memo is to request approval to renew the contract with Marmillion + Company Strategic Communications for one year to provide comprehensive public relations & consulting services during FY2015 at a cost not to exceed \$40,000 (not including travel and out-of-pocket expenses approved in advance by the VSB).

Retaining a public relations firm is a critical aspect of our strategy and Five Year Plan to promote and market Provincetown as a year-round economy and a tourism destination. The Visitor Services Board is recommending renewal of a one year contract for FY2015 not to exceed \$40,000 (not including travel and out-of-pocket expenses approved in advance by the VSB) with Marmillion + Company to provide comprehensive public relations and consulting services, with a renewal provision based upon satisfactory performance, as determined by the Director of Tourism, subject to recommendation by the Visitor Services Board (VSB), approval by the Board of Selectmen and funding approval at Annual Town Meeting. The funding for this contract has already been approved at the Annual Town Meeting in April 2014 Article 13. In its meeting on May 21, 2014, the VSB moved to approve this contract with a vote of 7-0-0.



Provincetown Board of Selectmen  
**AGENDA ACTION REQUEST**  
MAY 27, 2014

6C

## VISITOR SERVICES BOARD

### FY 2015 Contract renewal with Graphic Artist (ATM 13)

Requested by: Visitor Services Board, 5/21/2014

Action Sought: Approval

#### Proposed Motion(s)

**MOTION:** Move that the Board of Selectmen vote to approve the request of the Visitor Services Board to renew existing contract with Ellsworth Creative, Shank Painter Road, Provincetown MA 02657, as Provincetown's Graphic Artist to the Tourism Office in an amount up to \$15,000 to provide services for projects as needed. Contract will commence on July 1, 2014, and expire on June 30, 2015.

#### Additional Information

See attached staff memo from Director of Tourism Anthony Fuccillo.

#### Board Action

<i>Motion</i>	<i>Second</i>	<i>Yea</i>	<i>Nay</i>	<i>Abstain</i>	<i>Disposition</i>

# Memo

To: Board of Selectmen  
From: Anthony Fuccillo  
Copy: David Gardner, Asst Town Manager  
Date: May 27, 2013  
Re: Recommendation for contract renewal with Graphic Artist

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The purpose of this memo is to request approval to renew the contract with Ellsworth Creative, Principle Christopher Ellsworth, one year to provide comprehensive graphic design services during FY2015 at a cost up to \$15,000.

Retaining a graphic artist is a critical aspect of our strategy and Five Year Plan to promote and market Provincetown as a year-round economy and a tourism destination. The Visitor Services Board is recommending renewal of a one year contract for FY2015 not to exceed \$15,000 (not including travel and out-of-pocket expenses approved in advance by the VSB) with Ellsworth Creative to provide comprehensive graphic design services, with a renewal provision based upon satisfactory performance, as determined by the Director of Tourism, subject to recommendation by the Visitor Services Board (VSB), approval by the Board of Selectmen and funding approval at Annual Town Meeting. The funding for this contract has already been approved at the Annual Town Meeting in April 2014 Article 13. In its meeting on May 21, 2014, the VSB moved to approve this contract with a vote of 7-0-0.



Provincetown Board of Selectmen  
**AGENDA ACTION REQUEST**  
May 27, 2014

6D

## OPEB Trust Agreement

### Appointment of Two Trustees

Requested by: Director of Finance, Dan Hoot

Action Sought: Approval

#### Proposed Motion(s)

**Move that the Board of Selectmen appoint Selectman \_\_\_\_\_ as a Trustee of the OPEB Trust Fund for a term of one year.**

**Move that the Board of Selectmen appoint Provincetown resident Douglas Cliggott as a Trustee of the OPEB Trust Fund for a term of two years.**

#### Additional Information

The Trust shall be administered by a Board of Trustees consisting of five members as follows: (1) the Town Manager, the Town Accountant, and the Benefits Administrator shall serve as ex officio members; (2) the Board of Selectmen shall annually appoint one member of the Board of Selectmen to serve as a Trustee for a term of one year; (3) the Board of Selectmen shall appoint one (1) individual, who shall be a registered voter of the Town, for a term of two years. Upon the resignation or removal of the Town Manager, Town Accountant, or Benefits Administrator, the position of Trustee shall be deemed vacant until such time as the underlying town position is filled on either a permanent or temporary basis. The Town Treasurer shall serve as a non-voting member of the Board of Trustees until the Board of Selectmen until the Board of Selectmen appoints the Town Treasurer as a member pursuant to clause (3). Any member of the Board of Trustees may be removed by the Board of Selectmen for cause.

#### Board Action

<i>Motion</i>	<i>Second</i>	<i>Yea</i>	<i>Nay</i>	<i>Abstain</i>	<i>Disposition</i>

TOWN OF PROVINCETOWN  
OTHER POST-EMPLOYMENT BENEFITS (“OPEB”) TRUST  
TRUST AGREEMENT

TRUST AGREEMENT made this 12<sup>th</sup> day of March, 2011 by and between the Town of Provincetown, acting through its Board of Selectmen (the “Town”) and the duly serving members of the Board of Trustees (the “Trustees”).

W I T N E S S E T H:

WHEREAS, the Town has established certain other post employment benefits (“OPEB”), other than pensions, for eligible former employees of the Town; and

WHEREAS, the Town wishes to establish an irrevocable trust (hereinafter the “Trust”) for the purpose of funding OPEB obligations as required to be reported under General Accounting Standards Board (“GASB”) Statements 43 and 45; and

WHEREAS, the Trust is established by the Town with the intention that it qualify as a tax-exempt trust performing an essential governmental function within the meaning of Section 115 of the Code and Regulations issued thereunder and as a trust for OPEB under G.L. c.32B, §20.

NOW, THEREFORE, in consideration of the foregoing promises and the mutual covenants hereinafter set forth, Town and the Trustees hereby agree as follows.

ARTICLE I  
DEFINITIONS

As used herein, the following terms shall have the following meanings:

- 1.1. “Code” means the Internal Revenue Code of 1986, as amended from time to time.
- 1.2. “ERISA” means the Employee Retirement Income Security Act of 1974, as amended from time to time and any successor statute.
- 1.3. “GASB 43 and 45,” shall mean Government Accounting Standards Board, Statement No. 43 and Statement No. 45, Accounting and Financial Reporting by Employers for Post-Employment Benefits Other Than Pensions.
- 1.4. “Other post-employment benefits” or “OPEB,” shall mean post-employment benefits other than pensions as that term is defined in GASB 43 and 45 including post-employment healthcare benefits, regardless of the type of plan that provides them, and all

post-employment benefits provided separately from a pension plan, excluding benefits defined as termination offers and benefits.

1.5. "Retired Employee" means those persons who have retired from employment with the Town and who are qualified to receive retirement benefits pursuant to G.L. c.32 or as otherwise provided by law.

1.6. "Trust" means the Provincetown OPEB Trust as hereby established.

1.7. "Trustee" means the duly serving members of the Board of Trustees, and any successor Trustee appointed as provided pursuant to Article 5.

1.9. "Trust Fund" means all the money and property, of every kind and character, including principal and income, held by the Trustee under the Trust.

## ARTICLE 2 PURPOSE

2.1. The Trust is created for the sole purpose of providing funding for OPEB, as determined by the Town, or as may be required by collective bargaining agreement, or by any general or special law providing for such benefits, for the exclusive benefit of the Town's Retired Employees and their eligible dependents and for defraying the reasonable administrative, legal, actuarial and other expenses of the Trust. The assets held in the Trust shall not be used for or diverted to any other purpose, except as expressly provided herein.

2.2. It is intended that the Trust shall constitute a so called "Qualified OPEB Trust" according to the standards set forth in GASB 43 and 45 and that it further qualify as a Integral Part Trust for all purposes under Article 115(c) of the Code or under any comparable provision of future legislation that amends, alters, or supersedes the Code.

## ARTICLE 3 ESTABLISHMENT OF TRUST

3.1. In order to implement and carry out the provisions of G.L. c.32B, §20, the Town hereby establishes this Trust which shall be known as the "Town of Provincetown OPEB Trust."

3.2. The Trust shall be irrevocable, and no Trust funds shall revert to the Town until all OPEB owed to retired Town employees have been satisfied or defeased.

3.3. The principal location of the Trust shall be Town Hall, 260 Commercial Street, Provincetown, Massachusetts 02367.

3.4. The Trustees hereby accept the trusts imposed upon them by this Trust Agreement and agree to perform said trusts as a fiduciary duty in accordance with the terms and conditions of this Trust Agreement.

3.5. The Trustees shall hold legal title to all property of the Trust and neither the Town, nor any employee, official, or agent of the Town, nor any individual, shall have any right title or interest to the Trust.

3.6. The Trust shall consist of such sums of money as shall from time to time be paid or delivered to the Trustees by the Town, which together with all earnings, profits, increments and accruals thereon, without distinction between principal and income, shall constitute the Trust hereby created and established. Nothing in this Agreement requires the Town to make contributions to the Trust to fund OPEB. Any obligation of the Town to pay or fund benefits shall be determined in accordance with applicable law and any agreement to provide OPEB.

#### ARTICLE 4 TRUST FUNDING

4.1. The Trust Fund shall be credited with all amounts appropriated or otherwise made available by the Town and employees of the Town as a contribution to the Trust for the purposes of meeting the current and future OPEB costs payable by the Town, or any other funds donated or granted specifically to the Town for the Trust, or to the Trust directly.

4.2. The Trustees shall be accountable for all delivered contributions but shall have no duty to determine that the amounts received are adequate to provide the OPEB Benefits determined by the Town.

4.3. The Trustees shall have no duty, expressed or implied, to compel any contribution to be made by the Town, but shall be responsible only for property received by the Trustees under this Trust Agreement.

4.4. The Town shall have no obligation to make contributions to the Trust to fund OPEB, and the size of the Trust may not be sufficient at any one time to meet the Town's OPEB liabilities. This Trust Agreement shall not constitute a pledge of the Town's full faith and credit or taxing power for the purpose of paying OPEB, and no retiree or beneficiary may compel the exercise of taxing power by the Town for such purposes. The obligation of the Town to pay or fund OPEB obligations, if any, shall be determined by the Town or applicable law. Distributions of assets in the Trust are not debts of the Town within the meaning of any constitutional or statutory limitation or restriction.

4.4. Earnings or interest accruing from investment of the Trust shall be credited to the Trust. Amounts in the Trust Fund, including earnings or interest, shall be held for the exclusive purpose of, and shall be expended only for, the payment of the costs payable by

the Town for OPEB obligations to Retired Employees and their dependents, and defraying the reasonable expenses of administering any plan providing OPEB Benefits as provided for in this Trust Agreement.

4.6. Amounts in the Trust Fund shall in no event be subject to the claims of the Town's general creditors. The Trust Fund shall not in any way be liable to attachment, garnishment, assignment or other process, or be seized, taken, appropriated or applied by any legal or equitable process, to pay any debt or liability of the Town, or of retirees or dependents who are entitled to OPEB.

## ARTICLE 5 TRUSTEES

5.1. The Trust shall be administered by a Board of Trustees consisting of five members as follows: (1) the Town Manager, the Town Accountant, and the Benefits Administrator shall serve as ex officio members; (2) the Board of Selectmen shall annually appoint one member of the Board of Selectmen to serve as a Trustee for a term of one year; and (3) the Board of Selectmen shall appoint one (1) individual, who shall be a registered voter of the Town, for a term of two years. Upon the resignation or removal of the Town Manager, Town Accountant, or Benefits Administrator, the position of Trustee shall be deemed vacant until such time as the underlying town position is filled on either a permanent or temporary basis. The Town Treasurer shall serve as a non-voting member of the Board of Trustees until the Board of Selectmen appoints the Town treasurer as a member pursuant to clause (3). Any member of the Board of Trustees may be removed by the Board of Selectmen for cause.

5.2. The Board of Selectmen shall call for the first meeting of the Trustees and the Selectman-Trustee shall serve as the initial Chairperson of the Trustees to facilitate the organization of the Trustees.

5.3. A Trustee may resign by providing the Town Clerk and Board of Trustees Chairperson with written notice thereof.

5.4. In the event a Trustee resigns, is removed or is otherwise unable to serve, the Board of Selectmen shall appoint a Trustee to fill the vacancy.

5.5. Whenever a change occurs in the membership of the Board of Trustees, the legal title to property held by this Trust shall automatically pass to those duly appointed successor Trustees.

5.6. Each future Trustee shall accept the office of Trustee and the terms and conditions of this Trust Agreement in writing.

5.7. Upon leaving office, a Trustee shall promptly and without unreasonable delay, deliver to the Trust's principal office any and all records, documents, or other documents in his possession or under his control belonging to the Trust.

5.8. The Trustees shall be special municipal employees for purposes of G.L. c.268A and shall be subject to the restrictions and prohibitions set forth therein.

ARTICLE 6  
POWERS OF THE TRUSTEES

6.1. The Trustees shall have the power to control and manage the Trust and the Trust Fund and to perform such acts, enter into such contracts, engage in such proceedings, and generally to exercise any and all rights and privileges, although not specifically mentioned herein, as the Trustees may deem necessary or advisable to administer the Trust and the Trust Fund or to carry out the purposes of this Trust. In addition to the powers set forth elsewhere in this Agreement, the powers of the Trustees, in connection with their managing and controlling the Trust and its General Fund, shall include, but shall not be limited to, the following:

6.1.1. To enter into an administrative services contract or other contracts with one or more insurance companies, nonprofit hospital, medical or dental service corporations, or with one or more health care organizations or health maintenance organizations, or with one or more third-party administrators or other entities to organize, arrange, or provide for the delivery or payment of health care coverage or services (including dental services), whereby the funds for the payment of claims of eligible persons, including appropriate service charges of the insurance carrier, third party administrator or other intermediary, shall be furnished by the Trustees from the Trust Fund for the payment by such intermediary to the health care vendors or persons entitled to such payments in accordance with the terms and provisions of said contract.

6.1.2. To purchase contracts of insurance or reinsurance through such broker or brokers as the Trustees may choose and to pay premiums on such policies.

6.1.3. To receive, hold, manage, invest and reinvest all monies which at any time form part of the Trust, whether principal or income, provided however that there shall be no investment directly in mortgages or in collateral loans and further provided that the Trustees shall comply with the provisions of Article 7 of this Trust Agreement, applicable law and any investment policy adopted by the Trustees concerning the investment and management of Trust assets.

6.1.4. To borrow or raise money for the purposes of the Trust, in such amount, and upon such terms and conditions as the Trustees shall deem advisable, subject to applicable law and statutes; and for any sum so borrowed to issue the promissory note of the Trust, and to secure the repayment thereof by creating a security interest in all or any part of the Trust or the Trust Fund; and no person lending such money shall be obligated to see that the money lent is applied to

Trust purposes or to inquire into the validity, expedience or propriety of any such borrowing.

6.1.5. To hold cash, uninvested, for such length of time as the Trustees may determine without liability for interest thereon.

6.1.6. To employ suitable agents, advisors and counsel as the Trustees may deem necessary and advisable for the efficient operation and administration of the Trust, to delegate duties and powers hereunder to such agents, advisors and counsel, and to charge the expense thereof to the Trust. The Trustees are entitled to rely upon and may act upon the opinion or advice of any attorney approved by the Trustees in the exercise of reasonable care. The Trustees shall not be responsible for any loss or damage resulting from any action or non-action made in good faith reliance upon such opinion or advice. All delegated authority shall be specifically defined in any by-laws adopted by the Trustees or the written minutes of the Trustees' meetings.

6.1.7. To hire employees or independent contractors as the Trustees may deem necessary or advisable to render the services required and permitted for the proper operation of the Trust, and to charge the expense thereof to the Trust.

6.1.8. To continue to have and to exercise, after the termination of the Trust and until final distribution, all of the title, powers, discretions, rights and duties conferred or imposed upon the Trustees hereunder, by any by-laws adopted by the Trustees or by law.

6.1.9. To construe and interpret this Trust Agreement and other documents related to the purposes of the Trust.

6.1.10. To maintain bank accounts for the administration of the Trust and the Trustee Fund and to authorize certain Trustees or other appropriate persons to make payments from any appropriate account for purposes of the Trust.

6.1.11. To receive and review reports of the financial condition and of the receipts and disbursements of the Trust and the Trust Fund.

6.1.12. To adopt by-laws, rules, regulations, formulas, actuarial tables, forms, and procedures by resolution from time to time as they deem advisable and appropriate for the proper administration of the Trust, including participation criteria, provided the same are consistent with the terms of this Trust Agreement.

6.1.13. To purchase as a general administrative expense of the Trust so-called director's liability insurance and other insurance for the benefit of the Trust and/or the protection of the Trustees, Trust officers, employees, or agents against any losses by reason of errors or omissions or breach of fiduciary duty or negligence.

6.1.14. To enter into any and all contracts and agreements for carrying out the terms of this Trust Agreement and for the administration and operation of the Trust and to do all acts as they, in their discretion, may deem necessary or advisable. Except as otherwise directed by the Trustees, all such contracts and agreements, or other legal documents herein authorized, shall be executed by the Chairperson, or Secretary as may be voted by the Trustees.

6.1.15. To receive contributions or payments from any source whatsoever but such contributions or payments may not be utilized for any purpose unrelated to the provision of OPEB as herein provided or properly authorized expenses.

6.1.16. To pay taxes, assessments, and other expenses incurred in the collection, care, administration, and protection of the Trust.

6.1.17. To do all acts, whether or not expressly authorized herein, which the Trustees may deem necessary or proper in connection with the administration of the Trust, although the power to do such acts is not specifically set forth herein.

6.1.18. To compromise, settle or arbitrate any claim, debt, or obligation of or against the Trust or Trust Fund; to enforce or abstain from enforcing any right, claim, debt or obligation, and to abandon any shares of stock, bonds, or other securities, or interests determined by it to be worthless; to prosecute, compromise and defend lawsuits, but without the obligation to do so, all at the risk and expense of the Trust;

6.1.19. To hire one or more consultants, actuaries, accountants, attorneys or other professionals to assist with the administration of the Trust Fund and to pay such amounts that the Trustee deems to be reasonable, including, without limiting the generality of the foregoing, third party firms to provide legal, tax, accounting and audit services to the Trust.

6.1.20. To comply with all requirements imposed by applicable provisions of law.

6.1.21. To serve as custodian with respect to Trust assets.

## ARTICLE 7

### LIMITATION OF TRUSTEES' POWERS, DUTIES AND RESPONSIBILITIES

7.1. Nothing contained in the Trust Agreement, either expressly or by implication, shall be deemed to impose any powers, duties or responsibilities on the Trustees other than those set forth in this Trust Agreement.

7.2. The Trustees shall have such rights, powers and duties as are provided to a named fiduciary for the investment of assets under ERISA. The Trustees shall not be liable for the making, retention or sale of any investment or reinvestment made by the Trustees as

herein provided or for any loss to or diminution of the Trust Fund or for anything done or admitted to be done by the Trustees with respect to the Trust Agreement or the Trust Fund except as and only to the extent that such action constitutes a violation of the law or gross negligence.

7.3. The Trustees, in their discretion, may purchase as an expense of the Trust Fund such liability insurance for themselves or any other fiduciary selected by the Trustees as may be reasonable. The Town, in its discretion, may also purchase liability insurance for the Trustees, and as the Town may select, for any person or persons who serve in a fiduciary capacity with respect to the Trust.

7.4. The Town shall not assume any obligation or responsibility to any person for any act or failure to act of the Trustees, any insurance company, or any beneficiary of the Trust Fund. The Trustees shall have no obligation or responsibility with respect to any action required by this Trust Agreement to be taken by the Town, any insurance company, or any other person, or for the result or the failure of any of the above to act or make any payment or contribution, or to otherwise provide any benefit contemplated by this Trust Agreement.

7.5. Neither the Trustees nor the Town shall be obliged to inquire into or be responsible for any action or failure to act on the part of the other. No insurance company shall be a party to this Trust Agreement, for any purpose, or be responsible for the validity of this Trust Agreement, it being intended that such insurance company shall be liable only for the obligations set forth in the policy or contract issued by it.

7.6. The Trustees shall invest and manage Trust assets as a prudent investor would, using the judgment and care under the circumstances then prevailing that persons of prudence, discretion, and intelligence exercise in the management of their own affairs, not in regard to speculation but in regard to the permanent disposition of their funds, considering the probable income as well as the probable safety of their capital, pursuant to G.L. c.203C.

## ARTICLE 8 ACTIONS BY THE TRUSTEES

8.1 A majority of Trustees may exercise any or all of the powers of the Trustees hereunder and may execute on behalf of the Trustees any and all instruments with the same effect as though executed by all the Trustees.

8.2. The Trustees may, by instrument executed by all of the Trustees, delegate to any attorney, agent or employee such other powers and duties as they deem advisable, including the power to execute, acknowledged or deliver instruments as fully as the Trustees might themselves and to sign and endorse checks for the account of the Trustees of the Trust.

8.3. No Trustee shall be required to give bond.

ARTICLE 9  
LIABILITY OF THE TRUSTEES

9.1. A Trustee shall not be liable for any mistake of judgment or other action made, taken or omitted by the Trustee in good faith, nor for any action taken or omitted by any other Trustee or any agent or employee selected with reasonable care, and the duties and obligations of the Trustees hereunder shall be expressly limited to those imposed upon them by this Trust Agreement.

9.2. No successor Trustee shall be held responsible for an act or failure of a predecessor Trustee.

9.3. Trustees are public employees for purposes of G.L. c.258, and shall be indemnified by the Town against any civil claim, action, award, compromise, settlement or judgment by reason of an intentional tort to the same extent and under the same condition as other public employees of the Town.

9.4. A Trustee shall not be indemnified for violation of the civil rights of any person if he acted in a grossly negligent, willful or malicious manner, or in connection with any matter where it is shown to be a breach of fiduciary duty, an act of willful dishonesty or an intentional violation of law by the Trustee.

ARTICLE 10  
MEETINGS OF THE TRUSTEES

10.1. The Trust may meet at such times and at such places as the Trustees shall determine.

10.2. The Trustees shall comply with the Open Meeting Law, G.L. c.30A, §§18-25 and its implementing regulations.

10.2. A quorum at any meeting shall be a majority of the Trustees then in office.

ARTICLE 11  
TAXES, EXPENSES, AND COMPENSATION

11.1. It is intended that the Trust will be a Code Article 115 trust. As such, it is expected that there will be no income taxes owed by the Trust. To the extent that any taxes are imposed on the Trust, the Trustee shall use the assets of the Trust Fund to pay for any taxes owed.

11.2. All reasonable costs and expenses of managing and administering the Trust and the Trust Fund, including such compensation for the Trustees as may be approved by Town Meeting from time to time, and reimbursement for reasonable fees incurred through the use of third party vendors or agents, shall be paid from the Trust unless the Town chooses to pay the expenses directly.

ARTICLE 12  
ACCOUNTS

12.1. The Trustees shall keep complete and accurate accounts of all of the Trust's receipts, investments and disbursements under this Trust Agreement. Such records, as well as all other Trust records, shall be retained and made available for public inspection and or copying in accordance with the requirements of the Public Records Law, G.L. c.66, §10 and G.L. c.4, §7, clause 26<sup>th</sup> and their implementing regulations. The person or persons designated by the Town shall be entitled to inspect such records upon request at any reasonable time.

12.2. The books and records of the Trust shall be audited annually by an independent auditor in accordance with accepted accounting practices. The results of the audit shall be provided to the Town at the same time as it is presented to the Trustees.

12.3. The Trust Fund shall be subject to the Commonwealth of Massachusetts Public Employee Retirement Administration Commission's triennial audit.

ARTICLE 13  
ANNUAL REPORTS

13.1. The Trustees shall furnish to the Town annually, or more frequently if the Town so requests, a statement of account showing the condition of the Trust Funds and all investments, sales, income, disbursements and expenses of the Trust and the Trust Fund.

ARTICLE 14  
INVESTMENT OF TRUST FUNDS

14.1. The Trustees hereby authorize and direct the Town Treasurer to invest and reinvest the amounts in the Trust Fund not needed for current disbursement, consistent with the prudent investor rule, and as provided in the Investment Policy which is attached to this instrument and hereby incorporated.

14.2. In no event shall the funds be invested directly in mortgages or in collateral loans.

ARTICLE 15  
CUSTODY OF THE TRUST FUNDS

15.1. The Trustees hereby appoint the Town Treasurer as custodian of the Trust Fund and authorize the Treasurer to employ an outside custodial service to maintain custody of the Trust Funds. All funds in the Trust Fund shall be accounted for separately from all other funds of the Town.

15.2. The Town Treasurer, with the authorization of the Trustees, shall establish one or more checking accounts, which may be interest bearing or non-interest bearing accounts. Such checking account or accounts shall be funded solely from the Trust Funds, and the Trustees may authorize the Town Treasurer to draw on such checking accounts for the payment of OPEB and for the administrative expenses of the Trust.

## ARTICLE 16 TERMINATION OF TRUST

16.1. The Trust shall continue unless and until terminated pursuant to law or by an instrument in writing signed by at least three Trustees, provided, however, that continuance of the Trust shall not be deemed to be a contractual obligation of the Town.

16.2. Upon termination of the Trust, subject to the payment of or making provision for the payment of all obligations and liabilities of the Trust and the Trustees, the net assets of the Trust shall be transferred to the Town and held by the Town Treasurer to be used exclusively for providing OPEB to Retired Employees and their eligible dependents and for no other purpose.

16.3. The powers of the Trustees shall continue until the affairs of the Trust are concluded.

## ARTICLE 17 AMENDMENTS

17.1. The Trust may only be amended as set forth herein. The Town may amend the Trust at any time as may be necessary to comply with the requirements for tax exemption under Section 115 of the Code, to conform the Trust to the laws of the Commonwealth of Massachusetts and to meet the standards set forth in GASB 43 and GASB 45 to be treated as funded through a qualifying trust or equivalent arrangement.

17.2. This Trust Agreement may be amended, but not revoked, from time to time by the Town, subject to the following limitations:

17.2.1. The assets of the Trust may not be used for or diverted to any other purposes prior to satisfaction of the Town's OPEB obligations, and reasonable expenses of administering the Trust.

17.2.2. The duties and liabilities of the Trustees cannot be substantially changed

without their written consent.

17.3 Any amendment to this Trust shall be executed in writing.

ARTICLE 18  
MERGER

18.1. The Town may provide for the merger of the Trust with one or more other trusts established by the Town or other government entities for similar purposes as may be provided by law.

ARTICLE 19  
SEVERABILITY OF INVALID PROVISIONS

19.1. If any provision of this Trust Agreement is determined invalid, illegal, or unenforceable for any reason, then the provision shall be severed from the remaining provisions of the Trust Agreement for any reason, and the remaining parts of the Agreement shall be construed to give the maximum practical effect to the purposes stated herein, as if the invalid, illegal, or unenforceable provision was never a part.

ARTICLE 20  
MISCELLANEOUS

20.1. This Trust Agreement shall be interpreted, construed and enforced, and the Trust hereby created shall be administered in accordance with and governed by the laws of the United States and of the Commonwealth of Massachusetts.

20.2. The titles to Articles of this Trust Agreement are placed herein for convenience of reference only, and the Trust Agreement is not to be construed by reference thereto.

20.3. No person shall be obliged to see to the application of any money paid or property delivered to the Trustees, or as to whether or not the Trustees have acted pursuant to any authorization herein required, or as to the terms of this Trust Agreement. In general, each person dealing with the Trustees may act upon any advice, request or representation in writing by the Trustees, or by the Trustee's duly authorized agent, and shall not be liable to any person in so doing. The certification of the Trustees that they are acting in accordance with this Trust Agreement shall be conclusive in favor of any person relying thereon.

20.4. This Trust Agreement may be executed in any number of counterparts, each of which shall be deemed to be an original but all of which together shall constitute but one instrument, which may be sufficiently evidenced by any counterpart.

20.5. Until advised to the contrary, the Trustees may assume this Trust is entitled to exemption from taxation under Section 115 of the Internal Revenue Code of 1986 or under any comparable section or sections of future legislation that amend, supplement or supersede one or both of those sections of the Internal Revenue Code.

IN WITNESS WHEREOF, the parties hereto have caused this Trust Agreement to be executed in their respective names by their duly authorized officers as of the day and year first above written.

BOARD OF TRUSTEES:

\_\_\_\_\_  
Trustee

\_\_\_\_\_  
Trustee

\_\_\_\_\_  
Trustee

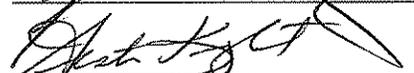
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Trustee

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Trustee

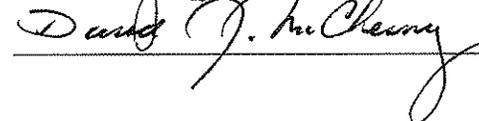
BOARD OF SELECTMEN:

  
\_\_\_\_\_  
Chairman

  
\_\_\_\_\_

  
\_\_\_\_\_

  
\_\_\_\_\_

  
\_\_\_\_\_

TOWN OF PROVINCETOWN  
OTHER POST EMPLOYMENT BENEFITS (“OPEB”) TRUST  
INVESTMENT POLICY

PURPOSE. The purpose of the Investment Policy is to assist the Board of Trustees in effectively supervising and monitoring its investment activities; and to provide guidance to investment managers employed by the Board of Trustees to manage its assets on behalf of the Board. It is set forth by the Board of Trustees in order to advise all concerned of their legal and fiduciary responsibilities and to establish a clear understanding by all involved parties as to the investment goals and objectives of the Trust.

INVESTMENT SUBCOMMITTEE. The Board of Trustees may designate one or more of its Trustees to form an investment Subcommittee for the purpose of advising the Board of Trustees as to the investment, management and monitoring of funds for the benefit of the current and future generations who are the ultimate beneficiaries of the Town. The Investment Subcommittee members and the Board of Trustees have a fiduciary responsibility and must develop and adhere to the Investment Policy. The Investment Subcommittee may retain a qualified Investment Consultant(s) to assist in its duties and responsibilities.

INVESTMENT OBJECTIVES. The primary objective of the investments of the Town will be to provide for consistent long-term growth of principal and income without undue exposure to risk. The investment objective is to achieve a total return including appreciation which will satisfy the financial needs of the Trust Agreement, protect and increase their long term inflation adjusted value, and minimize short run volatility.

INVESTMENT POLICY. Unless and until the Board of Trustees has adopted its own investment policy, the Board of Trustees shall comply with the Investment Policy of the Town, as the same may be modified from time to time.

## Chapter 479 of the Acts of 2008

### **AN ACT PROVIDING FOR THE ESTABLISHMENT OF OTHER POST EMPLOYMENT BENEFITS LIABILITY TRUST FUNDS IN MUNICIPALITIES AND CERTAIN OTHER GOVERNMENTAL UNITS.**

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to establish forthwith a local option for municipalities and certain other governmental units to establish certain trust funds, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same as follows:*

Chapter 32B of the General Laws is hereby amended by adding the following section:-

Section 20. A city, town, district, county or municipal lighting plant that accepts this section, may establish a separate fund, to be known as an Other Post Employment Benefits Liability Trust Fund, and a funding schedule for the fund. The schedule and any future updates shall be designed, consistent with standards issued by the Governmental Accounting Standards Board, to reduce the unfunded actuarial liability of health care and other post-employment benefits to zero as of an actuarially acceptable period of years and to meet the normal cost of all such future benefits for which the governmental unit is obligated. The schedule and any future updates shall be: (i) developed by an actuary retained by a municipal lighting plant or any other governmental unit and triennially reviewed by the board for a municipal lighting plant or by the chief executive officer of a governmental unit; and (ii) reviewed and approved by the actuary in the public employee retirement administration commission.

The board of a municipal lighting plant or the legislative body of any other governmental unit may appropriate amounts recommended by the schedule to be credited to the fund. Any interest or other income generated by the fund shall be added to and become part of the fund. Amounts that a governmental unit receives as a sponsor of a qualified retiree prescription drug plan under 42 U.S.C. 1395w-132 may be added to and become part of the fund.

The custodian of the fund shall be: (i) a designee appointed by the board of a municipal lighting plant; or (ii) the treasurer of any other governmental unit. Funds shall be invested and reinvested by the custodian consistent with the prudent investor rule set forth in chapter 203C.

This section may be accepted in a city having a Plan D or Plan E charter by vote of the city council; in any other city by vote of the city council and approval of the mayor; in a town by vote of the town at a town meeting; in a district by vote of the governing board; in a municipal lighting plant by vote of the board; and in a county by vote of the county commissioners.

*Approved January 10, 2009*

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**Provincetown Board of Selectmen  
AGENDA ACTION REQUEST**

**March 12, 2012**

**5D**

**OPEB TRUST AGREEMENT** (Other Post Employment Benefit)

**Requested by:** Finance Director Dan Hoot, 3/5/12

**Action Sought:** Approval

**Proposed Motion(s)**

*MOVE that the Board of Selectmen vote to adopt the attached Town of Provincetown "Other Post Employment Benefit" (OPEB) Trust Agreement as approved to form by Town Counsel.*

**Additional Information**

See attached OPEB Trust agreement to be adopted by the Board of Selectmen and approved as to form by Town Counsel John Giorgio.

**Board Action**

Motion	Second	Yea	Nay	Abstain	Disposition
AK	DB	5	0		

*3/12/12 Signed Original to Finance Director for processing Verma*



Provincetown Board of Selectmen  
**AGENDA ACTION REQUEST**  
May 27, 2014

7A

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## FY 2015 Town-wide Policy Goals

### Goal-Setting Exercise for the Board of Selectmen

Requested by: Board of Selectmen

Action Sought: Procedural

#### Proposed Motion(s)

**Discussion Dependent**

#### Additional Information

**May 27 – Selectmen provide comments on goals to Town Manager**

**June 9 – Initial public hearing on FY2015 Town-Wide Goals / Goal setting exercise on the draft goals**

**June 23 – Final Draft approved for publication**

**July 28 – Public hearing on the Proposed FY2015 Town-Wide Goals**

#### Board Action

<i>Motion</i>	<i>Second</i>	<i>In favor</i>	<i>Opposed</i>	<i>Disposition</i>

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Provincetown Board of Selectmen  
**AGENDA ACTION REQUEST**  
May 27, 2014

**7B**

## BOARD OF SELECTMEN'S RULES OF PROCEDURE

### Annual Review Process

Requested by: Board of Selectmen,

Action Sought: Procedural

#### Proposed Motion(s)

**MOVE that the Board of Selectmen vote to schedule adoption of the Rules of Procedure at its regular meeting on Monday, June 23, 2014, with any proposed amendments to be submitted in writing to the Board of Selectmen's Secretary by 12 Noon on Thursday, June 12, 2014.**

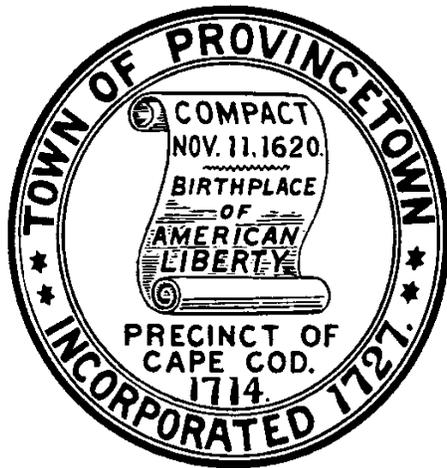
#### Additional Information

Attached is copy of the "Rules of Procedure" that were last approved on June 11, 2013. Section 9, thereof provides that "These standing procedures shall be reviewed annually, following the normal reorganization of each new Board of Selectmen . . . ." Section 10 provides that "(a) These standing procedures may be amended by a majority vote of the members present and voting at a regular meeting provided, however, that the proposed amendment has been submitted in writing at least one week prior to the date the amendment is to be voted upon. (b) An amendment shall be construed to mean any addition of a new procedure or deletion or modification of an existing procedure."

#### Board Action

<i>Motion</i>	<i>Second</i>	<i>In favor</i>	<i>Opposed</i>	<i>Disposition</i>

# TOWN OF PROVINCETOWN



## BOARD OF SELECTMEN RULES OF PROCEDURE

*Amended May 22, 2006, June 28, 2010 and June 11, 2012*

*Annual Approved Changes Date: June 10, 2013*

**SECTION 1. OFFICERS**

- a. The Board shall elect from its own membership, a Chairman and a Vice Chairman. Such election shall take place annually at the first regular meeting following the Town Election.
- b. The Chairman, or in his/her absence, the Vice Chairman, shall preside at meetings of the Board, and shall, subject to these rules, decide all points of procedure, unless over-ruled by the majority of the Board in session at the time. The Chairman shall act as liaison between the Board, the Board's Secretary, and the Town Manager.
- c. In the absence of the Chairman, the duties of the Chair shall be performed by the Vice Chairman. The typical duties and responsibilities of the Vice Chairman will then fall to the Selectman with the most seniority.

**SECTION 2. MEETINGS**

- a. **General.** All meetings of the Board of Selectmen shall be conducted in accordance with Chapter 39, Section 23A, Massachusetts General Laws (Open Meeting Law); and all other applicable laws.
- b. **Regular Meetings.** The Board of Selectmen and the Town Manager shall meet in Town Hall on the second and fourth Monday evenings of each month and at such other times as the Board may decide. If the second or fourth Monday of a month falls on a holiday, the Board and the Town Manager shall meet on the following evening. Unless it is executive session, every meeting of the Board of Selectmen shall be open to the public and to the press (By-Laws of the Town of Provincetown, Section 4-2-1).
- c. **Special Meetings.** Special meetings of the Board may be called by the Chairman with the concurrence of a majority of the remaining members of the Board; however, the required statutory forty-eight hours public notice of such a meeting may not be waived.
- d. **Emergency Meetings.**
  - (1) The Chairman may call an emergency meeting of the Board when, in the judgment of the Chair, immediate and/or delayed action by the Board would be contrary to the best interests of the Town.
  - (2) Matters acted upon by the Board at emergency meetings shall be made an agenda item at the next regular meeting of the Board for the purpose of ratifying decisions rendered at emergency meetings.
  - (3) Authority to act upon routine Board matters but necessary for timely dispatch may be delegated to the Chairman. Actions taken under the provisions of this subsection shall be ratified at the next regular meeting of the Board.
- f. **Executive Sessions.**

Executive session of the Board shall be conducted in accordance with Chapter 39, Section 23A, Massachusetts General Laws.

  - a. Executive session will be listed as a topic for discussion on meeting notice,

including as much detail about the purpose for the executive session as possible without compromising the purpose for which it is called.

- b. The Board will be convened in open session first.
  - c. Chair publicly announced the purpose for executive session, citing one or more of the 10 purposes found at G.L. c. 30A, § 21(a).
    - 1) For Executive Session Purposes 3, 6, and 8: Chair publicly will state that having the discussion in open session would have a detrimental effect on the public body's negotiating position, bargaining position, litigating position, or ability to obtain qualified applicants.
  - d. Chair will state all subjects that may be revealed without compromising the purpose for which the executive session was called.
  - e. Chair will state whether Board will adjourn from the executive session, or will reconvene in open session after the executive session.
  - f. A majority of members of the Board must vote by roll-call to enter into executive session.
  - g. Documents in Meeting Packets for Executive Sessions will be distributed only in paper copy.
  - h. Executive Sessions relating to "strategy with respect to litigation" shall be scheduled at 5 p.m., followed by regular business at 6 p.m. whenever possible.
- g. Time of Meetings.**
- (1) All Board Meetings shall normally be scheduled to commence promptly at 6:00 P.M., and terminate not later than 11:00 P.M. In the event, however, official business remains to be transacted at the scheduled adjournment time, the Board may vote to suspend this requirement under the provisions of Section 7 of these procedures.
  - (2) Unfinished business remaining at the scheduled or alternate adjournment time shall appear on the agenda of the next regular meeting.
  - (3) Any Board Member who expects to be absent from a scheduled Board Meeting, or delayed for more than one hour shall notify the Chairman in advance of the scheduled meeting.
- h. Meeting Packet: Meeting Notice, Agenda and Documents**

- 1) The Meeting Packet will include
  - a. Notice contains the date, time, and location of the meeting.
  - b. If the meeting is a joint meeting of several public bodies, the names of all bodies meeting are to be listed.

- c. The notice contains all of the topics that the chair reasonably anticipates will be discussed at the meeting. The topics are to be sufficiently specific to reasonably advise the public of the issues to be discussed at the meeting,
  - d. The notice is printed in a legible, easily understandable format.
  - e. The date and time that the notice is posted is conspicuously recorded on the notice.
  - f. All Documents to be reviewed by the Selectmen in the meeting.
- 2) Meeting Packet of all scheduled meetings of the Board, except as precluded by Section 2f, above, shall be filed with the Town Clerk at least forty-eight hours (excluding Saturdays, Sundays and Holidays) in advance of the meeting for posting on the official Town Website.
  - 3) Copies of the Meeting Packet shall be made available to members of the media and the general public on the Town Website. The Meeting Packet may be removed from the Town Website only after a majority vote of the Selectmen.

**SECTION 3. AGENDA FOR REGULAR MEETING**

- a.** The format for agendas for regular meetings shall be:

1. Public Hearing
2. Public Statements
3. Selectmen Statements
4. Joint Meetings/presentations
5. Appointments
6. Requested agenda items
7. Town Manager's Report
8. Minutes
9. Closing Statements

Note: The Board grants discretion to the Chair in setting the order of the “requested Agenda Items”, such that public requests always precede staff requests, but exceptions may be made when the staff requests require very short amounts of time. The Board also requests we avoid using the category “preliminary matters”.

- b.** The agenda of a public meeting of the Board of Selectmen shall provide for statements by members of the public no later than the second item on the agenda (By-Laws of the Town of Provincetown, Sect. 4-2-2).
- c.** Agenda Items submitted from Selectmen - Items for placement on the Agenda from a Board Member and/or Town Manager should be in writing, stating the subject matter, and a concise statement as to the essence of the subject matter.
- d.** Agenda items must be received at the start of the Agenda Setting Meeting as listed on the Selectmen’s Calendar.

-OR-

- e. Requested by a Selectman at a Public Meeting to be placed on the subsequent agenda.
- f. Agendas for special and emergency meetings may be modified by the Chairman to conform to the purpose(s) for which such meetings are called.

**SECTION 4. PROCEDURES DURING MEETING**

- a. Proceedings during meetings shall normally be governed by Roberts Rules of Order except as modified by these procedures.
- b. When deemed necessary and appropriate, the Chairman may offer a motion, or second a motion.
- c. No person shall address a public meeting of the Board without permission of the Chairman or other designated presiding officer.
- d. Items, which appear on the meeting agenda, shall be considered as properly before the Board of Selectmen without benefit of a specific motion to that effect. However, any Member of the Board may reserve the right to move that an agenda item be stricken from the agenda. Such a motion, if made, shall be subject to the actions of the other Members of the Board as would be appropriate to action on routine motions
- e. The Board of Selectmen may respond to speakers under public statements providing a majority of the board members present vote to do so. The board may take action on issues brought before the board if it is of a nature not deemed to require being placed on a subsequent agenda.
- f. Limit Public Statements to a total of sixty (60) minutes. Each public speaker is limited to five (5) minutes speaking time.
- g. The Chairman should rotate from meeting to meeting the order in which the Selectmen make their statements.

**SECTION 5. PUBLIC HEARING PROCEDURES**

**Preliminary Procedures**

- a. Proponents and opponents must set up any displays or graphic presentations prior to the actual start of the hearing.
- b. Principal speakers must identify themselves to the Chair prior to the start of the hearing.
- c. Copies of the hearing procedures will be posted (or distributed) prior to the start of the hearing.

**Hearing Procedures**

- a. The Chair will open the hearing by identifying the purpose of the hearing, reading the hearing notice aloud, and explaining the rules to be followed during the hearing.

- b. If testimony at the hearing must be given under oath, a five-minute recess will be taken to permit speakers to register with the Secretary to the Board. When the hearing is reconvened, the Chair will render the oath in front of all present.

- c. **Basic Hearing Format**

- Arguments: Proponents
- Questions: Public
- Questions: Board of Selectmen
- Opponents Questions – Public
- Questions – Board of Selectmen
- Rebuttal: Proponents
- Rebuttal: Opponents
- Closed to Public
- Board Discussion
- Vote

- c. No questions will be permitted until after the speaker has finished his/her presentation. Questions will be accepted first from the public and then from Board Members. All public questions will be addressed through the Chair. Questioners will identify themselves to the Chair, state their question, and specify to whom it is addressed. Any disagreement with answers is restricted to rebuttal statements.
- e. At the completion of arguments, citizens may record themselves in agreement with the speaking side without making another presentation. (This provision is designed to reduce repetition.)

**SECTION 6. MINUTES OF MEETINGS**

- a. The proceedings of all Board meetings shall be recorded by cassette recording devices. Tape recordings or videotape may not be used as a permanent record of meetings. Written minutes must be prepared as outlined in Section 6b. Once minutes have been prepared and approved, the tape and/or video may be erased and re-used for another meeting. Until it is erased, however, it is a public record (unless it is a tape or video of an executive session), which must be made available for inspection and copying upon request.
  - b1 Written minutes of Board meetings shall be prepared in an abbreviated form; however, as a minimum, the written minutes shall record time and date of meetings, names of Board Members present and voting, names of Town personnel attending, and names of Members of other Town Boards, Committees and Commissions attending the meeting, *a summary of the discussions on each topic; a list of documents and other exhibits used at the meeting.*<sup>1</sup> The record of exact motions made and votes taken shall be included in the written minutes. Written minutes shall not include verbatim or otherwise lengthy record of discussion on agenda items.
  - b2 Written minutes should be printed on both sides of the paper they are printed on. (To
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conserve paper and archive space.)

- c. Written minutes shall be prepared as expeditiously as possible to allow the Board to act upon them at a subsequent regular meeting. Following the Board's approval, the written minutes shall be filed with the Town Clerk and become a permanent and official record of meetings.
- d. Executive Session minutes will be written by the Vice Chairman. Minutes are to include motions made, actions taken thereon and a record of the roll call vote(s).
- e. Minutes of Executive Sessions shall remain in the permanent possession of the Secretary to the Board, in a secure place, and shall not be released unless authorized by a majority vote of the Board taken in open session, or upon an order issued by a court of law.

**SECTION 7. SUSPENSION OF PROCEDURES**

These standing procedures may be suspended by an affirmative majority vote of the Board Members present and voting.

**SECTION 8. RECONSIDERATION OF VOTES**

Any vote taken may be reconsidered without limitations to time, given upon a proper motion before the Board and a favorable majority vote of the members present and voting, providing that the Selectman making the reconsideration motion voted in the majority on the original motion.

**SECTION 9. REVIEW OF STANDING PROCEDURE**

These standing procedures shall be reviewed annually, following the normal reorganization of each new Board of Selectmen, or, more often if necessary and dictated by changes in the Board's composition if occurring prior to the normal electoral process.

**SECTION 10. AMENDMENTS TO STANDING PROCEDURES**

- a. These standing procedures may be amended by a majority vote of the members present and voting at a regular meeting provided, however, that the proposed amendment has been submitted to the Board of Selectmen's secretary and the Board of Selectmen in writing at least one week prior to the date the amendment is to be voted upon.
- b. An amendment shall be construed to mean any addition of a new procedure or deletion or modification of an existing procedure.

**SECTION 11. EFFECTIVE DATE**

These standing procedures are effective May 22, 1995.

**SECTION 12. DISTRIBUTION**

A copy of these procedures will be provided to each newly elected Selectman.

## **THE HONORABLE BOARD OF SELECTMEN**

Austin Knight, Chairman

Elaine Anderson, Vice Chair

Erik Yingling

David McChesney

Thomas N. Donegan

*Vernon G. Porter, Secretary*

**June 10, 2013**



Provincetown Board of Selectmen  
**AGENDA ACTION REQUEST**  
May 27, 2014

7C

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## TOWN MANAGER FOLLOWUP

Requested by: Acting Town Manager David Gardner

Action Sought: Discussion

### Proposed Motion(s)

Discussion dependent.

Votes may be taken.

### Additional Information

### Board Action

<i>Motion</i>	<i>Second</i>	<i>Yea</i>	<i>Nay</i>	<i>Abstain</i>	<i>Disposition</i>

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Provincetown Board of Selectmen  
**AGENDA ACTION REQUEST**  
May 27, 2014

7D

## OTHER

Requested by: Acting Town Manager David Gardner

Action Sought: Discussion

### Proposed Motion(s)

Discussion dependent.

Votes may be taken.

### Additional Information

### Board Action

<i>Motion</i>	<i>Second</i>	<i>Yea</i>	<i>Nay</i>	<i>Abstain</i>	<i>Disposition</i>



Provincetown Board of Selectmen  
**AGENDA ACTION REQUEST**  
May 27, 2014

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## MINUTES OF BOARD OF SELECTMEN'S MEETINGS

Requested by: BOS Secretary, Mary Timmons

Action Sought: Approval

### Proposed Motion(s)

**None**

### Additional Information

### Board Action

<i>Motion</i>	<i>Second</i>	<i>Yea</i>	<i>Nay</i>	<i>Abstain</i>	<i>Disposition</i>